**CHEA Board Meeting Minutes**

Tuesday, July 28th 2015 @ 8:45pm

Sasona Cooperative, 2604 Paramount Ave. Austin, TX 78704

Board Members present:

* Hannah Wright – Board Chair
* Corey Williams – Secretary
* Andy Goolsby – Treasurer
* Abby Tatkow – Community Representative
* Genieva Croley – Member at Large

Also Present:

* Phil – Sasona Member
* Clayton – Sasona Member
* Donny – La Reunion Member
* Paul – La Reunion Member
* Daphne – Sasona Member
* Sam – Sasona Member
* Ryan – La Reunion Member
* Hannah F – La Reunion Member
* Oliver – Sasona Member

*Hannah Wright called the meeting to order at 8:54pm.*

*Hannah moves to approve the previous meeting's minutes. Andy seconds. Minutes approved via consensus.*

**Item 1 – Treasurer Update**

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| Andy | At the beginning of the month we had $1,490.13 in the main CHEA account. We got transfers from LaRe and Sasona in varying amounts. We paid lease and the loan. We had a few other minor expenses. At the end we had $2530.18 currently in the account. Which may seem a little bit high but since we're charging a little bit less… er we have a lower loan payment now which will shortly go up and this will just help us once we do start paying more on the loan. So that buffer will go away fairly quickly once we get into that new period.  We've gotten a good chunk knocked out of the QuickBooks entering information, so hopefully at the beginning of August we'll actually be able to file our taxes for this last fiscal year which would be really amazing.  *Lots of YAAAYYYYYYs* |
| Abby | Yeah I was surprised to see the training didn't look like it was actually all that good. |
| Andy | Yeah it was a little disappointing, but we've been doing fine. If we needed to get more than what we've been learning on our own from entering all the information into the Quickbooks we could always reach out to a CPA |
| Abby | Or there's probably like a hundred youtube videos |
| Andy | Yeah exactly |
| Paul | Daniel also said it was his first time running an event like that so he was asking for feedback if anyone was interested. |
| Hannah | I guess that also covers item 2 on the agenda. |

**Item 3 – Co-Op Tour Update**

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| Abby | The reason I haven't been here is I've been out of town in China, and just getting back I've been pretty overwhelmed. I know I've talked about talking with Bike Austin at the ACBA but I don't know if I've brought that up here  They were encouraging me to go out and meet with potential sponsors and partners, which I have no problem doing that. There's a young woman named Emily McCoy, I don't know what her association with this type of thing is, however she was referred to me. I don't know how much she knows about co-ops, don't know how much she knows about biking but somebody I told the idea to said she would be a good partner. So I am meeting with her on Thursday. That's kind of the first thing I'm doing after coming back from vacation.  After that meeting I plan to get in high gear and set up meetings to see what I can garner |
| Hannah | Does the timeline look like it's shifting? |
| Abby | From meeting with Bike Austin they have two events on the 17th and the 24th of October. I was interested in having it one of those two weekends, so it just wasn't going to work, they weren't going to be able to be apart of organizing it, or at least it would have been much more stressful for them. So it suck because I think it would make a lot of sense to do it in October because it's co-op month, but we might need to do it in the first week of November.  Might need to shoot for the first week of November.  How much would folks pay to go to something like that? We'd like it to be a fund raising effort for the ACBA, at least now that we've passed it off to them, that's what they want to see. So if you were to participate in something like that, how much would you pay? Because there's going to be free things at each stop  *General consensus on $15 - $30 dollars* |
| Hannah | Would you be interested in coming to a house meeting to talk about this idea? |
| Abby | Definitely. One thing that has come up after I showed the one pager to the Bike Austin people, because they can help me plan and figure out the route, and guide the route which is awesome, but together we figured out it wasn't going to be super realistic to go from Wheatsville south to Black Star. So I'm trying to figure out what would be a good starting point. I like the idea of Sasona being one of the stops, but having it be the meeting place would probably be a little overwhelming for the neighborhood. |
| Sam | I agree. |
| Abby | Trying to figure out what make sense in trying to plan the route and have that figured out before I figure out who I'm going to talk to. Sasona was where this idea was born, in that dining room, so I feel it should be a stop |
| Hannah | If you ever want to get on the agenda let me know. |
| Abby | I will definitely. |

