

Summary of 7-9 Connecticut Ave. CRB application and subsequent follow-up.

An application for the property located at 7-9 Connecticut Ave. came before the Condo Review Board at the March 22, 2021 meeting of the CRB. Below is a summary of the meeting minutes relating to this application at that meeting.

WARD 1 PRECINCT 2

Application of The 7-9 Connecticut Avenue LLC, James and David Desrosiers, attorney Kathleen Desmond representing, seeking a Preliminary Conversion Permit for Unit 1, Unit 2 and Unit 3 located at 7-9 Connecticut Ave. The application fee has been paid. All three units are tenanted and tenant documents have been provided. One tenant has indicated they are low-income, and attorney Desmond has asked that verification is provided to that effect. Hannah informed the Board she would be connecting that tenant to the Office of Housing Stability to assist in obtaining that information.

The master deed and report on the condition of the property have not yet been submitted. Board Chair Zasloff asked staff how to proceed given that the notice period was still in question, and she indicated that because the notice period is at minimum one year, the conditional permit could be granted at this time and may be adjusted once that verification is obtained. The Board did not have any questions.

No public comment was received for this application.

On a motion duly made and seconded, a roll call vote was called and it was VOTED 3-0:

Chair Zasloff- Yes

Vice Chair Paul- Yes

Member Kanda- Yes

To grant a Preliminary Conversion Permit for Unit 1, Unit 2 and Unit 3 located at 7-9 Connecticut Ave, conditioned on the tenant notice period requirements being fulfilled and submission of the master deed and report on the condition of the property.

As stated in the meeting minutes above, following the meeting Hannah Carrillo engaged with the Assistance Director of Housing Stability, Fred Berman, for follow up with the tenant who claimed to be low-moderate income and/or disabled. As you'll see below numerous attempts had been made by City Staff to obtain the necessary documentation from the tenant to substantiate their claim. A timeline of events to verify the income status of the tenant are outlined below.

- *3/29/2021: Fred Berman texted Hannah Carrillo to obtain follow up information clarifying the need for documentation*
- *3/31/2021: Fred Berman left vmail with tenant explaining his role in obtaining the documentation needed by the Condo Review Board if they are to approve extended protections on the basis of a disability or on the basis of his being of low or moderate income.*

- *4/21: During April, several tentative appointments with the client failed to work out, due to the client's having other commitments related to work or to providing support/caregiving to his ailing mother.*
- *5/3/2021: Fred Berman spoke with the client and dropped off consent forms to work with him on collecting the documentation needed.*
- *5/4/2021: Fred Berman spoke with tenant again explained his role in obtaining the documentation needed by the Condo Review Board. Explained that this documentation was needed if they are to approve extended protections on the basis of a disability or on the basis of his being of low or moderate income. Tenant was wary of signing papers.*
- *5/11/2021: Fred Berman went to tenants house and explained what was needed to document to the Condo Review Board, his basis for receiving extended protections: that he is either elderly, disabled, or low/moderate income (i.e., income under \$67,400/year or \$5,616/month. It was discussed that it would be easier for him to document his income eligibility, rather than disability status (client claimed he has had four hip replacements), given that he doesn't let his hip surgeries limit his activities, and given that he works out in a gym just about every day. (Per Hannah Carrillo, Condo Ordinance defines disability threshold as (1) substantially limits such person's ability to care for him or herself, perform manual tasks, walk, see, hear, speak, breathe, learn or work; or (2) significantly limits the housing appropriate for such person or significantly limits such person's ability to seek new housing; or (3) meet the disability related provisions contained within the definition of "handicapped persons of low income" in G.L. c.121B §1.) Tenant noted that he cuts hair and has not paid income taxes in 2+ years, so (per call with Hannah Carrillo) documenting Mass Health eligibility would be alternate approach to documenting income eligibility.*
- *5/11/2021 and 5/18/2021: After discussions with tenant on May 11 and 18 about next steps, Fred Berman requested and received guidance from Luciana Quintanilha (HHS) on 6/3 recommending that he contact Mass Health at 1-800-841-2900, provide his MassHealth ID number, and request an "Approval Letter" documenting his Mass Health eligibility since the beginning of 2020 and through the present. Fred Berman explained they would then submit that information to the Condo Review Board. Fred Berman shared recommendation with client and a week or so later, client left message saying he requested and received such a letter.*
- *6/21/21: Fred Berman left voicemails to suggest that he could stop by and look at the letter to make sure that it would serve the purpose, but client never returned the calls.*
- *8/10/16: Fred Berman was in touch with tenant again, in response to inquiry from Hannah Carrillo. Fred Berman asked tenant whether he had received the letter, and client checked. Fred*

Berman arranged for Hannah Carrillo, who lives a few blocks away to pick up document. But when Hannah picked up letter, it was the same doctor's letter that had been submitted months ago and not the Mass Health letter requested. Hannah indicated that Russell Koty would continue follow up on this case.

- *1/11/22: Russell Koty hand delivered a letter and also mailed the letter as certified mail to the tenant requesting the tenant to provide city staff with the requested income verification documentation or disability verification by a January 28, 2021.*
- *1/28/2021: No documents had been received by city staff from this tenant.*

The Attorney representing the property is working to move this project forward and is requesting a final determination be made by the board regarding the protections this tenant is allowed under the ordinance given the facts before you.