

**HOUSING AUTHORITY OF NEW ORLEANS
MINUTES OF THE BOARD OF COMMISSIONERS
REGULAR MEETING
FEBRUARY 11, 2014**

The Board of Commissioners of the Housing Authority of New Orleans met in Regular Session in the Helen W. Lang Board Room of the Authority located at 4100 Touro Street, Building B in the City of New Orleans, Louisiana 70122 at 10:30 a.m. on the 11th day of February, 2014.

The Agenda for this meeting is attached.

PRESENT

David Gilmore, Board of Commissioners
Robert Barbor, General Counsel

HANO STAFF

Leslie Dews
Maggie Merrill
Keith Pettigrew
Robert Anderson
Sieglinde Chambliss
Dawn Domengeaux
Arthur Waller
Lesley Thomas
Allan Rivera
Shelly Smith
Mitchel Dussett
Raymond Allen
Audrey Plessy
Larry Barabino
Alan Lindenlaub
Jennifer Adams
Issachar Nichols
Tomeka B. Jackson

RESIDENTS

Dianne Conerly, Florida RC
Mary Aples, BW Cooper RMC
Constance Haynes, Fischer
Deborah Collins, BW Cooper RMC
Theophilus Moore, BW Cooper
Claudette Warren, BW Cooper RMC
Donna Johnigan, BW Cooper/MC
Shavonda Aples, Tenant/Landlord
Daniel Wright, Marrero Commons
Davonte Turner, BW Cooper Marrero Commons
Earl Dickson, Marrero Commons

OTHERS

Terri North, Providence
R. Mahello, CYP Properties
VanShawn Branch, Advocacy Center
George Mahdi, Neighborhood Unity and Merge
Bridget Kelly, Land Trust for Louisiana
Taikai Bush Williams, NOAMM
Donald Valee

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I. CALL TO ORDER

The Board of Commissioners regular meeting was called to order by David Gilmore, HANO's Board of Commissioners at 10:35 a.m.

II. STATEMENT BY LEGAL COUNSEL

"In accordance with the Louisiana Constitution Article XII, Section 3 and LSA-R.S. 42:4.1 -13 the Board of Commissioners Meeting for the Housing Authority of New Orleans is hereby convened. As established in Sections 5 and 7 of R.S. 42 this meeting is open to the general public and notice of today's meeting as well as a copy of the Agenda have been provided and made available to the public prior to this meeting being called to order. Please adhere to the protocol as established and stated in the Agenda."

III. APPROVAL OF THE MINUTES OF THE REGULAR BOARD MEETING HELD ON JANUARY 14, 2014.

Mr. Gilmore APPROVED the Minutes of the Regular Meeting held on January 14, 2014.

IV. PUBLIC COMMENT

Shavonda Aples: I am a tenant who was relocated from B.W. Cooper. I found a house at 2718 New York Street. I've been having numerous problems with my landlord. He failed the inspection for the house, just recently, and he plans to evict me. He decided to bring me a hand-written notice.

Mr. Gilmore: He can't evict you. If the basis for him attempting to do so that it failed inspection; he's can't evict you? That's the law. When did you move?

Ms. Aples: I haven't moved out of the house yet. He wants me gone at the end of the month.

Mr. Gilmore: Stay where you are for the time being. Unless the situation is so horrendous for you that you can't stay there.

Ms. Aples: I'm in the process of trying to get another house now.

Mr. Gilmore: When did you move in to this place?

Ms. Aples: I was relocated March 30th of last year.

Mr. Gilmore: So this is the annual re-inspection?

Ms. Aples: Yes, that he failed

Mr. Gilmore: Did it pass when you first moved there?

Ms. Aples: The inspection is not until the 18th. It did pass, but the heater wasn't working and the air-conditioner wasn't working and they had a problem with roaches.

Mr. Gilmore: But it passed the first time?