**Item 4 – Discuss and Appeal Member Review of Oliver Markley**

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| Oliver | At this Membership review all but 10 minutes of 2 hours were used up by people stating their allegations towards me, and then when I tried to begin my side of the situation. I asked a question as to whether certain things had been done, and I got cut off basically by a comment from Sam actually, who was not on stack, and it took me back and I kind of looked at the emotional temperature of the members in the room and kind of made the decision that in any event I'm not wanting to live here anymore and I can see that there was no interest in letting me state my case so I basically suggested a contract break which I was granted and then afterwards I heard from people that they really want to hear my side of the story, and I'd like to do that. I requested of the house that I could do that and the Steward said no the membership review has happened, it's over, so there's not room to have that happen. The statement made in the meeting was that I could make an appeal to the Board which I am doing, and the purpose for my appeal is to grant the opportunity for me to fully tell my side of the story. Since that time I have found an apartment with a move in date of August 10th. I would like to have a contract break sustained and that's it. |
| Clayton | Do you want the contract break to be on the 10th or you want to... |
| Oliver | The 11th actually. I'm moving out on the 10th, but I want to be sure. |
| Hannah | And when was the end of your original contract date? |
| Oliver | My contract was done at the end of the month, August 31st. The main thing is to get authorization to continue the membership review such that I can tell my side of the story. |
| Hannah | Would you consider that a membership review for inquiry? Would that be an acceptable way? |
| Oliver | Yeah, that could be a way I suppose. |
| Sam | Oliver the only reason for your wanting a second membership review I suppose is to do like you said and tell your side of the story or is there also some other means on your part for wanting us to have that? |
| Oliver | Well my side of the story involves… what I see as the run up to the allegations that were made, which involves other people.  Did I not make that clear? |
| Sam | Is there anything else that you want to see come of it? |
| Oliver | Actually yes, there's people have talked about a membership review for the person who I see as the instigator for all of this, and I'm wanting to propose a more general healing process for the whole house. I think that things have gradually… the emotional temperature of the house has declined and there's a lot of gossiping and stuff, and I think there's real…  That's over and above me saying my side of the story. |
| Sam | Do you understand the impact of your behavior? |
| Oliver | I do |
| Andy | Would you be comfortable with providing your side of the story here, or do you want it to take place during a Sasona meeting? |
| Oliver | I'm okay with having it here, I would really like the board and any board members who wish to attend to do so. |
| Andy | So do you want to go ahead and do it now? May as well just relay the information so we know kind of what we're dealing with... |
| Oliver | I'm sorry, I have hearing loss. Can you speak a little louder? |
| Andy | Do you want to go ahead and state your side of the story now for us then? |
| Oliver | No |
| Andy | Oh okay, so you don't want to state it here you just want to state it during a... |
| Oliver | My appeal to the Board is to get permission to have a subsequent session where I tell my side of the story |
| Andy | And you want that to take place during a Sasona meeting? |
| Oliver | A time that Sasona would decide is convenient, the same as they would do a membership review. |
| Sam | I do want to ensure, Oliver, that there's no gray area about your plans to move out the second week of August. |
| Oliver | No.  Well I made an application it has not been accepted yet. I was expecting that today, maybe tomorrow, but no there's no gray area in terms of my intention to move out, certainly. |
| Clayton | It seems to me that the Board wouldn't have to be involved to allow there to be a special house meeting for this sort of discussion to take place. It doesn't really have to be a membership review thing, it could just be a special meeting on a special night.  One other thing that people who don't live here might should be aware of, there's another request for a membership review for adjudication written on the board, so I can only assume that the intent of that would be to overturn the house's decision to allow Oliver a contract break and instead make it an eviction. I feel like that's what that has to be about but I can't say for sure because I didn't write it up. |
| Andy | I think when it comes to potential people asking for a contract break and then pursuing an eviction.  At LaRe we did have some members that had caused problems, that we didn't necessarily want leaving in a good stands with the house, and so we'd just go through a membership review so we'd have a way to start court processes of eviction. It sucks, but it sounds like that could be more legitimate... |
| Clayton | More legitimate than what? |
| Andy | That would just be legitimate. |
| Sam | My understanding of the reason for the Board proposing to overturn the decision made by the house at Oliver's membership review meeting was because we did not follow due process, and Corey outlined that in an email in which he I think listed something like 9 counts of our not following due process. The only one of those counts that I recognized before he even sent the email out was our failure to issue a proper eviction notice. What happened was Oliver requested a contract break and we gave it to him, by way of doing that we did not follow our proper procedure for eviction. That's my understanding of why this item was put on the Board's agenda, because we didn't issue a proper eviction, in addition to several other points brought up by Corey. I'm confused as to why, I don't know why we didn't follow our proper eviction procedures because I think this could have been avoided. |
| Clayton | The procedure thing to say that somebody... under the stress that Oliver was in that situation it's a little bit funny for him to request a contract break, because it could have been under a certain amount of stress that he wouldn't have been in a different situation, but I think that would be a credible path if he were involved with the decision making process of when the contract break would happen. As I remember it, he asked for a contract break, and then he left the room, and then someone else decided that it would be at the end of the month which was only two weeks away, and that is not a super long time to ask someone to move out. Even if we were to evict somebody we would have to give them more than that notice. That's the only thing that I see that the Board needs to correct right now. Except then to say that Oliver should have a chance to speak on his own behalf, even if he's not trying to overturn any decision, he should at least be able to speak to the house, and speak to the accusations that were brought against him. |
