

HUMAN AFFAIRS COMMITTEE

July 17, 2023

A meeting of the Human Affairs Committee was held Monday, July 17, 2023, at 7:00 p.m. in the Aldermanic Chamber.

Alderman Thomas Lopez, Chairman, presided.

Members of the Committee present: Alderman Thomas Lopez, Chairman
Alderman Patricia Klee, Clerk
Alderman-at-Large Melbourne Moran, Jr.
Alderwoman-at-Large Gloria Timmons

Members of the Committee absent: Alderwoman-at-Large Shoshanna Kelly, Vice-Chair

Also in Attendance: Alderman Derek Thibeault
Julian Long, Urban Programs Manager
Sam Durfee, Planning Manager
Attorney Michael Merra, NH Legal Assistance

PUBLIC COMMENT - None

DISCUSSION

- Living conditions in Nashua and tenant rights

Chairman Lopez

So I had invited Mr. Merra to come and participate in a discussion. I have also invited a number of city departments, including the Building Department, Code Enforcement, and Environmental Health. So we will continue working to try to get staff participation for that.

So just by way of introduction, I have been particularly concerned about tenant rights and living conditions since my first term as Alderman and since shortly before that. My first official act was to be appointed to the Substandard Living Conditions Committee eight years ago when the City was struggling with reports and documentaries that were covering the living conditions at Motel 6, the old YMCA at 23 Temple Street, and Country Barn. So we were trying to figure out a way to introduce appropriate legislation to strengthen the ability of Code Enforcement and city departments to ensure that living conditions that were present in the City were of a reasonable quality and were attentive to tenant rights.

So I chaired the Substandard Living Conditions Committee for several years until recently. The decision was made to roll into the Human Affairs Committee. So as committee members know, last year we made an effort to have those city departments come in and present on the different conditions that they were seeing, report any kind of ways that we could help them as Aldermen, what can we do to make sure that our city departments are adequately staffed, have appropriate policies in place, and what can we do to best represent the needs of our citizens?

Typically, I also struggle sometimes in the fall to try to bring awareness to the fact that the cold weather is coming. We have unsheltered people that wouldn't necessarily be eligible for traditional shelters settings. Over the past several years have people sleeping even on Main Street and so it's important to try to think of these things in the summer and in the warmer months not wait until its cold, and we're over capacity, and use short term emergency solutions to long term problems.

So to that end, we've had a number of city-wide initiatives that are underway. We have a collaborative effort between the non-profit organizations at the Continuum of Care that do community outreach. We have coordinated with Department of Public Works, Public Health, and Nashua Police to try to do outreach and engagement in the homeless encampments that are situated around the City in recognition of the fact that there's been a number of encampments that have been here for a while and are well established. There have been people who have been living unsheltered for quite some time and are in need of extra outreach effort in order to resolve those different situations. Alderman Klee can attest to the fact that we've also done a lot of cleanup of those campsites. In the process of engaging those people who are unsheltered trying to figure out what are the contributing factors, why are people becoming homeless in the first place, why are people having difficulty accessing emergency shelter or transitional housing opportunities, what can we do so that less people spend the night unsheltered? So that's the background for this kind of discussion. Mr. Merra if you would want to - first when you speak because you're not as familiar to our transcribers, don't forget to use your name and address and then introduce your program, the resources you have, and then any

information you'd like to share.

Attorney Michael Merra, Staff Attorney, NH Legal Assistance

Thank you for that introduction. My name is Attorney Michael Merra. I am a staff attorney with NH Legal Assistance. I thought I'd - do I have to give my home address or my work address?

Chairman Lopez

Work is fine.

Michael Merra, Staff Attorney, NH Legal Assistance

1850 Elm Street, Manchester. New Hampshire Legal Assistance. I work in Manchester based office.

I thought I'd just give you a very, very brief background. My background, especially my connection to Nashua, and also tell you a little bit about New Hampshire Legal Assistance what we do both here in Nashua and throughout the State. Before I joined New Hampshire Legal Assistance in just this year in April 2023, I practiced here in Nashua for more than 30 years. I was a partner with Sullivan and Gregg for a number of years. I practiced and then I started my own firm Merra and Kanakis and we were based right down here at 159 Main Street for many years. I practiced with Mark Kanakis. I practiced with Scott Flegal and Peter Tamposi for many years. I also was the head cross country co-chair for Nashua South for a number of years track coach and was very involved with Nashua PAL and the Cross-Country Program.

I retired from full time practice of law in September of 2021 but in the last two to three years before I retired, I got very involved with the New Hampshire Bar Association Modest Means Program and Pro Bono Program. I probably devoted maybe 20% of my practice to tenants' rights and representing tenants in court. I really enjoyed that work. I found it very fulfilling but it bothered me while I was doing that work as the number of tenants who were in court who didn't have counsel, had no idea what their legal rights were, and they were unrepresented. As you probably know, an eviction proceeding, a merits hearing, can basically be a life or death matter. If someone's going to lose their affordable housing and they're then going to be thrust out onto the street, it is literally a life or death matter. So I found that work rewarding. It stayed with me in the back of my head. I retired for 18 months and then got the bug to come back when I knew that there was a position open with the Housing Justice Project with New Hampshire Legal Assistance and I applied and was accepted for that position.

I feel very, very fortunate to be part of New Hampshire Legal Assistance. Let me just tell you a little bit about New Hampshire Legal Assistance and its Housing Justice Project and I'll leave this one caveat. I'm brand new there, although I practice for a long, long time so if I can't answer questions that you may have, I'm sure my colleagues who are very, very skilled will be able to answer that and I'll be able to get you answers if you need them in short order. New Hampshire Legal Assistance is a statewide non-profit law firm. We have five offices - one way up in Berlin. I was up there last week. We have an office in Claremont. We have an office in Manchester where I'm based. There's an office in Portsmouth and then our main office is in Concord which also houses our administrative office. I'm based in Manchester and Manchester really there is no Nashua office as of this time. I would say in Manchester we handle most of the Nashua not all the Nashua cases but I take particular interest in Nashua cases obviously because I'm from this area and I was been here for so long but other offices will also come down here and assist if I'm not able to help or other colleagues in the Manchester office.

New Hampshire Legal Assistance central mission is representing clients with respect to issues that impact a person's daily ability to survive. We not only handle housing issues, there's we have lawyers who handle domestic violence issues, stalking petitions, assisting people on that front. Other lawyers and advocates assist people public benefits, Social Security, SNAP program, unemployment benefits, local welfare applications, and things like that. We have immigration staff that handle people who might be for example detained out that most of the detentions occur out in Strafford County. We provide legal representation to individuals who might be detained and at risk of deportation.

We have a number of advocates focused attorneys, paralegals, administrative assistants, focused on housing issues. Lauren Greenwald who is based in Portsmouth is our Housing Justice Project Director. We are all dedicated to working on housing issues on behalf of tenants not only not only tenants who are renting apartments but also property owners who might be at risk of foreclosure. What we do is mostly eviction defense though and it's throughout the State. The last two weeks I was in Berlin, Claremont, Plymouth last week so we go all over the State. Although I like to come to Nashua and it's basically my home.

In addition to eviction defense, we provide fair housing, counseling, deal with HUD issues, housing discrimination, and we have an attorney in Claremont, Stephanie Bray, who oversees our HAF Program which is Federal funding. I've got a handout we'll get to in a minute about people who are at risk of foreclosures, can't pay the property taxes, can't pay utility bills in that program.

When we were contacted by Alderman Lopez last week, he indicated that he was interested in tenant rights. So what I thought I would do is just give you five or six things that really have struck me in the time that I've been with New Hampshire Legal Assistance and have left an impression with me not only in my 15 weeks with New Hampshire Legal Assistance but several years of tenant defense work that I did before I joined and came over to this wonderful organization. These are things that I see that have just struck me as critically important. The first thing that I would say is that tenants need to know that they have a right to contest their eviction and their loss of housing. They have rights in New Hampshire under RSA 540. They have a right to due process. They cannot lose their housing rights without a court order. Many tenants don't understand that and the landlords sometimes give the impression that they can simply throw someone out on the street. So sometimes tenants don't even contest the eviction and I've seen that happen. Again, most of the time tenants are in court. They don't have counsel representing them. So they need to know that they have legal rights and then when they're served with that Landlord Tenant Writ, they need to do something. They need to contact us and I'll give you the contact information in a minute. They have that Landlord Tenant Writ. In New Hampshire under the RSA 540, it moves very, very quickly. There is an eviction notice that's served, then there's a Landlord Tenant Writ, and then the return date is very quick. So they have to get to the court quickly filing an appearance if they're going to contest the eviction. They need to know that.