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Ms. Aples: Yes, it did. When I started having problems, I called to talk to him. So he decided the roaches were my problem.

Mr. Gilmore: Did you bring them with you from B.W. Cooper?

Ms. Aples: I did not have roaches at B.W. Cooper.

Mr. Gilmore: I don't understand how he could have passed the inspection a year ago. Did you have heat this winter?

Ms. Aples: No. The heater didn't get fixed until yesterday.

Mr. Gilmore: Do you have kids?

Ms. Aples: Yes, I have a son. He's 16.

Mr. Gilmore: Did you have air-conditioning this past summer?

Ms. Aples: Not at first. I had to call HANO to speak to him. He said 'It's your problem.' When I called him to tell him about the air-conditioning, he had an attitude with me. So I came to HANO and talked with my case worker. She got the inspector to come back out.

Mr. Gilmore: What's the landlord's name?

Ms. Aples: His name is F.C. Harnberger.

Mr. Gilmore: Do we know if Mr. Harnberger has any other units in the Section 8 Program?

Ms. Aples: I think he does. But I'm not sure.

Mr. Gilmore: Mr. Harnberger is going to rue the day. First of all, he can't evict you while there are violations in the house. The law doesn't let him. Just because he gives you a piece of paper that says he wants you to move, doesn't mean you're evicted. You can't be evicted until a court says you're evicted.

Ms. Aples: I told him I had a problem with the neighbor and the grass being cut. And he came to my house, barging in. He tried to open my door with the next-door neighbor, and he threatened, "I'm gonna throw you out. I'm gonna evict you." I told him, "You need to file papers in court, and I'll see you in 90 days."

Mr. Gilmore: Okay, here's what we're going to do. Can you stay in that house right now? Is it livable?

Ms. Aples: Yes. But I'm in the process of packing my belongings.

Mr. Gilmore: Because he told you, that you had to move?

Ms. Aples: Yes. He doesn't want to re-sign the lease.

Mr. Gilmore: When is your lease over?

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Ms. Aples: I think it's this month. The month of February.

Mr. Gilmore: That may be a different matter.

Ms. Aples: So if the lease was signed in March, it's still February?

Mr. Gilmore: He presumably has to give you 30 days notice of his intent not to re-lease the unit to you.

Ms. Aples: That's what he did. He came and pushed his way into my house and gives me this letter.

Mr. Gilmore: He needs to understand if won't re-lease to you, he's not going to re-lease to anybody else on the program, so he's going to withdraw his unit from the Section 8 Program. He can go find another tenant someplace else. So, Mr. Waller, we need to get this lady another unit someplace. She needs to be relocated. Mr. Harnberger needs to be told that he cannot evict her. She's entitled to stay there until the day her lease expires. But in the interim, we're going to have to figure out how to get her moved someplace else. However, at the same time, I want to know whether Mr. Harnberger owns any other units enrolled in the Section 8 Program. And however many they are, they are all going to be inspected today. Every single one of them. Okay? Will you get a report to me?

Daniel Wright: We came this morning because we want to know what kind of programs you all have for us after school, on the weekends. Sports is over, so we really don't have nothing after school. We don't want to just sit around the apartment complex.

Mr. Gilmore: Where do you live?

Mr. Wright: In the Calliope project/ Marrero Commons. So we just wanted to see if y'all could help us with programs or jobs or stuff like that; something to do after school.

My name is Davonte Turner.

My name is Earl Dickson.

Mr. Gilmore: You all live at Marrero Commons? Dawn, you want to sit with these dudes and see what you can figure out? I'm going to read between the lines here. This is not what they said, but I think it's what they were thinking. And if I'm not representing you well, then you tell me. But I think that what they are saying to us is...They look like athletes to me. You play football? There you go. Nobody plays basketball? You do? Baseball? There you go. I think what they are trying to tell us is that they are trying their damndest to stay out of trouble. And I appreciate the fact that they have come here and asked for some help, rather than creating a ruckus. Then we have to come in a fix a mess. Much kudos to you. Would you sit with these 4 guys and figure out what we can do? There's got to be something. That's Dawn Domengeaux, by the way. She's the Director of Client Services. I'm sure you know Donna Johnigan. Thank you, guys. I appreciate you coming. Is there anything else I can do for you? Let's figure it out together. Congratulations.

