

Baltimore Regional Fair Housing Group

Analysis of Impediments to Fair Housing Choice (AI)

VIRTUAL PUBLIC HEARING ON DRAFT AI

APRIL 14, 2020

PRESENTED BY

Heidi Aggeler, *Root Policy Research*



Denver, Colorado 80220
www.rootpolicy.com
heidi@rootpolicy.com

Hearing Agenda



- 1. Welcome and Overview:** Erin Karpewicz, Chair, Baltimore Regional Fair Housing Group (Anne Arundel County)
- 2. Overview of Regional AI Stakeholder Work Group:** Cleveland Horton, Chair (Maryland Commission on Civil Rights)
- 3. Presentation of Fair Housing Analysis:** Heidi Aggeler, Principal, Root Policy Research.
- 4. Public Comments**

Public Comments

To ensure that everyone in attendance has a chance to voice their opinion and to make sure we can hear all comments:



- If you wish to speak, please **share your name and any affiliation in the Chat function in GoToMeeting**. We will compile a list and call on each person in turn.
- Please **hold your comments to 4 minutes**. This will give everyone a chance to make comments.
- If you have more to say, or have very detailed comments about programs, please **submit written comments to housing@baltometro.org by April 22**.

Fair Housing Overview

Fair Housing Act (FHA):

- Title VIII of the Civil Rights Act of 1968, prohibits discrimination in the sale, rental and financing of dwellings based on race, color, religion, sex and national origin.
- Amended in 1988 to prohibit discrimination on the basis of disability and familial status and to require accessible units as part of multifamily units built after 1991.

Affirmatively Furthering Fair Housing(AFFH):

- Fair Housing Act requires HUD to administer programs and activities in a manner that affirmatively furthers the policies of the Act. HUD passes requirement to grantees.
- HUD also requires each entitlement jurisdiction to conduct an Analysis of Impediments to Fair Housing (AI) to identify impediments to fair housing and establish actionable strategies to address those impediments.

What is an AI?

AI Analysis includes key topic areas of the Assessment of Fair Housing:

- ✓ Demographic Summary
- ✓ Segregation/Integration
- ✓ Racially Concentrated Areas
- ✓ Disparities in Access to Opportunity
- ✓ Disproportionate Housing Needs
- ✓ Publicly Supported Housing Analysis
- ✓ Disability and Access Analysis

Regional AI Partners

The Baltimore Metropolitan Council (BMC) and a consultant team led by Root Policy Research have assisted the following participants in carrying out this Regional AI:

- City of Annapolis and the Housing Authority of the City of Annapolis
- Anne Arundel County and the Housing Commission of Anne Arundel County
- City of Baltimore and the Housing Authority of Baltimore City
- Baltimore County
- Harford County and the Havre de Grace Housing Authority
- Howard County and the Howard County Housing Commission

