



Agenda

Special Committee on Housing Policy

Dan Fowler, Chair
Brandon Ellington, Vice Chair
Kevin O'Neill
Parks-Shaw Ryana
Quinton Lucas

Wednesday, July 14, 2021

4:00 PM

26th Floor, Council Chamber

PUBLIC OBSERVANCE OF MEETINGS

Members of the City Council may attend this meeting via videoconference.

Any closed session may be held via teleconference.

The public can observe this meeting at the links provided below.

Applicants and citizens wishing to participate have the option of attending each meeting or they may do so through the videoconference platform ZOOM, using this link:

<https://us02web.zoom.us/j/84530222968>

HELD IN COMMITTEE

210055

Amending Article XIX, “Healthy Rental Homes” by repealing Section 34-848.1, “Prohibitions” and replacing it with a new section of like name and subject matter containing a new subsection (g), for the purpose of preventing the failure to rent or lease a rental unit based in whole or in part on prior evictions or other actions for failure to pay rent that occurred between February 1, 2020 and August 31, 2021.

Attachments: [fact sheet](#)

[Testimony-Dan Hostert](#)
[Testimony-Lee Barewin](#)
[Testimony-Joseph Quinn](#)
[Testimony-Art Wagner](#)
[Testiomny-Matthew Melena](#)
[Testimony-Dawn Hamilton](#)
[Testimony-Michea Bland](#)
[Testimony-Kris Rezac](#)
[Testimony-Brendon Pishny](#)
[Testimony-Kevin Tan](#)
[Testimony-Venita Fain-Siffre](#)
[testimony-Jim Martin](#)
[Testimony-Aaron Leatherdale](#)
[Testimony-Joshua Rodgers](#)
[Testimony-Steve Kerr](#)
[Testimony-Walter Anderson](#)
[Testimony-Mary Fox](#)
[Testimony-Ian Anderson](#)
[Testimony-Steven Swanson](#)
[Testimony-Felicia Bondi](#)
[Testimony-Julia Shepek](#)
[Testimony-Timothy Brooks](#)
[Testimony-Jennifer Justus](#)
[Testimony-Andrew Hartley](#)
[Testimony-John myers](#)
[Testimony-Mike Griffith](#)
[Testimony-Aaron Phillips](#)
[Testimony-Bryan Deuel](#)
[Testimony-Tony Barnes](#)
[Testimony-John Gregpry](#)
[Public Testimony Venita fain-Siffre](#)
[Public Testimony - Tricia Stock](#)
[Public Testimony - William Berry](#)
[Public Testimony - Andrea Inamdar](#)
[Public Testimony - Nancy Davis](#)
[Public Testimony - Beatrice Gicharu](#)
[Public Testimony - Ralph Munyan](#)

[Public Testimony - Anthony Baldin](#)
[Public Testimony - Cynthia McDonald](#)
[Public Testimony - Charles Poynter](#)
[Public Testimony - Kimberly Franklin](#)
[Public Testimony - Eddie Van Buskirk](#)
[Public Testimony - Pamela Enlow](#)
[Public Testimony - Diego Gndolfo](#)
[Public Testimony - Panayiotis Manolakos](#)
[Public Testimony - Malia Hatley](#)
[Public Testimoy - Jackie Macgirvin-Maresco](#)
[Public Testimony - Jameson Wells](#)
[Public Testimony-Andrea DiCarlo](#)
[Public Testimony - Jordan Ayala](#)
[Public Testimony - Eric Melton](#)
[Public Testimony - Magda Werkmeister](#)
[Public Testimony - Amanda Adreani](#)
[Public Testimony - Rick maresco](#)
[Public Testimony - Paul Rosenboom](#)
[Public Testmony - Lynne Condellone](#)
[Public Testmony - Jim Hafner](#)
[Public Testimony - Dag Lengquist](#)
[Public Testimony - Eva Johnston](#)
[Public Testimony - Marko Cvetkovic](#)
[Public Testimony - Wei Zhang](#)
[Public Testimony - Steven Tiede](#)
[Public Testimony - GKCCEH](#)
[Public Testimony - Kathie Kerr](#)
[Public Testimony - Andrew Kilpatrick](#)
[Public Testimony - Sharon Barros](#)
[Public Testimony - Rob Petkoff](#)
[Public Testimony - Steve Kerr](#)
[Public Testimony - Carol Kelly](#)
[Public Testimony - Kelly Duckworth](#)
[Public Testimony - Kirk Markus](#)
[Public Testimony - Crystal Vaughn](#)
[Public Testimony - Charles Lewis](#)
[Public testimony - Debi Herman](#)
[Public Testimony - Barb Johnson](#)

[Public Testimony - Jody House](#)
[Public Testimony - Nancy Allen Norman](#)
[Public Testimony - Jesse Smith](#)
[Public Testimony - Cassy Click](#)
[Public Testimony - James Ratcliff](#)
[Public Testimony - Wilbur Ames](#)
[Public Testimony - Kim Tucker](#)
[Public Testimony - Kevin O'Brien](#)
[Public Testimony - Nelson Gordon](#)
[Public Testimony - Renee Kerckhoff](#)
[Testimony-Michea Bland](#)

SEMI-ANNUAL DOCKET

The listing of Semi-Annual Docket items are provided this week for informational purposes only. Please see City Clerk's Office for full listing.

ADDITIONAL BUSINESS

1. Report on the Small Apartments Affordable Housing Survey, presented by the University of Missouri-Kansas City (Department of Architecture, Urban Planning and Design).