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Theophilus Moore: Senior Officer, Voices of Experience. We mentor these youth. We need them to come themselves to let you know the need in the community. We're trying to lead them onto the right path. So we need support and resources. We are depending on where we live at to try to make things better.

Mr. Gilmore: We'll see what we can do. I appreciate it.

Mr. Moore: Alright. Thank you.

Mr. Gilmore: Thank you.

George Madhi: Neighborhood Unity and Merge. In understanding what happened with the landlord a little while ago. What is the procedure when the landlord wants to terminate the lease or dissolve the property in that situation? I did not that that exist that they can terminate the lease to get another property?

Mr. Gilmore: It's not that they're terminating the lease. The lease is expiring. It runs for a year. They do have a right not to renew it, if that's their choice. But this situation is complicated by the fact that the apartment didn't pass inspection. So there is no way that landlord is going to re-lease that unit to us, to a tenant through the Section 8 Program until those violations are corrected. One way or another, he's going to have to correct those violations. My attitude is, he may as well correct them for this lady if she likes the place. But, that's his call.

George Madhi.: In an instance where the landlord may have an ulterior motive, maybe looking for greener pastures in terms of leasing. Might be subject to a certain area and he wants a better area. That seems to be the situation.

Mr. Gilmore: Unfortunately, the law is on his side in this instance. The law allows him, as long as he gives the proper notice, he doesn't have to renew the lease if he doesn't wish to. So, even if he has other reasons for wanting the apartment back; maybe he thinks he can get more money for it on the private market, or whatever the case may be, he's got a legal right not to renew the lease. There isn't anything you or I or anybody can do about it. But, the lady is still entitled to service because she has a voucher and she can use her voucher someplace else in that case. It's our job is to help her figure that out. But what I don't like about this is that it smacks of retaliation of some sort. That's why I'm inspecting all this dude's units.

Mr. George: Well, those types of things have been happening over the years. I think you've been doing an incredible job in terms of trying to straighten it up.

Mr. Gilmore: I have to give most of the landlords credit for being on the up and up. There are going to be some guys that try to manipulate the system. Everybody has experience with folks like that. You realize we have what? 8,562 landlords. When you think about, that's a phenomenal number in a city of this size. And most of those guys abide by the rules, they treat their tenants decently. There are a handful that don't. Like the proverbial 'bad apple in the barrel'. It gives the rest of them a bad name. I do have to say that; you know, we wouldn't have any housing if it weren't for the landlords that do it right, and do it well. So we'll deal with the ones that step out of line, but I do want to give credit to the ones who do it right and do it well. Thank you, George. Good to see you.

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Ms. Donna Johnigan: I just wanted to say, that the 4 young men that came, it's about 8 of them. That's the Youth Group from Marrero Commons, B.W. Cooper. Those are the ones that could get out of school because they tested. The others, they wanted to come, but based on some of the schools that they go to, they didn't let them out. That's the youth group that works with Voices of Experience. At one of their meetings the other day they were talking about jobs and that sports is almost over. They don't want to get caught up in the system. I was me that said that I'm going to bring you somewhere, I can't guarantee you anything. But, when ya'll speak for yourselves and let people know what ya'll want to do, there are people who are willing to help you. None of them have been in the system. None of them have gotten into any trouble yet. That's the purpose of trying to do something positive with them with life skills training.

