

BURLINGTON HOUSING BOARD OF REVIEW

**** SPECIAL MEETING ****

Thursday, October 19, 2023

12:30 p.m.

REMOTE and IN PERSON

**Sharon Bushor Conference Room, City Hall
149 Church Street**

Remotely via Zoom:

<https://zoom.us/j/94757851086>

Minutes

Board members present: Betsy McGavisk, Evan Litwin, Josh Wronski

Staff present: Lisa Jones, Hayley McClenahan (Assistant City Attorney, legal counsel to the Board)

Others present were: Matt Handy (Handy Properties), Patti Wehman (Housing Division, DPI), Bill Ward (Director, DPI) and Kim Sturtevant (Assistant City Attorney representing DPI)

Betsy McGavisk (Chair of the Board) called the meeting to order at 12:39 p.m.

At the Board's request, Hayley McClenahan began the meeting by posing some questions to Matt Handy: was he authorized to speak on behalf of the property owner, Sisters & Brothers Investment Group, and was he waiving his right to counsel. Matt Handy replied yes to both questions.

Hayley McClenahan then explained item #1 on the agenda to Matt Handy and confirmed whether he wanted to proceed? Matt Handy responded in the affirmative.

1. Show cause hearing for Property Owner's request to continue October 23, 2023 hearing related to suspension of rental certificate re: 184 Church St

Betsy McGavisk opens up questions from the Board about the property owner's request for continuance.

Evan Litwin asks Kim Sturtevant about when Brian Hehir (attorney for the property owner) first brought up that he was traveling and unavailable for a hearing on Oct. 23. Kim Sturtevant believes it was on Mon, Oct. 16. She stated her understanding from emails was that Hehir was traveling on vacation with his family.

Evan Litwin expresses his concerns that the issue dragging on so long. While amenable to the request, Hehir's choice not be at the hearing makes it difficult to grant the request without asking Hehir some questions.

Betsy McGavisk lays out the timeline and delays so far. The first hearing was on 9/25 at which time the parties requested a continuance to Oct. 10 to try to settle. At the 10/10 hearing, another continuance was granted to Oct. 23. It wasn't until 10/16 that Hehir informed the Board he was unavailable on Oct. 23.

Betsy McGavisk asks if any Board member wants to put forward a motion with respect to the request for continuance.

Board members vote not to continue hearing.

Josh Wronski moves to ratify the original schedule for the meeting (that is Oct. 23).

Evan Litwin seconds motion.

Board unanimously votes not to continue the hearing.

2. Order regarding compelling witnesses to appear for October 23, 2023 hearing related to suspension of rental certificate re: 184 Church St

Betsy McGavisk states her understanding that in order to compel witnesses, the Board may want to formalize the action in a vote.

Evan Litwin states he does not think he needs to compel witnesses anymore – he believes it's irrelevant at this stage.

Betsy McGavisk states 2 orders were already sent out: one to BHA and one to Matt Handy. Hehir objected to issuance of orders outside of a formal vote. Betsy indicates the Board can still choose to vote.

Matt Handy states he fully plans to be at Monday's (10/23) hearing.

Evan Litwin asks Handy if he has a problem attending if Attorney Hehir is not present.

Matt Handy responds he has no problem talking about the property. He states it was his idea from the beginning to close the building.

Evan Litwin reiterates that he's not sure he needs to hear from BHA anymore.

Hayley McClenahan informs the Board they can make a motion to rescind the order and direct the Clerk of the Board to convey that to BHA.

Board members discuss whether it's necessary to compel Matt Handy and BHA to appear on 10/23.

Evan Litwin makes a motion to rescind the order and direct the Clerk of the Board to convey that to BHA and Matt Handy.

Josh Wronski seconds motion.

Board votes unanimously to rescind the orders compelling witnesses to appear.

Evan Litwin confirms scheduled hearing on 10/23 going forward. He asks Hayley McClenahan if the notices to the tenants are still good.

Hayley McClenahan states the notice was preserved.

Meeting was adjourned at 1:10 p.m.