Analysis of Impediments to Fair Housing Choice
Agenda

• New Timeline for Finishing Regional AI
• Additional Analysis
• AI Organization (What to Expect)
• Some Community Feedback and Preliminary Findings from Community Survey
• Selected Progress on AI Action Items
New Timeline for Regional AI
New Timeline for Draft

- **August-September**: Additional discussion re: action steps
- **September 17, 3:00 pm**: Regional AI Stakeholder Work Group meeting – additional detail on action steps
- **October 1**: Draft Regional AI Issued, 30-day comment period begins.
- **October 29, 6:00 pm**: Public Hearing
- **October 31**: Public Comment Period Closes
- **November**: Regional AI Finalized
Additional Analysis
2019 LIHTC Awards

- 15 total awards statewide
- 9 Baltimore-area awards
- One elderly development in Anne Arundel County
- Four Qualified Census Tract (QCT) developments in Baltimore City
- One QCT development in Baltimore County
- Three family opportunity area developments/redevelopments in Howard County – 33% of total regional credits awarded.
Affordable Rental Unit Shortage 2009-2013

Elderly affordability shortage is about \(\frac{1}{4}\) of overall shortage.

Source:
Rental Housing Shortage in Maryland, Maryland Department of Housing and Community Development, October 2016.

### Shortage of Affordable Rentals

<table>
<thead>
<tr>
<th></th>
<th>0-30% MFI Renters</th>
<th>0-50% MFI Renters</th>
<th>0-80% MFI Renters</th>
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<tr>
<td>Anne Arundel County</td>
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<td>Baltimore County</td>
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<td>-22,954</td>
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<td>Harford County</td>
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<td>-3,141</td>
<td>-8</td>
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<td>Howard County</td>
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<td>-4,799</td>
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<td>Baltimore City</td>
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<td>-23,429</td>
<td>-1,796</td>
</tr>
<tr>
<td>Region</td>
<td>-54,833</td>
<td>-63,208</td>
<td>-22,502</td>
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</table>

### Shortage of Affordable Rentals: Elderly Households Only

<table>
<thead>
<tr>
<th></th>
<th>0-30% MFI Renters</th>
<th>0-50% MFI Renters</th>
<th>0-80% MFI Renters</th>
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</thead>
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<tr>
<td>Anne Arundel County</td>
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<td>Baltimore County</td>
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<td>Region</td>
<td>-12,755</td>
<td>-14,960</td>
<td>-5,681</td>
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</table>
## Assisted Inventory by Population

### Regional Totals for Subsidized Housing by Opportunity Quintile

<table>
<thead>
<tr>
<th></th>
<th>Two Lowest Quintiles</th>
<th>Middle Opportunity Quintile</th>
<th>Two Highest Quintiles</th>
<th>Total</th>
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<tbody>
<tr>
<td><strong>Elderly</strong></td>
<td>8,611</td>
<td>2,850</td>
<td>5,794</td>
<td>17,255</td>
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<td><strong>Special Needs</strong></td>
<td>425</td>
<td>183</td>
<td>251</td>
<td>859</td>
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<tr>
<td><strong>Mixed (Elderly/ Special Needs)</strong></td>
<td>2,898</td>
<td>644</td>
<td>505</td>
<td>4,047</td>
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<tr>
<td><strong>General</strong></td>
<td>16,629</td>
<td>4,937</td>
<td>4,652</td>
<td>26,218</td>
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<tr>
<td><strong>Total</strong></td>
<td>28,563</td>
<td>8,614</td>
<td>11,202</td>
<td>48,379</td>
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</tbody>
</table>

- Elderly restricted inventory is 36% of total inventory.
- Elderly and mixed (including non-elderly with disabilities) inventory together is 44% of total inventory.
AI Organization
Executive Summary

I: Community Participation Process – combination of the efforts of BMC and the jurisdictions and the survey findings

II. Assessment of Past Goals and Actions

III. Demographic Patterns

IV. Access to Opportunity

V. Disproportionate Housing Needs

VI. Publicly Supported Housing Analysis

VII. Disability and Access

VIII. Zoning and Land Use

IX. Fair Housing Enforcement, Outreach Capacity, and Resources Analysis

X. Fair Housing Goals and Priorities

Appendix A: AFFH data tables

Appendix B: Glossary of Fair Housing Terms

Appendix C: Public comments
Feedback from Community Meetings, Experience, & Complaint Data
Significant need for:

- Eviction Prevention Assistance and tenant landlord line
- Credit Counseling - not just to get into homeownership but also to get into quality rental apartments.
- Accessibility modifications for renters, although there are challenges to getting landlords to agree that need to be worked out.
- Supply side and demand side subsidies to make units affordable for a range of protected classes and persons with special needs.
  - Related to this, there is a need for case management services to go along with the housing to make sure people can sustain the housing.
- Housing located along transportation routes (more important to some than areas of opportunity).
Anne Arundel Co. Public Feedback

Significant need for:

• Preserving affordable rental housing and also make sure existing housing in revitalization areas is well managed and maintained.

