

FAIR HOUSING GROUP AI IMPLEMENTATION PLAN – FY 2022

10/15/2021

FY 2021 Highlights

- Because of support from local governments in the Baltimore region, the Fair Housing Action Center of Maryland was able to conduct 22 matched pair tests for source-of-income discrimination and 11 matched-pair and triple tests on lending discrimination.
- BMC Housing Committee continued to be a forum for discussing AI implementation and other key fair housing and housing-related issues, including:
 - Local government COVID-19-related rent relief.
 - Relevant deliberation and planning related to public transit service, including the Central Maryland Regional Transit Plan and BMC’s Baltimore Region Transit Funding and Governance Study.
 - Relevant legislation in the 2021 General Assembly, including a new law that establishes a State-level duty for State and local governments to affirmatively further fair housing.
 - Analysis of the awards from Maryland’s 2020 9% Low Income Housing Tax Credit round.
 - Recent housing policy and zoning deliberations and actions in Anne Arundel and Howard Counties related to affordable housing production and location.
 - Developing this implementation plan for the 2020 Analysis of Impediments to Fair Housing Choice (AI) for the Baltimore Region.
- The Regional Project-Based Voucher (PBV) Program continued to progress and expand:
 - Participating housing authorities contributed an additional 43 vouchers in summer 2020, bringing regional “virtual pool” of vouchers to a total of 193.
 - Program enabled first 10 families from housing authority waiting lists to lease homes by June 30, 2021 in first two developments to finish construction: Riverwatch II in Elkridge and Homes at Fountain Green in Bel Air.
 - Program issued another request for proposals in July 2020, awarding 21 vouchers to three developments in September. Unfortunately, a lack of Low Income Housing Tax Credits or zoning approval kept all three developments from moving forward, returning the vouchers to the pool.
- Fair Housing Group continued to monitor 9% Low Income Housing Tax Credit (LIHTC) awards for Maryland’s 2020 round:
 - We reached our regional revitalization goals, with Baltimore City receiving four awards, including two for the Choice Neighborhoods redevelopment of Perkins and Somerset Homes.
 - We did not reach our goals for general occupancy housing in opportunity areas. The Baltimore region received only seven of 18 total statewide awards, for only 444 homes, short of our 50%-of-statewide-units goal of 556 homes.
 - And then only 161 of those homes were in opportunity areas, far short of our 32.5%-of-statewide-units goal of 361 homes.
 - Additional policy changes to Maryland’s Qualified Allocation Plan (QAP) will be needed to reach our opportunity area goal.

- Five public housing authorities, BMC, and the Baltimore Regional Housing Partnership submitted a \$4.5 million proposal for HUD's Housing Choice Voucher Mobility Demonstration Program, but we did not receive an award.
- PHA's reviewed their policies to ensure they do not have a disparate impact on the ability of persons with disabilities to obtain and maintain housing, offering a reasonable accommodation whenever required.
- PHAs all include additional online rental resources beyond GoSection8.com. Four PHAs currently refer voucher holders to Md. Housing Search.
- In conjunction with advocates and financial institutions on the BMC Housing Committee, the Regional Fair Housing Group set priority strategies for tackling racial homeownership gaps.
- The Regional Fair Housing Group and Maryland DHCD agreed to prioritize joint work to:
 - Improve www.MDHousingSearch.org as a clearinghouse for available affordable housing and as an affirmative marketing tool.
 - Bolster training and enforcement of affirmative marketing for owners and managers of State-supported affordable housing.
 - Make required fair-housing-related data reported by Maryland DHCD more readily available to the Fair Housing Group.
- Search by Regional Fair Housing Group found a 2019 Wilder Institute study of criminal background related to 10,000 units of affordable housing in Minnesota and Wisconsin. "Success in Housing: How Much Does Criminal Background Matter?" found no effect for many minor offenses, and that effects reduced to insignificance over 2-5 years for more major offenses.
- Nearly every jurisdiction has signed MOU increasing support for housing policy coordination staffing at the Baltimore Metropolitan Council for fiscal years 2021-23. Last jurisdiction will sign in August 2021.
- BMC has continued to produce a report of regional accomplishments each summer for inclusion in jurisdiction Consolidated Annual Performance and Evaluation Reports (CAPERs).