They need to know they have other rights with respect to their case that they can contest and that they can bring before the judge. So the best thing that they can do is to seek legal counsel. They can do that with our organization and by contacting our companion group 603 legal aid at 603-224-3333 or 800-639-5290. We also have a website www.603legalaid.org which has all kinds of information for tenants, individuals who are being foreclosed on with regard to that. You can fill out a form either our intake specialists who can address people's questions. We have a limited number of lawyers and a limited bandwidth that we can assist people but even if we can't assign a particular lawyer to a case, we can always provide counsel and advice over the phone, give them idea what they need to file, email them forms, all kinds of things that we can do and that can make a world of difference.

The second thing that I would just mention is that they have rights under what's called RSA 540-a. Tenants have rights and landlord have rights but mostly tenants invoke that Statute. A landlord cannot turn off utilities without proper order, cannot seize property, cannot lock a tenant out as I mentioned earlier, they can't enter the apartment without authorization, they have to return security deposits. There's all kinds of rights under RSA 540-a and there's a right to petition to the court if in fact those rights are being violated.

The third thing that I would mention is that we work not just with tenants but with homeowners who might be struggling with mortgage payments. We see that a lot with senior citizens who can't make not only the mortgage payment but they might not be able to make the property tax payment or utilities. Attorney Stephanie Bray who's our managing attorney in our Claremont office oversees the New Hampshire Legal Assist the HAF Program, which a significant amount of federal funding is still available. I just thought I'd give you a handout. We just got this today. We can just pass this around. Attorney Bray sent this to me and very, very interesting that there's \$40 million allocated to State of New Hampshire and at this point, I think there's still \$25 million left for homeowners who may need assistance, who may be behind in their mortgage, property taxes, utilities and such. So we would strongly recommend the people in that position to contact us.

Chairman Lopez

So just a note for the public, the document being given out as part of our process towards and we'll accept it as a communication received after the agenda was prepared and then include it in the minutes for this meeting.

Michael Merra, Staff Attorney, NH Legal Assistance

The fourth issue that I think's important is that in addition to the HAF Program, there's other community resources throughout the State and right here in Nashua. City Welfare Department - tenants have rights under RSA 165 to apply for welfare aid if they're in a situation where they can't provide for their own housing. There's a specific Statute that requires the City to assist. Southern New Hampshire Services, you have the Front Door Agency right up on Concord Street, Family Promises is over at the old Infant Jesus School. I've toured that and it's a beautiful facility and there's many, many other resources that tenants when I talk to them aren't always aware of.

Last but not least, I would just mention that tenants need to be aware of the impact of an eviction on their future ability

to find housing. Once a tenant has an eviction, they have a mark on their record and it's very, very difficult especially in this market when there's a limited supply to obtain new housing. They can also lose their Section 8 voucher which is a shattering occurrence. So tenants need to be aware that sometimes tenants the situation is they do need to move. They do need to find new housing but sometimes we're able to negotiate with the landlord for discretionary stay and a voluntary departure where they don't have that eviction on their record. There's many other options that we can once we set the client down or talk to the client that we can talk to them and give them other ideas.

I just want to mention in closing just a couple of other things that are important is that New Hampshire Legal Assistance provides free legal advice at both the Manchester Courthouse on the day that they do evictions which it's usually Thursdays and here in Nashua where two lawyers and an administrative advocate will come down and we will provide free legal advice to tenants and sometimes 6, 7, 8 tenants we can assist and give them guidance. Sometimes we can work a payment arrangement with the landlord. Sometimes we can't but at least we can give them some idea. It's late in the process for sure because they're at their eviction hearing but we've been able to assist I would estimate hundreds of clients. Just last week, Attorney Greenwald and I assisted six individuals and families that are being evicted in guiding them to some of the cases were able to work on payment arrangements and other situation we were able to work out a voluntary departure agreement with a discretionary stay with an individual will not have an eviction on their record.

So we want you to be aware that there is help out there. It's a situation that is just becoming acute with a lack of housing, lack of affordability, the lack of just available housing. It's just a crisis and that's the concern to all of us. So just in closing, I would ask you that have anyone call us at 603-224-3333. We're happy to help or at 800-639-5290 or go to our website at 603legalaid.org. That's all I have.

Chairman Lopez

Okay, I see Alderman Moran questions for the Committee?

Alderman Moran

Thank you, Mr. Chairman. So my guess is this isn't civil and they're not entitled to appointment of counsel?

Michael Merra, Staff Attorney, NH Legal Assistance

It's not criminal. There is no right to counsel paid by the State and that's where we step in. In criminal cases, they are where they face jail time, or loss of rights, loss of due process.

Alderman Moran

So may I follow up?

Chairman Lopez

Yes.

Alderman Moran

So down in Mass. they have the Housing Court and through that and even though that was still a civil things done - counsel appointed through their version of the Public Defender's office. Is there any lobbying attempts on your agencies part to try to change the RSA to allow for that?

Michael Merra, Staff Attorney, NH Legal Assistance

Being brand new to New Hampshire Legal Assistance, I've been in court almost constantly defending evictions so I'm not aware of the lobbying efforts. I'm sure that there are individuals there and that's the first thing I'm gonna write down and I'm gonna get you that answer in terms of what legislation or lobbying efforts regarding an assigned right to legal counsel. The key is getting it early not having a lawyer be there at the daily eviction hearing because there's no way to prepare. Good point.

Alderman Moran

I'm a social worker so I do work down in Mass. There's one particular person in Lowell that gets appointed to those

housing - I can't quite remember his name but he also gets funds for other services other than attorneys counsel and that's a big deal for a social worker to be assigned and not have to worry about the Front Door Agency having staff, or any other non-profit having staff, or the town welfare having funds to pay getting someone to actually manage the issues at hand that might be mental illness, addiction, and other things.

Michael Merra, Staff Attorney, NH Legal Assistance

Absolutely. It's a wonderful idea.

Alderman Moran

It'll probably take 15 to 20 years for anything up at the State House to actually move in that direction but using Massachusetts is a good model to say hey it's happening in our neighbor's backyard.

Michael Merra, Staff Attorney, NH Legal Assistance

I couldn't think of any reason - I mean anything more important than having the right to counsel when you're losing your shelter. I mean you could be literally thrown into the street.

Alderman Moran

And then eventually somehow be involved in the criminal justice system for those reasons.

Chairman Lopez

So just a point of clarification getting back to that, it's very important to go to file for an appearance. That's over here at Spring Street the Hillsborough County.

Michael Merra, Staff Attorney, NH Legal Assistance

Hillsborough Circuit Court. Landlord/tenant is the only non-electronic filing so it actually has to be done the old-fashioned way. So it has to be hand filed but it's got to be done before what's called "a return date". The return date is usually just about a week after they're served the papers. Sometimes it takes two days to find the papers and if it's a Friday, they come in to us. It's a Monday and we have to file it on Tuesday. So the lawyers in our office I was talking to another lawyer the other day and he just drove up to Plymouth literally to file the appearance.

Chairman Lopez

Has there been any like concerns raised about access for people who have mobility issues or less means?

Michael Merra, Staff Attorney, NH Legal Assistance

That's not my area but Attorney Chris Shaw is Director of our Fair Housing. He's a Fair Housing Project Director and I could ask him that question and get that answer for you and email you.

Chairman Lopez

It seems the ACLU has a lot of time. Maybe they can jump on that.

Alderman Klee

Thank you so much. One of the things that struck me as you were talking is you're actually at the crisis mode because quite often I try to tell my constituents when they're having issues to seek out Southern New Hampshire for maybe assistance with fuel or something of that nature. You actually get called in when they've gotten the eviction notice.

Michael Merra, Staff Attorney, NH Legal Assistance

Way down the road.

Alderman Klee

Yeah. Knowing that if someone knows that there's a chance or that they're having a hard time, they're struggling trying to make that mortgage payment or that rent payment should they be reaching out to you or should they be doing what I'm telling them speak to our Welfare Department here, get a hold of Southern New Hampshire. I'm giving them all these Front Door Agency. I'm giving them all these resources to help them with all that but should they try to kind of give you guys a heads up saying I'm struggling, can you help?

Michael Merra, Staff Attorney, NH Legal Assistance

It's always better when they call early because there's so much more we can do if they call early. Many times we'll take a case and they've been served an eviction notice. That's not the Landlord Tenant Writ. I will write to the landlord directly or the client will talk to the landlord. Many landlords are very, very willing to work with tenants. They just need to have communication and sometimes the tenant is for whatever reason could be a language issue, they could be fearful of authority, they don't want to reach out to the landlord. Many landlords I have found are cooperative, and will listen, and work a payment plan out. We just did the other day with Attorney Mayer at Nashua Housing Authority who is a wonderful lawyer. Yes earlier the better.

Alderman Klee

Okay. I can tell you that sometimes it's simply just embarrassed that they haven't been able to pay their and it's almost I'm not going to answer the phone because I know they're calling me. Until they put that notice on the door that this is your notice of eviction, it's been three months back and so on. So there are all kinds of issues as you brought up but sometimes it's just simply embarrassed that they don't have the money to pay for it.

Michael Merra, Staff Attorney, NH Legal Assistance

It's fear.

Alderman Klee

It's a humiliating feeling. It could be a variety of different things.

