

# MEETING MINUTES

**Town of Waynesville  
Task Force on Homelessness**

**Thursday, August 20, 2020**

**6:00—7:30 PM EST**

**Locations:  
Public Services Building  
129 Legion Drive**

**Zoom Option**

<b>Meeting Facilitator:</b>	Amy Murphy-Nugen	
<b>TOW TFH Members Roster</b>		
✓ Police Chief David Adams or appointee	✓ Commissioner Kevin Ensley	✓ Amy Murphy-Nugen (Chair)
✓ Juleah Berliner	✓ Keri Guidry	Linda Nulsen
✓ Dale Burris	Bill Guy	Theresa Pierce
✓ Nathan Cartwright	✓ Mandy Haithcox	Joey Reece
✓ Sheriff Greg Christopher or appointee (proxy, Sgt. Doug Carver)	Laura Howell	✓ Joslyn Schaefer
✓ Bob Cummings	✓ Jon Lynn McDermott	✓ Alderman Anthony Sutton
✓ Patsy Davis (proxy, Brooke Smith)	Neese Morris	✓ Brandon Wilson

## **Welcome and Introductions**

The meeting was opened with a welcome to the Task Force members and members of the community. Chair Amy Murphy-Nugen opened the meeting at 6:00 p.m. and introduced the meeting format; a hybrid between zoom and in-person. Roll call was taken. Chair Murphy-Nugen acknowledged the guiding principles and commitment of Task Force.

## **Approval of Minutes, June 25 & July 23**

Chief Adams made motion to approve minutes from June 25, 2020 and July 23, 2020. Motion and minutes were unanimously approved.

## **Guest Presenters: Eviction Process, Points of Intervention, Experiences, Questions and Answers**

**Civil Process Sgt. Doug Carver, Haywood County Sheriff's Office**  
**Staff Attorney Suzanna Saucier, Legal Aid of North Carolina, Inc.**

Chair Murphy-Nugen revisited the Task Force action on identifying and discussing key issues by clarifying both rapid response (next 3 months) and long-term planning (4-12 months) and action items that addressed:

- Strengthening service delivery systems
- Improving the quality of life for our neighbors who are homeless
- Addressing concerns of our neighbors and local businesses who are impacted by their proximity to homelessness in our community.

Three key rapid response issues that emerged from Task Force members were: addressing evictions and other immediate needs; increasing access to MH and SU services; increasing general resources to people experiencing homelessness.

Consequentially, plans were made to invite guest presenters who could inform the Task Force on the eviction process, possible points of intervention, and, experiences in Haywood County.

Below is a summary of the guest speakers' presentations:

### **Civil Process Sgt. Doug Carver, Haywood County Sheriff's Office**

Sargeant Doug Carver presented on the eviction processes in Haywood County:

A landlord must provide written or verbal notice of the eviction to the tenant. This serves as a 10-day notice. A summary ejection is the first legal step that happens at the clerk's office. If tenants leave the premises of their own free will once the summary ejection has been filed, then the legal process stops. A court date is made in 5 days of the summary ejection being served. If tenants do not show up on their court date the courts rule in favor of landlord. People are served summary ejections in-person.

Sargeant Carver stated landlords are more likely to get rent when summary ejections are served in person. When summary ejections are taped and/or posted on the renters' door a court date is set within 5 days. Renters have 10 days to vacate the house after court date. If they do not vacate the premises within 10 days, the landlord must go back to court and get writ of possession. The writ of possession must be served within 5 days. Landlords pay all legal fees. If tenants are in the house when the writ of possession is served, they are mandated to leave. If people do not leave, they may be arrested for trespassing. Prior tenants are given five days to remove their belongings valued for \$500 or less. They have 7 days to get items over \$500 out of the rental unit (general rule). After seven days, any possessions remaining in the unit become a landlord issue.

If there is a certificate on motel door, people can be immediately evicted from a motel room. If there is not a certificate on a motel/hotel door, the 'inn owner' has to go through full legal process listed above.

Sargeant Carver stated that November usually has the most evictions in Haywood County.

Sargeant Carver provided the Task Force with 2020 numbers regarding evictions. He estimated 90% of people served summary ejectments (SE) leave before going through the court process. Twenty-five households were served with SE in January 2020; 32 served February; 20 in March. From March 16-July 1, 2020, there were no evictions due to mandates related to COVID-19, summary ejectments served during that time were null and void (53 served, have to be refiled). There were 29 SEs in July; 33 in August; and 10 on Tuesday of this week (August 17-21, 2020). Sargeant Carver indicated that these increased numbers are reflective of back-logged SEs that could not be processed during March through July, 2020. In January 2020, there were no evictions carried out through a writ of possession. Twelve writ of possessions (evictions) were processed in July and 7 in August of 2020 so far. Sargent Carver estimated 5 more will likely be carried out this month (August 2020). If landlords accept even \$1 of rent after the legal process has started, it becomes null and void. Landlords can be arrested and have no rights to house unless expectations are specified in lease.

In his experience, Sergeant Carver indicated the majority of evictions (i.e. writ of possessions) involve individuals either using or distributing illicit drugs.

There was approximately 10 minutes of questions and answers at the end of the presentation.

Question: Are you seeing evictions related to unemployment due to the coronavirus?

Answer: No.

Question: Are resources provided when serving evictions?

Answer: No. Sargent Carver states this is a "new problem" (in relation to the coronavirus and evictions).

Questions: What are the causes for eviction, can we get clarification around that?

