

Fair Housing Task Force

Minutes of the July 14th, 2020 Meeting

Present:

Legislator Sam Gonzalez, representing the 9th District.
Legislator Steven Flotteron, representing the 11th District.
Presiding Officer Robert Calarco. Legislator for the 7th District.
Derek Stein (Office of the Presiding Officer)
Luann Dullojacona (Office of the Presiding Officer)
Dawn Lott (SC Human Rights Commission)
Lynda Perdomo-Ayala (SC Human rights Commission)
Dr. Georgette Grier-Key (NAACP)
V. Elaine Gross (Erase Racism)
Bo Patten (LIBOR)
Liza Milgrim (Hispanic Bar Association)
Johnathan Smith (NYS Division of Human Rights)
Cicely Harris (NYS Division of Human Rights)
Sharon Mullon (LIHP)
Nancy Vargas-Johnson (Central Islip Civic Counsel)
Natasha Marrero (Office of Legislator Gonzalez)

Guest: Rachelle Blidner (Newsday)

1. Statement by Leg. Sam Gonzalez:

Legislator Sam Gonzalez is looking forward to strengthening Suffolk County Human Rights Laws, and in order to meet goals in order to promote fair housing in Suffolk County.

2. Statement by Presiding Officer Robert Calarco:

Presiding Officer Robert Calarco thanked Legislator Gonzalez for his willingness to take charge of the Task Force, he thanked his predecessor Presiding Officer DuWayne Gregory for authorizing this resolution which followed up on Newsday's report last year which exposed how Long Island still dealt with significant systemic issues in housing. He acknowledged that the protests ongoing reflect these same issues of systemic racism. He thanked the members who will be serving on the Task Force and hoped the Task Force will take a proactive approach to address these issues. He noted the Presiding Officer's office will help the Task Force moving forward and Derek Stein from his office will help to run the zoom meetings going forward.

3. Amendments:

Legislator Gonzalez noted they will make a couple amendments to extend the time frame of the Task Force. Presiding Officer Calarco noted work setting up the Task Force was beginning right about when the COVID-19 crisis began. Legislator Gonzalez said the other amendment is to add members to the resolution, as representatives of Latino Justice could not attend, but they were able to bring Liz Milgrim of the Hispanic Bar Association in the Task Force instead. Legislator Gonzalez noted how housing affects a wide range of issues, from education, jobs and even health. Legislator Gonzalez quoted Jessica Owens-Young, Assistant Professor of Health at American University, saying that your neighborhood could determine your life-span by as much

as 30 years. He stated that he is committed to strengthening the County's human rights laws. He said that he was a victim of steering himself.

4. **Introductions:**

V. Elaine Gross, introduced herself as founder of ERASE Racism, which was founded in 2001. Which is focused on identifying structural racism and works heavily with school segregation.

Nancy Vargas-Johnson: Introduced herself as the Vice President of the Central Islip Civic Council, and as Board President there. The association works in Central Islip and she herself works in Real Estate and serves in the National Association of Hispanic Real Estate Professionals.

Bo Patten: Vice President for Government Affairs of the Long Island Board of Realtors (LIBOR), the trade association representing realtors on Long Island.

Legislator Steve Flotteron: Introduced himself as the Legislator for the 11th District, which includes Bay Shore, Brightwaters, West Islip and Fire Island among other locales. On the Islip Town Board worked on Affordable Housing Programs such as the Sunnybrook Neighborhood Program in Bay Shore and on Lowell Avenue in Central Islip. Stated we need to have fair housing on Long Island, noted Government often has programs on the books that may not being implemented or enforced. Noted people often aren't aware of the rules or on available programs.

Jonathan Smith: Interim Commissioner for the New York State Division of Human Rights. Stated their agency's mandate is to prohibit housing discrimination and opened an investigation with the Department of State in the wake of the Newsday report. Noted he would be unable to stay for the whole conversation.

Georgette Grier-Key: Representing the NAACP, Chair of the Brookhaven NAACP.

Dawn Lott: Executive Director of the Suffolk County Human Rights Commission, which is responsible for supervising and enforcing laws relating to fair housing in Suffolk County. She stated she is looking forward to any changes that may come out of the work of the Task Force.

Cicely Harris: Acting First Deputy Commissioner of the New York State Department of Human Rights. Stated they are continuing to work with HUD and to work on systematic issues that exist and to fight general issues of housing discrimination and is also working now on issues relating to COVID-19.

Lynda Perdomo-Ayala: Chair of the Suffolk County Human Rights Commissioner. Looking forward to working with the Task Force to make headway in fighting discriminatory practices in housing on Long Island. Works as a higher education Administrator at Stony Brook University.