Two more questions if I may, Mr. Chairman?

Chairman Lopez

Yes.

Alderman Klee

One of the things is you said that you give the free legal advice and you mentioned here at Spring Street.

Michael Merra, Staff Attorney, NH Legal Assistance

Exactly.

Alderman Klee

But you mentioned a day, you said Thursday in Manchester. Is there a specific day that's usually in Nashua?

Michael Merra, Staff Attorney, NH Legal Assistance

It's usually Thursday in Nashua, although last week I know it was Friday. The lawyers were down there on Friday. I handled it the previous Thursday and the court clerks will send us the list ahead of time so we'll have the lists of clients or tenants who are being evicted with us when we go down there. It will immediately reach out. Judge Curran is wonderful. He will make an announcement that we're there. We wear a badge so they can see us. The response has been very, very heartwarming in terms of seeking out our involvement. There's also a court mediator there who can assist in the court mediator. Sometimes negotiations get difficult. A mediator will come in and help us reach a settlement.

Alderman Klee

Thank you. I know that my constituents who've had to file that paperwork because they had the evictions. One - they want to fight that eviction and that they got befuddled just by the paperwork alone. As you said, it's not done electronically. They had to take time off from work. They're barely paying the bills now and they have to take more time off to go to the court and to do this. If there was another way of being able to do that if you want to talk to your lobbyists about that...

Michael Merra, Staff Attorney, NH Legal Assistance

Electronic filing.

Alderman Klee

...because that that is the truth. Trying to find the time to get away from work to go and file those papers is hard for some of these people.

Michael Merra, Staff Attorney, NH Legal Assistance

It is and when they contact us, we can do it for them. I'll actually overnight the paperwork to the courthouse immediately. A key is just calling that number, getting a hold of us.

Alderman Klee

I appreciate that. I did have one more question. Right now it's gone so I'm gonna let someone speak.

Chairman Lopez

I believe Alderman Thibeault had his hand up.

Alderman Thibeault

All right I'll take it. Thank you, Mr. Chair. To add to a couple of things that are out there, working from Eversource I see it all the time with utilities. There is a tremendous amount of people that get support through either the State or through Eversource. I think the problem sometimes is people don't know those resources are out there. So Eversource for instance, we do something called if someone qualifies "a New Start Program" where if they pay a certain amount, they forgive a certain amount. So they can work off their bill over the course of a year. There's other things with payment arrangements, budget billing, and then there's the hardship programs, the discount programs that come from the State. If they call 211, they can hook up and try to get some of that work. People can qualify that may not think they can qualify for that. I think it's important that they know that. Also, Liberty Utilities probably has similar things but I see it all the time. I don't know how many accounts I pull up that have hardship with it. So certainly I think people should go and see what they can qualify for. Like you said, they can't shut off the tenant - the landlords can't shut off. If they call us and they say we want this shut off, we don't do it if there's a tenant in there.

Michael Merra, Staff Attorney, NH Legal Assistance

Right.

Alderman Thibeault

So that's not the process. A general comment here is I think this whole thing is I guess annoying. The reason why and I'll say why is because it's a problem we need to solve. I think it's solvable somehow but it's a hard thing because there's a lot of things going on with all this stuff, right. This stuff is great. The stuff that the legal group does is fantastic but then that's it's kind of like down the road, right. It's like how are we solving the root causes of these problems that lead us to get the court, right. Why can't they pay their bills? What causes are causing that that we as a City should be looking into to fix, right. It goes along with the unsheltered too, right. We know there's some people that just need the space that we don't have a space for or that we have people that won't go to a space. We have people that have mental health problems. We have people that are caught in the drug crisis and we need to try to find a way to help them, and how do we fix those problems? That's a lot of problems. It's a big load but I am about wanting to solve these crises. I want to solve the unsheltered. I want to solve the opioid epidemic here in Nashua. Obviously, it's going on in Manchester. I know Mayor Craig has had to deal with it quite a bit. My mom's hometown of Berlin might have probably a similar thing because that city has been in rough shape for a lot of years. Hopefully it's coming back.

I want to know more about some of the whys of the root causes and how can we? Like in a perfect world if we had all the money in the world, if we had all the resources in the world, how do we fix all these things? I know and I've talked to Alderman Lopez about it, some people don't want to get help. They don't want to go into housing or they just don't want help and how do you deal with somebody that doesn't want help, right, or how can we do more things to get them help? So in this whole discussion that we're having here, I would love to hear more about ways that the City can help. I was hoping we'd have more people here tonight just because I think it's that important of an issue in Nashua. I know there's a lot of vacations and stuff and so I'm not chastising anyone. I was hoping. I wasn't commanding that they'd be here. I don't want to sound like that but I certainly think it's a big issue. I think we're going to need to talk about it even more and more down the road not just tonight. So thank you Alderman Lopez.

Chairman Lopez

To that end, I'm committed to the conversation and I'm pretty hard to ignore. So I won't be letting up on making sure that we have informed departmental contributions. I think more needs to be done by the Board of Aldermen particularly to discuss this issue here because the City's doing a lot of work and there's a lot of groups that are doing a lot of work but we're not necessarily engaged in that or involved in it. The Continuum of Care meets every single month. So when groups like that or the homeless outreach committees are meeting, then we are somewhat subject to them inviting us and us choosing to go versus here at a legislative committee. This is where we find out how we should be crafting legislation or what we should be doing for it in the view of the public so the public can see where things originate, why we're doing them, and how important they are.

I would just add as a point of personal privilege as it was pointed out, there's the impression that some people don't want the help. I would just clarify that I have never met someone who's living outside who doesn't want a better place to live. I have met many people who are living outside who are forced to do acrobatics and jump through hoops in order to meet specific program guidelines because there isn't a strict housing first access model in place. One of the biggest and most obvious examples of that is we will wait until it is dangerously cold out to shelter anybody who may have had a drink during the day or struggles with substance use because up until that point, we don't have a wet shelter and we don't have programs that will take people under any circumstances no questions asked whatsoever. All of our existing emergency shelter services and even the not exactly emergency shelter but rescue missions have guidelines that need to be followed and there are going to be people who are not able to follow those guidelines because of where they're at. So I've never met anybody who wants to be outside. I've only met people who aren't going to meet the criteria or have had very bad, very traumatic experiences, or are absolutely terrified of those residents or programs because they've had really bad experiences in those types of programs. I'd also point out that at present, our emergency shelter capacity at the City is extremely limited.

So maybe 10 to 15 years ago every now and then I'd run into someone while working at the shelters that would be like oh I just you know decided I'm going to stay at the shelter for a couple of days, save up some money, and get a car, or get back on my feet, or whatever. These are people who have very little resources and to them at that time, it made sense to go to an emergency shelter, hit the reset button, lose all of their belongings, and autonomy to when they get up, who they live with, how they eat, and all that and use that as a resource. Even that's not an option right now. That's why it's really important for us to be talking about tenant rights and making sure that all of the members of the Board of Aldermen when approached by constituents know about programs like Legal Assistance and what they can offer as resources because we need to do everything we can to avoid putting anybody else into a system that's already way over capacity. We won't be able to help the people who have the more acute issues and the people with the more esoteric needs like substance abuse if we have too many residents that are evicted that evictions could have been prevented.

Alderwoman Timmons

Well I serve with a lot of people. Thank you for coming and thank you for this information. I want to say that first. I've served with a lot of unserved people. A lot. They talk to me about things that you guys don't bring up in here. So one is it the fear of the landlord. Okay. The fear of the landlord meaning to them is that if they make any complaint, they're already struggling, okay, if they make any complaints, they may be evicted or their rent may go up and force their eviction because they can't pay the rent. That's the main thing so even when things are wrong in in the apartment, they won't say anything. They just won't.

Michael Merra, Staff Attorney, NH Legal Assistance

Exactly. What I'm saying is that we're seeing the use of 24/7 cameras in the apartment buildings where every move, everything the tenant does is being video recorded. It's very intimidating to the tenants to have that going on. It's very troubling to me.

Alderman Timmons

Also another thing a lot of the - I'm going to go over to the Home Owners Assistance Program. We need to let the underserved know this program is here. They're not watching these board members. They don't even know who the Board of Aldermen is. They don't even know what an Alderman is. So I'm saying that we need to focus on how to get the information out to these people that's underserved and deal with that. Like Mr. Lopez over here, he does know a lot of people. They know him. Out of all the Aldermen, they know Tom Lopez for some strange reason cuz he's out there in the public. These people tell me I know Tom. He's great but they don't know anybody else other than me. The point is they don't know this information. So I was in my mind thinking we should have a homeowners/tenant event maybe at the library to get this information. I've got a lot of resources as well and I could put them out on those resources that they're not political. They're not in any particular format where these people - no, they don't go to the City's website but they go to other websites that this information can get out there. So what I did is I took a picture of it because then they know but what we need to do is have a meeting and stuff that you just brought in today. This is very valuable information that they don't know about.