| Genieva | In response to, that we didn't process an eviction, it's actually a lot better to offer a contract break, and this was confirmed with me by Daniel Miller. I was in a similar situation in College Houses where the accused was offered a contract break or college houses would sue on behalf of… It's not as messy as an eviction and it's less damaging for the accused.  This is how College Houses does it. If you are accused of any type of harassment you are given two weeks to get out. The concern is a lot of the members of the house do not feel safe around the accused or feel uncomfortable.  You were given opportunities to speak and I feel you kind of denied them. I understand it's stressful, people are accusing you of touching them, but there were times that people asked you questions... and I don't know, this membership review process was really unfamiliar to me. I was told that you don't respond until everyone has their say. Is that right? |
| Oliver | It's customary. It varies at times. It could go either way. |
| Genieva | That was something I didn't understand. I'm used to everyone has their fair share of speaking even the accused, that you don't have to wait until the end. I don't think the accused should have to wait until the end.  I think what Sam was trying to clarify for you was it's not okay to work on the grounds of just assuming that you can put your hands on someone in any type of way. Nobody has to tell you don't touch me, you should have acknowledgment of their consent before you lay your hands on someone. The accusations were things like grabbing someone's butt, or putting your hands on their hips. |
| Sam | I want to make it very clear that my intent is not to unnecessarily rattle anybody here, but just to state in no uncertain terms that this is a very very very un-gray situation. I am getting the feeling that it is getting treated as… I'm not understanding half of what's being said here simply on the basis of how gravely I feel about him being here and the effect it's had on the house. I'm one of the ones who at one point was subject to him and I'm extremely disappointed that we're not taking what I interpret as direct action. |
| Daphne | I would like to hear people say what they mean when they say what they say. I would not like to hear people's own interpretations of what somebody else said as far as testimony goes. I heard Genieva interpret what Sam meant when he said whatever he said… but we're not even clear, I don't think everyone in the room is clear on the words that were used or what particular situation we're talking about during the membership review. It's difficult to talk about that unless they're explaining themselves, what they were saying and what that meant Check. |
| Abby | I'm trying to come at this from a purposeful place because I probably have the least knowledge of what happened of anyone here. Corey thank you very much for providing this document, it's very helpful, but one point of clarification I do need is was the contract break requested by Oliver? |
| Oliver | Yes. Basically at the time I, given the emotion tenor of the room, I saw no way in which I could credibly argue my case, and I had been looking for another place for more than a month anyways. So I just said hey look lets turn this off, and not realizing I was really kind of shooting myself in the foot in terms of making my case heard which I would like to do, and if it's turned down then it's turned down. |
| Sam | It would be helpful if… and I'm not saying I'm gonna get what I'm saying I want here, but it would be helpful if it were clear to me if the issue is Oliver didn't get to speak or the issue is we didn't follow due process. I'm not clear on why we're allowing the situation to drag on in reversing the decision made. |
| Corey | I hope this can clarify things for you Sam. When I put the item on the agenda to overturn the decision it was for due process reasons. There was a second request to overturn these decision, or modify them, on different grounds. So there are two requests to revisit this for different reasons. So that's why we're kind of having two different conversations. |
| Sam | I would like to ask if those requests were made by two different people, you don't have to name names. |
| Corey | Yes.  Regarding clarification on the contract break, as far as the minutes read, and as far as my understanding is Oliver basically said I'm cool with a contract break happening, but he didn't give the date of the contract break. He left the room, and then the house gave the date to him and that's where things get a little messy. |
| Ryan | I definitely though this was to overturn this for due process reasons. When I read the minutes it looked like there was about an hour of people stating their allegations against Oliver, and Oliver asked to speak, and wasn't allowed to speak until he said I can't stand this anymore just let me out. So it didn't seem like there was a conversation there. Personally I think from what I heard when I walked in of your statement, I would probably agree with you based on reading the minutes that it's not very gray, it seems like pretty compelling testimony. I think we could give him a notice to vacate for the end of the month and that would be the end of August. I think that would be appropriate, and I think that the contract break is not appropriate because it does more harm to Oliver to do the contract break than to give him the eviction, because there's no contract break fee associated with eviction. You just give him a notice to vacate and if he doesn't leave within the time frame, then you file legal eviction paper work. So from... if you we're Oliver's prospective when he said fine just kick me out, that would have been the more polite thing for the co-op to do, and more considerate of the fact that housing is hard to find in this town actually moving in two weeks is very challenging. |
| Phil | I just have a question for Corey. So there were two requests to review the membership review and one was based on due process, and the other was for a different reason but you didn't say what the reason was. |
| Corey | Technically it's on the agenda as the second bullet point. It was just a general appeal from Oliver and the actionable item on it was request a contract break for August 28th. It was just a kind of a hey I want to overturn this thing, people don't have to be hella specific when they want to appeal things. |
| Genieva | Point of information for the contract break. I don't think we're actually charging you. |
| Clayton | We voted to. |
| Genieva | We voted to? |
| Clayton | The vote to not charge, did not pass |
| Genieva | Right |
| Ryan | Double negative, you're charging him |
| Clayton | There was a proposal to waive the contract break fee, and it did not pass. |