2. Update from the Housing and Community Development staff on the Housing Preservation Task Force.

3. There maybe additional discussions held by the Special Committee on Housing Policy.

4. Closed Session

- Pursuant to Section 610.021 subsection 1 of the Revised Statutes of Missouri to discuss legal matters, litigation, or privileged communications with attorneys;
- Pursuant to Section 610.021 subsection 2 of the Revised Statutes of Missouri to discuss real estate;
- Pursuant to Section 610.021 subsections 3 and 13 of the Revised Statutes of Missouri to discuss personnel matters;
- Pursuant to Section 610.021 subsection 9 of the Revised Statutes of Missouri to discuss employee labor negotiations;
- Pursuant to Section 610.021 subsection 11 of the Revised Statutes of Missouri to discuss specifications for competitive bidding;
- Pursuant to Section 610.021 subsection 12 of the Revised Statutes of Missouri to discuss sealed bids or proposals; or
- Pursuant to Section 610.021 subsection 17 of the Revised Statutes of Missouri to discuss confidential or privileged communications with auditors.

5. Those who wish to comment on proposed ordinances can email written testimony to public.testimony@kcmo.org. Comments received will be distributed to the committee and added to the public record by the clerk. The city provides several ways for residents to watch City Council meetings:

- Livestream on the city's website at www.kcmo.gov
- Livestream on the city's YouTube channel at <https://www.youtube.com/watch?v=3hOuBlg4fok>
- Watch Channel 2 on your cable system. The channel is available through Time Warner Cable (channel 2 or 98.2), AT&T U-verse (channel 99 then select Kansas City) and Google Fiber on Channel 142.
- To watch archived meetings, visit the City Clerk's website and look in the Video on Demand section: http://kansascity.granicus.com/ViewPublisher.php?view_id=2

The City Clerk's Office now has equipment for the hearing impaired for use with every meeting. To check out the equipment please see the secretary for each committee. Be prepared to leave your Driver's License or State issued Identification Card with the secretary and she will give you the equipment. Upon returning the equipment your license will be returned.

Adjournment



Legislation Text

File #: 210055, Version: 1

ORDINANCE NO. 210055

Amending Article XIX, “Healthy Rental Homes” by repealing Section 34-848.1, “Prohibitions” and replacing it with a new section of like name and subject matter containing a new subsection (g), for the purpose of preventing the failure to rent or lease a rental unit based in whole or in part on prior evictions or other actions for failure to pay rent that occurred between February 1, 2020 and August 31, 2021.

WHEREAS, the health care emergency created by the COVID-19 virus has created a general economic emergency resulting in loss of jobs and wages, and

WHEREAS, this economic crisis has resulted in a high number of evictions or other loss of housing due to the inability to pay rent; and

WHEREAS, discrimination against persons having a prior eviction or accumulation of unpaid rent can make it impossible for persons to secure other housing, interrupting schooling and employment, exacerbating the homeless crisis in the City, increasing the burden on the City’s resources, and delaying the economic recovery of the City; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF KANSAS CITY:

Section 1. That Article XIX, “Healthy Rental Homes” is hereby amended by repealing Section 34-848.1, “Prohibitions” and replacing it with a new section of like name and subject matter containing a new subsection (g), for the purpose of preventing the failure to rent or lease a rental unit based in whole or in part on prior evictions or other actions for failure to pay rent that occurred between February 1, 2020 and August 31, 2021, said section to read as follows:

Section 34-848.1 Prohibitions.

(a) No owner shall commit any act of housing discrimination, as described in section 38-105 of this code.

(b) For all residential leases and rental agreements first entered into after the effective date of this ordinance, no owner shall require a security deposit or any deposit of money or property, however denominated, which is furnished by a tenant to a property owner to secure the performance of any part of the rental agreement, including damages to a unit, that exceeds the amount of two months' rent charged to the tenant for that residential unit. Such payment shall only be charged once.

(c) An owner shall not enter the tenant's premises unless:

(1) the tenant gives written consent; or

(2) during reasonable hours, after giving notice to the tenant not less than 24 hours in advance and attempting to coordinate with the tenant to schedule a mutually acceptable time. Such notice shall specify the date and time of

intended entry, the identity of the person or persons to enter, and the reason therefore.

The owner shall enter the premises only in order to inspect the premises, make necessary or agreed repairs, decorations, alterations or improvements, supply necessary or agreed services, or exhibit the dwelling unit to prospective or actual purchasers, mortgagees, tenants, workers or contractors; except that the owner may enter the dwelling unit without notice to the tenant in case of an extreme hazard involving the potential loss of life, property damage, ongoing criminal activity or in the case of tenant abandonment as determined by state law. The owner shall not abuse the right of access or use it to harass the tenant.

(d) No owner shall refuse to accept and acknowledge receipt of a tenant's lawful rent payment.

(d) No owner shall harass a tenant, as defined in section 50-159.

(e) No owner shall violate Chapters 441, 534 or 535 RSMo.

(3) (1) No owner shall fail or refuse to rent or lease any rental unit to any person based in whole or in part upon any of the following events that occurred due to lack of payment of rents owed during the period of February 1, 2020 and August 31, 2021:

- a prior eviction;
- the filing of a lawsuit;
- the filing of an eviction action; or
- a judgment entered.

(2) It shall be prima facie proof of the violation of this section if such facts exist and if such facts are inquired into by owners prior to a refusal to rent or lease a dwelling unit.

