

**CITY OF SOMERVILLE, MASSACHUSETTS  
FAIR HOUSING COMMISSION**

*Joseph A. Curtatone  
Mayor*

*Staff*

Vicki Wairi  
Program Specialist

*Commissioners*

Helen Corrigan  
Jose Filho  
Dennis Fischman  
Rona Fischman

**Meeting Minutes**

December 22, 2016  
Somerville Library  
Conference Room  
79 Highland Ave  
1 pm

The meeting began at 1:08 pm.

Present: Dennis Fischman, Rona Fischman, Helen Corrigan and city staff, Vicki Wairi

New Business Items:

1. Minutes from the November 17, 2016 meeting were reviewed. **Dennis Fischman made a motion to accept the minutes as drafted. The motion was seconded by Rona Fischman and unanimously approved.**
2. Facebook update

Dennis reports that a reaction to a post on Facebook reached 439 people. The topic of the post was: Using zoning laws to prevent a group home for people with disabilities? That's not Fair Housing!

Other popular questions and answers were: Can landlord require tenant to shovel? Is PTSD a valid reason to break a lease? Below are the responses:

**Question:** Is it against the law for the lease to require a tenant to shovel?

**Answer:** It is against the law. Here's what a local attorney told us:

"For most properties with one common point of access, this clause is illegal. You can only do it if the unit has a separate point of access, and it does not apply to walkways or driveways which must be shoveled by the landlord. I am advising landlords not to make tenants responsible for any shoveling at all. Otherwise, it could even be a 93A violation for an illegal clause."

**Question:** I am a landlord. A resident at one of my complexes asked to break his lease early because he is suffering from post-traumatic stress disorder. He said that after returning from a military tour overseas, he is unable to sleep or focus on normal daily tasks because the complex's proximity to railroad tracks and a local interstate triggers severe anxiety. He offered to provide a doctor's note explaining that he needs to be able to leave the property for his mental health. He always pays his rent on time and never has any problems with other tenants, and I hate to lose him as a tenant. Do I have to let him break his lease?

**Answer:** Yes, this tenant is mostly likely entitled to a reasonable accommodation for early termination of his lease. Both the federal Fair Housing Act and the California Fair Employment and Housing Act provide that people with physical or mental impairments that limit a major life activity are entitled to request reasonable accommodations. Reasonable accommodations are changes to a housing provider's policies, practices or procedures that are necessary to allow a disabled person the opportunity to fully use and enjoy his home. To show that an accommodation is necessary, a tenant must show how the requested accommodation will mitigate the effects of his disability.

3. Review of calls/issues/complaints

Vicki Wairi reported there were no new complaints since the last meeting.

4. AFFH (Affirmatively Furthering Fair Housing) Next Steps

- a. Alex Bob sent Rona Fischman (RF) a survey that was used in another community for the AFH . The survey asked questions about resident's perceptions of fair housing and if information was adequately being provided to residents. RF determined the survey was not user friendly in terms or jargon used etc so she shared the survey with the commissioners. Commissioners provided feedback on the wording of the questions and RF will continue to refine the survey and share it at the January meeting.

5. FHC candidate with update.

- a. The person who Jose Filho identified as a potential commissioner, Claudia DeAndrade, met with Mike Feloney and Vicki Wairi on Monday, November 28, 2016. She is interested in becoming a commissioner and will submit a letter of interest. Vicki Wairi (VW) will follow up with the next steps in having her confirmed.

6. Poster contest for 2017 – "April is Fair Housing Month"

- a. There was initial discussion about what schools have participated in the past. The schools have been the Kennedy, the Winter Hill and the West Somerville Neighborhood School. The consensus was that this year the outreach would be to 2 schools who have not participated in the past. It was decided that the as in the past the Commissioners would read to two grades in 2 schools. The suggested schools are the Healey and East Somerville Community School or the Argenziano. Vicki Wairi will coordinate with schools before January meeting and suggest to the schools that the event to be held in February to allow for submission deadline and judging to occur in March in preparation for Fair Housing month in April.
- b. The commissioners will obtain gift card donations from local banks as prizes. Helen Corrigan will approach one local bank.

A motion to adjourn was introduced by Rona, seconded by Helen, and approved unanimously. The meeting was adjourned at 2:08 PM.

Documents distributed: Fair Housing Survey