| Genieva | So they are charging him.  As I said earlier it's more legal to have a contract break... |
| Ryan | I disagree |
| Genieva | You're allowed to disagree, but it's a less legal opening. That's the protocol I came from in another house with sexual harassment was that they'd give them a contract break within two weeks. I understand Austin is difficult to find housing, but compared to what's going on…. |
| Abby | I'm coming back to Corey's sheet here, I am concerned about the fact that the board members who wanted to attend…. What was the deal with that? As a point of clarification as to what this meeting is about we're setting precedent for future situations like this. We've talked about at the board about wanting to make sure we're doing all these things that are normal landlord things, legally, so it's important to know the right protocol, and having board members there, it's kind of our job to know that protocol. |
| Daphne | Oliver requested that Donny come here and facilitate his Membership Review, thinking that it'd be more objective and Melissa as Steward said that would be a conflict of interest because of Donny's relationship and suggested that she would potentially be a facilitator since Brooke was sick that day and so it was… in her email she indicated either she would wake up Brooke and see if she was willing to come and facilitate even though she's sick or she offered to be the facilitator but that Donny would not be allowed to. |
| Donny | On that particular issue one of the interesting points was that Melissa was a signor for that membership review, so she was an accuser, and she was deciding who was in the member review, which was one of the things I had a problem with process wise. |
| Clayton | Genieva one thing, you keep bringing up the policy College Houses has, and that's great to learn about and take pointers from in the future, but that's something that someone signed on to that said if you do this then you will have two weeks. Oliver and none of the rest of us signed anything that said we would get kicked out in two weeks if such and such happened, that's not to say that we should do these things but not being part of an agreement that you already agreed to, and two weeks is short notice… anyway but if you know beforehand and then you choose to engage in whatever behavior, they know what the consequences are. As far as I can tell evictions always get a month right? Unless it's non-payment of rent. |
| Ryan | I'm gonna push back on your statement that an eviction is less bad, and I'm gonna use a story about one of our members. One of our members, and he actually just moved out last night, was very frequently delinquent on rent. I actually had to go to the court house on 3 different occasions. I had to pay the courthouse $120 to schedule a hearing. So he received 3 different notices to vacate, for the first two times He received the notice, he'd been served by the constable, but he managed to pay enough money to go below our threshold for being kicked out. We kick people out if they're over $100, he paid down to less than $100, then neither of us would show up to court, the case would be dismissed and it would never show up on his record. So that's happened 3 times and there's nothing to show for that. We're out some money and I could go to collections, but the fact of the matter is his record is not sullied in any way. The courts are cognizant of the fact that housing is really important. It takes a lot of effort and it takes a solid process to remove someone from their dwelling, because doing so unjustly is the worst thing we can do as a society. So the courts have pretty strict standards on what they will and will not allow. They're lenient when people are willing to make amends and they leave on the time frame dictated by the landlord. |
| Clayton | Quick question. So you're saying even if the house decides to evict a person, then that eviction doesn't count until the court gets involved? |
| Ryan | Yeah. So here's the process. Obviously the non-payment of rent scenario is different than a assault scenario or harassment scenario where there's no real chance of reconciliation. You want them gone. You decide you want them gone, you give them a notice to vacate, you give them 30 days. Once the 30 days are up you take the notice to vacate, a copy of the contract, and $120 to the courthouse. The court schedules a court hearing, and then if both parties show up there's a trial. If only one party shows up, the part that shows up wins. Even when you receive an eviction hearing, you still have 5 days before the constable shows up to physically kick you out and remove your possessions. So even in an extremely well executed eviction, for something that is not non-payment of rent. You will typically see the person leave the house in about 7 weeks. If you go to the bitter end and force the constable to kick you out, that's about a 7 week process. You can leave whenever you want, because you've been given a notice to vacate and you're not on the hook for the contract. |
| Andy | I want to jump back on the whole you two two showing up here for that membership review thing. So when you guys arrived, I know Donny was denied, were you actually denied as well Corey?  *[Corey nods head]*  Okay, and you guys showed up late? You didn't show up when they were starting the member review? |
| Corey | No. |
| Donny | We were under the impression that we would not be allowed in, so we weren't going to come at all. Then we were told by people in the meeting, that there were non-members in the meeting, against Sasona's stated rules. So we thought we would have just as good a chance as anyone, because we're members of CHEA at least, but we were denied entry. |
| Andy | So you discovered that after the membership review was already in process and somebody texted you? |
| Donny | Exactly. |
| Oliver | In fairness they arrived at an emotionally dense time, and it was, I think, felt to be disruptive. |
| Donny | Since we are talking about process I just wanted to talk a little bit… I think a lot of this might have been in Corey's statement on the agenda item in the first place, but these are the things that I experienced just in the 3 or 4 minutes that I was in the meeting that I thought were significant process issues or possibly fairness issues that may or may not effect the outcome of the meeting, but what matters is at least that there's the appearance of fairness. If it came down to a legal proceeding in a court of law a Judge would look at those minutes for the member review and they would pick up on the process and what was going on. If it looks totally unfair, they would throw it out, so it behooves Sasona to have good processes, that's why I'm talking about this.  