

Analysis of Impediments to Fair Housing Advisory Committee

October 18, 2005
10:00am-12:00pm

Location

HUD, 400 SW 6th, 7th Floor, Conference Room C

Co-chairs: Joe Wykowski and Pegge McGuire

Agenda

Agenda Item	Time	Presenter
1. Review Agenda	10:00 – 10:10	Tracy
2. Brief Introductions	10:10 – 10:20	Tracy
3. Summary of changes to this version of the draft AI	10:20 – 2:35 pm	Trell
4. Overall assessment of Report <ul style="list-style-type: none">• Is anything missing• Overall concerns, thoughts suggestions	2:35 – 3:30 pm	Tracy
4. Discussion of Impediments and Issues in AI	3:30 – 3:50 pm	Trell
5. Next Steps <ul style="list-style-type: none">• Steps to finalize the AI• Recommendations process	3:50 – 4:00 pm	Trell

Minutes

Attendees: Andrew Epstein (ILR); Mike Sheehan (AI consultant); Colin McCormack (NAYA); Leah Greenwood (PDC); Barbara Sack (City of Portland, Bureau of Planning); Maura Roche (Basic Rights Oregon); Tracy Lehto, Dawn Martin, Beth Kaye and Trell Anderson (BHCD)

Trell-Changes to AI draft

- Explains components of document
- Section IV, based on feedback of committees and HCDC to categorize impediments, went to identified impediments, and significant issues, and supplemental issues clustered under impediments
- Will have a transparency with neighborhood boundaries

Colin McCormack asked if the maps be available electronically. Ms. Lehto explained that as soon as they were prepared they would be added to the BHCD website.

Andrew Epstein asked as to when the recommendations would happen? Mr. Anderson explained that the recommendation development process happen next in November and December. The dates will be set today.

Leah noted when she reviewed the AI with an urban renewal lens, she saw that some urban renewal efforts are furthering housing choice, and wanted to know where to include that in AI. Trell asked she send the information to BHCD.

Andrew, issue with nursing homes, did not see that in this version. Trell noted is should have been rolled up in the matrix, Beth will add that. Tracy asked where to put that in the matrix. Andrew said part disability, part systems and also noted that since he had been interviewed, the person at Multnomah County ADS who manages nursing facility case managers is being laid off. Used to have people related to relocation in the ADS nursing facility unit, but that was cut. Beth notes that the State budget cuts will play into this. Andrew asked if the Special needs committee address this and Beth said that it focuses more on people whom live with supports outside of facilities.

Andrew asked if the layout for the current efforts section is just to say what we are doing now. Trell shares Ian's concern that it looks like Colin-Current effort, hard to assess strategies not done yet, some things may not pan out. Can't assess these because not done. Andrew, almost need to add issues with current strategies. Ex. Unlimited Choices does needed service, but does not have enough funds to address need. Beth suggests we add issues with current efforts to the matrix.

Roche of Basic Rights of Oregon joined meeting.

Barbara said she had additions to the matrix for the next draft. Ex do have incentives for larger bedroom units

Trell, first 4 are identified impediments, needed to be documented and be violation of fair housing law.

First impediment accessibility of units/disabilities, then the supplemental issues.. Beth notes that reasonable accommodation is not called out. Could call out funding for services for people for independent living here. Andrew – tax credit properties must pay for reasonable accommodations if they receive any federal funds, but does not think there is compliance because don't know that. Leah, lack of reporting, lack of understanding of laws should be here somewhere. Beth, p 87 under the introduction about why current actions listed, caveats, also have a paragraph about lack of reporting of fair housing issues.

M Roche, in terms of Oregon law, gender identity is considered a disability in employment, not sure how it works in housing law/BOLI law. Beth notes that there tends to be a lag between employment law and housing law. Suggests add section in intro about some discrimination issues re: housing is lagging behind employment.

Andrew, have "other" accessibility issues section that incorporates the nursing home and reasonable accommodation (right to do so, landlord responsibilities)

Barbara-can provide more info on incentives about townhouses that are accessible

Trell-next impediment, race/color/national origin
Again primarily based on complaint data.

Mike-some advocacy organizations did not want to raise their profile by reporting fair housing issues. Beth suggests we note that in the intro too.

Leah-sees references to issues with Hispanic, are there other sources we can reference that would support lack of reporting (TL see state report). Add this to intro.

Andrew, does not see explicit discrimination to people with disabilities. Beth suggests we re-title the first impediments sections.

Roche, gender identity not listed under disability and also keep in the other protected classes. Agreement it should be noted in disability that it is not quite the best fit, but best we have.

659.040 is the state statute that addresses gender identity as disability and therefore should get an accommodation.

Beth - Need to add some supplemental under other bias against protected classes.

Trell-significant issues, not violation of law and switch language from fair housing to housing choice.

