




County of Fairfax, Virginia

MEMORANDUM

DATE: October 5, 2023

TO: Tenant-Landlord Commission

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

SUBJECT: Tenant-Landlord Commission Meeting for October 12, 2023

Please find attached the Tenant-Landlord Commission meeting package. The next scheduled meeting is **Thursday, October 12, 2023, 7:30 p.m. in Conference Room 232.**

Please RSVP with your attendance to Susan Jones by COB on Wednesday, October 11, 2023, 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



**FAIRFAX COUNTY
TENANT-LANDLORD COMMISSION
October 12, 2023 AGENDA**

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

Minutes

- Approval of the draft September 14, 2023, meeting minutes

Report of the Director

Report of the Chairperson

Commission Matters

Old Business

- Draft Advisory Memo
- TLC Composition
- Constructive Evictions

New Business

- Legislative Ideas

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

September 14, 2023

7:30 p.m.

Government Center Conference Room 232
12000 Government Center Parkway
Fairfax, VA 22035
Chairperson Chamberlain, presiding

Attendance:

Commissioners: Chamberlain, Otonde, Reid

Absent:

Commissioners: None

Staff Attending:

Susan C. Jones, Consumer Specialist III
Consumer Affairs Branch
Melissa Pickham, Consumer Specialist II
Consumer Affairs Branch

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

Minutes

A motion was made by Commissioner Otonde to approve the August 10, 2023, minutes. The minutes were approved, 2-0-0, with Commissioner Reid not present for the vote.

Report of the Director

Susan C. Jones, Branch Manager, Consumer Affairs reported a list from the Boards, Authorities, and Commissioners (BACs) related to tenant-landlord housing concerns was completed. Chairperson Chamberlain asked that this item be included as Old Business for the October 12, 2023, meeting.

Report of the Chairperson

Chairperson Chamberlain had no matters to bring before the Commission.

Old Business

Chairperson Chamberlain inquired about the Draft Advisory Memo to present to the BOS after TLC review. Chairperson Chamberlain asked that this item be included as Old Business for the October 12, 2023, meeting.

Commission Matters

Commissioner Otonde had no matters to bring before the Commission.

Commissioner Reid had no matters to bring before the Commission.

New Business

1. Constructive Evictions. Chairperson Chamberlain spoke about constructive evictions. It is way that a landlord creates an untenable situation for a tenant to vacate the premises under the illusion that it is voluntary. He stated that he has been contacted by several Fairfax County landlords in the last three months about their tenants who they do not like, have reported too many maintenance requests, or have damaged the house and the landlord wants the tenant removed, but wants to continue to rent the property. Chairperson Chamberlain responded to the landlords that they must extend the same renewal options that would be listed for the property. He further explained that the landlords wanted to raise the rent so the tenant would move out and then the landlord would list it at lower rent later. Chairperson Chamberlain stated that process is not legal.

A discussion ensued whether a landlord could issue a non-renewal notice, continued tenancy, at will state, fair housing protections, landlords with five or more rentals vs private landlords, HUD related concerns, protected classes, displacement of tenants by willfully raising the rent with the intention of forcing them out, and automatic renewals.

2. TLC Composition. Chairperson Chamberlain stated he would like to expand the community stakeholders as not to be confined to Fairfax County residents or fitting under the required landlord, tenant, or public members. Chairperson Chamberlain would like to see a person who practices tenant-landlord at Fairfax County Court, manages a multi-family 500-unit complex, or works in maintenance at a 200-unit complex. He would like the law to be more broadly adaptive than narrow to fill the positions. Additionally, someone from the Association of Realtors, who would be willing to co-chair this Commission, or community stakeholders having the ability to appoint members automatically through consent.

A discussion ensued on recruiting George Mason students, a professor who teaches this subject, restrictions and roles of the Commission, combining with other BACS, reshaping to make the Commission more effective, and more attendance in the communities.

Chairperson Chamberlain envisions the following roles:

1. Practices tenant landlord law in Fairfax County but does not have to reside in Fairfax County.
2. Works at or manages a large-scale community property.
3. Affordable Housing BAC interested in cross serving on the Tenant-Landlord Commission.
4. Mutual appointee from Northern Virginia Realtors currently serving on that board.

Chairperson Chamberlain inquired about the date of the first official roadshow meeting. Staff responded December 12, 2023, at the Jim Scott Community Center at 7:30 p.m. Chairperson Chamberlain requested staff send an email the day before the meeting as reminder of the change of venue.

Chairperson Chamberlain would like to review the list of BACs to consider and invite three to four people to the December 12, 2023, meeting.

Chairperson Chamberlain will provide some legislative items for consideration at the October 12, 2023, meeting. Chairperson Chamberlain asked the other Commissioners to bring their ideas to the meeting.

A motion was made by Commissioner Reid to adjourn the meeting. Commissioner Otonde seconded the motion to adjourn. The motion passed unanimously, 3-0-0. The meeting adjourned at 8:18 p.m.

