County of Fairfax, Virginia

MEMORANDUM

DATE: March 3, 2022

TO: Tenant-Landlord Commission

FROM: Rebecca L. Makely, Acting Director
Department of Cable and Consumer Services

SUBJECT: Tenant-Landlord Commission Meeting for March 10, 2022

Please find attached the Tenant-Landlord Commission meeting package. The next scheduled meeting is **Thursday, March 10, 2022, 7:30 p.m.** This meeting will be held via a video connection due to the COVID-19 pandemic.

To join the meeting:
Click here to join the meeting

Audio-only participation:
Dial: 571-429-5982
Enter Conference ID: 496 965 296#

Please RSVP with your attendance to Susan Jones by COB on Wednesday, March 9, 2022, at Susan.Jones@fairfaxcounty.gov or 703-324-5877.

Enclosures

cc: Ellicia Seard-McCormick, Deputy County Executive

Susan C. Jones, Consumer Specialist III
Department of Cable and Consumer Services

Department of Cable and Consumer Services
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www.fairfaxcounty.gov/cableconsumer/

FAIRFAX COUNTY
TENANT-LANDLORD COMMISSION
March 10, 2022 AGENDA

Call to Order by the Chairperson (7:30 PM)

Electronic Meeting Motions

Minutes

- Approval of the draft February 10, 2022, meeting minutes

Report of the Director

Report of the Chairperson

Commission Matters

Old Business

New Business

-

General Interest

- Tenant-Landlord Commission Calendar
- Tenant-Landlord Commission Membership
- Tenant-Landlord Statistics
- Community Outreach
- Consumer Resources

Minutes of the Fairfax County Tenant-Landlord Commission

February 10, 2022	7:30 p.m. Video Meeting Chairperson Chamberlain presiding
Attendance:	Commissioners: Chamberlain, Geier-Smith, Nair, Otonde, Park
Absent:	Commissioners: Islam
Staff Attending:	Rebecca L. Makely, Acting Director Cable and Consumer Services Susan C. Jones, Branch Chief Consumer Affairs Branch Melissa Pickham, Consumer Specialist Consumer Affairs Branch

The electronic meeting was called to order at 7:30 p.m. by Chairperson Chamberlain.

Quorum, Location, and Audibility of Members' Voices

Chairperson Chamberlain 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:

Chairperson Chamberlain, Alexandria, VA
Commissioner Geier-Smith, Fairfax, VA
Commissioner Islam-Absent
Commissioner Nair, Fairfax, VA
Commissioner Otonde, Centreville, VA
Commissioner Park, Vienna, VA

Chairperson Chamberlain passed the virtual gavel to Commissioner Geier-Smith. A motion was made by Chairperson Chamberlain that each member's voice was adequately heard by each member of the Tenant-Landlord Commission (Commission). This motion was seconded by Commissioners Nair and Park. This motion passed unanimously, 5-0-0.

Need for an Electronic Meeting

A motion was made by Chairperson Chamberlain 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. Chairperson Chamberlain 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 571-429-5982 and entering access code 855 056 395#. This motion was seconded by Commissioners Nair, Otonde, and Park. This motion passed unanimously, 5-0-0.

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

A motion was made by Chairperson Chamberlain 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 Commissioners Nair and Otonde. This motion passed unanimously, 5-0-0.

Minutes

A motion was made by Vice Chairperson Geier-Smith to approve the January 13, 2022, minutes. Commissioner Nair seconded the motion. The minutes were approved unanimously, 5-0-0.

Report of the Director

Acting Director Makely provided an update on old business concerning tenant-landlord complaints from management-owned vs. private landlords. From January 1, 2021, to December 31, 2021, closed complaints for management-owned were 123 and private landlords were 105.

Chairperson Chamberlain asked if there was a way to track that data from 2020 and 2019. Staff will check if data is available.

Report of the Chairperson

Chairperson Chamberlain mentioned upcoming legislation on the Virginia Residential Landlord and Tenant Act for noncompliance with rental agreements. It would increase from five days to 14 days the mandatory waiting period a landlord must observe prior to pursuing remedies for termination of the lease agreement. The written notice serves to notify the tenant of the nonpayment of rent and the landlord's intention to terminate the rental agreement if rent is not paid.

Commission Matters

Commissioner Park had no matters to bring before the Commission.