Michael Merra, Staff Attorney, NH Legal Assistance

We would love to work with you.

Alderman Timmons

Okay, great. One of the things that they - I was amazed that you said the due process. Well they don't usually have a due process. They know that if they don't come up with the money, and then their landlord become very nasty, and I've seen it personally that they don't know what to do. They're lost. I have people living with me because they so afraid that if they do anything else, and I mean I only have limited space, but I have people live with me all the time. They're not homeless. They're not out on the street. You miss those people.

Michael Merra, Staff Attorney, NH Legal Assistance

Exactly.

Alderman Timmons

Because they're living on people's couches.

Michael Merra, Staff Attorney, NH Legal Assistance

They're not even counted.

Alderman Timmons

I see that as well. Also I want to make another point. When someone is in the hospital, I have a constituent right now that's in the hospital. She's been in the hospital for three months because of a back surgery she had in Nashua and now she's down in Boston. She said what am I gonna do? I can't pay. Now the landlord is she's in the hospital. The landlord is saying you got to move your stuff. In other words, he already evicted her before she had a chance to come out of the hospital. What is it that we can do for her? I have no idea.

Michael Merra, Staff Attorney, NH Legal Assistance

Well up until the COVID money ran, the COVID money is essentially gone. When the COVID money was still available, we could access that money. That's been a big concern lately. That money is essentially depleted.

Alderman Timmons

And let me just tell you what bothered me about this particular tenant is that during COVID her rent went sky high. The landlord upped her rent like \$400 - \$500 a month so he can get the COVID money but he didn't go down when COVID was over. That happened a lot and I don't hear anybody talking about that. So I have a lot of mixed feelings about the tenants being screwed versus the landlords being screwed. I know the landlords want their money but I see a lot of stuff that's not right that the landlord does. I also see did you pay your rent? I was paying my rent until he went up to \$300 more a month. They just can't do it. Those are that population that I see and those are the ones that voted for me by the way because they know that I help and it's not lip service. I'm actually out there giving them

money and I'm not a rich person by any stretch of the imagination. I give like \$20 something to keep them going but just because I don't want them to be homeless. So that population I don't think we've seen them because they're not really out there on the street. They're couch surfing. A lot of times just so you know this, a lot of times the tenants are helping other families. They're helping their children. That happens a whole lot. Well you know my daughter needs some place to stay, or I have to pay my daughter's rent so her children, and in the mean time they're not paying their own. So it's like a catch 22.

Michael Merra, Staff Attorney, NH Legal Assistance

I'm doing it too.

Alderwoman Timmons

So I mean those are my comments. So I have a really strong view on landlords and it's not positive because what I see isn't. They don't paint. They don't clean. They don't do the things that tenant lived there 10 years and they haven't done one single thing to the apartment. Their rent is always paid on time. The minute they don't pay the rent, then they are out on the street but all the time that they got away with just collect the money, they're just collecting the money and not doing anything to the units. I don't think that's right either. I mean I see a lot of that. So I'm seeing things that are just simply not right. They won't complain because they're afraid that they're gonna be evicted. They don't want to be homeless. They don't want their rent to go up so they say absolutely nothing. They're living month by month not even on a lease. Just month by month for years so they're afraid that okay you been living here for years without a lease. I can just throw you out any minute. So I don't know how that would work when you've been in the place five, six years and you've never had your lease expired but never renewed the lease but yet you've been paying every single month. They're afraid that if they make any complaints, they will be thrown out.

Chairman Lopez

Mr. Merra do you have a response?

Michael Merra, Staff Attorney, NH Legal Assistance

I absolutely agree. It's not only landlords it's also the property managers too that are designated by the landlords that the tenants are very fearful of. I've got many, many stories of tenants not wanting to basically defend themselves or to have due process out of fear. So I agree with all that.

Chairman Lopez

Alderman Klee I see you've been patient.

Alderman Klee

No, that's okay. No I gave up my right because I couldn't remember my question. I have remembered my question and I wrote it down so I don't forget again. I do want to make some comments. To Alderman Timmons' point, I have been bringing up the fear issue, especially when we're talking about bedbugs and so on. I know a lot of have tenants that have been afraid of that. I also for the public that's listening want to know that not all landlords are bad landlords.

Michael Merra, Staff Attorney, NH Legal Assistance

No, they're not.

Alderman Klee

We do have some really good ones. I can tell you I have an extraordinary one who has not gone up on rent. He owns two buildings. He has not gone up on rent in decades. When tenants can't pay, he works with them to mow a lawn, change a light bulb, do something like that. So there are some very, very good landlords and I don't want it to get out there that we think that landlords are not.

Chairman Lopez

My landlord is outstanding.

Alderman Klee

And so some landlords are very bad.

Alderwoman Timmons

And by the way I want to say something. There's no absolute. Okay. So we have good landlords or we have some really bad ones that overshadow the really good ones that's not talked about.

Alderman Klee

Exactly.

Alderwoman Timmons

Okay just so you know. I know there's really good landlords out there okay.

Alderman Klee

I know you do. Just for the public so they don't think we're picking on landlords. So I think Mr. Merra wanted to make a response.

Chairman Lopez

Mr. Merra?

Michael Merra, Staff Attorney, NH Legal Assistance

Yeah I will just say that as I mentioned earlier, we have landlords come into the housing eviction clinic on a Thursday morning and will work with us wonderfully to figure out a solution. So I've met many, many good, ethical, kind landlords, understanding landlords but as you said no absolutes.

Chairman Lopez

Alderman Klee you made some comments but you did have a question.

Alderman Klee

I actually have two questions. Again one is in reference to so at will tenants, which is I believe what you refer to as month to month, do they have any right of termination? So do they have to give them 30 days in order to terminate because it's an at will.

Michael Merra, Staff Attorney, NH Legal Assistance

30 days.

Alderman Klee

So it is 30 days.

Michael Merra, Staff Attorney, NH Legal Assistance

If it's not payment of rent, it can be seven days. So they're at constant fear of eviction. The first thing I'll do when we have an intake every Wednesday morning we have a weekly review of all the incoming cases. All the lawyers throughout the State we connect via Microsoft Teams and go over each and every case. The lawyers are very diligent about looking at all the facts. That's the first thing I look for is if there's a lease. If there's a lease there, there's something I can hang on to and I can or at least term I can hang on to and that's another defense. If there's not a lease, that's very difficult and it's becoming rarer now because so many people want to move in. Their attitude is I don't need to have a new lease. I don't need to hold them in that spot. There's five people who will take that spot.

Alderman Klee

Yeah and to my question that I had forgotten. This is probably something you're not going to be able to answer but Nashua being the second largest city in the State of New Hampshire why do we not have legal aid here and we have to run to Manchester?

Michael Merra, Staff Attorney, NH Legal Assistance

I had a feeling I would get that question. I would just say its way above my paygrade. I can tell you it is in discussion, and people are talking about it, and that's all I'll say right now.

Alderman Klee

May I just quickly follow up? Just to a comment. I mean the fact of the matter is Hillsborough County the court system there's north and south. There's one in Nashua. There's one in Manchester. The court alone knew enough to kind of split up. I know they do different things for different people and so on. Hillsborough County doesn't even take over all of Manchester, only a small part of Manchester is part of Hillsborough County. So I would like to see something here closer to home. The thing is that people can pick up a phone for you, they can meet you at the court but to be able to have something within our city that is the second largest City. I look at Berlin obviously needs it. I don't know about Portsmouth but Concord needs it. Manchester needs it. Nashua needs it and you guys are a wonderful group of people. I appreciate you coming here and I appreciate everything that you do but I'd love to see an office here that would help. Thank you. Thank you, Mr. Chairman.

Chairman Lopez

Alderman Moran.

Alderman Moran

Thank you, Mr. Chairman. I want to go back to the landlord conversation because I think Alderwoman Timmons makes a very good point. I think we should be clear to members the public at large who we're really talking about because I've experienced this. Slumlords is probably the best term to use because it's well known. I'll give you - I lived on Kinsley Street in a slumlord's building. I remember him telling me he bought it for like \$80,000 in the 90's and I just looked it up quickly now. It's worth \$700,000. I know he's getting about \$2,000 per each unit. There's four units. As you go by, he's removed the windows, he has some windows but a lot of them have been removed, there's no changes to the outside, and on the inside I've had clients that have had been there since. There's not a lot of things happening. I remember I had a conversation with him and people like him, why would I want to do improvements when my taxes will go up and I won't make as much money off of it. So you're reeling in what's that \$8,000 a month from four units and you bought the house for \$60,000 - \$80,000 and now it's worth 300, 400, 500%. I don't know but those are the type of people I think Alderwoman Timmons is talking about.

Alderman Timmons

Yes exactly.