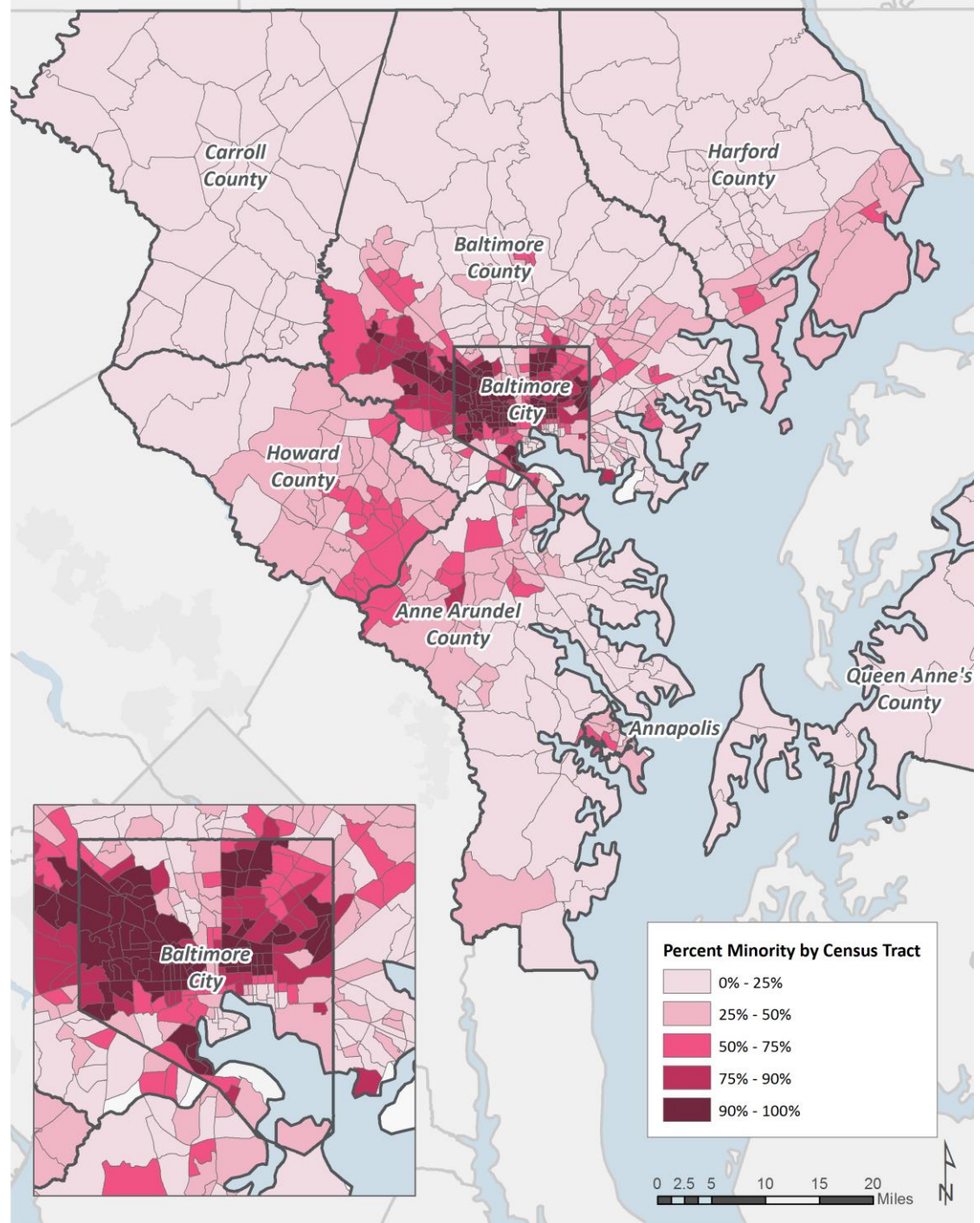
AI Stakeholder Work Group

- **Included** groups representing people protected under the Fair Housing Act, State agencies, policy experts, advocates, and civic and community leaders, drawn from all the jurisdictions participating in the analysis.
- **Led by:**
 - Cleveland Horton, Chair (Maryland Commission on Civil Rights)
 - Charles Martin, Vice Chair (M&T Bank)
- **Met eleven times** October 2018 – March 2020 to:
 - Help the Fair Housing Group review and interpret data provided by HUD for the 2020 Regional AI.
 - Suggest other readily available local data that would enhance the AI.
 - Provide further input into analysis and significance of data and development of goals and priorities.



Percent Minority by Census Tract, 2016

Region overall = 44% minority



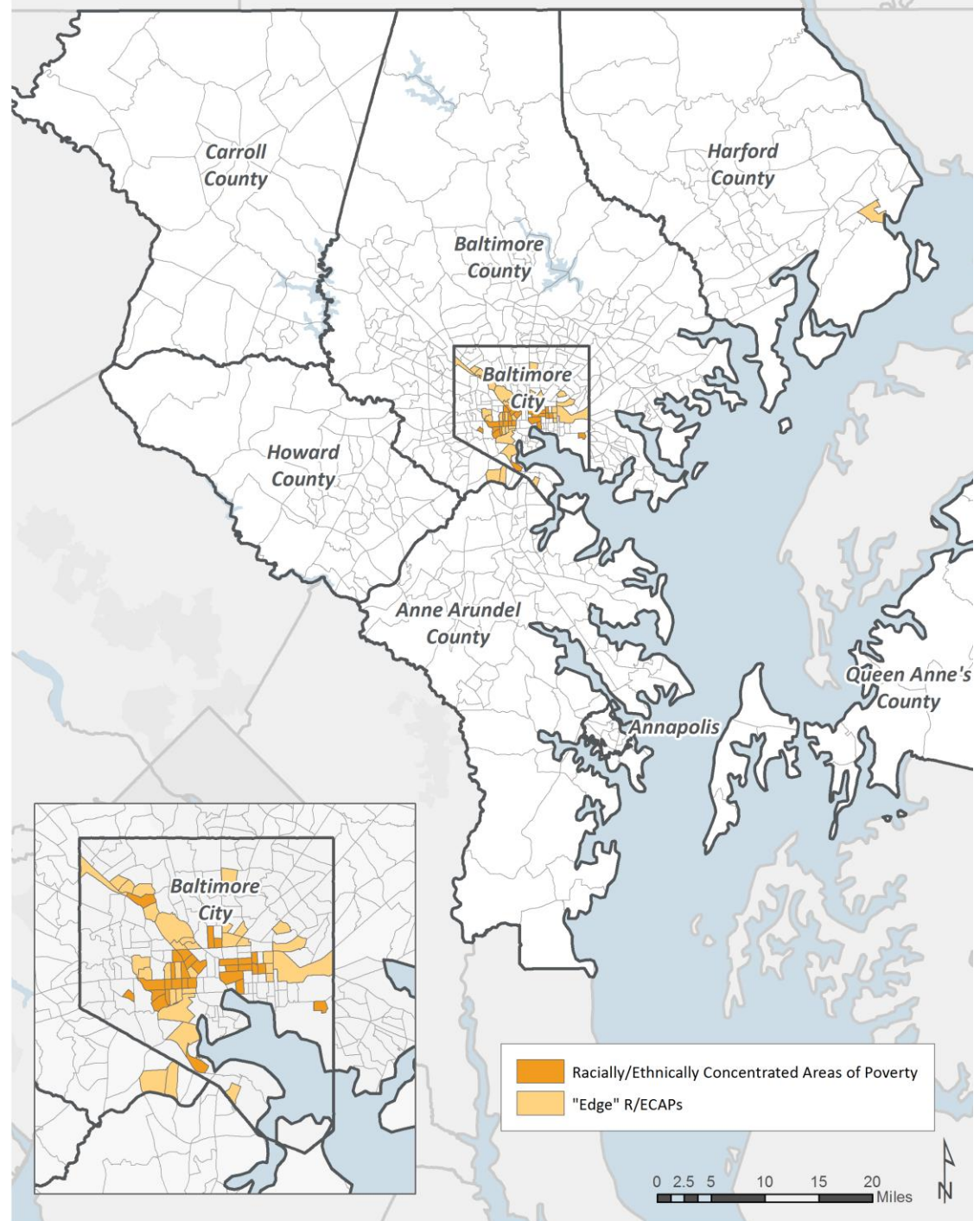
Racially and Ethnically Concentrated Areas of Poverty