Contact with questions:

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Legend

Text	Regional Action Steps from 2020 Regional AI
Text	Implementation Measures & Expected Outcomes

✓ = Completed action/outcome

Action Plan Steps and (shaded) Implementation Measures & Expected Outcomes	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
<i>Enhance regional fair housing capacity</i>					
1. Continue to support housing policy coordination staffing at BMC to coordinate the implementation of the Action Plan in the 2020 Regional AI and reporting of regional progress through local government Consolidated Annual Performance and Evaluation Reports (CAPERs).					
Nearly every jurisdiction has signed three-year MOU committing to continued collaboration and to increase their contributions to BMC regional coordination to a total of \$60,000/year beginning July 1, 2020. Baltimore City to sign August 2021. Update MOU in FY23.	✓	•	•		
In addition to ongoing coordination, BMC produces progress report each summer that local governments incorporate into their CAPERs.	✓	•	•	•	•
Prepare updated Regional AI/AFH primarily in FY 2024; finish in FY 2025.				•	•
Expected outcome: Strong progress on 2020 AI regional action items and new 2024 or 2025 Regional fair housing analysis with updated action plans for FY 2026-2030					•
2. Coordinate regionally to support the new Fair Housing Action Center of Maryland. Ensure systematic paired testing for discrimination, including for Maryland's new law banning discrimination based on source of income.					
Supported by Baltimore-area local governments, the Fair Housing Action Center conducted 22 matched pair tests for source-of-income discrimination and 11 matched pair and triple tests on lending discrimination.	✓				
Jurisdictions set training and testing goals in conjunction with Fair Housing Action Center as the Center's capacity becomes clearer.		•			
Expected outcome: Robust and regular training of property owners and managers, as well as systematic paired testing around the region to root out discrimination.		•	•	•	•
3. BMC continue to convene local and State housing agencies with housing practitioners and advocates through BMC's Housing Committee to review progress on implementing 2020 Regional AI action steps and strategize on further action.					

Action Plan Steps and (shaded) Implementation Measures & Expected Outcomes	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
Notable FY21 Housing Committee discussions included sharing information on COVID-19-related rent relief, the Central Maryland Regional Transit Plan, BMC’s Baltimore Region Transit Funding and Governance Study, relevant legislation in the 2021 General Assembly, LIHTC award analysis, housing and zoning reforms in Anne Arundel and Howard Counties, AI implementation, tackling racial homeownership gaps, and the 2020 Maryland Housing Needs Assessment.	✓				
Expected outcome: BMC and Fair Housing Group Chair to convene BMC Housing Committee quarterly or as needed on an ongoing basis	✓	•	•	•	•
<i>Increase rental housing options</i>					
4. Sustain the Baltimore Regional Project-Based Voucher (PBV) Program beyond the initial 2015 HUD seed grant, identifying new funding for the program’s operations and contributing vouchers as appropriate.					
PHAs and BRHP contribute a total of \$60,000/year toward BMC coordination of Regional PBV Program beginning July 1, 2020; update MOU in FY 2023.	✓		•		
PHAs contributed an additional 43 vouchers to the Regional PBV Program “virtual pool” in summer 2020, bringing the total to 193. We issued a July 2020 request for proposals and awarding an additional 21 vouchers to three opportunity area developments. Unfortunately, none of the three developments were able to move forward due to a lack of Low Income Housing Tax Credits or zoning. Fortunately, other developments were moving forward, and our program was able to help 10 families lease units in one of two developments by June 30, 2021.	✓				
Expected outcome: 200 vouchers awarded and 120 units occupied by June 30, 2025. Goals will be revised annually, as needed, based on an evaluation of the adequacy of regional pool of vouchers and resources for counseling					•
5. Continue to monitor the Maryland Department of Housing and Community Development’s (DHCD’s) awards of Low Income Housing Tax Credits (LIHTC) and advocate for Qualified Allocation Plan (QAP) policies that: <ul style="list-style-type: none"> a. Ensure the Baltimore metropolitan area receives at least 50% of Maryland tax credits awarded, reflecting the Baltimore area’s proportion of the State’s low income population. b. Award 65% of the region's credits to family developments in opportunity areas in order to address past inequities, while focusing remaining awards in comprehensive revitalization areas. 					