Alderman Moran

Not like where Alderman Lopez lives in a very reputable building and those people are going to follow the law and they're going to make sure that they follow a process. I've been involved in situation with someone just like that get out. They make you feel like you have no rights. Leave. I don't want you here. Whatever intimidation it might be and it's great to say not all landlords are bad but I think we need to know who we're talking about. Sure as hell I know Alderwoman Timmons knows who we're talking about and it's those types of folks who take advantage of non-English speakers, single moms. When I moved into this place, he was trying to take the previous tenant to court who was fleeing domestic violence and he said Bridges packed her up and moved her and I can't get my rent. That's the type of person we're talking about. People need to know that's happening because that's what's happening every day in the City.

Chairman Lopez

To that point, that was why I think it's important to have these meetings here not just for the purposes of the public but I do think that if we're going to create any policy to address any systemic issues, it should originate in committee

discussion or at least a public forum. It's important for the other Aldermen to know these resources are out there because the public can't afford us to have bystander effect, and to have people reach out and say oh my god I'm getting evicted, and for us to just be like oh shoot let's find someone else who can handle that. That uses up the time they have where they need to be told go to the courthouse and contest it. Call the legal assistance. I think by making sure that we educate our fellow Aldermen as well as our constituents that there are resources, and there are processes in place that may make the difference between someone hesitating to stand up for their rights and embarking on a whole journey that's going to take them years if not decades to come back from. I think it's very important that we look at reducing the number of people who become homeless now so that we can handle addressing the people who we maybe missed high fives on, or missed the boat on, or are in situations now that are intimidating, and alien, and seem overwhelming. We're the ones who get to go home at night. So we need to make sure that we're stepping up for people who have that in jeopardy.

I did have two questions I want to ask Mr. Merra. I know we've kind of the conversation is getting a little long. First, can you mention that the City has an obligation in terms of City Welfare providing assistance? Is there an actual definition of what that assistance is?

Michael Merra, Staff Attorney, NH Legal Assistance

It's under RSA165:1 I. It's like a lot of legal language, it's not the clearest in the world but whenever a person in any town is poor and unable to support himself, he shall be relieved and maintained by the overseers of a public welfare of such town, whether or not he has residents there. That is the key phrase in RSA 165 that requires the towns and cities to make sure someone's not unhoused. They have their own regulations and they have to follow the regulations but there are many other people in New Hampshire Legal Assistance who are far more skilled in that than I am.

One thing I would mention is that we actually have someone on call every day for local welfare cases that they've gotten an emergency situation of someone who was in their car and needed assistance immediately. I was the person last week. I think it was Thursday or Friday. We immediately would jump into action and if necessary will drive to the city or town to assist that person to fill out the application. Sometimes they may have difficulty filling out an application but we're there to do that as well.

Chairman Lopez

I only bring it up because our welfare guidelines contain a lot of eligibility criteria which always concerns me because sometimes the eligibility criteria might be oh we aren't working with you because we've worked with you previously and it didn't go well so now you're not eligible. It always makes me feel pretty uncomfortable. I know our departments report that they refer people to nonprofits and that there's all this assistance like the soup kitchen and the rescue missions and everything but if there's no room at the Soup Kitchen, referring somebody to the Soup Kitchen on like a Friday afternoon doesn't really constitute assistance in my book.

Michael Merra, Staff Attorney, NH Legal Assistance

Local welfare is the last resort many times. I've made a list of things to report back to you on. One of them I'm going to provide you additional information on local welfare and how we see that and how we can assist people.

Chairman Lopez

My last question - I might be complicated but what constitutes a tenant? If somebody is in a transitional housing program are they a tenant? If somebody comes into a sober house are they a tenant?

Michael Merra, Staff Attorney, NH Legal Assistance

It's a difficult question. It's a legal question and every case is different. They're under RSA 540-b there's what's called "shared facility". Many times landlords will try to evict someone without all the protections as a tenant. If they have a lease and they have a defined space as their own, they're defined as a tenant. In that setting more likely than not the person who either owns or controls that facility will probably pursue removal under 540-b which is a shared facility law, less protection.

Chairman Lopez

Just out of curiosity does the lease have to literally have lease on the top and be called a lease or is that a legal agreement between parties?

Michael Merra, Staff Attorney, NH Legal Assistance

I don't know the answer to the question whether or not a lease has to have the title on it. I don't think so. I think if it's reads as a lease, it will be a lease whether or not the title lease is on top.

Chairman Lopez

A lot of places might have program agreements or something like that, that might constitute a lease but ultimately, I think, it's important for people who are affected by this to contact Legal Aid and get direct opinions with their exact cases rather than hoping I can anticipate them or someone here might have heard of something. If you are facing an eviction or homelessness, use the resources every resource you can do avoid it.

Michael Merra, Staff Attorney, NH Legal Assistance

And there's a lot of resources on the website too you can go to. There's all kinds of pamphlets, and forms, and information for people.

Chairman Lopez

Okay. Anything further?

Alderman Klee

Thank you, Mr. Chairman. Again, thank you so much for coming here. I want to give an example of something that happened with one of my constituents. They called me quite distressed. They only had like a week or two weeks before the landlord was going to lock the doors as they kept saying. They were going to be out on the street and so on. I did not know about Legal Assistance and for that I apologize to these people but I did send them to our Welfare Department. I did send them to the Front Door Agency. I did follow up with these organizations and the problem with these particular people where they were out of work. He was anyways and I think she'd been out of work was only getting some kind of security assistance. He had applied didn't have it yet. So as you can imagine, funds were that way. When I spoke to and I'm hoping that I'm saying the right organization, I do believe it was a Front Door Agency who does try to help with catching people up and so on. One of the issues that they have to show is that once they help you catch up, you're going to be able to pick it up from there.

Michael Merra, Staff Attorney, NH Legal Assistance

Right.

Alderman Klee

And sometimes that's not always the case. Would you be able to help in those situations?

Michael Merra, Staff Attorney, NH Legal Assistance

Absolutely.

Alderman Klee

Would you do mediation between the landlord and the...

Michael Merra, Staff Attorney, NH Legal Assistance

Absolutely. There's actually in the eviction notice that's on the court - the court has an eviction notice that's legal and there's mediation offered right in that forum to have some type of early resolution. The key is contact with the landlord. Even if you may not agree with the landlord is to have communication at least attempt that. The worst thing you can do is to just avoid the problem. The earlier you can address these things, the more likely there'll be a positive outcome.

Chairman Lopez

If you don't mind, I want to say something.

Alderman Klee

Please.

Chairman Lopez

Does the court mediation that's included in that is that something that somebody would be charged for?

Michael Merra, Staff Attorney, NH Legal Assistance

No. It's free.

Chairman Lopez

Because I'd think that would probably be very intimidating to someone facing eviction that like oh God I've got to a lawyer now that someone else picks.

Alderman Klee

I'm just going to add to that. Mr. Mack from Welfare I have spoken with him and he echoes the same words. Early, early, early. When you think that there's a problem, contact us right away because the system does work slow sometimes within the City and so on. My concern is what Alderman Lopez kind of brought up people that have had trouble before and we work out deals with them so they just pay a little bit. In this particular case, they weren't going to have those funds. We all knew that within three months or six months it was unlikely they were going to be able to dig out of this hole. So those are problems with people who fear ending up on the street and so on.

Michael Merra, Staff Attorney, NH Legal Assistance

Heartbreaking.

Alderman Klee

Anything that you guys do to help with that, thank you.

Chairman Lopez

Alderman Timmons.

Alderwoman Timmons

Thank you, Alderman Lopez. I have a question regarding income levels. Is there a guideline on the income requirement eligibility?

Michael Merra, Staff Attorney, NH Legal Assistance

I don't have those but those are done by all of our intake people in Concord, and in Manchester, and throughout the State. There's certain income guidelines. So most of the people that we do serve are very low income. But yes, there are. I don't have those in front of me and I'm going to add that to my list. Another good question.

**MOTION BY ALDERMAN MORAN TO ACCEPT THE NEW HAMPSHIRE HOMEOWNER ASSISTANT FUND DOCUMENT
MOTION CARRIED**

Chairman Lopez

Mr. Merra if you want to stay and watch, you're welcome but feel like we should release you. There's a couple pieces of business to do here.

Michael Merra, Staff Attorney, NH Legal Assistance

I can. I've had a long day but I can definitely stay for a little bit. Sure, absolutely.

Chairman Lopez

It's up to you.

Michael Merra, Staff Attorney, NH Legal Assistance

Absolutely. Happy to.

COMMUNICATIONS

From: Julian Long, Urban Programs Manager
Re: Urban Programs Department Updates – April 2023

From: Julian Long, Urban Programs Manager
Re: Urban Programs Department Updates – May 2023

From: Julian Long, Urban Programs Manager
Re: Community Development Grant Reallocation – Opportunity Networks and PLUS Company

From: Julian Long, Urban Programs Manager
Re: Urban Programs Department Updates – June 2023

Chairman Lopez

So just to clarify, Manager Long is not bored and just sending us all these letters. We haven't met since May so they've been kind of piling up. He's very good about informing us and letting us know about legislation that's coming up shortly.