50%+ Minority and $\geq 38.5\%$ Poverty

Tract Quick Facts:

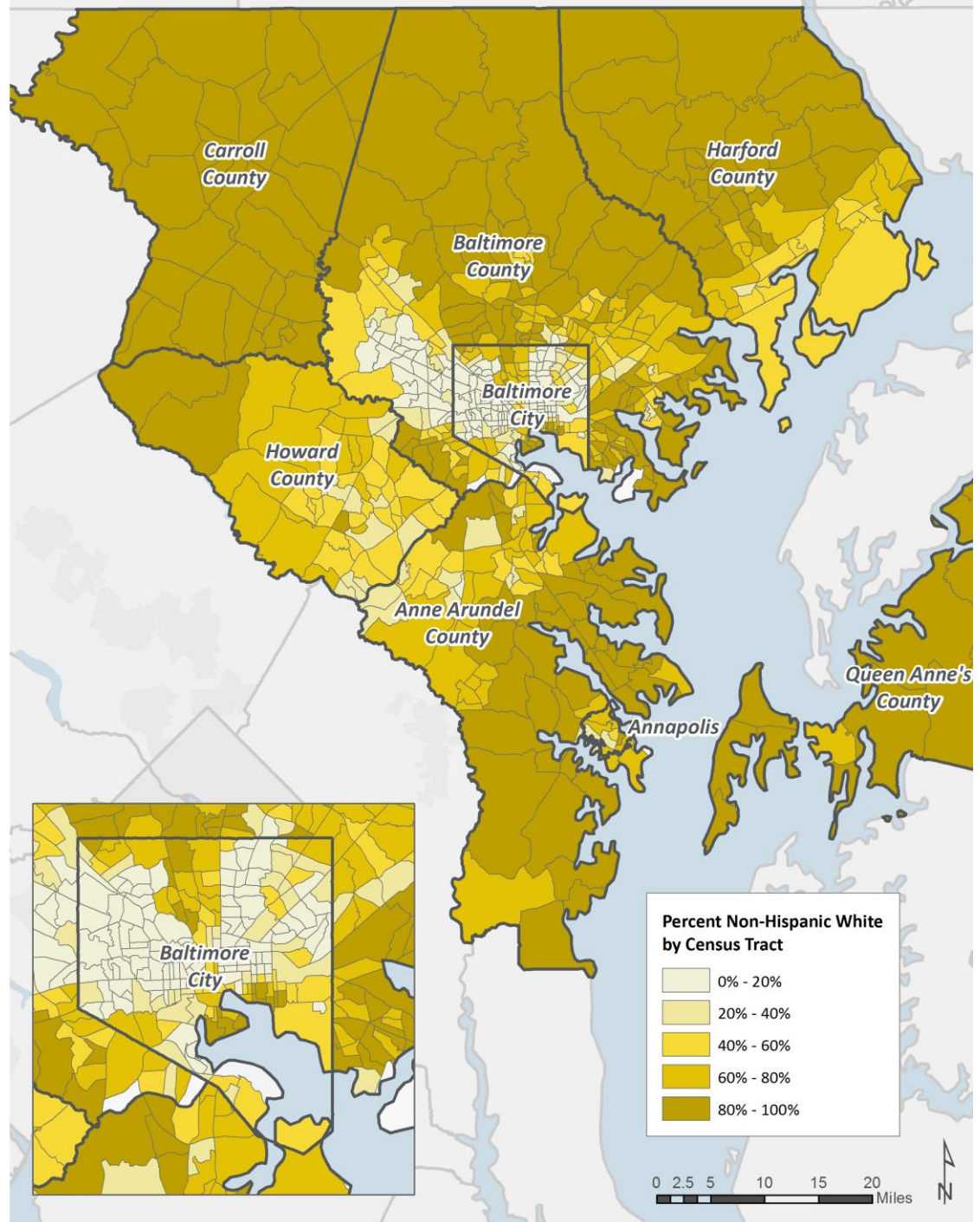
- 631 total CTs
- 249 minority 50%+
- 31 poverty $\geq 38.5\%$
- 29 R/ECAPs
- Most public housing units in region are located in R/ECAPs.

Another 34 CTs are on the edge of being R/ECAPs (50%+ minority and 30% - 38% poverty)