Action Plan Steps and (shaded) Implementation Measures & Expected Outcomes	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025																														
<p>Awards from Maryland DHCD’s 2020 9% LIHTC round reached our revitalization goals, but not our opportunity area goals. The graph below shows this has been true in every year since 2011 except 2018. Baltimore City received four awards, including two for the Perkins-Somerset Choice Neighborhoods redevelopment. But the Baltimore area received only seven out of 18 total statewide awards for 444 units, short of our 50% goal of 556. And only three of those seven awards were in opportunity areas, all in Anne Arundel County. The 161 units in those three awards was short of our 32.5% goal of 361.</p> <div data-bbox="191 461 1430 1172"> <table border="1"> <caption>Maryland 9% LIHTC Family Oppty Area Awards 2011-20</caption> <thead> <tr> <th>Year/Round</th> <th>Goal for Balt-Area Family Oppty Awards (%)</th> <th>Actual Balt-Area Family Oppty Awards (%)</th> </tr> </thead> <tbody> <tr> <td>2011 Awards</td> <td>32.5</td> <td>~7</td> </tr> <tr> <td>2012 Awards</td> <td>32.5</td> <td>~4</td> </tr> <tr> <td>2013 Awards</td> <td>32.5</td> <td>~0</td> </tr> <tr> <td>2014 Awards</td> <td>32.5</td> <td>~10</td> </tr> <tr> <td>2015 Round Awards</td> <td>32.5</td> <td>~10</td> </tr> <tr> <td>2016 Round Awards</td> <td>32.5</td> <td>~25</td> </tr> <tr> <td>2018 Awards</td> <td>32.5</td> <td>~75</td> </tr> <tr> <td>2019 Awards</td> <td>32.5</td> <td>~20</td> </tr> <tr> <td>2020 Round Awards</td> <td>32.5</td> <td>~17</td> </tr> </tbody> </table> </div>	Year/Round	Goal for Balt-Area Family Oppty Awards (%)	Actual Balt-Area Family Oppty Awards (%)	2011 Awards	32.5	~7	2012 Awards	32.5	~4	2013 Awards	32.5	~0	2014 Awards	32.5	~10	2015 Round Awards	32.5	~10	2016 Round Awards	32.5	~25	2018 Awards	32.5	~75	2019 Awards	32.5	~20	2020 Round Awards	32.5	~17	✓				
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<p>BMC compiles analysis of DHCD LIHTC awards each year and coordinates Fair Housing Group regional comments to DHCD when DHCD asks for input. Chairs of Fair Housing Group and PHA group help lead effort to compile regional comments. No QAP changes in FY 2021.</p>	✓	•	•	•	•																														
<p>Expected outcomes: 9% LIHTC awards FY 2021-2025 include 2300 units awarded in Baltimore region, including 1500 family units in areas of opportunity and 800 units contributing to concerted community revitalization plans</p>					•																														

Action Plan Steps and (shaded) Implementation Measures & Expected Outcomes	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
6. Baltimore-area PHAs see the merit in a regional mobility counseling program and will seriously consider applying for the HUD Mobility Demonstration once the requirements are made known through the HUD NOFA.					
Application submitted Feb. 1, 2021 requesting 112 additional vouchers and \$4.5 million for mobility-related services and set-up expenses. Proposed six-year regional program involves five PHAs, BMC, and the Baltimore Regional Housing Partnership, and it enrolls a total of 2,168 families with children.	✓				
Outcome: We did not receive an award.					
7. Continue to distribute portability educational booklets and show video in all PHA voucher briefings. Conduct an electronic survey of voucher holders who have ported within the metropolitan area in the last two or more years and, where possible, attempted to port in order to identify how much difficulty they may have experienced. Use the findings to develop plans for intra-regional ports moving forward.					
Distribution of portability education booklet and showing of video at voucher briefings ongoing.	•	•	•	•	•
By early FY 2022 devise and administer electronic survey of voucher holders who have recently ported or attempted to port.		•			
Expected outcome: Porting survey results analyzed and relevant action taken if needed.		•			
8. Through Regional Preservation Task Force, assist local governments in designing affordable housing contracts to facilitate preservation at their expiration.					
Develop model language and identify points of leverage to insist on affordability contracts that will facilitate preservation. Set goals for use.		•			
Track use of such language -- numbers of contracts that include it.			•	•	•
Expected outcome: Based on goals set in FY22					•
9. 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.					
PHAs review their policies by the end of FY 2021.	✓				
Expected outcome: PHAs implement any needed changes.		•			
10. 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.					
PHAs review their policies by the end of FY 2022.		•			
Expected outcome: PHAs implement any needed changes.			•		
<i>Increase ownership opportunities for underrepresented households</i>					