There being no objection, Chairman Lopez accepted the communications and placed them on file.

UNFINISHED BUSINESS – None

NEW BUSINESS – RESOLUTIONS

R-23-132

Endorsers: Mayor Jim Donchess
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman John Sullivan
Alderman Patricia Klee
Alderman-at-Large Melbourne Moran, Jr.
Alderman Richard A. Dowd
Alderman June M. Caron
Alderman Derek Thibeault
Alderman-at-Large Gloria Timmons
Alderman-at-Large Shoshanna Kelly
Alderman-at-Large Lori Wilshire

RELATIVE TO THE ACCEPTANCE OF \$150,000 FROM THE NEW HAMPSHIRE HOUSING FINANCE AUTHORITY

MOTION BY ALDERMAN KLEE TO RECOMMEND FINAL APPROVAL

ON THE QUESTION

Sam Durfee, Planning Manager

Good evening. My name is Sam Durfee, Planning Manager for the City of Nashua. So this is a grant - the Housing Opportunity Planning Grant from the New Hampshire Housing Finance Authority. This is part of the invest New Hampshire monies that were ARPA funds. This grant was made available to municipalities in basically three stages. Basically an analysis of the regulations, an audit kind of looking at areas where you could make changes to strengthen and encourage housing development, and then also money for regulatory development writing of code.

So we went for the latter two stages. This came at a great time because as you know, we are about to embark on a comprehensive overhaul for our land use regulations. So while we had already sent out an RFP, we had selected a consultant. This opportunity came by, we paused because we wanted to chase this money, we were successful, and in being awarded, and then we worked out scope, and contracts, and all of that. Here we are requesting acceptance of these funds. This represents about a 66% increase to the budget we already had and this will really guarantee a lot of focused funding for looking at our housing regulations which is really the goal of this grant. I'm confident that we will have sufficient funding to really develop a robust code and make sure that it is inclusive of everything that was painstakingly detailed in the Master Plan while also offering us some opportunity to do some additional visioning in neighborhoods that did not receive that level of attention during the Master Plan process.

Chairman Lopez

I think Alderman Comeau's Ward might particularly be interested in that. Its former Alderman noted that there wasn't representation from her Ward there. So I think that definitely would be a good opportunity and from the discussion tonight, I'm not sure the City is even aware of how many different programs are operating different ways, different capacities. How many sober houses do we have here in Nashua? So these are areas that I think would be great in addition to the master planning things. Any other comments from the committee members?

Oh and if I mischaracterized what I was hearing from the grant, feel free to speak up. Did I get that right or was I like just adding things that I plucked off...?

Sam Durfee, Planning Manager

No, that's accurate.

Chairman Lopez

Okay. Alderman Klee.

Alderman Klee

Thank you, Mr. Chairman. I'm definitely in favor of obviously accepting any monies but especially what you plan to use it for. We've talked from the Planning Department, from the Board of Aldermen, from every aspect of it that we really do need to update some of our land use regulations. I know that even Alderman Moran and so on has spoken about certain types of zoning and different things like this. So when we say land use regulations, we're talking specific to looking at how we have things zoned, how we use lands for when I did the vaping ordinance. So something like that all of that thing would be taken into consideration. We would kind of overhaul and look at everything we're doing because that seems like a lot of work.

Sam Durfee, Planning Manager

Yes. Chapter 190 - all of our land use regulations are on the table. Yeah, so it's comprehensive.

Alderman Klee

Thank you for taking that and thank you for waiting for these funds to become available. So I appreciate that.

Chairman Lopez

Will the Urban Planning or Community Development office be creating like a virtual home for this? There's been a number of programs that have kind of been launched in the past and it's hard to navigate through the City's website and find like anything. So part of that is just the indexing is antiquated and it's definitely not run by Google but being able to make sure that the public is able to participate in these kinds of studies is helpful to both the vendors, departments, and us.

Sam Durfee, Planning Manager

Yes so public outreach is going to take many forms. One of which having a digital repository of the code that drafts thereof, summaries of meetings, videos of meetings will all be on a website that it will be the consultant's responsibility to develop and maintain. In addition to that, we will be developing a robust schedule of outreach opportunities. This takes many forms because there are so many different facets of the code some of which are going to be very

neighborhood specific visioning sessions. Others will be kind of open book, come have a coffee talk about what zoning is, and broader conversations, and we really want to have this available at all levels and in different mediums as well so that it can be as engaging as possible with the community so that any questions can be asked, and hopefully answered, and all that will be incorporated into the final document.

Chairman Lopez

Alderman Moran.

Alderman Moran

Thank you, Mr. Chairman. Is your department engaging with anyone with institutional knowledge to ensure that we can expand the use of Land Use Codes to allow for maybe treatment programs or not so much sober homes because those are, I think, just sober people living together.

Chairman Lopez

Very complex term.

Alderman Moran

But maybe like sober treatment living or maybe they're living in the home and then there's a counselor or a psychiatrist that visits once a week or something like that that allows them not to be all squished into Ward 4, or Amherst Street, or Northeastern, or whatever because I think there's something to be said that someone can have treatment just like the ADA allows us to put group homes pretty much wherever they really want to be despite whatever the City might say where you can put a group home of disabled people wherever and nurses and doctors can come in. We should be doing the same thing for mental health and SUD. This is something that I've been personally started working on in my business life. I kind of have a couple barriers and I just am curious. Are we gonna jam pack them all into the same areas that they're already in?

Sam Durfee, Planning Manager

So I completely agree that's a hugely important topic for the City, specifically for Nashua. To answer your question directly are we are we going to be working with any essentially consultants focused in that area? I guess the answer would be no because our consultant is primarily code base. However in terms of institutional knowledge, a lot of staff Planning staff has had a lot of experience working with the individuals operating, opening, and going through the process for establishing these sorts of uses as there's been a huge need. We've been trying to process these as quickly as possible. Recognizing the geographic concentration of these, that is certainly something that we want to look at and we want to hear from individuals in the community. I plan to meet with every single Aldermen individually and understand your key areas of interest and talk about these sorts of things because your lived experience in this community is far greater than mine and I highly value that input. So any information like that, that you can share with us through the process is hugely helpful.

Alderman Moran

I'm sure Alderman Lopez and I would love to be involved and other folks that are passionate about inclusion because I know I've had the conversation with Alderwoman Klee about places in Ward 3 that might benefit from a facility like I just mentioned that allows someone to be in a residential community versus this whole, you have to be in the urban section.

Chairman Lopez

To put not too fine a point on it having the hub for a safe station like surrounded by bars wasn't the best scenario ever. It was just somewhat limited by where people would tolerate it. Any other questions? Alderman Klee.

Alderman Klee

Thank you. You may have used a word that I'd like to talk about the outreach and education. I think the recent Planning Board meetings with the asphalt and so on and probably other upcoming I think the community I know I got a lot of phone calls. What does TOD mean? What does the GI the General Index mean? What does it mean by an overlay? I think for those that it took me a few minutes but the moment I was explained, the light bulb came on and I

understand. I think for the average person, they don't realize that maybe they're living in an area that's an overlay that allows general industry, allows residential, allows different types of things like that. I think so and we do need overlays as much as I don't like them. We do need them because we all do have to live together and you don't want to just put all industry in one area and not have any kind of type of residence. So I think education and you mentioned outreach. You mentioned speaking to all of us but even possibly having like Ward meetings where you might talk to me but then - and trust me there are going to be some people in my Ward they're going to be against anything and I hate the term "NIMBY" but we all have a little bit of NIMBY in us. They're not going to want it and they're going to be other sections and so on that's gonna say we need this here and we need to discuss what can happen. I mean just even residential areas where we talk about R30s, and R15s, and all of that people don't quite understand. So I think if you could do a Ward by Ward or maybe a couple of Wards 4 and 3 or something together I think would be really helpful to educate the public. As it was pointed out, people aren't watching here. Then it would incumbent about me to get people there for you to talk to. I usually don't have any problem with that.

Chairman Lopez

Literally incumbent.

Alderman Klee

Yes or the incumbent, yes, or whoever sits in the seat next year. So yes. Thank you.

Sam Durfee, Planning Manager

If I may, Ward meetings are part of the scope in which the scope is part of the contract which will be going soon after these funds are accepted at the full Board. I'll be submitting the contract to the Finance Committee so that can go through the process. That scope is attached, and can be viewed, and you can see all the work that we intend to do.

Alderman Klee

Thank you so much for all of that. I appreciate it for all of you.

Chairman Lopez

All right. No further questions from the Committee.

MOTION CARRIED

R-23-135

Endorsers: Mayor Jim Donchess
 Alderman-at-Large Michael B. O'Brien, Sr.
 Alderman Patricia Klee
 Alderman-at-Large Melbourne Moran, Jr.
 Alderman Thomas Lopez
 Alderwoman-at-Large Shoshanna Kelly
 Alderman Richard A. Dowd
 Alderman June M. Caron
 Alderman Derek Thibeault
 Alderwoman-at-Large Gloria Timmons
 Alderman-at-Large Lori Wilshire

RELATIVE TO AMENDING THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ANNUAL ACTION PLAN FOR FISCAL YEAR 2023 RELATIVE TO THE COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG")

MOTION BY ALDERMAN KLEE TO RECOMMEND FINAL APPROVAL

ON THE QUESTION

Alderwoman Timmons

Yes, thank you Chairman. I have a question. What are we amending in this relative to the...?