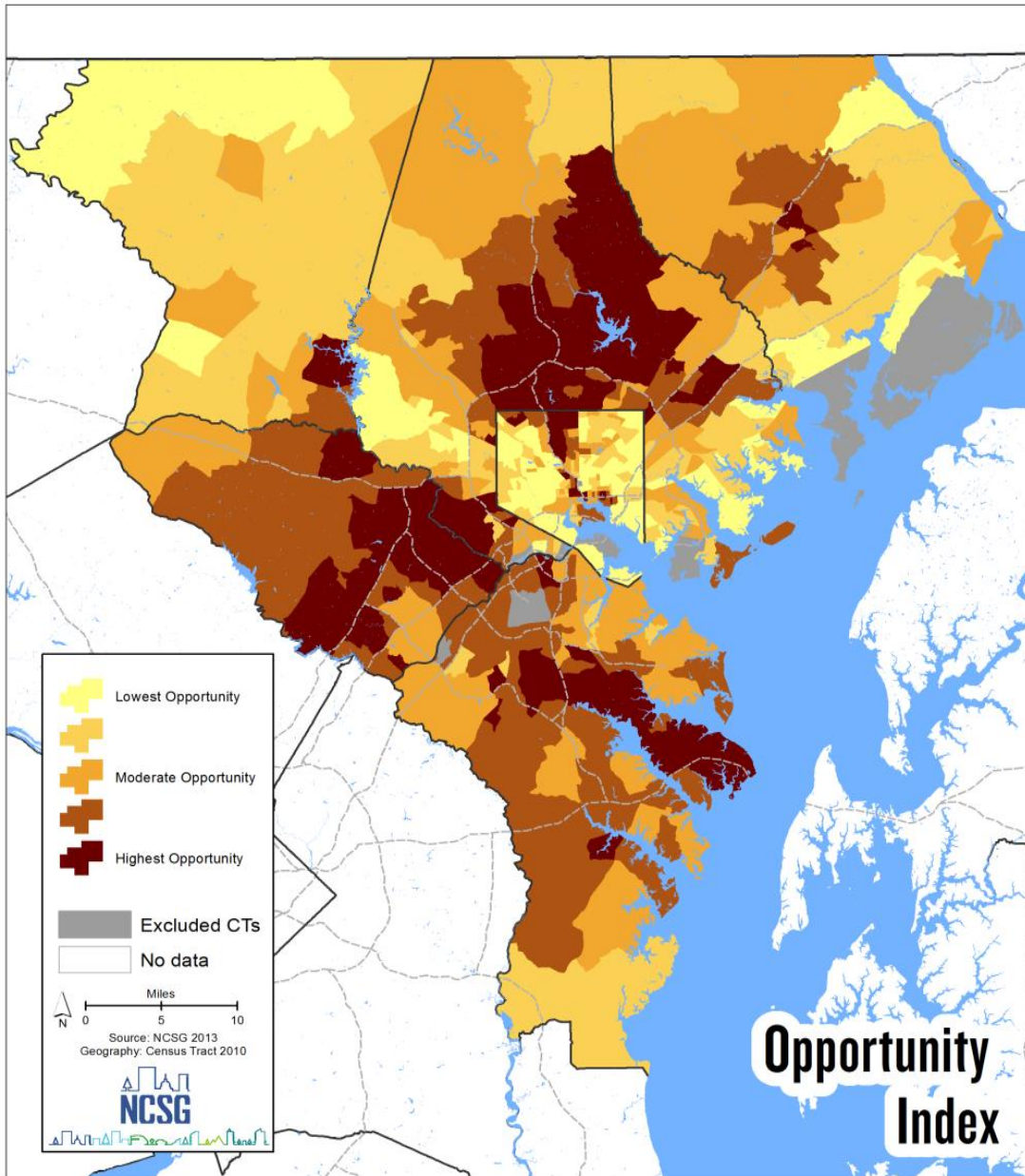


Percent non-Hispanic White by Census Tract, 2016

Region overall = 56% non-Hispanic White



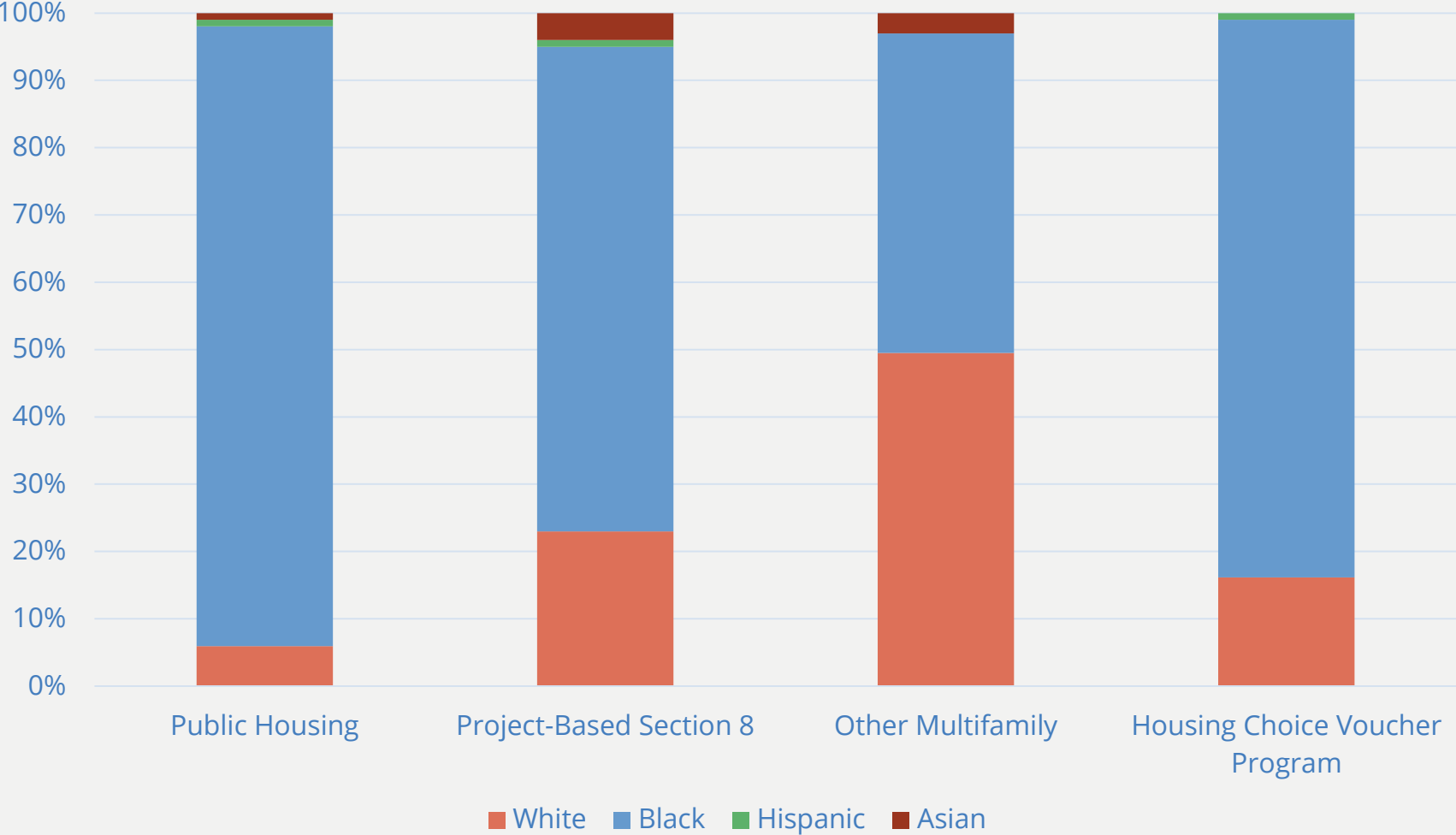
OMAP Composite Opportunity Index



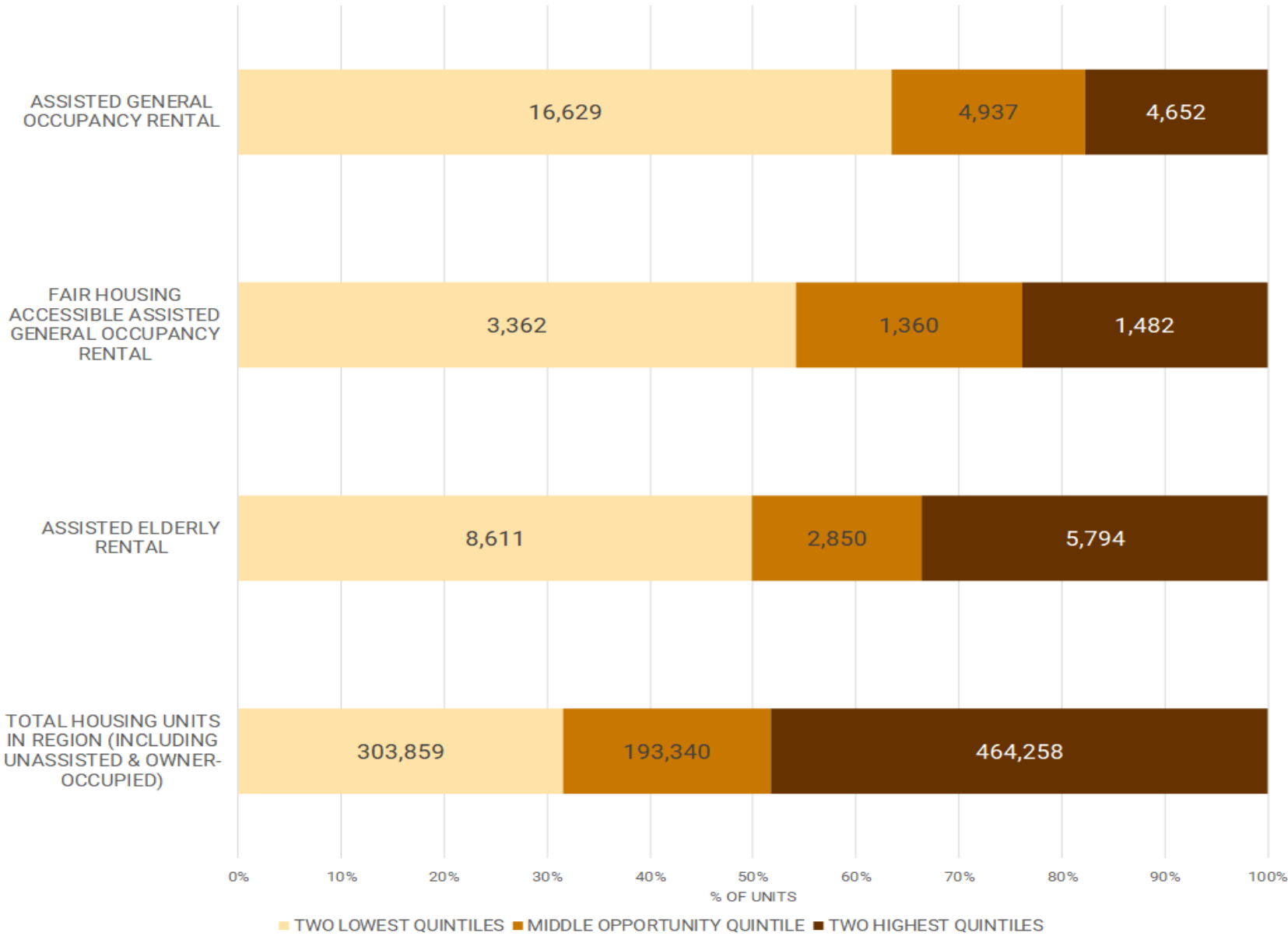
Indicators

- Education
- Housing/Neighborhood
 - Home Value
 - Percent Vacant & Abandoned
- Social Capital
 - Racial Diversity
 - Percent with Bachelor's Degree
- Public Health & Safety
 - Crime Risk
 - Rate Low Birth Weight
 - Access to Parks
- Employment & Workforce
 - Job Growth
 - Jobs within Short Commute
- Transportation & Mobility
 - Short Commutes
 - Walk Score
 - Access to Transit