(3) For the purposes of subsection 34.848.1(g) only, each day of such refusal violating 34.848.1(g) shall be a separate violation punishable by a fine of \$1,000.00 per day.

Approved as to form and legality:

Joseph A. Guarino
Assistant City Attorney

GENERAL

Ordinance Fact Sheet

Ordinance 210055

Ordinance Number

Brief Title

Refusal to Rent--Covid Evictions--
Healthy Rental Homes

Approval Deadline

Reason

To amend 34-481.1 to add new prohibition of refusal to rent based on Covid-19 non-payment actions

Details

Positions / Responsibilities

Reason for Legislation
Amending Article XIX, "Healthy Rental Homes" by repealing Section 34-848.1, "Prohibitions" and replacing it with a new section of like name and subject matter containing a new subsection (g), for the purpose of preventing the failure to rent or lease a rental unit based in whole or in part on prior evictions or other actions for failure to pay rent that occurred between February 1, 2020 and August 31, 2021.

Sponsor	Councilwoman Shields and Councilwoman Robinson
Programs, Departments, or Groups Affected	Health
Applicants / Proponents	Applicant City Department Other
Opponents	Groups or Individuals Basis of opposition
Staff Recommendation	<input checked="" type="checkbox"/> For <input type="checkbox"/> Against Reason Against
	By X For <input type="checkbox"/> Against <input type="checkbox"/> No action taken <input type="checkbox"/> For, with revisions or conditions (see details column for conditions)
Council Committee Actions	<input type="checkbox"/> Do Pass <input type="checkbox"/> Do Pass (as amended) <input type="checkbox"/> Committee Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do Not Pass

Discussion
(Including relationship to other Council actions)
Covid-19 has created a general economic emergency resulting in loss of jobs and wages and has resulted in a high number of evictions or other loss of housing due to the inability to pay rent. Discrimination against persons having a prior eviction or accumulation of unpaid rent during this pandemic can make it impossible for persons to secure other housing, interrupting schooling and employment, exacerbating the homeless crisis in the City, increasing the burden on the City's resources, and delaying the economic recovery of the City.

This ordinance adds a new prohibition, Section 34-848.1(g), to the Healthy Rental Homes and prohibits owners from failing to rent or lease rental units based on prior evictions, the filing of lawsuits, eviction actions or judgments for lack of payment of rents owed during the period of February 1, 2020 through August 31, 2021.

Each day of a violation (refusal to rent based in whole or in part on the above) shall be a separate violation and punishable by a fine of \$1,000.

Is it good for the children? Yes.

Details

--

Policy / Program Impact

Policy or Program Change	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes
Operational Impact Assessment	

Finances

Cost & Revenue	
	<i>Increase/Decrease in Revenue Expected Annually</i>
Fund Sources	

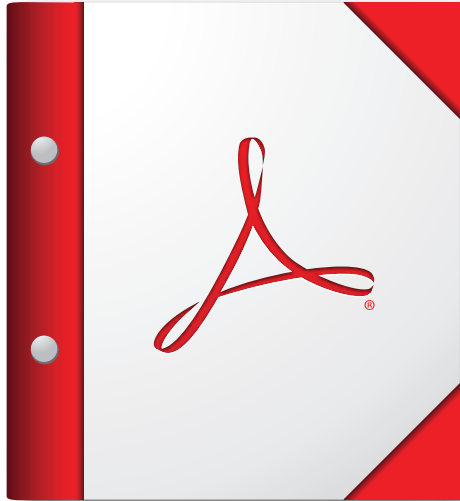
(Use this space for further discussion, if necessary)

Applicable Dates

Fact Sheet Prepared by:

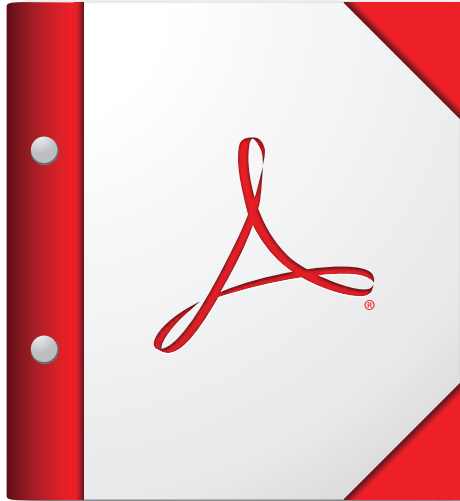
Joseph A. Guarino
Assistant City Attorney

Reviewed by:



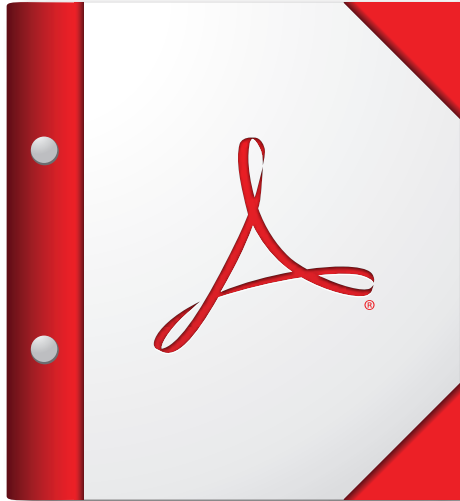
**For the best experience, open this PDF portfolio in
Acrobat X or Adobe Reader X, or later.**

[Get Adobe Reader Now!](#)