Chairman Lopez

Well that's where the presentation would have come in.

Alderman Timmons

Oh, so, okay. Thank you.

Julian Long, Urban Programs Manager

Good evening everyone. Julian Long, Urban Programs Manager. So this is a pretty simple transfer from one project to another of funds. Which one came in over? Okay so yes the PLUS Company came in over its estimate and the amount of funds originally awarded while the Opportunity Networks project came in under what was estimated and awarded. So we're transferring the \$3,000 that we have left over from Opportunity Networks to PLUS Company for this. It doesn't make up the entire shortfall but we've chatted with PLUS Company and they're able to make up the rest of the amount needed to complete the project.

Chairman Lopez

So Manager Long correct me if I get this wrong but I'm just going to try to summarize for Alderman Timmons. We presented the plan, we approved the plan, we're amending the plan that we approved by legislation to allow us to do this transfer?

Julian Long, Urban Programs Manager

Yes, that's correct.

Chairman Lopez

Okay. Any further questions anybody?

MOTION CARRIED

NEW BUSINESS – ORDINANCES – None

TABLED IN COMMITTEE - None

GENERAL DISCUSSION

Alderman Thibeault

Thank you, Mr. Chair. I just wanted to mention I have another comment about the whole sheltered/unsheltered situation. So Nashua is growing fast and growing in a way, and I don't mean growing by necessarily people although because we're pretty much full on where people can live, but it's going in a fast-moving way. We're a great City. We continue to move in ways of development, economic development, and with this carousel of progress I'm hoping that we make sure we're not forgetting the people that may get cut out of this. As things get more expensive and keep growing, I'm concerned that it's going to cause even more of a crisis than we already have. So I think it's important that not only are we looking at the unsheltered but to something Alderman Timmons said earlier, we like to not use the word "homeless" because we want to use unsheltered but there's also homeless that are sheltered. Living on someone's couch, squatting somewhere where they can find space, or a friend's house, or whatever that they don't have a place to call home other than going from friend to friend or house to house. We want to keep the City great and part of keeping the City great is making sure people have the right to simple things like food, shelter, obviously education. It's a problem that if it was easy to fix, all the cities in this country would have fixed it long ago. We don't want to be one of those that doesn't try to fix it, right. It's complex but I think it needs to continue to and I know Alderman Lopez has done a great job to continue to push that agenda. I think he's going to continue to do that which is great but I think we can't turn a blind eye just because I'm in the south end doesn't mean I'm not thinking about people that when I go to the library see sleeping inside a wedge near the doors with a shopping cart and they're sleeping under it. I'm thinking of how does that person get some place where they need whatever kind of help they need whether it's shelter or some other means.

We've got to do more with mental health. We've got to do more with opiate crisis. We've got to do more with finding shelter and making sure we have places for people to go, and then the ways for them to get back on their feet, and

how do we do that in this economy? That's very difficult for a lot of people. Some people will go out there and say - I'm not saying this - but some people might say well that person deserves it. They did this. They did that. Well anybody can easily become homeless. You can get laid off, and get divorced, and get kicked out of your house, and all sudden you're not making any money, and all of a sudden you're in the same predicament. It can happen anybody at any time for whatever the reasons may be. So I think it's important that we continue to talk about it, we continue to try to find ways to solve the problem, and again, we're not always working at these agencies or places where we can dive in and actually solve the problem. We can help work but I think there's some things we can maybe legislate at some point and may be able to help what we're doing. I think inclusionary zoning was a little bit of a start towards some at least getting more affordable housing. It's not exactly as far as some people wanted to go but I hope we can continue to do good things and get us to where at least we have a low amount of sheltered as opposed to going the other way where it starts to get worse, and worse, and worse because that's what I worry about as the City zooms forward that we could be in that predicament. So thank you. I just wanted to throw that out there in general discussion.

Chairman Lopez

If I may. I would just say until most recently, unaddressed homeless needs was that of youth homelessness. Stepping Stones showed up. They're conquering everything they see. In only three or four years, they've had the development of like a 10 to 15 year old organization. But until then, one of the biggest unknown variables who's out there? What's going on? What category do they fall under was youth. So I wouldn't begin to speculate as to how to justify that a 16 year old deserves to be kicked out. But there are families and parents in this City that have made that determination and there are organizations that are working to intervene with it. It's never going to be cut and dry about who deserves what happens to them in a community as complex as ours.

There's a lot of different terminology. A lot of it comes from grants and HUD is to blame for a lot of it. They literally coined the term "couch surfing" like that's a fun time to be at I guess. So trying to get the terminology right I think is somewhat forgivable by most people who are in this situation who might self-identify as homeless just to kind of get the point across. I wouldn't say you'd have to find anyone who wants to identify as a squatter but for the most part, the terms mean different things. They designate different problems which illuminates the fact that the scope of the problem is so big that we don't know who's staying with family, who's shuffling between friends, whose living sheltered but with a very unsafe and inappropriate situation is a very complex situation. The City is tackling a lot of different efforts to try to do it. I'm seeing a lot of very positive signs that we're going to be working together and trying to collaborate both interdepartmentally and with other organizations. You still see people who are very much kings of their own hill who will go to a meeting about working with unsheltered populations, and campsites, and make a statement that well if you feed them water, then of course more people are going to come as though like we're supposed to let people die. Like that's pretty ridiculous.

You'll see a lot of finger pointing. I just want to kind of state for her benefit that Alderman Klee is the only successful person in the entire city, city staff, or elected officials who's managed to get the railroads attention for anything. She was attempting to reach out to them to fix the railroad crossings on Main Street so Nashua when they actually fix the roads were all losing tires and stuff. I have a Segway so I've almost wiped out a couple of dozen times. When that actually gets fixed is because she finally got the attention that it deserved. But, of course, some people took the opportunity to sideswipe and try to say that she was asking for more than she was or something different than she was and to visit those intentions. That's unnecessary. If we're working collaboratively and we're willing to recognize the scope of the problem, then we need to be focused on solutions. I will say that the general tone of the meetings that we had with the railroad companies last week, I was very proud of the departments who stated unequivocally Nashua is not going to pass this on to another community. Nashua is going to address the situation as it is and Nashua is going to use every tool and every resource that it can to do that. I think we need to be saying that confidently and much more assertively than we have been.

Much in much the same way as we were very pleased when the safe station program was up and running and firing on all cylinders. That took the Fire Department stepping forward. That took Harbor Homes stepping forward and that took people willing to say okay well this looks like an unmanageable mess but the only way to address it is to start with the first thing we can do and then move on to the next thing and the next thing. So I am glad there's the enthusiasm and appreciation on this body. I say share it, engage your fellow Aldermen, and participate in as much of the meetings and planning as we can because this is a big lift but it's not something we can't do. We have the resources, we have the capability, and that's what Nashua does.

Alderman Klee

Thank you. First, I want to address some of the things that you said as well as what others have said. Yes. I

contacted our DC legislators to put a fire under CSX as they just bought Pan-Am but I do want to give our city departments and head the credit for pushing this forward and so on. I'm a nag. I make a lot of noise and I don't let things go. So yeah in some instances, I'm being thrown under the bus for certain things and if people really read the emails, they know that that would not be true. So I do appreciate the attention but I do want to say that as you stated, we have great city staff who are stepping up and who are saying we're not going to let this happen and we're not going to push these people somewhere else. So I applaud our city departments have quite a bit on that.

The other thing is one of the issues that was kind of brought up was that people say they're not worth. I'm going to tell you a personal story. Some people live paycheck to paycheck. I lived in Ogden, Utah. I came home on vacation and when I came home on vacation my entire apartment burned down. I had nothing left. Nothing. I had to go back there. The only thing we left there was my car because a friend of mine had driven me to the airport and took my car otherwise I had nothing. When they showed me what my stuff was, my phone had melted to my chair. If I had been there, I would not have made it because the person below me was smoking and my apartment went up fast. Other than I did have a waterbed back then, so maybe I would have survived.

Chairman Lopez

That one spot.

Alderman Klee

Yeah that one spot would have survived. I was lucky enough that the people there got a hold of the Red Cross to help give me \$150 for clothing allowance. People within that Canyon Cove Apartments got me an apartment, knew that things were going to be hard. They gave me a couple month's rent. People I've worked with all kind of stepped up. So I was lucky. I was blessed. I didn't stay there long because I had a hard time sleeping so I came back home and moved in with mommy and daddy who took me in. So sometimes you're living paycheck, to paycheck, to paycheck and no one deserves not to have a home. I don't care what the problem is. I don't care if they have a drug, mental health no one deserves to live out, especially when we just had this rain. I had some sleepless nights over that.