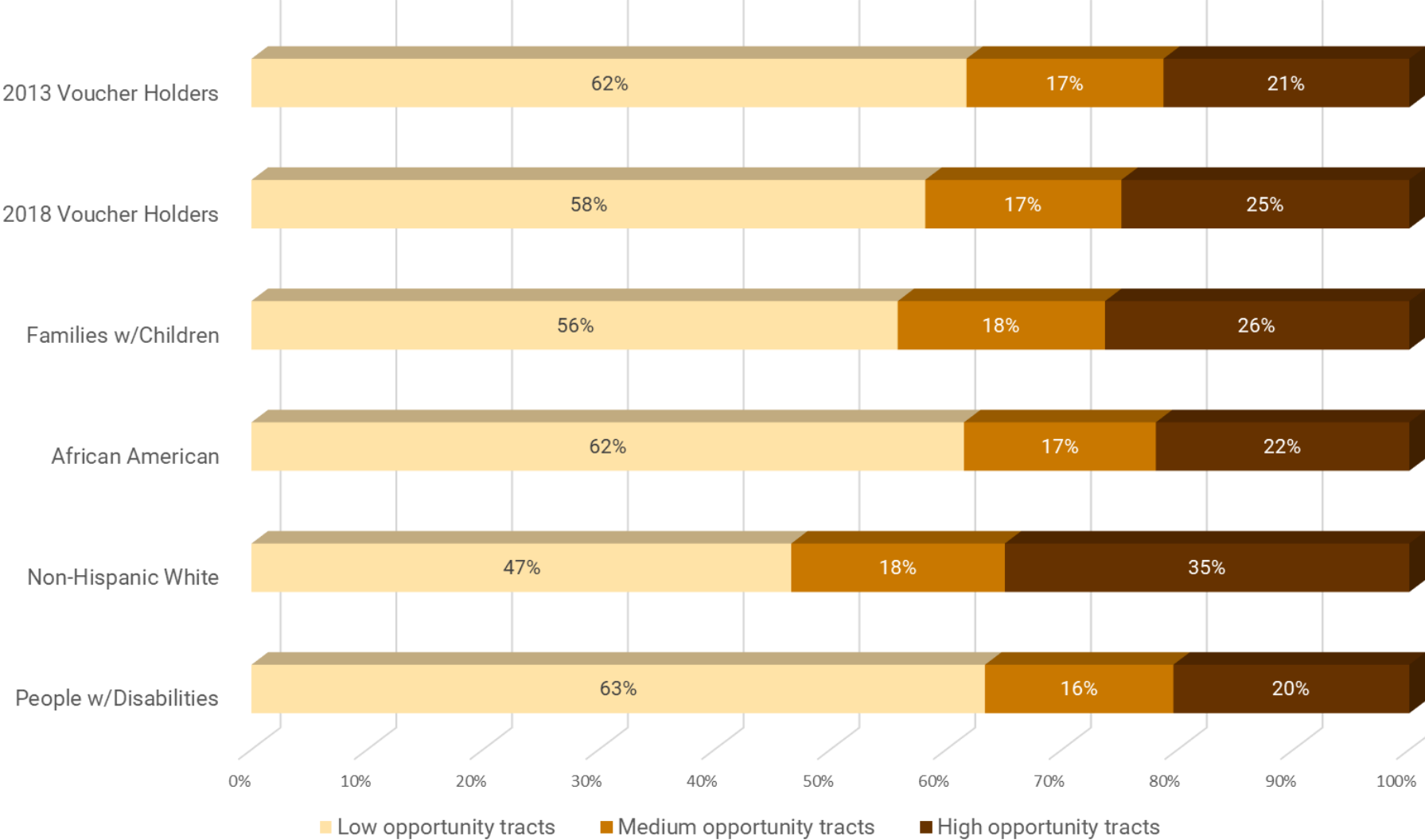
Publicly Supported Housing by Race in Baltimore Region



Regional Housing Unit Comparison



Regional Voucher Comparisons



Draft AI Action Steps: Regional and Local

Regional Fair Housing Capacity

- **Regional Policy Coordination:** Continue to support housing policy coordination staffing at BMC.
- **Fair Housing Enforcement:** Coordinate regionally to support the new Fair Housing Action Center of Maryland, including systematic paired testing for discrimination.
- **BMC Housing Committee:** BMC continue to convene local and State housing agencies with housing practitioners and advocates through its Housing Committee to review progress on implementing 2020 Regional AI action steps and strategize on further action.

Increase Regional Rental Housing Options

- Sustain the **Baltimore Regional Project-Based Voucher Program**.
- Advocate for **Low Income Housing Tax Credit (LIHTC)** policies that ensure the Baltimore region receives at least 50% of statewide credits and that 65% of those go to family developments in opportunity areas, with the rest devoted to comprehensive revitalization.
- Support passage of **statewide Source of Income** housing protections.
- Using latest research, prepare and make available **educational materials on benefits** that publicly assisted and accessible housing can bring to ALL members of vibrant communities.
- Consider applying for **HUD Mobility Demonstration Program**.
- Continue **portability education** (video, booklet) in all voucher briefings.
- **Regional Preservation Task Force** share info on designing affordable housing contracts to facilitate preservation at expiration.
- Ensure that PHA policies do not have a **disparate impact on people with disabilities (PWD)** and that PWD have control in the choice of their service provider by prohibiting leases that say otherwise.