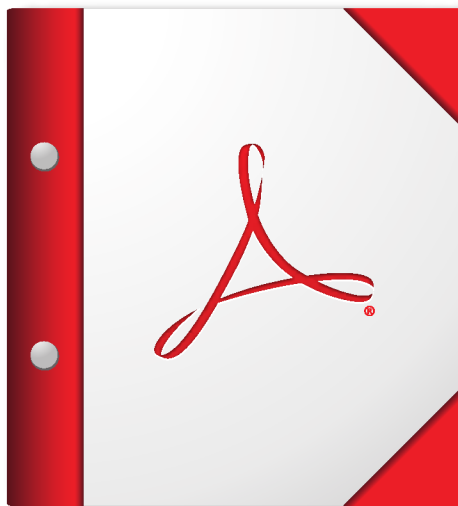
**For the best experience, open this PDF portfolio in
Acrobat X or Adobe Reader X, or later.**

[Get Adobe Reader Now!](#)



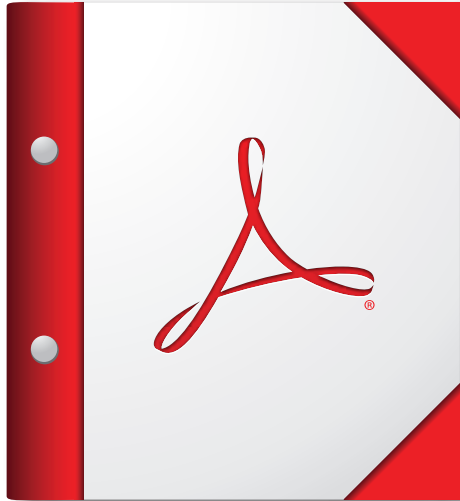
**For the best experience, open this PDF portfolio in
Acrobat X or Adobe Reader X, or later.**

[Get Adobe Reader Now!](#)



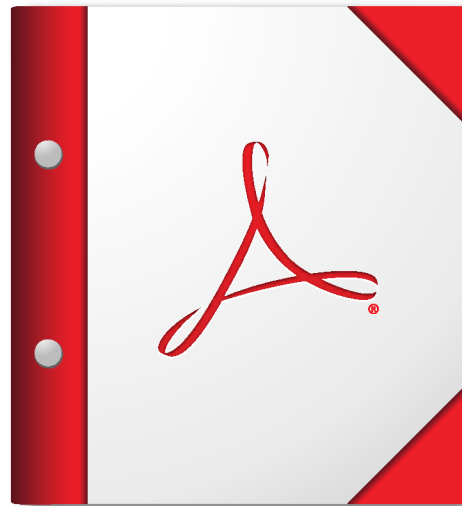
**For the best experience, open this PDF portfolio in
Acrobat X or Adobe Reader X, or later.**

[Get Adobe Reader Now!](#)



**For the best experience, open this PDF portfolio in
Acrobat X or Adobe Reader X, or later.**

[Get Adobe Reader Now!](#)



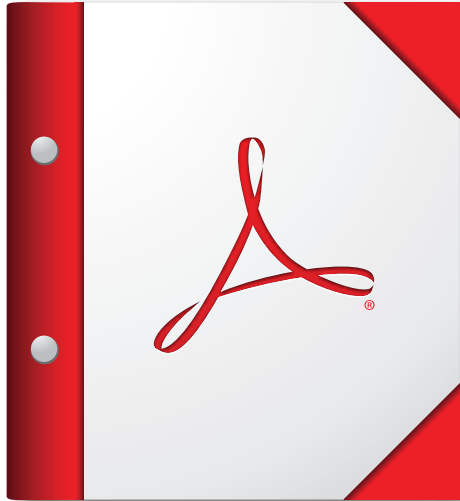
**For the best experience, open this PDF portfolio in
Acrobat X or Adobe Reader X, or later.**

[Get Adobe Reader Now!](#)



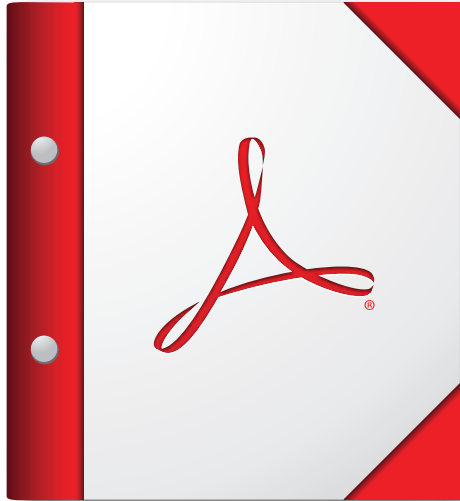
**For the best experience, open this PDF portfolio in
Acrobat X or Adobe Reader X, or later.**

[Get Adobe Reader Now!](#)



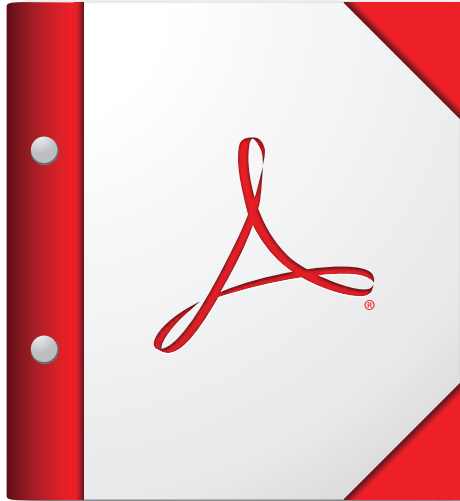
**For the best experience, open this PDF portfolio in
Acrobat X or Adobe Reader X, or later.**