• Preserving and improving single family housing stock, creating programs to improve quality of life in revitalization areas.

• Local fair housing legislation that addresses SOI, persons with disabilities, immigrants, people of color; need for enforcement as well as education and outreach.
  ➢ Need to do outreach and education around fair housing responsibilities among property managers and HOAs, especially when dealing with accessibility modifications.

• Need to balance need for new affordable housing development with need to protect environmentally sensitive land.
Harford County Public Feedback

- Source of income protection (Harford County does not currently have this)
- Fair Housing training/outreach in the local communities – suggested areas included local community centers, churches, libraries, etc.
- Housing Choice Voucher preferences for special populations. While Harford County does currently have preferences, suggestions included having a “super preference” for people with disabilities.
- Investment in older communities (where affordable housing exists) Many of the comments and suggestions surrounded investing in established communities rather than building in areas of opportunity – “Why should we have to move?”
Howard Co. Fair Housing Issues

From the Office of Human Rights:

• Efforts to evade Source of Income ordinance:
  • Requiring 3x rent in income
  • Requiring income from a job
  • Other complex calculations

• Some disparate treatment:
  • Changing price of unit depending on race or source of income.
  • Changing amount of security deposit
  • Changing required credit score.

• Failure to accommodate disabilities re: both modifications and accommodations.

• Programs used by outside contractors that yield a “score” for applicant, but not clear on basis for score.

• Maintenance of unit charges where tenant believes maintenance was denied. May be just landlord/tenant dispute, but with a possible overlay of discrimination.

• Complaints against HOAs and Condominium Associations re: failure to accommodate, etc.
Baltimore City Feedback

• HABC resident and applicant requests for one-floor units with no steps exceed requests for UFAS units. Many residents who have trouble with steps are not wheelchair users and do not like the lower countertops and lack of cabinets under sinks in UFAS units.

• HABC has a reasonable accommodations modification program for participants in the Housing Choice Voucher Program where HABC will have a contractor make the modifications, but owners are sometimes reluctant to approve the modifications because they are concerned about ongoing responsibility for maintaining the features if the voucher holder moves.

• HABC has continued to offer its Enhanced Leasing Assistance Program beyond the time required by the Bailey Consent Decree because non-elderly persons with disabilities often need the additional assistance in finding housing, leasing up, making reasonable accommodation requests, etc.

• Some properties make all of their tax credit units affordable for extremely low income persons (30% of AMI and below). HABC has a number of participants who are low income but who do not qualify for these units because they are over-income for them. There is a need for tax credit units for which low income persons are income eligible.

• Baltimore City residents want investment in their communities.

• Baltimore City residents do not want to be forced out of their communities because of gentrification.
Baltimore City Framework for Community Development

February 2019
Community Survey: Preliminary Results
Community Survey Initial Results

3,017 total responses

773 live in assisted housing

1,414 live in unassisted housing
Household Income Distribution

Community Survey Initial Results

- Less than $5,000
- $5,000 up to $9,999
- $10,000 up to $14,999
- $15,000 up to $19,999
- $20,000 up to $24,999
- $25,000 up to $34,999
- $35,000 up to $49,999
- $50,000 up to $74,999
- $75,000 up to $99,999
- $100,000 up to $149,999
- $150,000 or more
Community Survey Preliminary Findings

Household demographics

- Disability: 44% have a household member with a disability
- Gender: 89% female
- Household size: 24% 3-person household, 22% 2-person household, 12% 1-person
- Children: 35% single parent (mother), 19% living with children and other adults (not spouse/partner), 9% living with children and spouse/partner
- Race and ethnicity: 80% African American, 16% White, 2% Hispanic
- Employment: 44% employed full time, 16% unemployed, 15% SSDI
Community Survey Preliminary Findings

Tenure

58% Renters
5% Homeowners
24% Living with friends/family
8% Homeless/in shelter/in motel or hotel

Where living

31% Apartment complex
28% Townhome/duplex/triplex
27% Single family home
3% Condo
11% Other (on street, in shelter, motel/hotel, etc)
Community Survey Preliminary Findings

Publicly Assisted Housing

- 43% Housing Choice Voucher holders*
- 17% Other type of voucher*
- 16% Public housing residents

*49% say it is "difficult" and 30% say it is “very difficult” to find landlords who accept vouchers – 79% total.
Why is it difficult to use a voucher?

