

Minutes of the Fairfax County Tenant-Landlord Commission

October 17, 2019

Fairfax County Government Center
12000 Government Center Parkway
Fairfax, Virginia 22035
Conference Room 9/10
Chairman Fielding presiding

Attendance:

Commissioners Fielding, Geier-Smith, Harberg

Absent:

Commissioners Kocsis, Park, Purnell

Staff Attending:

Michael S. Liberman, Director
Cable and Consumer Services
Rebecca L. Makely, Director
Consumer Services Division
Susan C. Jones, Branch Chief
Consumer Affairs Branch
Vee Johnson, Consumer Specialist
Consumer Affairs Branch

Guest:

Margaret (Margot) Squires
Fair Housing Coordinator, Fair Housing
Program
Office of Human Rights and Equity Programs
Human Rights Division

The meeting was called to order at 7:30 p.m. by Chairman Fielding.

Minutes

A motion was made by Commissioner Geier-Smith and seconded by Commissioner Harberg to approve the minutes from June 20, 2019. The motion carried unanimously.

Report of the Chairman

Chairman Fielding did not have a report.

Report of the Directors

Director Liberman informed that mediation has been initiated regarding a tenant-landlord dispute about an alleged lease termination, which was featured in a *Washington Post* article. The Office of Human Rights and Equity Programs is also investigating complaints from tenants regarding this landlord.

Director Makely did not have a report.

Staff Report

A case regarding a security deposit dispute was summarized. The tenant filed a complaint with Consumer Affairs after the landlord failed to refund the security deposit as required by the lease agreement, plus reimburse the tenant for repairs made during the tenancy. After intervention from Consumer Affairs, the landlord claimed refunds were not due, but did not have documentation to support the deductions. After a review of the lease agreement, and the Virginia Residential Landlord and Tenant Act, the landlord refunded the security deposit and repair reimbursements over a two-week period.

Commission Matters

Commissioner Harberg inquired about the tenant-landlord complaint process. An outline of the complaint process was provided, and questions answered.

Commissioner Geier-Smith is seeking more information about HUD's proposed modification to the disparate impact rule and how it will impact fair housing enforcement. She was encouraged to contact Margaret Squires, with the Office of Human Rights and Equity Programs, for information on how the proposed modifications will impact tenants.

Commissioner Fielding asked Commissioners about changing meetings to the 2nd Thursday of each month instead of the 3rd Thursday. In accordance with Article V of the Bylaws, at the call of Chairman Fielding, and agreement by the majority of the Commission, starting in 2020, meetings will be held on the second Thursday instead of the third Thursday as in previous years. Required notice will be provided to the Commission.

Due to scheduling conflicts, Chairman Fielding discussed changing the December meeting date to assure there is a quorum for the purpose of nominating a slate of candidates from the floor for positions of Tenant Vice-Chairman, Landlord Vice-Chairman, and Secretary. Staff will contact Commissioners regarding a change in date for the December meeting.

Old Business

None

New Business

Margaret (Margot) Squires, Fair Housing Coordinator with the Office of Human Rights and Equity Programs (OHREP), Human Rights Division, provided updates regarding fair housing complaints, fair housing testing, and actions being taken by OHREP to mitigate barriers that exist to fair housing choices in the County. She answered questions from Commissioners and will email more information to address inquiries from Commissioners regarding emotional support animals, fair housing laws, and disability rights.

A motion was made by Commissioner Harberg and seconded by Commissioner Geier-Smith to adjourn the meeting. The motion carried unanimously. The meeting was adjourned at 9:04 p.m.