[Get Adobe Reader Now!](#)



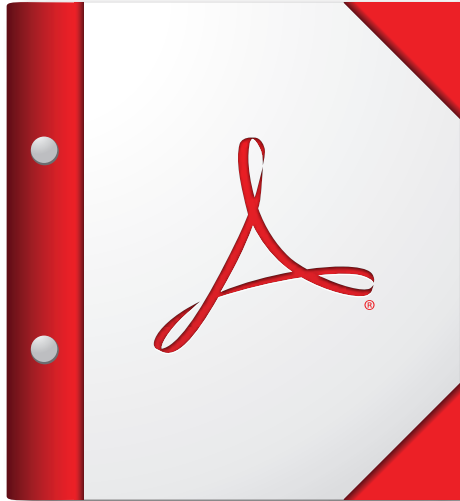
**For the best experience, open this PDF portfolio in
Acrobat X or Adobe Reader X, or later.**

Get Adobe Reader Now!



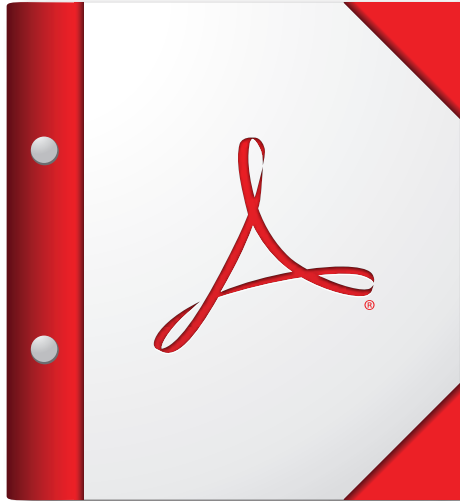
**For the best experience, open this PDF portfolio in
Acrobat X or Adobe Reader X, or later.**

[Get Adobe Reader Now!](#)



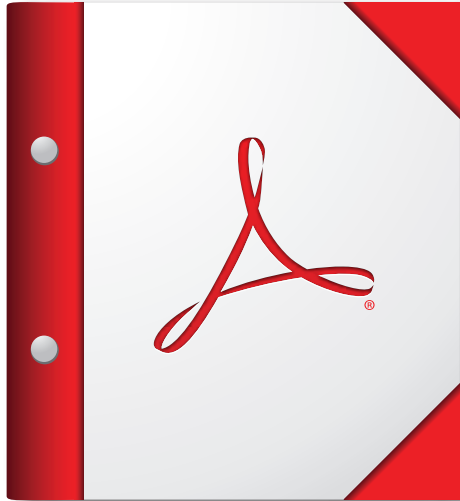
For the best experience, open this PDF portfolio in Acrobat X or Adobe Reader X, or later.

[Get Adobe Reader Now!](#)



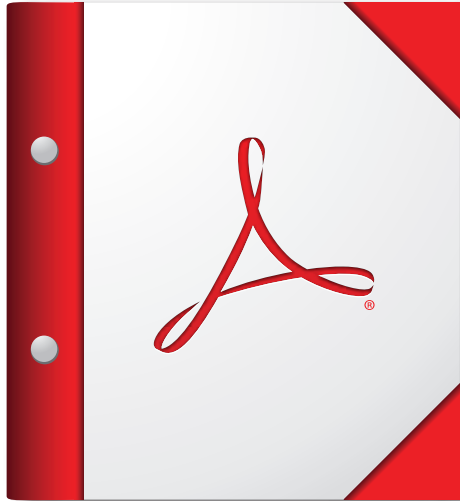
**For the best experience, open this PDF portfolio in
Acrobat X or Adobe Reader X, or later.**

[Get Adobe Reader Now!](#)



**For the best experience, open this PDF portfolio in
Acrobat X or Adobe Reader X, or later.**

[Get Adobe Reader Now!](#)



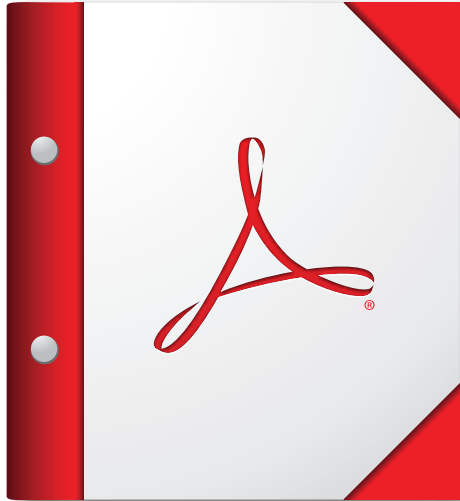
**For the best experience, open this PDF portfolio in
Acrobat X or Adobe Reader X, or later.**

[Get Adobe Reader Now!](#)



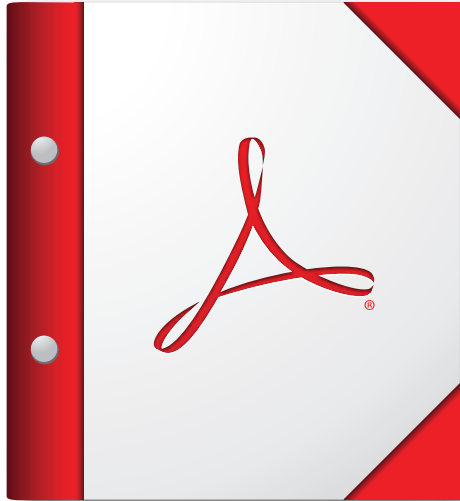
For the best experience, open this PDF portfolio in Acrobat X or Adobe Reader X, or later.