Action Plan Steps and (shaded) Implementation Measures & Expected Outcomes	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
11. Engage lenders in discussions about homeownership and mortgage lending disparities and how to address. Seek investments in financial literacy programs (including in schools) and assistance in helping subprime loan holders refinance to conventional loans. Develop specific action steps to address disparities in the minority homeownership rate.					
Continue conversations with lenders begun through development of 2020 Regional AI.	✓	•			
Engaged Housing Committee at June 2021 meeting. Developed set of priority strategies.	✓				
Set goals in FY 2022 based on implementation of early strategies.		•			
Expected outcome: Based on goals set in action plan.		•	•	•	•
<i>Address barriers to equalizing access to opportunity</i>					
12. Support transformative investments in Racially/Ethnically Concentrated Areas of Poverty (R/ECAPs) and similarly highly challenged markets, such as the renewal of State Project CORE (Creating Opportunities for Renewal and Enterprise) funding for Baltimore City					
Expected outcome: Local governments, coordinated by BMC, submit letter to governor at appropriate time supporting renewal of Project CORE funding for Baltimore City and other appropriate transformative investments in R/ECAPs.		•	•	•	•
13. Support improved public transit access, including for persons with disabilities, to suburban job centers and opportunity areas with multifamily housing.					
BMC Housing Committee briefed on BMC's Regional Transit Funding and Governance Study at its March 2021 meeting.	✓				
BMC use Preservation Database to conduct analysis of concentrations of multifamily housing in areas of opportunity to inform implementation of Central Maryland Regional Transit Plan.		•			
Expected outcome: Seek application of any lessons learned from analysis. Continued engagement by housing agencies and stakeholders in regional transit planning process.		•	•	•	•
14. Work with relevant agencies, such as the Maryland Transit Administration (MTA), to explore State or regional/federal support for alternatives to public transportation, such as Vehicles for Change, Lyft, Uber, etc., ensuring accessibility for persons with disabilities.					
BMC connect Fair Housing Group and Housing Committee to efforts within MTA and/or Baltimore Regional Transportation Board to explore these efforts, as well as any other efforts, such as South Baltimore Gateway Partnership.		•	•	•	•
Expected outcome: Any appropriate support by local governments for these explorations.		•	•	•	•
15. Work with Maryland DHCD to make its data on housing it assists more readily available, including unit affordability levels, units targeted to persons with disabilities (and how many are occupied by persons with disabilities), units occupied by housing choice voucher holders, and residents by race and disability.					

Action Plan Steps and (shaded) Implementation Measures & Expected Outcomes	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
BMC to facilitated conversations between jurisdictions and Maryland DHCD.	✓				
BMC to submit Public Information Act request to Maryland DHCD annually starting summer/fall 2021, followed by analysis of data from fair housing perspective.		•	•	•	•
Expected outcome: Data more readily available & analysis to help guide work with DHCD.		•			
16. Using the latest research, prepare and make available educational materials on the benefits that subsidized and accessible housing can bring to all members of vibrant communities.					
BMC staff connected Baltimore County to Dr. Tiffany Manuel regarding her innovative research in this area.	✓				
Expected outcome: Support private organization in carrying out this action step.		•	•	•	•
17. BMC and Fair Housing Group facilitate meetings of local school district officials and housing agency leaders in 3-5 jurisdictions to explore coordinated action to benefit high quality, equitable education.					
Expected outcome: 3-5 meetings		•	•		
18. BMC facilitate at least one meeting where jurisdictions -- either within or outside the region -- pursuing equity assessments of investments and/or policies can share their methodologies with other local governments.					
Expected outcome: One meeting held by the end of FY 2022. Further meetings as useful to participants.		•	•	•	•
19. Assist the Community Development Network of Maryland (CDN) in convening local government, community development organizations, and health care institutions in the Baltimore region to discuss the role of housing and community development in those institutions' development of their 2022 Community Health Needs Assessments.					
One meeting in calendar year 2021, engaging the Maryland Citizens Health Initiative regarding the 2021 legislation establishing Health Equity Resource Communities.		•			
Further meetings as useful.			•	•	•
Expected outcome: Act on any useful synergies between health care institutions and housing, as resources allow.			•	•	•
<i>Expand fair housing resources and compliance</i>					
20. Continue to engage with Maryland DHCD to make www.MdHousingSearch.org an effective: <ul style="list-style-type: none"> a. Clearinghouse of publicly assisted and market-rate rental homes, including homes accessible to persons with disabilities, b. Affirmative fair housing marketing tool for homes assisted through Maryland DHCD and other agencies, and c. Viable tool for public housing authorities to refer their housing choice voucher holders, including those with disabilities. 					

