



CITY HALL • 100 STATE STREET • BELOIT, WI 53511

**MINUTES  
BELOIT EQUAL OPPORTUNITIES  
AND HUMAN RELATIONS COMMISSION**

**Wednesday, October 17, 2012 at 5:30 PM**

1. Call to Order and Roll Call

Meeting was called to order at 5:30 PM by Chair Ricardo Valdez.

Present: Commissioners Matthew Finnegan, Joseph Hansen, Rick Valdez, Councilor Charles Kincaid, and Staff Representative Teri Downing. Absent: Commissioner Marilyn Sloniker.

2. Approval of Minutes of the August 15, 2012 Meeting

Commissioner Finnegan moved for approval of the minutes of the regular meeting held on June 20, 2012 and Commissioner Hansen seconded. The motion carried.

3. Public Participation

There were no members of the public present.

4. Review and Consideration of Resolution 2012-01, Adopting the 2013 Strategy to Address Impediments to Fair Housing

Staff explained that the EOHRRC decided to develop a strategy each year to address impediments identified in the Analysis of Impediments to Fair Housing (AI). The strategy developed by the EOHRRC during previous meetings was provided.

There was a short discussion clarifying which revisions were made. Commissioner Lawrence asked whether we have a listing of the social services agencies the Commission is expected to reach out to according to the strategy. Staff explained that there was general discussion at a previous meeting during development of the strategy, regarding which social service agencies each Commissioner had a connection with. Narrowing down specific social service agencies and actions to be taken will be discussed during future meetings in regards to intern duties.

Commissioner Lawrence moved for approval of Resolution 2012-01 Adopting the 2013 Strategy to Address Impediments to Fair Housing and Commissioner Siatos seconded. Motion carried.

5. Review of EOHRRC Bylaws Draft

Staff explained that the Commission has the authority to adopt rules and bylaws that would codify procedures for processing complaints, investigations, appeals, and the conduct of

hearings. Adopting bylaws would allow for more consistent administration of the Fair Housing Code which is one of the impediments identified in the AI. The Commission had requested that staff take bullet pointed material already drafted and format them into the bylaw format. Staff explained that there were still clarifications needed from the City Attorney's office regarding the appeals process.

Matt Finnegan asked about Section 3.44 regarding appealing dismissal of complaints. Staff explained that the City's ordinance has no language that speaks to appealing dismissal of complaints. Staff explained that complaints are dismissed administratively for things such as EOHRC not having jurisdiction, i.e. if a complaint was regarding a property located in the Town of Beloit. Commissioner Kincaid asked how the City handles these kinds of complaints and staff explained that the parties are notified and the complaint is forwarded to the Town of Beloit Attorney.

Commissioner Valdez requested that the bylaws state that when a complaint is determined to be outside of the EOHRC's jurisdiction that the complaint is referred to the proper jurisdiction.

Commissioner Finnegan clarified that if a complaint is dismissed because there is no merit or no cause, then the parties have the opportunity to appeal. Staff clarified that the cases in question in this section are being dismissed for reasons such as, no jurisdiction, or if the Complainant cannot be reached for a long period of time.

The Commission discussed various ways to handle dismissed cases in situations where there may be a legitimate reason for a Complainant to lose contact with the Investigator, such as an incapacitating car accident. They discussed whether it would be appropriate to just reopen a case or have an appeals process. Commissioner Lawrence asked how Madison handles appeals of this nature. Staff explained that Madison has an Appeals Examiner as well as a Subcommittee that hears appeals.

Commissioner Valdez asked the Commission to consider if there were a reasonable issue that resulted in a Complainant not being able to maintain contact regarding their complaint, do we want to have a path for them to appeal? Commissioner Kincaid indicated that sometimes there are residents who may lack the experience or wherewithal to follow through with a complaint, especially when things get tough or uncomfortable. He suggested that the procedures should be more forgiving because there may be times when staff or an Investigator "drops the ball".

Commissioner Valdez suggested that there be an opportunity to appeal for cause to reopen the case. Commissioners Finnegan and Lawrence suggested extending the timeframe for allowing appeals under Section 3.43 from 20 days to 60 days.

Discussion continued amongst members regarding difference scenarios that would warrant an appeal and how the appeals process could be structured.

Commissioner Valdez requested the bylaws should add a section for appeal of dismissal within 60 days after determination of dismissal, and suggested that staff review this with the City Attorney's office.

Staff moved on to explaining that the highlighted areas in the bylaws are procedures in Madison's bylaws that are not addressed in our ordinance and asked the Commission if they would like to add similar rules or procedures. The Commission discussed Section 4.22 regarding a party requesting an extension for timely submittal of documents. It was decided to allow this kind of extension but requested input from the Investigator before making a final decision.

Commissioners requested further clarification of what constitutes a protected status under the Domestic Violence victims. Staff said she would provide more information to the Commissioners regarding this protected class.

The Commission discussed the eligibility of veterans for Section 8 housing as well as non-eligibility of sex offenders in federal housing.

#### 6. Upcoming Events

Commissioner Hansen mentioned that there is a county-wide landlord training on November 20, 2012 that will include information on Fair Housing. Staff provided a flyer for the training. Commissioner Siatos mentioned that the flyer had gone out on Rock Responds as well.

Staff updated the Commission on the status of the CDBG funding, of which the Commission applied for \$20,000 and the CDA recommended \$15,000 in funding. There will be a public hearing and then City Council make a final decision on December 3, 2012. Staff also provided an article about HUD filing housing discrimination charges against a company regarding construction related activities.

Chairperson requested that the Mission Statement be discussed at the next meeting and that mission statements from other jurisdictions be provided.

Commissioner Lawrence announced that there will be a rally for President Obama on Saturday, October 19 from 1:00PM – 3:00PM at the former courthouse on Bluff Street. She also announced that on Friday, October 18 Donna Brazile will be speaking at Cliffbreakers in Rockford.

#### 7. Adjournment

Commissioner Finnegan moved for adjournment and Commissioner Lawrence seconded. Motion carried. The meeting was adjourned at 6:27 PM by Chairperson Valdez.

Teri Downing  
Director of Community and Housing Services