Get Adobe Reader Now!



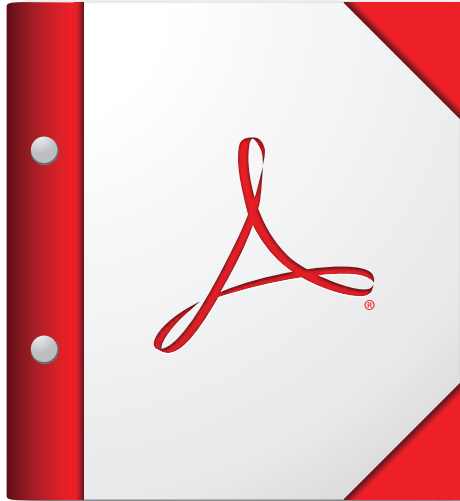
**For the best experience, open this PDF portfolio in
Acrobat X or Adobe Reader X, or later.**

Get Adobe Reader Now!



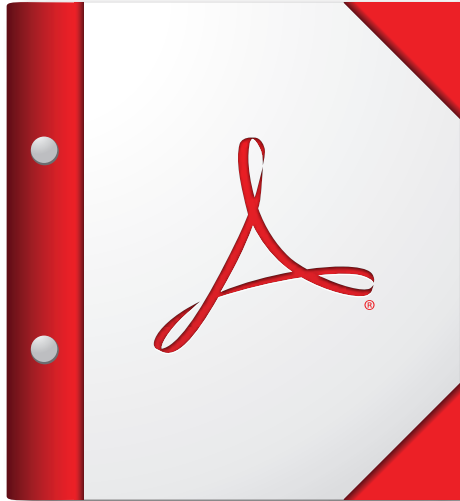
**For the best experience, open this PDF portfolio in
Acrobat X or Adobe Reader X, or later.**

[Get Adobe Reader Now!](#)



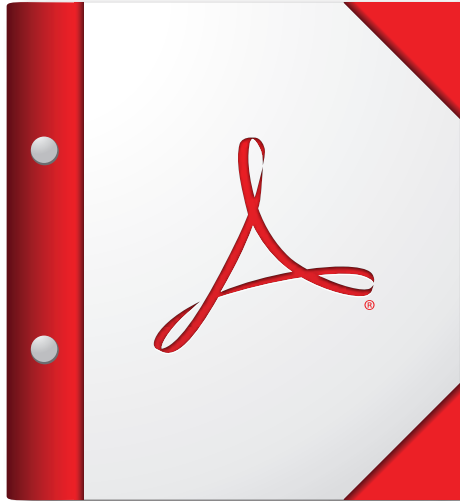
**For the best experience, open this PDF portfolio in
Acrobat X or Adobe Reader X, or later.**

[Get Adobe Reader Now!](#)



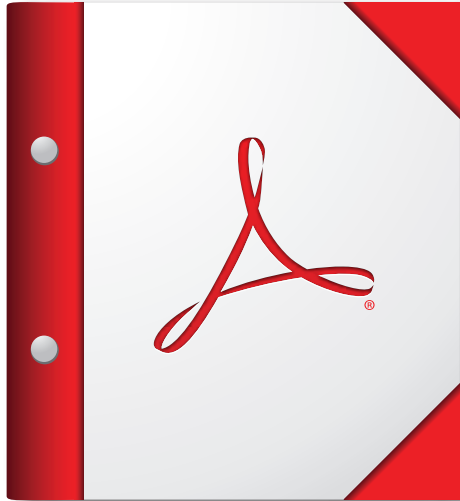
**For the best experience, open this PDF portfolio in
Acrobat X or Adobe Reader X, or later.**

[Get Adobe Reader Now!](#)



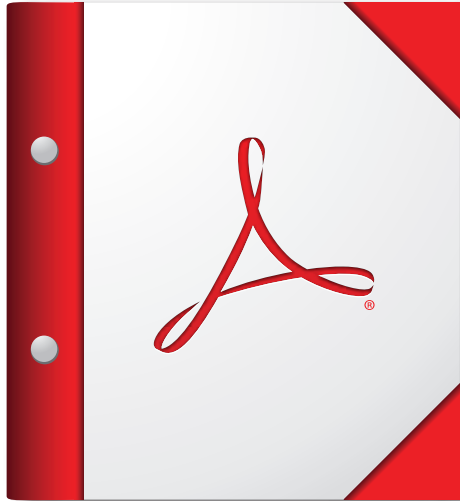
**For the best experience, open this PDF portfolio in
Acrobat X or Adobe Reader X, or later.**

[Get Adobe Reader Now!](#)



**For the best experience, open this PDF portfolio in
Acrobat X or Adobe Reader X, or later.**

[Get Adobe Reader Now!](#)



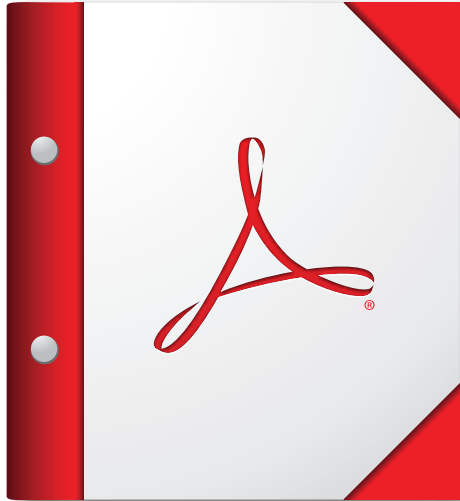
**For the best experience, open this PDF portfolio in
Acrobat X or Adobe Reader X, or later.**

