



Senate

General Assembly

File No. 203

February Session, 2016

Substitute Senate Bill No. 156

Senate, March 24, 2016

The Committee on Housing reported through SEN. WINFIELD of the 10th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING THE DATA COLLECTION AND ANALYSIS OF AFFORDABLE HOUSING.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 8-37s of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2016*):

3 (a) The Commissioner of Housing shall monitor the progress of the
4 public and private sector toward meeting housing needs and shall
5 collect and annually publish data on housing production in the state.
6 In order to ensure a steady flow of information for the purposes of this
7 section, all municipalities shall submit to the commissioner a copy of
8 the monthly federal Bureau of the Census report on building permits
9 issued and public construction filed at the same time as such report is
10 filed with the federal Bureau of the Census.

11 (b) In accordance with the federal Fair Housing Act, 42 USC 3601,
12 sections 8-37cc and 8-37ee and the reporting requirements of sections
13 8-37bb, 8-37ff, 8-37qqq and this section, the commissioner shall, in

14 consultation with other state agencies providing housing, and, where
15 possible, relevant federal agencies, prepare an annual fair housing
16 report including: (1) A comprehensive list of state and federally
17 subsidized project-based housing developments in the state; (2) results
18 of a housing needs assessment by income levels pursuant to subsection
19 (a) of this section; and (3) annual geographical targets based on
20 opportunity areas, as defined in section 8-348, and the annual
21 achievement under those targets. The commissioner shall compile the
22 annual fair housing report based upon the information gathered
23 pursuant to subdivisions (1) to (3), inclusive, of this subsection.

24 (c) The list of state and federally subsidized project-based housing
25 developments described in subsection (b) of this section shall be
26 divided into two types: (1) Units owned by the state or federal
27 government; and (2) units supported by other subsidy that is attached
28 to the project. For each housing development the list shall include (A)
29 the name of the development, developer and management company;
30 (B) the location by physical address and census tract; (C) the
31 affordability income requirements; (D) the number of units; (E) the
32 number of bedrooms per unit; (F) the population served, including
33 elderly, nonage restricted, disability or supportive; (G) the program
34 through which the development is assisted and amount and type of
35 assistance, including loan, mortgage or rental assistance; (H) the years
36 assistance is received; and (I) the purpose for which the assistance is
37 used, including new construction, substantial rehabilitation or
38 reconstruction.

39 (d) The annual fair housing report shall include the results of
40 affirmative fair housing marketing required under section 8-37bb and
41 information on current residents opting to participate in data collection
42 required under sections 8-37bb and 8-37qqq. The report shall protect
43 individual privacy and not identify residents by name. Instead it shall
44 use the development's name, physical address and census tract and
45 individualized identification numbers for tenant households. Such
46 report shall include (1) household familial status, specifically number
47 of children and ages; (2) whether any household member has a

48 disability; and (3) for each head of household (A) race, (B) gender, (C)
 49 ethnicity, (D) income, and (E) marital status. The report shall measure
 50 the progress of the targets in affirmative fair housing market plans
 51 received under subsection (b) of section 8-37ee over one, five and ten-
 52 year periods.

53 (e) The commissioner shall submit the fair housing report required
 54 under subsection (b) of this section to the General Assembly on or
 55 before March thirty-first of each year together with the report required
 56 pursuant to section 8-37qqq.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2016	8-37s

HSG *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 17 \$	FY 18 \$
Department of Housing	GF - Cost	150,000	150,000
Connecticut Housing Finance Authority (CHFA)	CHFA Funds-Cost	30,000	30,000

Note: GF=General Fund; Various=Various

Municipal Impact: None

Explanation

The bill results in an annual cost of \$150,000 to the Department of Housing (DOH) and \$30,000 to the Connecticut Housing Finance Authority (CHFA), a quasi-public state agency, to collect and analyze necessary data required in the annual fair housing report.

The bill requires DOH to assess geographic targets and achievements under those targets within the report with regards to fair housing. The bill also requires the report to analyze the progress of targets in affirmative fair housing market plans over multi-year periods. Both DOH and CHFA, as the two housing agencies for the state, would be required to analyze information currently collected under existing law to achieve this requirement. DOH and CHFA currently do not produce such analyses and therefore would require consulting services to complete these requirements.