Liza Milgrim: President-elect of the Long Island Hispanic Bar Association.

Sharon Mullen: Works at Long Island Housing Partnership. Has worked there for the past seven years focusing on education and does training for realtors. She stated LIHP works with builders as well.

5. **Mission/ Goal:**

Legislator Gonzalez noted that one thing he has heard over the years about change but now Newsday's article has brought this issue to light. He suggested the Task Force move to talk about their missions and goals and what is it that they need to do and what needs to change. Elaine Gross asked if the Task Force could be refreshed on the charge of the Task Force and the initial resolution establishing it. Legislator Gonzalez read the initial whereas clauses from Resolution 1210-19 which states it will "review the existing County Human Rights Law as it pertains to housing discrimination and recommend improvements that will strengthen County protections against these impermissible practices". Elaine Gross noted that it included reviewing human rights laws and documenting discriminatory events. She suggested that the mission could look to include issues contributing to housing inequities, she noted the Suffolk County Human Rights Law she thought was in good shape, but that the big change is really for aggressive enforcement of the law and felt that would be a focus of their work.

Elaine Gross noted that she still hears from realtors who say that nothing was done wrong, so that is also an issue that needs to be corrected in future amendments in order to make the Task Force more effective. Legislator Gonzalez agreed and felt enforcement is very important and shouldn't be a simple slap on the wrist, he noted they already go through training. He added that trainings may not cover existing realtors and not new realtors. Bo Patten added that they have brought digital education to their members, they are looking to bring in implicit bias training to their membership as a whole, LIBOR has redesigned their fair housing portal on their website. He noted that a number of Towns have anti-bias committees that have not been active, and in Queens they suggested forward-facing education to the public to know when someone is being discriminated against would also be helpful. He noted State investigations are still ongoing, and that they have recently expelled a member who made violent threats. Georgette Grier-Key stated that recently the NAACP have received an uptick in complaints so the Task Force should look to systemic issues. She noted that trainings may not be up to par, since she is surprised how people are unaware of how fair housing issues are systematic. She noted that realizing that individuals don't choose to live in a particular area is important, so understanding the facts and why neighborhoods are redlined is very important.

6. **Open Discussion:**

Legislator Gonzalez noted that reminds him of the Newsday article, which can show the why's and how's someone can be steered to a particular community based on their race. Dawn Lott stated they should also be talking about funding, since you could strengthen the laws but if you don't have funding to maintain that it will not work. She noted that the County's economic state is a major issue but that funding to support education, she noted it ultimately falls to the community, as your average person may not know if they are being discriminated against, enforcement is another concern, as there is a limited number of investigators, and if there is an increase in the number of cases reported to HRC who would be following up on that. Georgette Grier-Key noted some non-profits agencies handle complaints. She noted they receive a lot of housing complaints but they often can't really handle it, and that non-profits should be aligned to better take care of these issues. Sharon Mullen seconded the need for Suffolk's HRC to have staff and funding available.

Nancy Vargas-Johnson asked what the goal of the Task Force is, and how often they will meet. She added that there should be more diversity in the Task Force in order for it to have a more rounded approach. She noted there is fairly limited Section-8 housing and that there needs to be

diverse housing stock available as well. Bo Patten stated that LIBOR is working to compile a list of agencies accepting housing complaints and non-profits. Legislator Gonzalez noted that's part of what they're trying to do and believed that would be very helpful. Lynda Perdomo-Ayala stated she had a conversation with the County Executive about the limited capacity of the Human Rights Commission before the Newsday report, and felt they would not be able to keep up with incoming complaints. She noted that if data is not compiled then it is difficult to get a sense of scale of the problem and seconded Bo Patten's effort to create a list of agencies and reports. She also noted the Anti-Bias Task Force in Suffolk can serve as the boot on the ground in each Town, but everyday individuals receive complaints from their communities and felt Anti-Bias Task Forces could be helpful to this Task Force. She said Suffolk County Anti-Bias Task Forces met yesterday and they meet monthly but is only recently under the auspices of the Human Rights Commission. Dawn Lott noted there are 8 town Anti-Bias Task Forces, co-chaired by Reverend Barrett and Rabbi Stephen Moss, meeting each month, now through Zoom. Some Town's Anti-Bias Task Forces are individual groups, while some are established by legislation directly, she added they do not do investigation directly. Each town has their own priorities, but meeting with the County each month helps them to meet to discuss regional concerns. Dawn Lott noted Islip is a very active Task Force, which will provide them with issues and provide them to the HRC, and responds quickly to concerns raised in the community.