Commissioner Otonde stated she was seeing rent increases due to COVID.

A discussion ensued about evictions, non-payment, or late payment of rent, court docket delays, backlog of the rent relief payments to landlords, income verification, sharing of personal information, and contract concessions.

Commissioner Geier-Smith had no matters to bring before the Commission

Commissioner Nair expressed interest in numbers of private rental units compared to management-owned rental units. Acting Director Makely stated Fairfax County provides an annual report on the housing demographics and would check on the breakdown. Chairperson Chamberlain mentioned data points from a report by George Mason Real Estate Group.

Old Business

There was no old business before the Commission.

New Business

1. **Elections.** Commissioner Geier-Smith moved to adopt the slate of candidates:

   Landlord Vice Chairperson-Paula Park
   Tenant Vice Chairperson-Anup Nair
   Secretary-Karen Geier-Smith

Commissioners Nair and Park seconded the motion. The motion passed unanimously, 5-0-0.

2. **Items of Interest:** Chairperson Chamberlain mentioned increase in Romance Scams. Staff will email link to *Consumer Connection* Facebook Live program with AARP on Online Romance Scams.

Chairperson Chamberlain stated the Commission will meet virtually on March 10, 2022.

A motion was made by Commissioner Geier-Smith and seconded by Commissioner Park to adjourn the meeting. The motion passed unanimously. The meeting was adjourned at 8:26 p.m.

TLC Calendar

Tenant-Landlord Commission

2022 Planning Calendar

March 10, 2022

January 13	•	2022 Meeting Calendar
	•	2022 Items of Interest
February 10	•	Elections
	•	2022 Items of Interest
March 10	•	
April 14	•	
May 12	•	2022 Legislative Update
June 9	•	
July 14	•	FY 2022 Annual Report
August 11	•	
September 8	•	
October 13	•	
November 10	•	2023 Nominations (Slate of Candidates)
December 8	•	

TLC Membership

Tenant-Landlord Commission Members

Seat Name	Commissioner's Name	Appointment Date	Expiration Date
Public Member	**Robert H. Chamberlain - Chairperson**	GROSS 6/23/2020	1/31/2023
Public Member	**VACANT**		
Public Member	**VACANT**		
Public Member (Condominium Owner)	**Shahana Begum Islam**	PALCHIK 6/23/2020	1/31/2023
Landlord Member	**Karen M. Geier-Smith - Secretary**	BULOVA 6/26/2006	12/31/2024
Landlord Member	**Paula Park – Vice Chairperson - Landlord**	FOUST 2/25/2014	1/31/2023
Landlord Member	**VACANT**		
Tenant Member	**VACANT**		
Tenant Member	**Perez Otonde**	MCKAY 5/18/2021	1/31/2023
Tenant Member	**Anup Nair – Vice Chairperson - Tenant**	PALCHIK 6/22/2021	1/31/2024

Department of Cable and Consumer Services

Rebecca L. Makely, Acting Director
Cable and Consumer Services
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Susan C. Jones, Manager
Consumer Affairs Branch
703-324-5877
susan.jones@fairfaxcounty.gov

TLC Statistics

CONSUMER AFFAIRS BRANCH
TENANT-LANDLORD - Resolved Case Summary
February 2022

	CURRENT MONTH	FISCAL YEAR TO DATE
HOW RESOLVED	11	174
38O Tenant or landlord initiates legal action.	-	4
39O Complaint goes to binding arbitration.	-	-
35U Landlord failed to respond to CA contacts.	-	13
23F Favorable results for tenant through CA intervention.	6	66
25F Landlord offered partial resolution to tenant.	-	23
15O Based on information provided, no further action will be taken.	-	-
15I Complaint not justified.	-	-
21F Favorable results obtained by tenant prior to significant CA intervention.	-	1
28F Government agency takes action against landlord.	-	-
32O Tenant submitted "For the Record Only."	-	-
33O Complaint referred to another agency due to lack of jurisdiction.	-	-
26F Landlord corrects practice to comply with VRLTA, non-VRLTA, lease agreement, Virginia Property Maintenance Code, Zoning Ordinance, or other tenant-landlord related code, ordinance, or practice.	-	-
30O Based on information provided, no further action will be taken.	5	58
31O Tenant failed to respond to CA contacts or failed to provide additional information to support their allegation(s.)	-	4
35I Based on the information provided, complaint cannot be substantiated.	-	-