[Get Adobe Reader Now!](#)



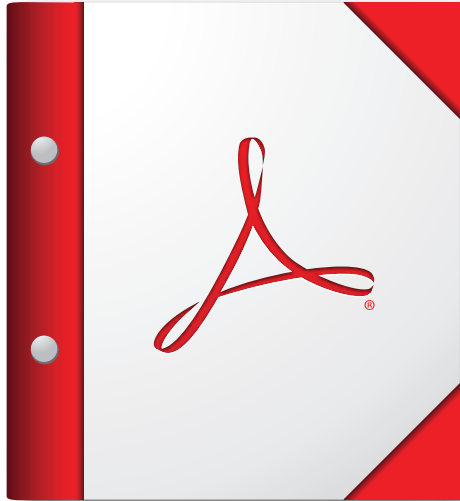
**For the best experience, open this PDF portfolio in
Acrobat X or Adobe Reader X, or later.**

[Get Adobe Reader Now!](#)



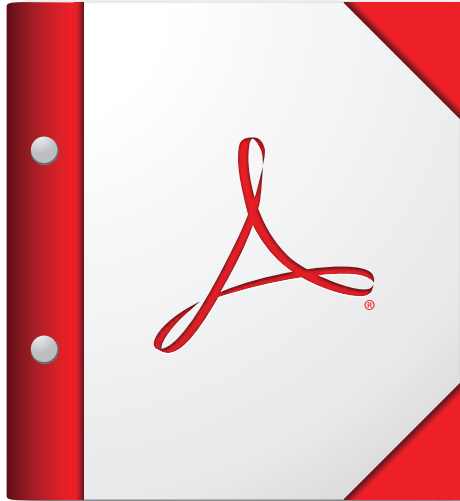
**For the best experience, open this PDF portfolio in
Acrobat X or Adobe Reader X, or later.**

[Get Adobe Reader Now!](#)



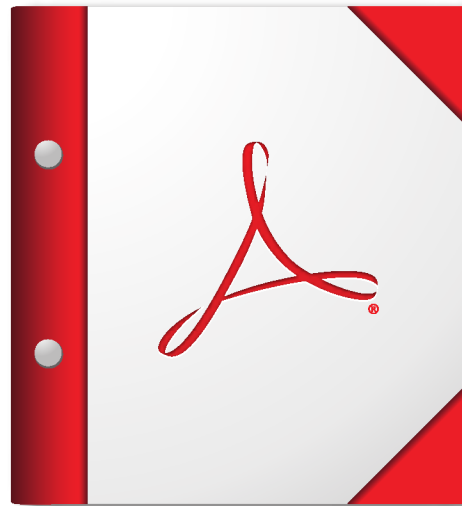
**For the best experience, open this PDF portfolio in
Acrobat X or Adobe Reader X, or later.**

[Get Adobe Reader Now!](#)



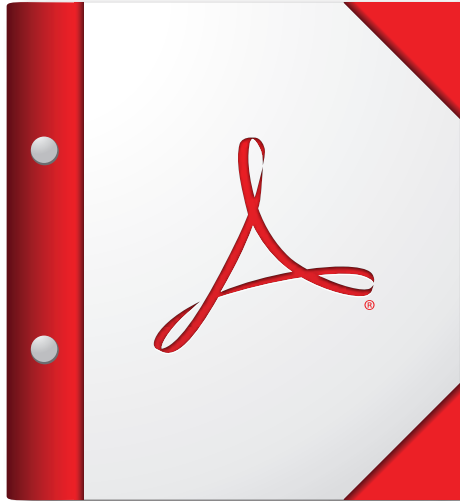
**For the best experience, open this PDF portfolio in
Acrobat X or Adobe Reader X, or later.**

[Get Adobe Reader Now!](#)



**For the best experience, open this PDF portfolio in
Acrobat X or Adobe Reader X, or later.**

[Get Adobe Reader Now!](#)



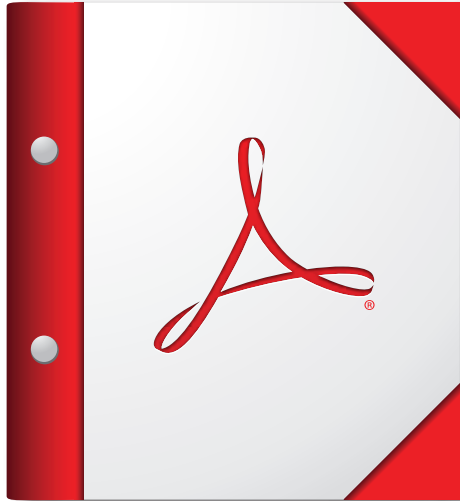
**For the best experience, open this PDF portfolio in
Acrobat X or Adobe Reader X, or later.**

[Get Adobe Reader Now!](#)



**For the best experience, open this PDF portfolio in
Acrobat X or Adobe Reader X, or later.**

[Get Adobe Reader Now!](#)



**For the best experience, open this PDF portfolio in
Acrobat X or Adobe Reader X, or later.**

[Get Adobe Reader Now!](#)

To the City Council Housing Committee,

I am a Kansas City resident, voter, and leader with KC Tenants. At the beginning of the pandemic in March, myself and others within the KC Tenants organization started a hotline to try to address the onslaught of housing crises that arose as an effect of the pandemic. We aren't service providers and so we would just refer people to services like Healthy Homes. Often though we heard from tenants who had long standing unhealthy and unlivable conditions—mold, insects, leaks, etc.