One thing, which I've kind of said already. If the Steward is an accuser in the member review they should not act as the Steward in that member review. That should be obvious to everybody, but I don't think Sasona has a policy for that and it might be a way that Sasona could improve it's processes actually. You could designated someone else to act as Steward, so that if strangers come in or something like that, that person could step up. It really provides the look of unfairness when someone who's an accuser, is telling outside voices that they can't come it and witness or be apart of the meeting. It just needs to not happen.  The format, which as been discussed already, having all the people who have something to say talk and then Oliver not talk for a long time was not good. I was there more than an hour into the meeting, and while I was standing there, Oliver was actually requesting “Can I speak yet? Is it my turn to speak?” and I think that that's bad process. I realize that maybe sometimes it's done that way, but if it's going to be done that way it ought to be done with the approval of the person being reviewed so at least they have some input in to it. Otherwise it actually gives the appearance of being very very unfair in terms of time allotted to speak.  I believe having seen the minutes, that there were people in that meeting that were not listed in the minutes as having been at that meeting. That's a big lack of transparency and possibly a big legal issue for CHEA, so that needs to not happen. The minutes need to accurately reflect who was in that meeting.  This may be coincidence but the only non-members… somehow Sasona's rules were broken, I don't know how, but non-members were in the meeting, and the only non-members that were in the meeting were on one side, not on the other side. When other outside voices, who might have been on Oliver's side or objective came, they were not allowed in to the meeting. What criteria were the other non-members allowed versus people who showed up later, and who made those decisions. None of that is transparent. I don't even know how that happened, that seems like really bad process to me. If Sasona wants these member reviews to stand not only the test of the board, but the test of the courts if they would ever get that far – hope they don't. Need to have better processes than that |
| Sam | As I was saying earlier, it was my steady contention… I think my first impression of why what happened happened, that there were definitely process infractions. I did want to clarify, one of the ones that came up a few comments ago. The one about the non-members, I do want to make it clear as how un-policy friendly as it was, the non-members in my recollection were witnesses. Nicole's sister was one of them, I'm not remembering off the top of my head who the other ones were. Again I can't say you know, policy number XYZ73.5^2 was technically… you know, that I don't do that. I'm not going to do that, but I do want to make it clear that Christy was here as a witness, and at least one or some other small number of people were here for the same reason. All of us that were affected had our asses touched, and the witnesses were there to confirm that. |
| Daphne | The witness was not there to confirm that. The witness was not there to confirm what you just said. Melissa informed us that Christy was a witness for Nicole, and that a witness is defined as whatever it is that Nicole deems it to be. |
| Donny | I heard that statement, I was there. |
| Daphne | Christy did not witness… she was more there for support I believe, in making Nicole feel safe. |
| Donny | My only point about this whole witness thing and the non-members being in the room. It goes against Sasona's stated policy on the wiki, so if you want to have an exception to those policies it would be good to write that, and come up with a fair reason why outsiders would be allowed in or have some process, that's transparent, that doesn't just look like we're stacking the deck, because that's what a judge is going to look at. Why are these non-members here?. That's what the Board is going to look at, Why are these non-members here? And was there a process, or did someone just say, oh yeah sure you can come because you will support my side of the story. |
| Genieva | Christy was there for emotional support. Sam, this is where we're not following due process. Someone making an allegation has a witness but the accused didn't have his witness. |
| Hannah F | I wanted to offer a broad definition of my concern, not as a board member, not as a Sasona house member, but as a CHEA member. My concern touches on the word inconsistency from a couple of different directions. The first being, and this is why I decided to come down here. I'm concerned that Sasona is not… and I really don't want this to be about Sasona honestly because I would hope that La Reunion would be called to task if we did the same thing, and frankly we call ourselves to task sometimes the next Sunday meeting for process issues. So this should not be about Sasona, this is just, there was an issue, let's address it and do better next time. So I'll watch my language too. Inconsistency with the House's own policies is a problem, and inconsistency can stem… as I think Corey's pointed out in a few different instances... from a lack of clarity in a policy. I think a few people have voiced that some of these problems in consistency could be avoided again by making more specific policies. Even more so than that I'm actually more concerned with Sasona's disinterest in consistency with the state law, which is kinda something that has been… if co-ops are going to survive and thrive as an institution we need to work in the context we're in and not get shut down because we didn't cross our T's and dot our I's. We need to know the law. We need to know the housing law. And we need to follow it. We may have our own values but we need to dovetail those with the law. That's what I really want to emphasize is I want us to operate legally. The lack of proper notice given is probably my single biggest concern in all of this. |
| Daphne | I would like to mention a technicality that was not mentioned previously. That is there were 4 points for the membership review, the 4th point, which I will read now from the minutes *[reads bullet point]* was actually added the afternoon, I think, of the membership review. So my rough estimate is less than 12 hours before meeting and according to our own policy this is not okay and should not have been discussed at our meeting. There's somebody who should be in charge of watching that, I think that's the Steward. |
| Phil | I was confused about something Donny said. I was at the meeting from start to finish, and I read the minutes. You mentioned there were people present who weren't mentioned in the minutes. You mentioned Christy and Eva as being present in the meeting? |
| Hannah | I think so. I tried to look around the room and get everybody, but from where I was sitting, people could have been behind me. |
| Donny | It was one of the two non-members. |
| Phil | If there was a mistake there I was totally unaware of it, but as far as I know the only two non-members present were Eva who was a former associate member and Christy who's Nicole's sibling. I thought they were both mentioned in the minutes. |