Proportions represent voucher holders who said it was “somewhat” or “very” difficult to use their voucher (n=338)
Most Important Factors in Choosing Current Home

- Could afford it
- Needed somewhere to live & was available
- Low crime rate/safe
- Quality public schools

Unassisted vs. Assisted
Challenges in Housing Situation or Neighborhood

- Struggle to pay my rent/mortgage
- Want to buy a house but can't afford down payment
- House/apartment not big enough for family members
- Worry about rent going up to amount I can't afford
- High crime in my neighborhood
- No safe places for kids to play outside
- Afraid to let my kids play outside
- Poor/low school quality in my neighborhood
- I am homeless/without permanent housing
- Can't pay my utilities
- Health problems because of home or neighborhood

Unassisted vs. Assisted
Would you like to move, and, if so, why?

- Yes, want to move
- More affordable/get something less expensive
- Get own place/live with fewer people
- Bigger house/apartment/more bedrooms
- Want to buy a home
- Crime/safety reasons
- Have my kids go to better schools

Answers to “why” are a subset of respondents who want to move.
Answers to “why” are a subset of respondents who want to move
Have you had to move when you didn’t want to? If so, why?

- Yes, I had to move in last five years
- Rent increased more than I could pay
- Evicted because I was behind on rent
- Personal reasons/relationship reasons
- Lost job/hours reduced
- Mold or other unsafe conditions
- Unsafe conditions (domestic assault, harassment)

Answers to “why” are a subset of respondents who had to move. Of those who moved and have children, 42% changed schools.
If you were denied housing in last five years, why?

26% of respondents were denied housing in the past 5 years
Did you experience the following when looking for housing?

- Landlord did not return calls asking about a unit
- Landlord did not return emails asking about a unit
- I was told the unit was available over the phone, but when I showed up in person they said the unit wasn’t available
- Real estate agent only showed me homes in neighborhoods where most people were of my same race or ethnicity/suggested only neighborhoods where most of the people were of my same race or...
- I requested a disability accommodation for myself or my family and it was not made
- A bank or other lender would not give me a loan to buy a home
- A bank or other lender charged me a high interest rate on my home loan
In looking for housing, have you felt discriminated against in the Baltimore area?
If so, what did you do?
Housing Challenges of Persons with Disabilities

- Represented 44% of respondents
- 44% of respondents with disabilities do *not* live in units that meet their need for accommodations.

Need:
- Grab bars in bathrooms—36%
- Reserved accessible parking spot by entrance—25%
- Service or emotional support animal allowed in apartment/room/home—20%
- Ramps—16%
- Stair lifts—16%
Challenges in Homes and Neighborhoods

- I can’t afford the housing that has accessibility features (e.g., grab bars, ramps, location, size of unit, quiet, chemical-free) we need
- I worry about retaliation if I report harassment by my neighbors/building staff/landlord
- I worry if I request an accommodation for my disability my rent will go up or I will be evicted
  - I have a disability or a household member has a disability and cannot get around the neighborhood because of broken sidewalks/no sidewalks/poor street lighting
- My landlord refused to make an modification (e.g., grab bar, ramp, etc.) for my or my household member’s disability
- My landlord refused to make an accommodation (e.g., reserved accessible parking spot, electronic lease copy, etc.) for my or my household member’s disability
- My landlord refused to accept my therapy/companion/emotional support animal
- I am afraid I will lose my in-home health care
- My landlord refused to accept my service animal
Selected AI Action Steps
(Others still under discussion)
Regional Action Steps

- Work with the Maryland Department of Housing and Community Development (DHCD) to make Md. Housing Search an effective one-stop-shop for affordable housing seekers and affirmative fair housing marketing tool for property owners. Make it an effective way that voucher holders can access, at initial lease-up, homes that are made possible by Low Income Housing Tax Credits and other resources allocated by Maryland DHCD.

- Review literature on criminal background and subsequent criminal activity – connected to assisted housing, if possible – to see what that research indicates the most justified criminal background standard for assisted housing should be.

- Apply for Mainstream NOFAs and other funding opportunities for housing for people with disabilities when available.

- Ensure that PHA policies do not have a disparate impact on the ability of persons with disabilities to obtain and maintain housing, offering a reasonable accommodation whenever required.

- Ensure that people with disabilities have control in the choice of their service provider by prohibiting leases that require tenants to receive supportive services from the provider operating the housing. Ensure that tenants cannot be evicted or discharged for reasons unrelated to their housing or a breach of their lease.
Local Action Steps

• Anne Arundel County exploring Small-Area Fair Market Rents (FMRs).
• Howard County intends to apply for exception payment standards above 120% of FMR outside of Columbia.
• Anne Arundel County and Baltimore City considering establishment or expansion of tenant-based rental assistance funded by locally controlled funds.
• Anne Arundel County seeking new fair housing ordinance, including local enforcement and source of income protection.
• Local governments working locally and coordinating regionally with BMC to support fair housing outreach, education, training, and testing.
• Some local governments considering zoning changes and other land use practices to facilitate additional development of affordable housing in opportunity areas.
• Local governments working to preserve and revitalize existing affordable housing.
• Local governments working to revitalize and bring opportunity to older communities.
Next meeting: Sept. 17, 3:00-5:00 pm in newly renovated BMC office!