36U Landlord made no offer to resolve complaint.	-	2
37U Landlord in foreclosure, bankruptcy, or could not be located.	-	-
34I Tenant withdrew complaint.	-	3

CONSUMER AFFAIRS BRANCH
TENANT-LANDLORD
Case Summary by Complaint Type
February 2022

	Current Month	FY to Date
Case Inquiries	19	178
Complaints Resolved	11	174
10 Covered by VRLTA	6	83
20 Not covered by VRLTA	5	76
30 Trailer Parks	0	1
60 Landlord Occupied - Room Rent	0	14
Allegation		
76 Lack of Maintenance/Essential service(s) or Code Violation(s)	6	67
77 Failure to Comply with Rental Rules	0	0
78 Unfair Rental Rules	1	13
79 Desire to Break Lease	3	14
80 Desire to Terminate Lease	1	13
81 Noncompliance with VRLTA/Lease Provisions Contrary to VRLTA	0	1
82 Eviction	0	1
83 Return Security Deposit and/or Interest	1	12
84 Improper Deduction from Security Deposit	1	21
85 Failure to Return Application Fee	0	2
86 Undisclosed Fees	0	4
87 Other Landlord-Tenant Problems	6	26
88 Rental Property in Foreclosure	0	0
89 Condo Conversion or substantial rehabilitation	0	0
90 Improper Utility Charges	0	1
91 Complaint against Neighbors	0	0
92 Abuse of Entry	0	0
93 Failure to Provide Proper Notice	0	3

Community Outreach

Outreach Event Calendar
March 2022

DATE	EVENT	LOCATION	# of Guests	Event Time	Staff
3/7/2022	**NCPW:** **Consumer Connection:** Mail Fraud	Fairfax County Government 12000 Government Center Pkwy Fairfax, VA		10:00 a.m. - 11:00 a.m.	SCJ
3/8/2022	**NCPW:** **Department of Treasury** Unclaimed Property	Virtual 101 N. 14th Street Richmond, VA		10:00 a.m. - 4:00 p.m.	
3/9/2022	**NCPW:** Is It a Charity or Is It a Scam	George Mason Regional Library (Zoom) 7001 Little River Turnpike Annandale, VA		7:00 p.m. -8:00 p.m.	MP
3/10/2022	**NCPW:** Housing Fair	George Mason University Johnson Center 4400 University Drive Fairfax, VA		11:00 a.m. - 1:00 p.m.	MP
3/10/2022	**NCPW:** Scam Presentation	Financial Empowerment Center (Virtual) 8350 Richmond Highway Alexandria, VA		6:30 p.m. - 7:30 p.m.	PNB
3/11/2022	**NCPW:** Consumer Affairs 101	Fairfax County Government Center 12000 Government Center Parkway Fairfax, VA		12:00 p.m. - 12:30 p.m.	SCJ
3/16/2022	**Is it a Charity or Is it a Scam**	Braddock District Council (Zoom) 9002 Burke Lake Road Burke, VA		1:00 p.m. - 2:00 p.m.	MP

Outreach Event Calendar
April 2022

DATE	EVENT	LOCATION	# of Guests	Event Time	Staff
4/23/2022	Culmore Community Day 2022	Woodrow Wilson Library 6101 Knollwood Drive Falls Church, VA		10:00 a.m. - 2:00 p.m.	
4/26/2022	6th Fraud Prevention & Awareness Expo	Greenspring Hunters Crossing Conference Center 7430 Spring Village Drive Springfield, VA		11:00 a.m. - 2:00 p.m.	SCJ/ BEO

Consumer Resources

Resource Items

Fairfax County Department of Cable and Consumer Services
https://www.fairfaxcounty.gov/cableconsumer

Fairfax County Consumer Affairs
https://www.fairfaxcounty.gov/cableconsumer/csd/consumer

Fairfax County Consumer Affairs Facebook
https://www.facebook.com/fairfaxcountyconsumer/

Fairfax County Coronavirus (COVID-19) Updates
Fairfaxcounty.gov/covid19/

Ways to Stay Informed About Coronavirus (COVID-19)
https://fairfaxcountyemergency.wpcomstaging.com/

Ways to Donate and Help During COVID-19
https://fairfaxcountyemergency.wpcomstaging.com/2020/03/25/ways-to-donate-and-help-during-covid-19/