Homeownership & Regional Opportunity

- **Engage lenders** in discussions about homeownership and mortgage lending disparities and how to address. Seek investments.
- Support **transformative investments in Racially/Ethnically Concentrated Areas of Poverty (R/ECAPs)** and similarly highly challenged markets.
- **Support improved public transit access** to suburban job centers and opportunity areas with multifamily housing.
- Explore State or regional/federal support for **alternatives to public transportation**, such as Vehicles for Change, Lyft, Uber, etc.

Regional Fair Housing Resources and Compliance

- **Improve MdHousingSearch.org** as a rental housing clearinghouse and affirmative fair housing marketing tool
- PHAs offer **online resources beyond GoSection8.com**, including market-rate resources such as Apartments.com and Zillow.
- **Review literature on criminal background** and subsequent criminal activity to inform justified standard for assisted housing.
- BMC and Regional Fair Housing Group sponsor **at least two fair housing trainings per year** for property managers.
- **Disseminate information regarding fair housing rights and responsibilities** in most effective way (e.g. electronic, paper) to renters, property owners & managers, homebuyers, and real estate agents.

City of Annapolis: Expand Fair Housing Resources & Compliance

- Continue to **distribute informational literature** on fair housing rights and responsibilities in English and Spanish.
- Improve **information on Annapolis Fair Housing Law** given to landlords participating in City's rental license program
- Improve **language access for City's non-English speakers**, particularly Latino community.
- Improve voucher holders' **knowledge of City's Source of Income protection**.

City of Annapolis Action Steps

- Revise City's Zoning Code
 - Review ordinance and regulation of group homes for persons with disabilities and revise as necessary.
 - Review City Code re: health and safety protections and impact on protected classes.
- Encourage additional rental housing affordable to households below 80% median income
 - Encourage construction of new affordable and accessible rental and owner-occupied housing with tools such as Payment in Lieu of Taxes (PILOT).
 - Continue to support and encourage the rehabilitation of existing housing units to become decent, safe, affordable, and accessible.
- Work with lenders and provide resources to improve approval rates for home mortgage loans in lower-income neighborhoods

Anne Arundel: Expand Workforce & Affordable Housing Opportunities

- Invest in **creation of affordable and accessible rental units in Communities of Opportunity**, especially in transit zones
- Invest in **preservation of existing stock** of affordable rental units
- As part of state-required Housing Element of County's General Plan, include a **needs analysis** that identifies needs & barriers to affordable housing dev't.
- Work to establish **inclusionary housing ordinance** that addresses needs ID'ed.
- Include **analysis of opportunities to expand development envelope** where logical for county to absorb new demand for housing (e.g. near jobs & transp.).
- Reinstate and support policy to give first priority for the **use of County surplus land** as suitable for development of affordable housing for renters & owners.
- Explore **dedicated funding source for affordable housing creation** in opportunity areas and redevelopment in target revitalization areas.
- **Explore adoption of Small-Area Fair Market Rents** for housing choice voucher program.
- Continue and potentially expand **housing vouchers created through locally controlled funds** that can be used in Opportunity Areas.

Anne Arundel: Expand Workforce & Affordable Housing Opportunities

- Continue and expand **fee waivers for affordable family housing**.
- Continue and expand **resources for case management, housing search assistance** and other supportive services, including credit counseling.
- **Explore development of a landlord mitigation program** to encourage wider use of housing vouchers in Opportunity Areas and among homeless and special needs families.
- **Invest in credit, homebuyer, and foreclosure prevention counseling** to increase sustainable homeownership and access to better and sustainable rental housing among protected classes.
- Investigate **disparities in minority homeownership rates and address**.
- **Explore partnerships with area hospitals and health providers** to support affordable housing and needed support services for special needs populations.
- **Enforce County's new fair housing law**, including new source of income protection.

Anne Arundel: Access to Opportunity; Fair Housing Resources and Choice

- **Continue to invest County and federal resources** into neighborhood revitalization areas.
- **Implement equity framework in public resource allocation decision-making.** Allocation of resources should result in an equitable approach to bring neighborhoods into similar standards of service delivery and amenities.
- **Support** fair housing testing, Language Access Planning, diversity in housing and planning boards, investigating housing discrimination, and collaborative efforts with local and regional stakeholders
- **Create a home/apartment accessibility modification program** to serve low income renters with disabilities. Expand the existing program that serves homeowners.

Baltimore City: Affordable Housing

- **Production of new publicly subsidized rental housing opportunities** across a range of geographies, including opportunity area census tracts and non-opportunity areas where the development activity will have a significant revitalizing impact on the area.
- **Continue to produce wheelchair accessible affordable housing** for persons with disabilities in excess of the minimum amount required by federal regulation to replace UFAS units lost from the affordable housing inventory.
- Ensure that **HOME agreements encompass federal site & neighborhood standards.**
- Continue to **foster homeownership opportunities and homeownership counseling** for under-represented households.
- **Preserve existing publicly subsidized affordable rental housing** throughout the City.
- In housing markets that are experiencing, or likely to experience, demographic changes that will significantly erode the availability of unassisted affordable rental and for-sale housing, **preserve affordable rental housing and assist existing homeowners to remain in their homes.**