Answer: "we have no clue".

Question: Is it recorded, reasons why people are being evicted?

Answer "I don't know".

Question: Can police officers provide a card with a resource hotline number while serving notice?

Answer-Ask the sheriff, Sargeant Carver stated he does not see why not.

Question: Can landlords back out at any point?

Answer: Yes

### **Staff Attorney Suzanne Saucier, Legal Aid of North Carolina, Inc.**

Suzanne Saucier presented to the Task Force from Legal Aid NC, a statewide organization. The office she works in in Jackson county covers Haywood west, serving 7 counties. Legal Aid NC is a civil legal law firm for people who cannot afford legal counsel. They serve people with civil matters including summary ejectments. She stated they have a lot of work with those right now and that there are currently 56 pending in Haywood currently. They represent people in matters of housing safety and repairs with housing, as well as Section 8 termination. They work with Mountain Projects in Haywood County on Section 8 cases and work with people through administrative court processes. Legal Aid of NC also works on housing discrimination matters and does Fair Housing work based out of their Raleigh office, and conduct Fair Housing work all over the state. They support clients who are victims of domestic violence and sexual assault. A domestic violence subjective order occurs when an individual accused of abuse is evicted and forced to leave the unit. They also work on civil matters such as child custody, immigration, veterans' benefits, and social security income. They assist with

bankruptcy, foreclosures, and consumer work and repossessions (i.e. car, job, etc.). They also provide educational law services to parents with children who have IEP and IFSP's. Some of the goals of the work of Legal Aid with their clients is towards expungements and certificates of relief. If someone is unable to get into housing due to a criminal record, they can assist. The Second Chance Act broadened relief for expunging criminal records. Their office can help with job, housing, and driver's license restoration for people with prior criminal convictions as well.

Suzanne shared the hotline number (866.219.5262) with the Task Force to get in touch with someone at their office. There are income qualifications for Legal Aid of NC services and people must meet civil legal issue requirements as well. It was shared that mediation is not required in Haywood Co. between landlords and tenants in the case of evictions. Suzanne stated we may hear of arbitration.

There was about 10 minutes of question and answers, all other questions will be saved and responded to in writing:

Question: What happens when someone has an eviction on their record?

Answer: regardless of dismissal or not, an eviction stays on a person's record. There are lots of consequences. We try very hard to keep people from getting one on record.

\*Suzanne notes nonpayment of rent due to repairs not being made by the landlord and landlords then saying "you have to go" to tenants who do not pay due to non-repairs. She explained a "holdover" is when the lease ends and is not renewed. Non-payment of rent stems from many reasons. Seasonal trends also exist in evictions.

Question: Do you all have a waitlist? Are people able to access your services in a timely manner?

Answer: If you call the 1-800 phone number you will get to talk to an attorney and if you qualify, you will receive representation depending on the merits of case. Some CARES Act \$ can be used for foreclosure, but it has to be COVID related.

Suzanne also shared about the Senior Law Project which is a part of Legal Aid of NC where attorneys work specifically with seniors and issues related to seniors.

## **Work Plan & Process**

Chair Murphy-Nugen proposed a framework of structuring working groups of the Task Force. The proposed framework is developed from the Social Determinants of Health (SDoH) model from the Kaiser Family Foundation<sup>1</sup>. The proposed structure includes having 1-2 Task Force members on each working group, joined by 3-5 community members (for a total of 4-7 working group members in each group). The Task Force members will take the lead in convening meetings and reporting progress back at Task Force Meetings. The proposed work groups include:

Data Collection Team

Health Team—physical, mental/behavioral—including substance use

Economic Stability Team—business support, employment/income support

Community & Social Connections Team: homeowner support for homeowners impacted by their proximity to homelessness, support systems for people who are homeless, social cohesion among all neighbors

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<sup>1</sup> Kaiser Family Foundation. (2018). Beyond health care: The role of social determinants in promoting health and health equity. Retrieved from <https://www.kff.org/disparities-policy/issue-brief/beyond-health-care-the-role-of-social-determinants-in-promoting-health-and-health-equity/>

Education Team : prevention, early intervention

Eviction & Foreclosure Mitigation Team

In addition, a community member, Vicki Gribble recommended consideration of the following possible work groups:

Prevention

Winter Preparation (noting importance of long-term commitment of faith-based institutions here)

Crisis Response

Task Force members were asked if they had additional suggestions for consideration.

Those responses included:

Affordable housing

Temporary and long-term housing

Proposal to create a Veterans' Group independent of other working groups

Alderman Sutton noted that he would encourage each Aldermen to join at least one work group.

Both Task Force and community members were asked to complete the "Working Group Planning Activity," which collected interest from everyone in attendance.

### **Actions Between Now & Next Meeting**

Task Force members encourage community members to consider joining one work group

Chair Murphy-Nugen will distribute resource material from Legal Aid to those who request it

Chair Murphy-Nugen will create a database of working group interest

### **Anticipated Items for Next Meeting Agenda**

It is anticipated that the next meeting will address the following agenda items:

Approve August meeting minutes

Work Plan & Work Groups

Key Issue Action Items: Rapid Response and Long-term Planning

Update on Eviction Numbers and Intervention Points

### **Additional Information:**

The Task Force on Homelessness is committed to providing opportunities for community feedback.

Community members: Please feel welcome to provide feedback here:

<https://www.surveymonkey.com/r/TOWTFHAug20Feedback>



Minutes respectfully submitted by Amy Murphy-Nugen on August 25, 2020.