What to Know About Tenant-Landlord Rights During COVID-19
https://fairfaxcountyemergency.wpcomstaging.com/2020/11/17/what-to-know-about-tenant-landlord-rights-during-covid-19/

DCCS Operating Status
https://www.fairfaxcounty.gov/cableconsumer/status

***Your Community, You're Connected*: Ombudsman Association Complaint Procedure (November 4, 2021)**
https://www.fairfaxcounty.gov/cableconsumer/channel-16/your-community-youre-connected

***Consumer Connection:* Romance Scams (February 14, 2022)**
https://bit.ly/3vrajna

Information Items

McLean Citizens Assn. preps emergency-management forum
The McLean Citizens Association will hold an online public-safety forum on emergency preparedness March 16 at 7 p.m.
[More]

County seeks developer for affordable housing project at Franconia government center
County officials are moving one step forward in redeveloping the Franconia Governmental Center (6121 Franconia Road) into affordable housing.
[More]

McLean Citizens Assn. preps emergency-management forum

SUN GAZETTE NEWSPAPERS
Feb 23, 2022

The McLean Citizens Association will hold an online public-safety forum on emergency preparedness March 16 at 7 p.m.

Participants will join emergency-management professionals to learn more about preparing for emergencies, what hazards affect the local area and steps they can take to protect themselves. In addition, guest panelists will highlight the Fairfax County Citizen Corps Council, which brings together the community's fire-and-rescue service, emergency managers, healthcare providers, law enforcement, other support agencies and the volunteer community.

The council works to involve all residents in emergency preparedness, mitigation, response and recovery, as well as crime prevention and emergency training. Core programs include the Community Emergency Response Team (CERT), Fire Corps, Medical Reserve Corps, Volunteers in Police Service and Neighborhood Watch.

Guest panelists will be Courtney Arroyo, community-engagement manager with the Fairfax County Department of Emergency Management and Security; Marco Johnson, Mason District representative on the Citizen Corps Council; and Jim Kirkpatrick, who is the Citizen Corps Council's vice chairman and Springfield District representative.

The meeting will be presented on Zoom and will be livestreamed on Facebook. Registration is required to participate via Zoom; registrants will receive log-in instructions and a meeting reminder.

To register, go to mcleancitizens.org and click on the events calendar. Local residents can also watch the live-streamed event at www.facebook.com/mcleancitizens.

There will be a question-and-answer period at the end of the event. Viewers can submit questions to the panelists before the event by sending an e-mail to info@mcleancitizens.org.

A video recording will be available after the event on MCA's Website.

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County seeks developer for affordable housing project at Franconia government center

Fatimah Waseem February 22, 2022 at 12:45pm

County officials are moving one step forward in redeveloping the Franconia Governmental Center (6121 Franconia Road) into affordable housing.

Earlier this month, the county issued a formal request for proposals — known in planning jargon as an RFP — for the site, which is home to the 25,800-square-foot center.

The Fairfax County Board of Supervisors authorized a land transfer in early March to allow the project to proceed. The property was conveyed to the Fairfax County Redevelopment and Housing Authority (FCHRA).

The entity is currently seeking a qualified developer to design, construct, and own the affordable housing site under the terms of a "long-term, nominal fee ground lease" from FCHRA.

While specifics of the development are not yet known, the site cannot host more than 120 residential units. A county spokesperson told FFXnow that the scope, cost, and nature of the project will depend on the selected developer.

All proposals are due by April 14. The county plans to select a developer in the summer.

"Once a developer is selected, they would begin a comprehensive community engagement process in tandem with initial land use actions required as part of the county's land development process," said Ben Boxer, a spokesperson for the Fairfax County's Department of Housing and Community Development.

Built in 1992, the building is home to Franconia District Police Station, the Lee District supervisor's offices, and the Franconia Museum. County officials have stated that the site is "functionally obsolete" due to limited parking and lack of suitability for modern-day police operations.

The center's services will be relocated to a new Kingstowne Governmental Center, which will be built on a parcel between Beulah Street and Silver Lake Boulevard in Kingstowne.

This is not the first time that the county has contemplated redeveloping county-owned land into affordable housing.

In late January, the board transferred its 1,300-space surfacing parking lot at the Government Center Campus to FCHRA for affordable housing. The county is also exploring the possibility of permanently dedicating public land to affordable housing.