Action Plan Steps and (shaded) Implementation Measures & Expected Outcomes	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
Reiterated request to Maryland DHCD that Md. Housing Search automatically populate accessibility features based on Fair Housing Act requirements. Response pending	✓				
Expected outcome: Automatic population implemented.		•			
Fair Housing Group re-engaged with Maryland DHCD regarding Maryland Housing Search and agreed on regular communication and prioritization of improvement for the platform.	✓				
Evaluate Maryland DHCD's implementation of new affirmative fair housing marketing policy. Continue to communicate with DHCD and advocate adjustments as needed.		•	•	•	•
Monitor DHCD's requirement of an MOU between DHCD-supported owners and local PHAs and mobility programs.		•	•	•	•
Check annually with PHAs and local fair housing stakeholders on accuracy and usefulness of Md. Housing Search listings so those listings can ultimately replace MOU requirement.		•	•	•	•
Expected outcome: Md. Housing Search is a reliable, up-to-date database of available apartment homes used by DHCD-assisted property owners for affirmative marketing and by low-income families and PHAs and voucher holders to find affordable places to live.			•		
21. All PHAs offer online rental resources beyond GoSection8.com, including market-rate resources such as Apartments.com and Zillow and, as it becomes more effective, Md. Housing Search.					
PHAs all include additional online rental resources beyond GoSection8.com. Four PHAs currently refer voucher holders to Md. Housing Search.	✓				
Evaluate Md. Housing Search each year for possible inclusion in rental resources for voucher holders, particularly as Maryland DHCD implements its updated affirmative marketing plans, which include Md. Housing Search.		•	•	•	•
Expected outcome: All PHAs use a variety of apartment referral tools, including Md. Housing Search			•		
22. 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.					
Internet search for studies conducted, revealing only one January 2019 study by Wilder Institute of 10,000 units of affordable housing in Minnesota and Wisconsin – “Success in Housing: How Much Does Criminal Background Matter?” It found no effect for many minor offenses, and that effects reduced to insignificance over 2-5 years for more major offenses	✓				
Any needed revisions to PHA criminal background completed.		•			
Communicate results to Maryland DHCD, affordable housing developers through Maryland Affordable Housing Coalition, and market-rate property owners and managers through fair housing trainings and other methods			•	•	•

Action Plan Steps and (shaded) Implementation Measures & Expected Outcomes	FY 2021	FY 2022	FY 2023	FY 2024	FY 2025
Expected outcome: Criminal background standard supported by research in place for PHAs and other assisted housing.			•		
23. Conduct a training for local government and public housing authority officials on the duty to affirmatively further fair housing following each State election cycle.					
Discussions initiated, with DHCD very willing to host a training, likely before 2023.	✓				
Expected outcome: BMC and Fair Housing Group to coordinate training in 2023.			•		
24. BMC and Regional Fair Housing Group sponsor fair housing trainings for property managers at least twice per year.					
Expected outcome: BMC and Fair Housing Group to work with Fair Housing Action Center of Maryland to sponsor trainings in spring and fall beginning fall 2021.		•	•	•	•
25. Work with Maryland DHCD, fair housing organizations, and HUD Fair Housing and Equal Opportunity (FHEO) to convene affirmative marketing training for the affordable housing industry as well as state and local agencies involved in the financing and/or developing of affordable housing.					
Expected outcome: BMC to work with Maryland DHCD and other stakeholders to hold first training in calendar year 2021 and to ensure that effective trainings continue afterwards.		•	•	•	•
26. Identify the best way (e.g. electronic, paper) to disseminate information regarding fair housing rights and responsibilities to renters, property owners and managers, homebuyers, and real estate agents and then implement that best way.					
BMC and Fair Housing Group to update information in 2014 Fair Housing education booklets in 2021 and explore with fair housing stakeholders whether an online or phone app interface might be more effective than printed booklets to disseminate information.		•			
Expected outcome: Solution implemented by 2022.			•		