But Mr. Chairman, I know we've talked about this before if it would be possible for maybe Manager Long to give a presentation to this Committee exactly about the HOME Fund, and rental, and so on, and I think Alderwoman Timmons kind of touched on that. We have this and I don't think people understand what it really is. I mentioned CDBG so if we could maybe at some future meeting not necessarily next one but where we can really discuss how people can apply for it, how they qualify for it. A better understanding. I know at one point we kind of lowered the funding in one of those funds because it wasn't really being utilized. I think it was an education thing. So if we could just for future meeting.

I'd just like to thank you for having Attorney Merra here. I think that was extraordinarily helpful for us to - I didn't know about and I try to help people as much as I can through welfare, through Front Door Agency, and so on and I was completely unaware of that so thank you for bringing that to our attention and educating us on that.

Chairman Lopez

We'll definitely try to get the HOME Funds presentation. I'm not going to put Manager Long on the spot right now but I will pursue that and then do it in whatever format they think is the best. Alderman Moran.

Alderman Moran

Thank you, Mr. Chairman. I'm having a competition with Alderman Lopez about who could be more jaded about the issue of homelessness. I think one of the issues that has caused and contributed to the opioid, the mental health, and the homeless /unsheltered crisis is the continued sending these vital critical services that were once regulated and done by city, and local, and State government to underfunded nonprofits. We do less and less every time and now we rely on contractors basically to be a pseudo arm of the government basically and shift liability, fringe benefits, everything that comes along with it out of our purview and out of our sight other than when Mr. Long comes in to say let's send these funds to these charities who are very underfunded. We have less and less control of what they can do with the money that comes from taxpayer coffers. If we were truly serious about addressing these critical issues, we would look at the Department of Public Health and we would increase substantially the service that they render to City residents, increasing staff, increasing services providing treatment. Just like we would give a shot to someone, we could also provide counseling through Public Health. It's the same vein.

Secondly, expanding Nashua Housing Authority and offer people free or low-income housing who desperately need it rather than putting up moderate housing all the time, or taking land that we already have, and giving it to the Housing Authority to develop, and help finance, and become creative like we do with financing for these larger public/private partnerships and actually invest in what we actually will have control over. If there's an issue in the Public Health Department, we actually get to respond to that. We can say Director Bagley, x, y, and z needs to be done. We can't say that to a nonprofit that we fund. We can't tell them how to manage, how to respond, etc.

And then we should build a homeless shelter, low barrier, homeless shelter, that's run and operated by the City. We can do these things. They're within our power but it's a political nightmare to tell our constituents we need money to do this but we not might not be able to make the riverfront look nice this year. It's a hard pill to swallow but when I went to Joanne's for breakfast on Sunday, like I typically try to do, terrible storm. Everyone's under the church just sleeping outside trying to stay dry. Is throwing a couple of bucks in to your tax rate worth that person having dignity, and where they have access to housing, and care, and is it worth any of us to challenge the particular plan that's already in place. Expanding moderate and higher-income housing. We can say no. There is fifteen of us. If there's a majority of us, we could say no. Do you have the strength to do it, though? It's not just about lecturing the folks that come here, the general public, as a majority do we have the strength to do it? You've got to self-reflect and see if you're willing to take on those big, big pieces of change that would mean to actually address these issues. Thank you.

Chairman Lopez

I mean to that point, we clear cut the Riverfront to make it look better and just revealed all the homeless sites. So those were there the whole time. Any other comments? I think we switched somehow from I think it's Alderman Thibeault's fault we're switching discussion to comments.

Anyone have any comments that they would like to make as Aldermen?

PUBLIC COMMENT - None

REMARKS BY THE ALDERMEN – None

ADJOURNMENT

**MOTION BY ALDERWOMAN TIMMONS TO ADJOURN
MOTION CARRIED**

The meeting was declared adjourned at 8:31 p.m.

Alderman Patricia Klee
Committee Clerk



New Hampshire Homeowner Assistance Fund

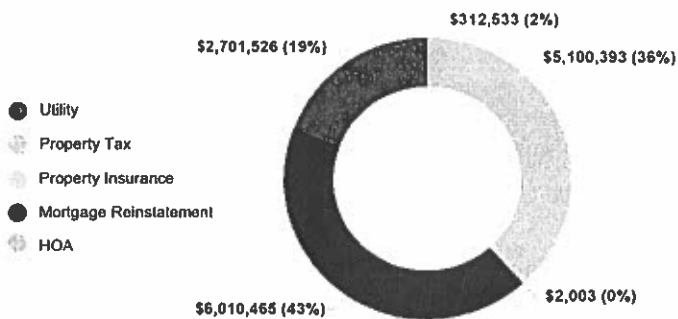
Overview - As of July 3, 2023

The New Hampshire Homeowner Assistance Fund began taking applications on March 8, 2022. NH Housing, the program administrator, has received 3,223 applications with 1,831 applications approved and 334 denied to date. Applicant households are from all ten counties and 233 cities and towns. The majority of assistance has been provided for Mortgage Assistance (43%), followed by Property Taxes (36%).

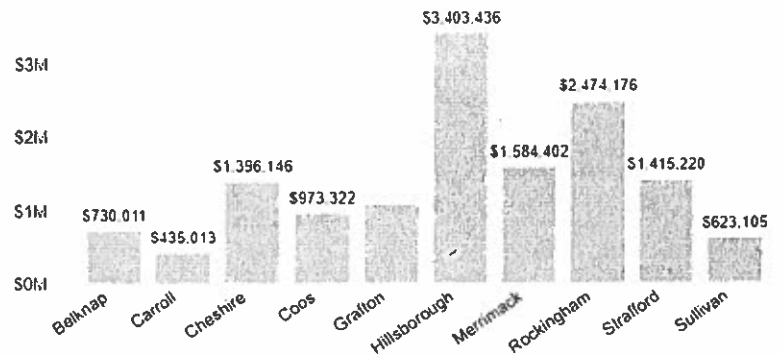
PROGRAM TYPE	BUDGETED AMOUNT	PAID AMOUNT	FUNDS AVAILABLE
Mortgage Assistance	\$25,600,000	\$6,010,465	\$19,589,535
Property Charges	\$8,400,000	\$5,414,930	\$2,985,070
Utilities	\$6,000,000	\$2,701,526	\$3,298,474
Total	\$40,000,000	\$14,126,920	\$25,873,080

MONTH TO MONTH COMPARISON	PREVIOUS MONTHS	JUNE	JULY	TOTAL
Unique Households that have Received Assistance	1,609	222	0	1,831
Unique Households that have Submitted Applications	2,479	138	4	2,624
Number of Re-Applications	493	103	3	599

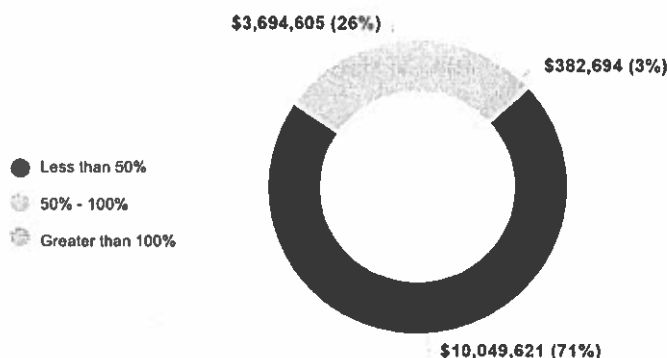
PAYMENTS BY ASSISTANCE TYPE



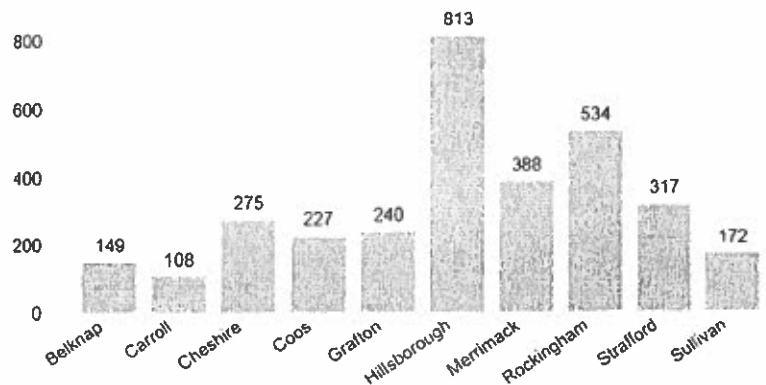
DISBURSEMENT BY COUNTY



ASSISTANCE PAID TO DATE BY AMI (Area Median Income)



APPLICATIONS BY COUNTY



The NH Homeowner Assistance Fund program is funded through the American Rescue Plan Act of 2021 and the Governor's Office for Emergency Relief and Recovery. It is administered by New Hampshire Housing.

Visit www.HomeHelpNH.org for program details and to apply.