Issue of location of affordable housing. There is a location policy, but was based in 10 year shelter . . . not in location of affordable housing (get clarification from Trell)

Dawn says where describes clustered, seems to cover all areas. Does not highlight the problem. Beth suggests calling out areas that do not have affordable housing. Leah – do need to add a supplemental issue that HUD funding issue need to be in low-income area and urban renewal calls for placement in blighted area. Barbara, also the issue is available land and physical landscape (hills, limited opportunities). Mike, traditional argument of cheapest land place for affordable, but money is the real issue. If have the money, plenty of land to buy in SW. Leah, have to make the choice of less units in better location. Not an easy choice, no right answer. Trell, called out conflicts in public policy in intro related to expense of building affordable housing in areas that lack it because tends to be more expensive. Mike, need to call out the consequence of one policy choice over another. Barbara, some locations, do not have good transit. Do want to call out conflict in HUD policy location in low income vs fair housing.

Colin, thinks this issue talks about choice, would like to see stronger link to transportation and employment.

Beth, page 3 and 4, call out employment there. Trell adds we can add a supplement in the matrix. Leah says proximity to transportation is part of the location of housing decision.

Quality of Housing

Trell-this came up in interviews, public testimony, other reports. Heard of retaliation of landlords if ask for repairs, no cause eviction. Andrew- is no aware of any smoke free public housing (but I thought some else noted a new one that was [this was in reference to outside of Multnomah County – Coos County I think has made their public housing smokefree, and also some other HA's in other states). There is going to be a Smokefree Apartments Advisory Board. Barbara asking if retaliatory no cause eviction still not legal. Beth said is still not legal, but hard for the tenant to pursue.

Leah can add info about quality of units efforts of PDC.

Access to Affordable Housing

Trell- not physical access but screening issues, language barriers, use of police contacts as screening tool. Beth believes that using police contacts is illegal because a series of court cases that looked at using convictions vs arrests where arrests have higher # of minorities, disparate impact. Thinks that would be a good case for the FHCO because should not be an individual case.

Leah, where does NIMBY impact reflected. Ex considered using project based section 8 in a project Killingsworth Station but n'hood response cased PDC to go different route. Beth suggests put that as supplemental under accessibility/disability and location. The issue is how govt responds to NIMBYism. Or intro because it cuts across all impediments.

Trell, talking with our homeless team about barriers to housing homeless that are fair housing issues.

Beth-question for basic rights Oregon, in terms of shelters/facilities. Are there barriers to people who are lesbian/gay/bi-/transsexual regarding access. We did not hear about this in data collections. Roche only heard about people who split up or go into closet when move into assisted living facilities. What about access to DV shelters (males access to DV shelter or culturally appropriate access for lesbians). Roche has not heard of that.

Mike, question of cash savings noted in special needs report saying that supportive housing, concern that this would take funds from other services. Beth said at this point we have gotten new resources thus far for permanent supportive housing. Mikes point is that we need to look at unintended consequences of new approaches like housing first. Beth believes we have done this.

Andrew, what about rent assistance. It is page 97 "Housing Choice . . ." need to add inadequacy for section 8 and other rent assistance to prevent eviction and help people get into housing.

Trell, new issue, condo conversion issue, low-income folks. Leah, also demolition of rental housing. Displacement of folks. And the sales of single family homes that were rentals because of hot housing markets. Two issues, loss of affordable housing and displacement. Do have condo conversion ordinance, but ordinance was never codified, not enforceable. In that, if person at section 8 level, owner had to pay to relocate.

Andrew, expiring section 8 properties, what about those. Trell, we don't know yet. If the building is located in a desirable area, the owner is more likely not to renew the section 8 contract. In other areas may renew if not as marketable. COP has a preservation ordinance and the city has the opportunity to scramble for resources to buy the property.

Mike-Mobile home parks, if the parks infrastructure are in bad shape, state has a hard time funding turning it into a coop. Problem is low income people most likely to live in parks in bad shape. Barbara said problem is when land is zoned commercial.

Minority Homeownership Gap –

Trell, "close the gap" in HOAC report, came up in testimony and some interviews. Mayor and Commissioner Sten about to kick off organizing the close the gap plan.

Other issues

Memberships of boards – appears there is an issue lack of membership, can address through recruitment. Beth has a concern around asking if people are part of a protected class and if because a person belongs to a protected class will they advocate for that protected class. Leah thought it was interesting focus on boards when line staff is also important. Should we add that? Mike said one solution is selecting by region so get

some representation from areas w/protected classes. But, folks are more mobile now. Mike, in some cases this issue is egregious (no representation)

Request to send out notes as is to this group to help with any comments they would make.

Next steps

Potential dates for meetings to discuss recommendations. Colin out of town 14 – 18 of Nov and 7-9 of Dec, Andrew prefers Tues in am, November 8 is no good for him, Barbara gone 3-9 of Nov.

BHCD will work to set meetings that work for schedules noted and announce meeting times when set.