| Daphne | Point of information. I have the minutes in front of me and they're both listed as present. Christy and Eva are... |
| Donny | I made a mistake, I apologize. I missed one of those two.  When I was at Sasona, and this may still be the case, we didn't have a lot of knowledge of state law, housing law, and stuff like that, because we didn't have to deal with it very often. But especially on member reviews like this, when emotions are very high and people may not be thinking really straight, it can be really good to have outside people there, this is why outside facilitation or guest facilitation was offered to you guys. If Corey and I had been in that room, there would have been a lot more knowledge of the state housing law, and it's possible that the outcome could have been a lot more inline with the state's stuff. It's new, when I was at Sasona there was no other house to offer to come over and run the meeting, but there are really good reasons to consider having outside people run, particularly member reviews because they are much less politically involved than probably everybody. That might be something to consider in the future, that actually might make things better, and I hope at LaRe we might consider that too. We have brought in an outside mediators and facilitators for different things but I don't think we done it with a member review. So if we look at process improvements or if Sasona looked at process improvements that might one worth looking at. |
| Hannah | It's confusing process wise to say the least because I hear what different people want, I just don't know how we go about making that happen. |
| Hannah F | There's a solution offered at the end that is one potential solution “the easiest thing in this situation would be for the house to pass a proposal that the defendant's contract not be renewed and give appropriate notification as to such” because there's a lot of agreement that Oliver doesn't want to live here anymore, Sasona doesn't want him to live here anymore either or at least some members of Sasona.. |
| Oliver | What are you reading from just now? |
| Hannah F | It's the second to last line in this document “Commentary on Eviction Proceedings”. Now that we've all talked out our pet peeves and feelings there's a lot of agreement on what needs to happen so it shouldn't be hard to figure out a way to make sure that the thing everybody wants to do gets done in a way that covers everybody's ass. |
| Phil | If I can respond to that my understanding is that last Sunday – two days ago – we did pass a resolution to not renew Oliver's contract past the end of August. |
| Daphne | In the event that CHEA board decided to overturn the decision at the membership review for contract break at the end of this month. |
| Hannah F | So if the CHEA board goes ahead and overturns that decision then y'all have what you want, and I think you're okay with that outcome too right? |
| Oliver | I'm not sure what that implies |
| Genieva | I thought the vote was that we didn't renew your contract past August and my understanding of it was that it doesn't matter what happens in this meeting. |
| Hannah F | So you're on board then? |
| Oliver | I'm fine with that. |
| Hannah | Does that mean your original move out date would be moved back to the end of August? |
| Daphne | What it means is that if the board does not vote to change the current terms which is that the contract for Oliver would end at the end of this month then his contract would end at the end of this month if the board doesn't change that. If the board does change that then Sasona has already voted to not renew Oliver's contract which aside from the membership review, would have ended at the end of August. |
| Ryan | I would say that it sounds like the board just needs to overturn this decision and I would also reiterate the fact that Oliver's contract not be renewed just to make sure that it's clear on both levels and I'd recommend that a board member make that motion. |
| Sam | I just want to request that the motion clearly say everything that Ryan just said. That our more recent decision at Sunday's meeting will be upheld in conjunction with the Board's decision to overturn. I think we need absolute clarity on that. |
| Oliver | What about my request to have a chance to tell my side of the story fully? |
| Genieva | I'm sorry that you didn't want to do it now. |
| Andy | I don't think there would be anything preventing you from taking an opportunity at a Sasona meeting to tell your side of the story. Granted nobody can make anybody stay in a room. |
| Genieva | However my understanding was that what Melissa was saying is that you have every right to bring up your side of the story in the meeting we just couldn't make any motions on it. |
| Clayton | I think it's on one side fine to let the houses vote and do it's thing, but also I think it might be nice to allow the contract to be broken on the 11th so that Oliver isn't on the hook for the last 20 days of the lease and I think that would be something that the board could do as well. Maybe not, maybe it'd be better to let the house do that or something, I don't know. |
| Andy | Well it sounds like the move out date isn't guaranteed since the apartment hasn't actually... |
| Oliver | It has not yet and actually as I have read the house rules as soon as you move out that constitutes a contract break and you're asked to give advanced notice on that but yeah. |
| Clayton | Would he be on the hook for those last 20 days? |
| Ryan | I would say he has to pay the rent for August, because rent is due. Rent is due on the 7th at our house so maybe you could do a prorated thing which sometimes we do and sometimes we don't depending on what... |
| Abby | But if it's already been predetermined that you would move out, before that? |
| Ryan | So the way we do it is, we hold the person liable for all of the rent until someone else takes their place. So if Oliver left on the 10th and y'all found someone to take his place on the 20th we would bill him for 20 days |
| Abby | What about with a non-renewal? |
| Ryan | The contract is over he can leave at the end of it, but he's still has the contract for August. The other thing is we could just evict him now, give him 30 days notice he can leave whenever and doesn't have to pay. That's the other option which is why I think that eviction is actually a better option. |
| Clayton | But he would be on the hook for the rent still. |
| Ryan | Not if he leaves before it's due. He's still technically on the hook but if he doesn't want to pay, good luck collecting. |
| Sam | I just want to state my support for Ryan's option for the eviction because I.. Ryan knows more about this kind of thing than I do.. but I do think it's the wisest course of action right now. |
| Corey | I would think that if we just said we were going to give him a notice to vacate for the natural end of Oliver's contract that already exists that we could respect the house's decision it made. |
| Abby | I'd second that. Is that a motion. |