Municipalities will be required to provide additional information pertaining to housing needs, other than what is currently provided to the agency, including assessments needs by income. It is anticipated municipalities will be able to do so without additional staff or resources.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sSB 156*****AN ACT CONCERNING THE DATA COLLECTION AND ANALYSIS OF AFFORDABLE HOUSING.*****SUMMARY:**

This bill requires the Department of Housing (DOH) commissioner to prepare an annual fair housing report in consultation with other state agencies that provide housing and, when possible, relevant federal agencies. The report must:

1. include a comprehensive list of state- and federally subsidized project based housing developments in Connecticut;
2. include the results, by income level, of a housing needs assessment; and
3. identify annual geographical targets based on opportunity areas, as well as the annual achievement under those targets.

The report must also include (1) certain information on residents who voluntarily provide it to the Connecticut Housing Finance Authority (CHFA) or DOH when the agencies collect data to meet their statutory reporting requirements and (2) the results of affirmative fair housing marketing plans, which by law entities applying to DOH or CHFA for financial assistance must submit for approval.

The commissioner must submit the fair housing report to the General Assembly annually by March 31, together with the department's annual activity report.

EFFECTIVE DATE: July 1, 2016

LIST OF SUBSIDIZED HOUSING DEVELOPMENTS

The bill requires DOH to divide the list of subsidized project-based housing developments into two types of units: (1) those owned by the state or federal government and (2) those supported by other subsidy attached to the project. For each housing development, the list must include or identify:

1. the development's name, as well as the name of the developer and management company;
2. location by physical address and census tract;
3. affordability income requirements;
4. number of units and bedrooms per unit;
5. population served, including elderly, non-age restricted, disability, or supportive;
6. the program through which the development is assisted and the amount and type of assistance, including loan, mortgage, or rental assistance;
7. the years assistance is received; and
8. the purpose for which assistance is used, including new construction, substantial rehabilitation, or reconstruction.

HOUSING NEEDS ASSESSMENT

Existing law requires DOH to (1) monitor progress in the public and private sectors in meeting the state's housing needs and (2) collect and annually publish data on housing production in the state. The bill requires the DOH commissioner to include in the annual fair housing report the results, by income level, of the housing needs assessment conducted pursuant to these requirements. (The law, however, does not explicitly require DOH to conduct such an assessment.)

GEOGRAPHICAL TARGETS BASED ON OPPORTUNITY AREAS

Under the bill, the annual fair housing report must identify (1)

“annual geographical targets,” undefined by the bill, based on opportunity areas, and (2) the annual achievement under those targets. The bill defines “opportunity areas” as those areas designated as such using opportunity mapping analysis that incorporates a census tract-level assessment of educational, economic, and neighborhood characteristics, including education data and crime rates.

INFORMATION ON RESIDENTS

To comply with their annual reporting requirements, DOH and CHFA collect certain data on residents who voluntarily provide it (see BACKGROUND). The bill requires DOH to include this information in the fair housing report, though it does not specify how the department will obtain CHFA’s data.

The fair housing report must protect individual privacy; it cannot identify residents by name. Instead, it (1) the development's name, physical address, and census tract and (2) individualized identification numbers for tenant households.

For resident data, the fair housing report must identify:

1. household familial status, specifically the number of children and ages;
2. whether any household member has a disability; and
3. for each head of household, (a) race, (b) gender, (c) ethnicity, (d) income, and (e) marital status.

AFFIRMATIVE FAIR HOUSING MARKETING PLANS

The law generally requires entities receiving assistance from DOH or CHFA to (1) affirmatively promote fair housing in their housing developments and (2) submit an affirmative fair housing marketing plan for approval. The plans must have provisions for recruiting residents of municipalities with relatively high minority populations.

The bill requires that the fair housing report include the results of affirmative fair housing marketing (though it incorrectly references

CGS § 8-37bb). Specifically, the report must measure the progress of affirmative fair housing marketing plan targets over one-, five-, and 10-year periods. (Existing law, however, does not require that affirmative fair housing marketing plans set targets.)

BACKGROUND

Annual Housing Reports Providing Household Information

By law, CHRO must submit a report to the Housing Committee annually by December 31 that, among other things, (1) analyzes, by income and race, households served by its programs; (2) identifies, by census tract, the number of households served by its programs and the total amount of financial assistance provided; and (3) documents its efforts in promoting fair housing choice and racial and economic integration (CGS § 8-37bb).

In its annual activity report to the legislature, DOH must include data on its state-funded housing development portfolio. For each housing project, the report must provide an analysis, by income group, of households served by the department's housing programs. It must include the number of households served under each program by race and a summary of the department's efforts in promoting fair housing choice and racial and economic integration, including data on the racial composition of the occupants and people on a waiting list for state housing (CGS § 8-37qqq).

COMMITTEE ACTION

Housing Committee

Joint Favorable Substitute

Yea 11 Nay 0 (03/08/2016)