Something we've heard again and again on the hotline is how ineffectual Healthy Homes is. Even if tenants are able to get an inspection, there is little motivating a landlord to do much more than put a band-aid on the problem. There is no mechanism within Healthy Homes to enforce standards and tenants are left without options.

Throughout this time we have also seen an inordinate number of people lose their jobs and become unable to pay rent for the first time. People have been evicted as a direct result of this pandemic. Putting people on the streets during a pandemic is a failure to preserve public health and safety.

Ordinance 210055 is necessary to get people who have been displaced due to the pandemic back into homes. Landlords' current ability to discriminate against tenants who are impacted the most by the global pandemic and accompanying recession does nothing but tear communities apart. It keeps families unhoused. It forces tenants to sleep in hotels and cars OR to leave Kansas City altogether. 814 evictions have happened in Jackson County during this pandemic so far. At least 618 are on the docket for next month. We expect hundreds of more evictions to happen throughout the rest of the pandemic. Are we a city who defends our people? Or are we a city who defends our property? The \$1000 per day fine is an essential mechanism to enforce this.

We must do everything we can to keep people housed (end evictions) and get people re-housed (including ending discrimination against prior evictions, especially during COVID). I urge you to vote yes on Ordinance 210055. People are dying.

Andrea DiCarlo, Fourth District KCMO



Affordable, safe, stable and secure housing is the foundation for a high quality of life in any city. Housing is Healthcare. Homelessness is traumatic, disruptive, devastating and costly. It not only impacts the individual and family but also has an impact on almost every City Department and emergency services when not addressed properly. The only way to end homelessness is through housing.

We come together as leaders in the fight against homelessness to implore the City of Kansas City to create a position, installed in the city government, as a champion for the most vulnerable and marginalized in our city. We ask that the sole purpose of the position be to develop, coordinate and implement a city-wide housing plan and lead a powerful collaboration between the City's top business, philanthropic, governmental, faith-based, and non-profit leaders.

We pledge that we will work together, under this leadership, to fight for affordable and permanent housing to reduce the negative impact of homelessness on public health, law enforcement, emergency services and financial resources. Together, we can and must end homelessness in Kansas City, once and for all.

A blue ink signature of Marqueia Watson.

Marqueia Watson, GKCCEH

A blue ink signature of Stephanie Boyer.

Stephanie Boyer, reStart

A blue ink signature of Blaine Proctor.

Blaine Proctor (Jan 25, 2021 20:33 CST)

Blaine Proctor, Save Inc.

A blue ink signature of Susan Whitmore.

Susan Whitmore, First Call

A blue ink signature of Becky Poitras.

Becky Poitras (Jan 26, 2021 07:22 CST)

Becky Poitras, Metro Lutheran Ministry

A blue ink signature of Kenneth Vick.

Kenneth Vick (Jan 26, 2021 07:24 CST)

Ken Vick, Benilde Hall

A blue ink signature of Susan K Miller.

Susan K Miller (Jan 26, 2021 14:23 CST)

Susan Miller, Rose Brooks Center

A blue ink signature of Jae Edgar Bennett.

Jae Edgar Bennett (Jan 26, 2021 08:03 CST)

Jae Edgar Bennett, Street Medicine KC

A blue ink signature of John Fierro.

John Fierro (Jan 26, 2021 15:46 CST)

John Fierro, Mattie Rhodes

A blue ink signature of Heather Bradley-Geary.

Heather Bradley-Geary (Jan 26, 2021 16:10 CST)

Heather Bradley-Geary, Vecino Group

Jim Mac Donald

Jim MacDonald, United Way of Greater KC

Sue Fenske

Sue Fenske, Nourish KC

Courtney Thomas

Courtney Thomas, Newhouse

Georgia K Walker

Georgia Walker, Journey to New Life

Robbie Phillips

Robbie Phillips (Jan 27, 2021 09:47 CST)

Robbie Phillips, Truman Medical Center
Behavioral Health

Brandi Jahnke

Brandi Jahnke (Jan 27, 2021 10:58 CST)

Brandi Jahnke, Connections to Success

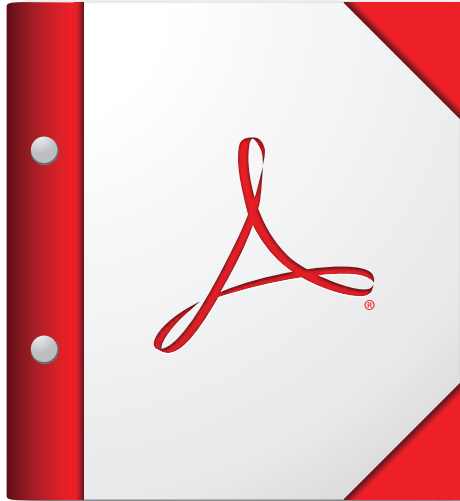
Jennifer Stepp

Jennifer Stepp (Jan 27, 2021 08:56 CST)

Jennifer Stepp, Salvation Army

Travis Rash

Travis Rash, The Whole Person



**For the best experience, open this PDF portfolio in
Acrobat X or Adobe Reader X, or later.**

[Get Adobe Reader Now!](#)