Mr. Gilmore: Here's what I'm thinking. Seems to me we can probably kill 2 birds with 1 stone here. I'm thinking that these 4; eight of them all together. If they're looking for jobs and I think that what makes sense is to figure out some type of after-school-kind-of-work for them. I hope they are all over 16. The second bird is to put them to work in the community doing some good things, maybe working with some younger kids, getting the younger kids involved in some activities, at Marrero Commons. Ten bucks an hour might sweeten the kiddie. Make a suggestion at the meeting (*referring to the meeting with the 4 young men & Dawn Domengeaux*) that we should put them to work teaching computers, or other things, to kids in the neighborhood. It's not unlike what we did at Iberville.

V. ITEMS FOR APPROVAL

AUTHORIZATION(S)

Resolution #2014-02 – to authorize the Administrative Receiver or his designee to implement the amended policies and procedures of HANO's HCVP Administrative Plan as attached to permit the application of a consumption-based energy efficient utility allowance using an independently calculated Energy Consumption Model. These allowances will be applied to properties built to green energy efficient standards and assisted by the Housing Choice Voucher Program in Low Income Housing Tax Credit (LIHTC) properties.

Mr. Gilmore DENIED Resolution #2014-02 to authorize the Administrative Receiver or his designee to implement the amended policies and procedures of HANO's HCVP Administrative Plan as attached to permit the application of a consumption-based energy efficient utility allowance using an independently calculated Energy Consumption Model. These allowances will be applied to properties built to green energy efficient standards and assisted by the Housing Choice Voucher Program in Low Income Housing Tax Credit (LIHTC) properties

Resolution #2014-03 – to authorize the Administrative Receiver to execute the Iberville/Tremé Choice Neighborhood Initiative Predevelopment Developer Fee Advance Loan Agreement for Phase Three On-site with On Iberville Phase III, LLC in an amount not to exceed \$417,476.

Mr. Gilmore TABLED Resolution #2014-03 to authorize the Administrative Receiver to execute the Iberville/Tremé Choice Neighborhood Initiative Predevelopment Developer Fee Advance Loan Agreement for Phase Three On-site with On Iberville Phase III, LLC in an amount not to exceed \$417,476.

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Resolution #2014-04 – to authorize the Administrative Receiver to execute the Iberville/Tremé Choice Neighborhood Initiative Predevelopment Loan Agreement – Iberville On-Site Phase III Development with On Iberville Phase III, LLC in an amount not to exceed \$999,465.

Mr. Gilmore TABLED Resolution #2014-04 to authorize the Administrative Receiver to execute the Iberville/Tremé Choice Neighborhood Initiative Predevelopment Loan Agreement – Iberville On-Site Phase III Development with On Iberville Phase III, LLC in an amount not to exceed \$999,465.

Resolution #2014-05 – to authorize the Administrative Receiver to execute the Iberville/Tremé Choice Neighborhood Initiative Additional Services Agreement Number 6 for Public Infrastructure Work for the Iberville Development.

Mr. Gilmore TABLED Resolution #2014-05 to authorize the Administrative Receiver to execute the Iberville/Tremé Choice Neighborhood Initiative Additional Services Agreement Number 6 for Public Infrastructure Work for the Iberville Development.

RATIFICATION

Resolution #2014-06 – to ratify the Administrative Receiver’s previous action binding coverage prior to the expiration of the policies for 2013-2014, and hereby authorizes HANO to pay Marsh USA, Inc., in the total amount of \$1,054,713.

Mr. Gilmore APPROVED Resolution #2014-06 to ratify the Administrative Receiver’s previous action binding coverage prior to the expiration of the policies for 2013-2014, and hereby authorizes HANO to pay Marsh USA, Inc., in the total amount of \$1,054,713.

VI. ADJOURNMENT

There being no further business to come before the Board of Commissioners of the Housing Authority of New Orleans (HANO) for attention, Mr. Gilmore **ADJOURNED** the Regular Meeting at 11:22 a.m.

APPROVED:

**DAVID GILMORE
ADMINISTRATIVE RECEIVER
CHAIRMAN, BOARD OF COMMISSIONERS**