Baltimore City: Access to Opportunity

- **Identification of racially integrated** areas and of a consensus definition of what constitutes integration. Analysis of social and physical characteristics that make up these areas.
- Design & implementation, as needed, of **strategies that will strengthen these areas** and maintain and improve their racial integration.
- Work with the Baltimore City Department of Planning to support residents in all types of communities in creating **comprehensive, transformative revitalization plans** focused on development without displacement.
- As part of such plans, support a wide range of viable **affordability preservation and wealth-building tools**, such as community land trusts, tax credits, housing counseling, and homeownership incentives, where appropriate.
- **Work with other City and quasi-City agencies** (e.g. Police Department, Safe Streets, Health Department, Baltimore Development Corporation, Housing Authority of Baltimore City, Mayor's Office of Employment Development) to **coordinate investments and activities** so that community revitalization efforts include improved education, public safety (including consistent, constitutional policing and violence interrupter activity), public health, and economic opportunities.

Baltimore City: Fair Housing Resources and Compliance

- Ensure that HOME-funded developers create and implement **meaningful affirmative marketing plans**.
- **Support creation of a fair housing agency** that will conduct fair housing testing and training and investigate and pursue fair housing claims.
- Continue implementation of **Language Access Planning**

Baltimore County: Overall Policies

- **Statement of policy** in Master Plan 2020 and Zoning Regulations on County's commitment to expanding fair housing choice.
- **Incorporate AFFH principles**, including provisions to expand locations available to multifamily housing, **into future zoning map**.
- **Adopt an inclusionary housing ordinance**.
- Revise policy priorities for HOME and CDBG funds to **promote rental housing for families** on sites outside of racial/ethnic concentration and **remove impediments** for developers.
- **Track data on affordable housing created** by type (senior, family, large family, accessible) and by location (opportunity area, racial/ethnic concentrations).
- **Prioritize for Mobility Counseling Program** voucher applicants and participants living in areas of African American concentration.
- **Reduce barriers** for workforce and affordable housing developers.
- **Include HUD Site and Neighborhood Selection Standards** into HOME agreements with developers.
- Devise standards for County to **determine effectiveness of affirmative marketing efforts** for each project.

Baltimore County: Fair Housing Resources and Homeownership

- **Complete four-factor analysis** of needs for limited English access.
- Use results to **update Section 8 Administrative Plan**.
- Continue to provide language translation services as needed.
- **Survey current housing-related boards and commissions** to document race, gender, ethnicity, and disability status.
- Affirmatively **recruit protected class members** to fill vacancies.
- Encourage Greater Baltimore Board of REALTORS to maintain data on **protected class diversity of local REALTORS**.
- **Add familial status and sexual orientation** to local protections.
- **Continue to educate** property owners, managers & real estate agents.
- **Support fair housing testing** & diversity on county boards.
- **Increase homeownership opportunities:**
 - Counselors to focus on **credit repair** and members of protected classes
 - Seek local agency to conduct **mortgage lending testing** on basis of race.

Baltimore County: Increase Rental Housing Options

- **Increase Section 8 payment standard** for higher-cost areas of County to expand housing choice.
- **Expand incentives** for property owners and investors to build or rehabilitate apartment buildings for lower-income families in areas of opportunity.
- **Exempt affordable housing** (not just senior or homeless) from Adequate Public Facilities Ordinance (APFO).
- **Implement fast track development approval and fee waivers** for affordable and mixed-income developments (not just senior).
- **Initiate conversations between housing and school officials** to explore action to support integrated schools and neighborhoods.
- **Implement equity framework in public resource allocations** to bring neighborhoods into similar standards of services and amenities.
- **Expand housing options** for persons with disabilities.

Harford County Action Steps

- **Support fair housing enforcement, testing, and outreach** in the County, including growing capacity of Fair Housing Action Center of Maryland.
- **Invest in older communities** to support revitalization, commerce, jobs, and homeownership, as well as **preserve affordable housing** units.
- Continue to **fund affordable housing for families**, primarily in **opportunity areas**.
- Continue to **foster opportunities for homeownership** throughout the County, including housing counseling and down payment assistance for first-time homebuyers.
- Explore **increased FMRs and/or increased exception payment standards** and provide **mobility counseling** to encourage voucher location in areas of opportunity.
- **Promote Family Self-Sufficiency (FSS) Program** and connect clients with transportation and employment opportunities.

Howard County Action Steps

- **Explore existing County policies** that may inhibit the creation of affordable housing, such as County Bill 18-2014.
- **Open up new land use opportunities** through zoning changes and/or donated land.
- **Continue or increase funding** for creating units and/or subsidizing tenant rents in opportunity areas (e.g. dedicated funding source).
- Explore **increased FMRs and/or increased exception payment standards** and provide **mobility counseling** to encourage voucher location in Opportunity Areas.
- **Support fair housing enforcement, testing, and outreach**, including support for Fair Housing Action Center of Maryland.
- **Invest in older communities** to support revitalization, commerce, jobs, and homeownership as well as preserve affordable housing.
- **Support efforts to nurture and sustain racially integrated communities** in Howard County, such as the new Columbia Housing Center.

Finalizing Regional AI

- **Comments due April 22 -**
Email comments to housing@baltometro.org.
- **Spring 2020**
 - Local jurisdictions incorporate Action Steps into five-year Consolidated Plans and Annual Plans that guide use of federal housing funds.
 - Public Housing Authorities incorporate Action Steps into five-year and annual PHA Plans that start July 1, 2020.