

Zoom Webinar

January 17, 2022

7:00 – 9:30 p.m.

Hosted by SVHA

Agenda

- Welcome and Introductions, Libby Hayes, SVHA Board President
- Meeting Conduct, RJ Allen, Home Association Solutions, Moderator
- Duties of the SVHA Board, Holly Stark, SVHA Board Member
- Timeline of Events
- Analysis of the Concord House
- Status of the Concord House
- AHH Presentation, Kar Woo
- Residents' Questions to AHH and SVHA Board

Participants

- RJ Allen, Moderator, HAS, Manager for Shannon Valley
- Libby Hayes, SVHA Board President
- Griffin Gatewood, SVHA Board Vice President
- Holly Stark, SVHA Board Secretary
- Tony Kays, SVHA Board Treasurer
- Chris Slimm, SVHA Board Member-at-Large
- Kar Woo, president, AHH
- Russ Townsley, AHH

Rules for the Discussion

- All participants will be on mute unless recognized to speak.
- The “raise hand” function of the webinar should be utilized to signal your desire to speak.
- Time limit for speaking will be 2 minutes so everyone gets a turn.
- Disrespectful, inappropriate, foul, or abusive language will not be tolerated, your time will end immediately.
- Everyone will get a chance to speak once before anyone is recognized for a second time.
- Questions can also be put in the chat box.
- Questions will commence only after all the presenters are finished.

Duties of SVHA Board Regarding Violations

- To investigate and take action against violations of the SVHA deed restrictions and covenants
- Investigations are not shared with residents to
 - Protect the privacy of the homeowner
 - Avoid other residents harassing the homeowner
 - Avoid liability to the SVHA (thus, legal costs to homeowners)
- When a violation is found, the SVHA Board does not publicize it, but takes action to get the violation remedied
- The SVHA Board does not generally “approve” the use of anyone’s property

Timeline

- **October 2021**

- A rumor with insufficient details was circulating
- The Board began looking into the allegations

- **November 2021**

- The Board had confirmed AHH as the party responsible for the house that was the subject of the rumor (now known to be the Concord House).
- The Board decided to invite AHH to the next scheduled meeting in January to get facts (The Board meets every other month.)
- The Board had verified that the house:
 - Was currently unoccupied
 - Would be unoccupied for the month of December
 - Had no current violations under the SVHA Deed Restrictions and Covenants
- The Board members took on different tasks and work streams to investigate into the house from a legal and factual perspective in preparation of the January meeting.

Timeline (Continued)

- **December 2021**

- In response to increased residents' concerns about the vacant house, the Board was able to schedule a meeting with AHH during the holiday break.
- After the meeting with AHH, the Board conducted other fact finding, research and work streams.
- The Board issued its statement to the SVHA posted on the website and sent via email to the residents.

- **January 2022**

- To facilitate further communication, the Board is having this Zoom meeting
- The Board has continued to be in close contact with the City of Overland Park and has posted and emailed the updates from the Overland Park City Planner
- The Board continues to respond to residents' concerns

Analysis of Concord House

- Single Family Home in Overland Park
 - “Family” means no more than 4 unrelated people
 - Concord House plans on 8 unrelated people at full capacity
- We understand the proposed residents of Concord House are disabled and, therefore, protected under the Fair Housing Act (FHA) and American’s with Disability Act (ADA) due to their substance use disorders.
- The FHA was amended in 1988 to protect disabled individuals which includes people with substance use disorders.
- The Supreme Court, as well as many other courts, have protected the rights of individuals with substance use disorders under the FHA.
- Under the FHA, disabled individuals are entitled to receive reasonable accommodations to waive the requirement of the maximum number of unrelated individuals, or consider the house exempt from such requirement, so they can occupy a single family home.

Status of the Concord House

- The City of Overland Park will make the final determination of whether the Concord House is allowed as a single family home.
- The City is expected to announce the process it will follow for its final determination this week or next week.
- SVHA is bound by the process determination and final decisions of the City of Overland Park as it is our controlling jurisdiction.