Georgette Grier-Key asked if there was a judge hired for the purpose of adjudication. Dawn Lott clarified complaints are first received by the HRC, and then if necessary will be brought to a judge directly. She noted they have hired some administrative law judges to help with this, but New York State previously did not have a source of include level. Legislator Gonzalez asked how many cases the three administrative law judges receive. Dawn added they may only receive about 10, but that these numbers do not reflect the number of cases that are going on, as certain cases must be referred to the State and vice-versa. Legislator Gonzalez felt numerous towns are having issues where individuals feel minority communities are not being treated fairly. He also asked for a list of members of each Anti-Bias Task Force. Lynda Perdomo-Ayala added these Anti-Bias Task Force can range from 5 to 15 people, they are generally quite diverse, she added Rabbi Moss established these Anti-Bias Task Forces. Elaine Gross suggested that since there are different levels of knowledge about fair housing one option would be to identify a list of tasks allowing individuals to start at a similar place. She noted even in the Newsday report some testers did not realize they were being discriminated against, and that similar knowledge about Fair Housing laws, the enforcement process, ongoing events and practices, and identifying clarity about the Anti-Bias Task Forces' themselves are things that she felt would be helpful for the Human Rights Commission to bring forward to the Fair Housing Task Force. Legislator Gonzalez agreed, and stated in the next meeting he will look to have a list of every organization for the next meeting. He noted this first meeting is to get a feel for what the Task Force should focus on.

Legislator Flotteron recalled Sharon Mullen's comments that people can become victims when they are buying a place, such as why someone would need a title search or a lawyer. He said it would be helpful to direct individuals to a specific website and to provide resources to more people regarding FAQ's for each group. Elaine Gross clarified that education is always a good thing, but that she doesn't think everyone on the call has the same understanding on how housing discrimination happens, since victims may not know if they are being discriminated against unless it is blatant. She added that proactive testing would allow for us to have information on who is being treated fairly and information about findings of discrimination should be public

since that acts as a strong discouragement. She stated it is the possibility of real consequences that would make change, and its' more than just reviewing the existing Human Rights law in Suffolk County. Legislator Flotteron said that there should be information available since he expects that not even every Legislator would have a number to call handy. Legislator Gonzalez asked if there a "wall of shame" for realtors caught steering or implicated in complaints that someone could search. Dawn Lott noted that we need to be clear, since a complaint does not mean someone is guilty, if an investigation is pending you don't see this information posted due to the presumption of innocence, regarding findings it's public information. Elaine Gross noted that there's a difference between complaints being public and someone being able to find it. Legislator Gonzalez said he didn't mean allegations, but cases where a realtor has been caught and an administrative law judge has found that a realtor committed a human rights violation, and asked if there is something where someone could search a name and find out how many cases have been brought to an administrative law judge.

Dr. Grier-Key noted that often these cases are settled prior to coming before a judge. She asked the Legislators to look into laws regarding patterns of behavior that would allow the County to track them or to create a database themselves, since in the Town of Brookhaven there was a habitual problem where builders would build housing again and again that was sub-par.

Bo Patten added that there is a fair-housing mandated disclosure all realtors must disclose, which also applies to all licensees, he noted it is about 60%-40% on Long Island, which took effect on June 20th. Elaine Gross added that came from New York State.

7. **Next Meeting:** Wednesday, August 12th

Legislator Gonzalez asked the Task Force for their thoughts on if it should be a bi-monthly meeting, or a monthly meeting and what times would work best. Derek Stein added that one thing looking forward will be to schedule Public Hearings to allow the public to comment in the future. Nancy Vargas-Johnson asked what the timeline was for the Task Force and asked if there should be separate subcommittees. Legislator Gonzalez said that the timeline for the Task Force to complete their work in is 90 days, and he noted it could be amended. Elaine Gross said that a clear mission needs to be put together for future meetings. Legislator Gonzalez said this meeting was largely to familiarize the members and was open, and now can move forward more specifically.

Derek Stein noted the deliverable for the Task Force is a final written report and presentation to the County Executive, Legislature and Clerk of the Legislature. Elaine Gross noted the Task Force should look to meet monthly, and should look to have meetings in the interim only to discuss specific concerns. Dr. Grier-Key suggested we should also look to schedule Public Hearings, look to digest the resolution itself and think about how and when these public hearings should be scheduled along with how topics to be broken out. Legislator Gonzalez stated that the Task Force should start with the resolution, the Newsday report and the topics from today's meeting in order to start deciphering and break it down in order to put a report together.

The Task Force ultimately scheduled their next meeting for Wednesday, August 12th at 1:00 p.m., and scheduled their September meeting for Monday, September 14th, at 1:00 p.m.

Legislator Sam Gonzalez

CC: NM, JH, DS