

Minutes of the Fairfax County Tenant-Landlord Commission

December 10, 2020

7:30 p.m.

Zoom Video Meeting

Chairman Fielding, presiding

Attendance:

Commissioners: Chamberlain, Fielding,
Fusaro, Geier-Smith, Harberg, Islam, Park

Absent:

Purnell

Staff Attending:

Michael S. Liberman, Director
Cable and Consumer Services Division
(Fairfax)
Rebecca L. Makely, Director
Consumer Services Division
(Government Center)
Susan C. Jones, Branch Chief
Consumer Affairs Branch
(Springfield)
Vee Johnson, Consumer Specialist II
Consumer Affairs Branch
(Fairfax Station)

The electronic meeting was called to order at 7:31 p.m. by Chairman Fielding.

Quorum, Location, and Audibility of Members' Voices

Chairman Fielding conducted a Roll Call to verify that a quorum of members was participating; and that each member's voice was clear, audible, and at an appropriate volume for all of the other members; and the location from which member was participating. The roll call was as follows:

Commissioner Chamberlain, Alexandria
Commissioner Fusaro, Springfield
Commissioner Geier-Smith, Fairfax
Commissioner Islam, Fairfax
Commissioner Park, Fairfax
Chairman Fielding, Herndon
Commissioner Harberg, Springfield

Chairman Fielding passed the virtual gavel to Vice Chairman Park. A motion was made by Chairman Fielding that each member's voice was adequately heard by each member of the Tenant-Landlord Commission (Commission). This motion was seconded by Commissioner Geier-Smith. This motion passed unanimously.

Need for an Electronic Meeting

A motion was made by Chairman Fielding that the State of Emergency caused by the COVID-19 pandemic made it unsafe for the Commission to physically assemble and unsafe for the public to physically attend any such meeting, and that as such, FOIA's usual procedures, which require the physical assembly of the Commission and the physical presence of the public, could not be implemented safely or practically. Chairman Fielding further moved that the Commission conduct the meeting electronically through a dedicated video and audio-conferencing line, and that the public access the meeting by calling 888-270-9936 and entering access code 584548. The motion was seconded by Commissioner Harberg. The motion passed unanimously.

Need to Dispense with FOIA's Usual Procedures to Assure Continuity in Government/Continue Operations

A motion was made by Chairman Fielding that all of the matters addressed on the agenda addressed the Emergency itself, were necessary for continuity in Fairfax County government, and/or were statutorily required or necessary to continue operations and the discharge of the Commission's lawful purposes, duties, and responsibilities. This motion was seconded by Commissioner Fusaro. The motion passed unanimously.

Minutes

A motion was made by Commissioner Geier-Smith and seconded by Commissioner Chamberlain to approve the minutes from October 8, 2020. The motion passed unanimously.

Report of the Chairman

Chairman Fielding announced his resignation from the Tenant-Landlord Commission where he has served since June of 2015. He expressed satisfaction and appreciation for the opportunity to serve the Tenant-Landlord community. Commissioners and staff thanked Chairman Fielding for his leadership and service to the Commission and the Fairfax community. Chairman Fielding indicated his resignation was effective December 31, 2020.

Report of the Directors

Director Liberman reviewed the modified stay-at-home order issued by Governor Northam as it relates to operations of the Department of Cable and Consumer Services (DCCS). Most staff continue to telework.

Staff Report

Consumer Specialist Johnson did not have a report.

Commission Matters

Commissioner Chamberlain commented about the growing vacancy rates in high-rise apartments and tenants leaving before the end of their lease term. He expressed concern about

the lack of financial assistance available to landlords when a rent responsible tenant vacates. He also inquired about the frequency of arbitration hearings convened by the Commission. Staff along with Commissioners discussed these matters.

Commissioner Fusaro asked about the process for filling the vacancy of Chairman Fielding. The Bylaws were summarized. A slate of candidates for 2021 will be nominated tonight.

Commissioner Harberg had no matters before the Commission.

Commissioner Geier-Smith shared that her communities are experiencing a rent delinquency, not a vacancy issue.

Commissioner Islam had no matters before the Commission.

Commissioner Park had no matters before the Commission.

Old Business

None

New Business

Director Liberman reviewed the FY 2020 Tenant-Landlord Commission Annual Report. He provided background regarding the report, answered questions, and noted feedback from the Commissioners. The report will be finalized and forwarded to the Board of Supervisors.

The Tenant-Landlord Commission Bylaws draft was shared by Director Liberman. He provided a history of the Bylaws. To ensure consistency between BACs, this model was developed at the request of the Board of Supervisors. This draft closely aligns with the current Commission Bylaws. Director Liberman outlined the proposed changes in each section and noted Commissioners' comments and suggestions. Further review and Commission feedback will resume at the February meeting.

Pursuant to Article IV of the Bylaws, the following slate of candidates was nominated after a discussion of their willingness and ability to serve:

Chairman	Commissioner Chamberlain
Tenant Vice-Chairman	Commissioner Harberg
Landlord Vice-Chairman	Commissioner Geier-Smith
Secretary	Commissioner Park

Chairman Fielding inquired if Commissioners would like to continue meeting on the second Thursday of every other month. After discussion, Commissioners agreed to meet on the second Thursday in February, April, June, August, October, and December 2021.

A motion was made by Commissioner Chamberlain and seconded by Commissioner Fusaro to adjourn the meeting. The meeting was adjourned at 8:58 p.m.