| Corey | Sure. Motion “Notice to vacate for Oliver for the end of August” |
| Ryan | Are we overturning the decision. |
| Oliver | May I ask? Why the end of August as opposed to when I would be leaving. |
| Corey | It basically means you don't have to have a contract break to leave, you can just leave at any time. |
| Ryan | You can choose to leave whenever you want to leave. |
| Corey | But you have to leave by the end of August. |
| Oliver | Do I have to pay the whole month? |
| Ryan | That depends on how the treasurer for Sasona wants to handle it. |
| Daphne | Since it sounds like Oliver has some interest in not having to pay for the entire month of August is it would it be within policy for him to request here for a contract break that would not be going to the end of his contract, the end of August |
| Ryan | I think the board can do whatever it wants. |
| Andy | So if he moved out on the 10th then we prorate his rent so that way he only has to pay until the 10th and then if somebody doesn't move in until the 20th Sasona could always do a request to use the vacancy reserve funds for the period that is effectively unused, that 10 days. So Oliver would pay the first 10 days, vacancy reserve the middle 10 days, and the new resident the last 10. That would be totally legitimate, and that's definitely something me and Clayton can work out. |
| Hannah | So we have a motion, do we need to overturn it too? |
| Corey | Yeah we need to overturn it too. I think we should do that one first. |
| Hannah | Okay so I move that we overturn Sasona's decision for a contract break for Oliver |
| Corey | Second. |
| Hannah | *Motion passes. 5 in favor, 0 opposed, 0 abstentions.* |
| Corey | Restatement: **Motion to give Oliver a notice to vacate for the end of August** |
| Hannah | *Motion passes. 5 in favor, 0 opposed, 0 abstentions.*  I think there are some things we at Sasona need to talk about for improving our processes, thank you Corey for writing up that list. I think I feel comfortable going back into house meetings and kind of doing that work piecemeal a little bit at a time. |
| Corey | Yeah one of the things I was going to suggest we could do moving forward… and this applies to both houses, and it's kind of something we've touched on in the past, but it might be useful to start a subcommittee and pour through all of our various house policies and contracts with people from both houses find and fix things that aren't right… and after that maybe pass all that off to a lawyer to review. |
| Sam | I do want to share that this incident… the house's reaction to this overturn item being put on the agenda it created a lot of animosity, it created a tremendous amount of gossip which I will admit I participated in and it just created a lot of negative feelings, I think that's all the more reason, probably for both houses to get as crystal clear as possible about legal processes, hopefully this sort of thing won't happen again, but if we do have similar behavior patterns I would like to see it treated in a way that doesn't involve any wrangling between the house and the board because we'll all be... on board. *[Minutes taker's note: I do not support such puns]* |
| Ryan | Sam do you feel better now that the meeting's over? |
| Sam | Yeah I feel terrific. |
| Ryan | Do you think your fellow housemates who are not present will feel better about it? |
| Sam | I have absolutely no idea. I can guarantee some of them will not. |
| Phil | I just wanted to give a little perspective, I've been here, at the end of July it'll be 8 months and I've seen 4 membership reviews. 2 were strictly about labor and pretty straightforward, and Oliver's and Thad's involved some other issues a little more emotional and more involved for me, and for others I think. I'm glad the board is overseeing what's happening in the membership reviews. I honestly didn't think much about it at the time, the issue of who's allowed in the meeting and who's not, who's acting as steward and who's not, and I'm happy people are asking those questions. I'm encouraged… I agree with Sam that I was one of the people that was pretty upset when I saw that on the agenda for this meeting to overturn this decision but in hindsight I'm glad we had this discussion. |
| Genieva | *[inaudible – general point on the importance of the houses working together]* |
| Daphne | I want to be clear, Oliver's my friend and I don’t believe in the accusations but I do want to be clear that my opinion is that if people are uncomfortable of course people should sit down and talk about it. This is not something I am fighting. I have no issue with talking at all because it's healthy to have those discussions. I just wanted to make sure people knew that about me. I don't want my personal opinions to be misinterpreted so I just wanted to say that out loud. |
| Oliver | I just wanted to thank the board and to say that in the background there are some long standing issues in this house having to do with a distinct lack of integrity. That I was going to address. Instead what I think I’d want to do is put forward something I've circulated to several people, and I was going to move forward with but when all this stuff happened I said No I'll hold off on that. I have a proposal for an integrity caucus that I think deserves serious consideration not as a formal part of CHEA or either house but as a freestanding activity to….*[inaudible]* and have it be considered. I don't think it's appropriate for me to push any of that myself given the status in which I find myself now. I guess I'll say one more thing some of the most major things I was accused of as far as I can see simply did not occur and there have been some trumped up charges that… we'll let stand. |
| Abby | This was a good discussion but one thing that does come to mind is right before I left my co-op in Lawrence they were having some issues… there are 3 co-ops in Lawrence that are interconnected and one thing we started to implement when we started this process was choosing several people from each house that were interested in being a part of a sort of mediation committee.. for things like member reviews. I just know for myself, if a member was being reviewed and they requested a presence of outside folks or objective folks or recognized there was bias or something like that. I think there needs to be a group of folks that we can call on. I know personally I'm not usually available at the drop of a hat but that's why it's good to have some sort of training on what that looks like and a group of people who feel committed to this cause in each house who might be willing to go through an hour or two of mediation training then be available in that kind of situation. |
| Genieva | *[Discussing grievance committee idea for harassment issues]* |
| Sam | *[Expressing his disappointment with past grievance committee experiences at Sasona. Felt like it was used as a way to pass the issues off to someone else]* |
| Genieva | *[Clarifying that her intention is for the committee to be for very specific issues]* |