TLC Calendar

Tenant-Landlord Commission
2023 Planning Calendar
October 12, 2023

- | | |
|--------------|--|
| January 12 | <ul style="list-style-type: none">• 2023 Meeting Calendar• 2023 Items of Interest• Elections of Officers |
| February 9 | <ul style="list-style-type: none">• Draft Advisory Memo |
| March 23 | <ul style="list-style-type: none">• Cancelled |
| April 13 | <ul style="list-style-type: none">• Draft Advisory Memo |
| May 11 | <ul style="list-style-type: none">• Draft Advisory Memo |
| June 8 | <ul style="list-style-type: none">• Cancelled |
| July 13 | <ul style="list-style-type: none">• Cancelled |
| August 10 | <ul style="list-style-type: none">• Annual Report• Meeting Logistics |
| September 14 | <ul style="list-style-type: none">• TLC Composition• Constructive Evictions• Draft Advisory Memo |
| October 12 | <ul style="list-style-type: none">• Draft Advisory Memo• TLC Composition• Constructive Evictions• Legislative Ideas |
| November 9 | <ul style="list-style-type: none">• Nomination of Officers• Legislative Items 2025 |
| December 14 | <ul style="list-style-type: none">• |

TLC Membership

Tenant-Landlord Commission Members

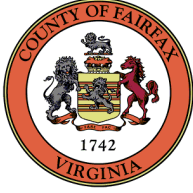
<u>Seat Name</u>	<u>Commissioner's Name</u>	<u>Appointment Date</u>	<u>Expiration Date</u>
Public Member	Robert H. Chamberlain - Chairperson	GROSS 6/23/2020	1/31/2026
Public Member	VACANT		
Public Member	VACANT		
Public Member (Condominium Owner)	VACANT		
Landlord Member	VACANT		
Landlord Member	VACANT		
Landlord Member	VACANT		
Tenant Member	Kenneth D. Reid	HERRITY 12/6/2022	1/31/2024
Tenant Member	Otiya Otonde – Vice Chairperson - Tenant	MCKAY 5/18/2021	1/31/2023
Tenant Member	VACANT		

Department of Cable and Consumer Services

Rebecca L. Makely, Director
Cable and Consumer Services
703-324-5947
rebecca.makely@fairfaxcounty.gov

Susan C. Jones, Manager
Consumer Affairs Branch
703-324-5877
susan.jones@fairfaxcounty.gov

TLC Statistics



CONSUMER AFFAIRS BRANCH
Tenant-Landlord Summary
9/1/2023 Through 9/30/2023

	Current Month	Fiscal YR to Date
Complaints Resolved	26	86

Complaint Allegations	Current Month	Fiscal YR to Date
Alleged lack of Maintenance/Essential service(s) or Code Violation(s)	12	28
Alleged Failure to Comply with the Lease Agreement	2	5
Alleged Unfair Rental Rules	0	4
Alleged desire to Terminate Lease	2	8
Alleged Unlawful Eviction	1	3
Alleged Security Deposit Dispute	7	18
Failure to Return Rental Application Fee	0	1
Other Landlord-Tenant Problems	2	7
Alleged Improper Charges or Fees	0	7
Alleged Abuse of Entry	0	3
Alleged Failure to Provide Proper Notice	0	2

	Current Month	Fiscal YR to Date
Case Inquiries	160	525

Community Outreach

Outreach Event Calendar October 2023

DATE	EVENT	LOCATION	# of Guests	Event Time	Staff
10/2/2023	Consumer Knowledge	Lake Braddock Secondary School 9200 Burke Lake Road Burke, VA		8:00 a.m. - 4:00 p.m.	MDP CH
10/12/2023	Consumer Knowledge	James Madison High School 2500 James Madison Drive Vienna, VA		8:00 a.m. - 4:00 p.m.	MDP CH
10/13/2023	Consumer Knowledge	James Madison High School 2500 James Madison Drive Vienna, VA		8:00 a.m. - 4:00 p.m.	MDP CH
10/15/2023	Beacon 50+ Expo Consumer Booth	Springfield Town Center 6500 Springfield Mall Road Springfield, VA		12:00 p.m. - 4:00 p.m.	SCJ SW
10/16/2023	Consumer Connection Purchasing a Used Vehicle	Fairfax County Consumer Affairs Facebook		11:00 a.m.	SCJ AB
10/17/2023	Consumer Knowledge	Fairfax High School 3501 Lion Run Fairfax, VA		8:00 a.m. - 4:00 p.m.	MDP CH
10/21/2023	Providence Community Day Consumer Booth	Jim Scott Community Center 3001 Vaden Drive Fairfax, VA		11:00 a.m. - 2:00 p.m.	CH
10/27/2023	Annual Retiree Appreciation Day	Wells Field House 1810 Goethals Road Fort Belvoir, VA		8:00 a.m. - 1:00 p.m.	PNB
10/28/2023	Southgate Community Day	Cathy Hudgins Community Center 12125 Pinecrest Road Reston, VA		12:00 p.m. -3:00 p.m.	AB

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/>

Consumer Connection: Charge Up Fairfax
<https://fb.watch/njT1BxSUoP/>

Consumer Affairs Day. National Consumer Protection Week (March 9, 2023)
<https://www.fairfaxcounty.gov/cableconsumer/channel-16/consumer-affairs-day-2023>

Information Items

Fairfax Supervisors Approve Plan to Reduce Parking Requirements ([more](#))

A Recap of Amazon's Affordable Housing Investments in Fairfax County ([more](#))

\$750 Fairfax County Guaranteed Income Program ([more](#))