**Item 5 – LaRe hot water rent credit proposal**

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| Ryan | Our contract says that we have to provide certain amenities, and I think the two that people in Texas are most worried about are air conditioning and hot water. It took us 3 weeks to get our boiler back up and running and that's because the flood knocked it out and when we went in there we realized that the shed was basically a big ol' hazard because it had termite damage, fire damage, and water damage. So we spent 3 weeks rebuilding it. Corey, Donny and Andy did a bunch of work to rebuild it, took us 3 weeks. The number is basically Daniel's recommendation, that's how we got that. Daniel also recommended that we speak to a lawyer. I'm on the opposite opinion, I don't think that this is a liability issue. I think Daniel's opinion is that if we pay the money that it's an admission of some sort of guilt, and I'm of the opinion that if we don't pay then we're liable for breaching contract. The board may find that…  *[Audio recording 1 ends here]*  it is worth calling a lawyer based on those two opinions. |
| Abby | Did anyone request compensation? |
| Ryan | He just made a general recommendation.  This resolution was passed at a house meeting, so this is not me asking, this is the whole house asking for it. |
| Hannah | *[If the worst possible scenario happened how would that play out?]* |
| Ryan | It would have to be someone received money and then decided to sue for more. That's the scenario that Daniel's worried about. I'm worried about the opposite scenario where we don't give them money and then get sued for breach of contract, or people don't pay rent and when we try to evict them they'll say their contract was breached and then it'll be a big issue about whether they should be evicted or not. There are different worst case scenarios depending on which position you take, both positions have bad scenarios, but I don't think it's worth talking to a lawyer about. I don't think it's a big deal. |
| Abby | I think it makes sense to provide that credit. Is it possible to have folks sign something to the effect of I will not sure for more money. |
| Ryan | I can certainly prepare a waiver form. It won't be reviewed by a lawyer but it will have people's signatures saying they won't sure us for more money. I'll just google “settlement” and copy and paste the settlement language and insert my numbers. |
| Hannah F | I don't think this is likely either, but as far as what I'm concerned about. I'm a little concerned that the housing authority will get wind of this and take it seriously. Which is reasonable because a lot of the housing authority tenants are kind of ripe to be abused and don't have a lot of options. They may not see us as benevolent co-op trying it's best, they may see us as abusive landlord didn't fix their shit and abusing our tenants and breaching their contract. There is somebody that we have that is moving out and they're not very happy about it. What if they decided to ride it out and see what happens. The housing authority might be concerned... |
| Corey | That's a good concern to have. In a lot of my research on this stuff the typical arguments when things get brought before legal entities is to argue about shit not being fixed, it's usually the judges only care about compelling landlords to fix things, as long as landlords are actually working on repairs the judge won't care. There's a certain level of flexibility in reasonableness in it, so obviously if it was 6 months a judge is going to look at us and tell us to get off our asses and do something. I don't think that in this case that it was an unreasonable amount of time given the amount of work. So I wouldn't be that concerned. |
| Abby | I definitely agree with Corey. I think… I mean I don't think you guys have an obligation to provide that, the fact that you guys are as a courtesy. So I don't think they'd have grounds to complain to the housing authority. |
| Ryan | I agree with Abby. If someone did complain, they would show up and find it fixed and they wouldn't really have any grounds to do anything. I think the liability scenarios are very minimal. I think that people will just be happy that they got some money, and won't even think to sue because we gave them money. |
| Donny | Hannah I just wanted to ask were you worried with HACA if our risks are worse if we did pay or if we didn't pay. |
| Hannah F | I think if we do pay, that's a double reason of saying No they fixed it and they gave you some compensation so it seems very reasonable to me. |
| Donny | If they were worried about us dragging our feet on it we actually documented the whole construction process with photos. So we can show we had to pour foundation... |
| Corey | Well we also have receipts and we have time logs. |
| Donny | Yeah so there's lots of evidence that we were not sitting on our asses. |
| Hannah | Motion Allow La Reunion to use the vacancy reserve to credit residents $100 per apartment. |
| Abby | Second |
| Hannah | *Motion passes. 3 in favor, 0 opposed, 0 abstentions.*  *La Reunion board members recused themselves due to conflict of interest.* |

**Item 7 - Fill in descriptions for board positions.**

Action Item: Everyone try to write around 4 sentences on what you do at the board and bring it to the next meeting.

**Item 10 - Clarifying NASCO-CHEA-House relationships – subcommittee update**

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| General commentary | *[Reflective on recent events, and ways to work on better handling these kinds of situations.*  *Have copies of NASCO and College House's policies to work from and tweak.*  *Policy's the easy part, what we do with it / how we implement it is difficult*  *Need to formulate something specific to us]*  Action Item – Genieva: Forward relevant College Houses and NASCO policies to folks. |

**Items 6, 8, and 9 – Tabled due to time.**

**New Business**

*[Concerns at Sasona about CHEA paying to be a part of the ACBA and how it does or does not benefit them.*

*Abby and someone from ACBA are going to try to come to a Sasona house meeting to talk about the ACBA.]*

**Next Meeting**

Tuesday, August 11th 2015 @ 8:45pm

La Reunion Cooperative, 7910 Gault St. Austin, TX 78757

**Agenda**

1. Treasurer update
2. Co-op tour update
3. Proposal to institute a CHEA wide property ban for Oliver Markley
4. Discuss a CHEA wide zero tolerance policy for sexual and racial harassment.
5. Fill in descriptions for board positions.
6. CHEA part-time position – review of current draft
7. CHEA part-time position – Working Group 4 – Job Requirements
8. Clarifying NASCO-CHEA-House relationships – subcommittee update