



OPEN COMMUNITIES ALLIANCE

Testimony of Erin Boggs, Esq.
before the Housing Committee
February 18, 2019, Noon

**Written Testimony regarding S.B. 108, S.B. 110, H.B. 5125, and H.B. 5127
Bills to Generate More Choices for Housing Voucher Families and
Affirmatively Further Fair Housing**

Thank you to the leadership and members of the Housing Committee for the opportunity to submit testimony. My name is Erin Boggs, and I am the Executive Director of the Open Communities Alliance (OCA), a civil rights non-profit organization that promotes equitable access to housing across Connecticut.

I am here today in support of four bills designed to give housing voucher holders greater choice in where they live and address the fact that Connecticut is one of the most racially segregated states in the nation. These bills are:

- S.B. 108, An Act Establishing an Open Choice Pilot;
- S.B. 110, An Act Concerning Housing Authority Jurisdiction;
- H.B. 5125, An Act Concerning Transparency of Rental Rates for Tenants Receiving Rental Assistance, and
- H.B. 5127, An Act Concerning the State's Long-Term and Short-Term Planning Concerning Housing Development

There are several other important bills on the Committee's agenda today that are not the focus of my testimony, but I want to voice support in principle S.B. 105 (Right to Housing), H.B. 5121 (Protections for Group and Family Child Care Homes), H.B. 5122 (Criminal Records Considerations).

I think the best way to convey the need for the four bills we are testifying in favor of today is to share the story of my client Ms. Carter, a lower income, African-American single mother who tried for 11 years to move with her children to Simsbury. Ms. Carter's full housing odyssey was chronicled in Pro Publica earlier this year.¹ The family's housing saga started after Ms. Carter left her abusive husband and found refuge for herself and her children in a homeless shelter.

¹ The full article is available here: <https://www.propublica.org/article/how-wealthy-towns-keep-people-with-housing-vouchers-out>.

Her journey involved being illegally refused admittance to a voucher program administered by a town in Litchfield County, facing discrimination by individual landlords, contending with unnecessary bureaucratic barriers when trying to move with her voucher from one town to another, finding few affordable units in Simsbury and elsewhere, and facing challenges even determining the value of her voucher outside of Hartford. Along the way, Ms. Carter, who is ever-resourceful, managed to get two of her children into school in Simsbury, where they were thriving. The family knew they liked the community and wanted to live there. The family was eventually able to do so – and is now thriving – despite the steep barriers they faced only because of their own astounding tenacity and the extraordinary assistance of organizations and individuals. It should not be so challenging to access thriving communities.

The four bills proposed today will help families like the Carters.

S.B. 108, An Act Establishing an Open Choice Pilot

S.B. 108 would initiate a pilot program empowering income-qualifying families participating in the Open Choice interdistrict school choice program to move to the community where their children are attending school with the assistance of a state Rental Assistance Program voucher.

This proposal was developed in response to a number of challenges. First, the state’s Rental Assistance Program, which provides a rent subsidy for households earning less than 50% of Area Median Income, is the state’s most segregated housing program.² Fifty seven percent of the RAP recipients live in the 2% of the state that we have assessed as very low opportunity based on factors like school performance, educational attainment, crime rates, and access to employment.³ This level of segregation is significant given that 75% of households participating in RAP are households of color⁴ and it is estimated that 95% of RAP households with children are headed by women.⁵ The average income for a family with a housing

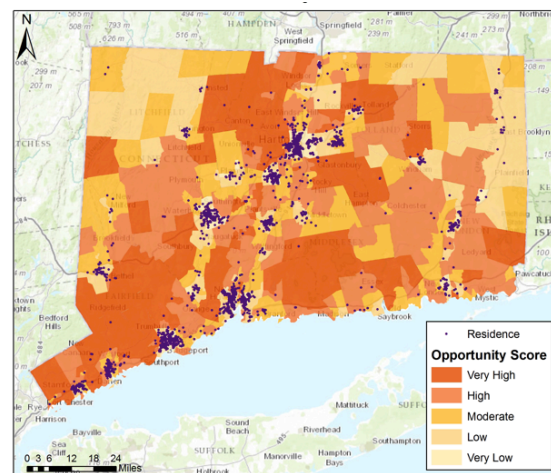


Figure 1: The Location of Households Served by the state Rental Assistance Program (RAP). Darker orange indicates resource-rich communities, lighter shading indicates areas that require deeper investment.

² Erin Boggs and Lisa Dabrowski, *Out of Balance: Subsidized Housing, Segregation and Opportunity in Connecticut*, Open Communities Alliance, 2017, available at <http://www.ctoca.org/outofbalance>.

³ Id.

⁴ Id.

⁵ Exact figures on female headed household status for the RAP program are not made publicly available by the Department of Housing. This estimate is drawn from data available from the U.S. Department of Housing regarding the tenant based Housing Choice Voucher Program, which serves the same population as RAP. HUD data is available at <https://pic.hud.gov/pic/RCRPublic/rcrmain.asp>.

voucher is \$16, 721.⁶ Families with access to RAP are receiving this critical state assistance because they face serious financial and life challenges.

At the same time, there are variety of preferences among families using housing vouchers like RAP. In recent survey responses of 300 families in Hartford receiving federal Housing Choice Vouchers, OCA found that 45% wanted to move to towns in suburban Hartford in order to access high performing schools and safer streets.⁷ That was not the desire of all of the voucher holders who responded to the survey – 55% wanted to stay in Hartford. The reality is, different families have different experiences and different needs.

The Open Choice school choice program, a key element in the Legislature’s efforts to provide integrated school choice options for Connecticut children, offers selected families the opportunity to attend school in districts outside of the district in which they live. Typically, participants in historically disenfranchised towns like Hartford and Bridgeport attend school in higher resourced mixed income communities. While Open Choice is a critical option for many families, one challenge students face is that because they are bussed back to their home communities at the end of the day, they are not fully part of the community where they attend school. On a pilot basis, Open Choice Vouchers would provide a select group of participating income-qualifying families with the option – if they choose to exercise it – to use a housing voucher to move to the community where their child attends school.

This proposal counters the tide of government housing policies that have historically perpetuated segregation in our state by placing subsidized housing resources disproportionately in communities of color, generating poverty concentrations that make successful revitalization of affected neighborhoods extremely challenging. It offers low income families facing serious challenges the opportunity to move to areas that we know from comprehensive research are likely to lead to successful outcomes for their children.⁸ And it taps into a group of families that have, by participating in Open Choice, already raised their hands to say that they are interested in integration. Open Choice is not for every family. Moving to a higher opportunity community where the residents are likely to be predominately white is not for every family qualifying for a housing voucher, but combined with a series of other proposals that the Fair Housing Working group and other civil rights advocates are supporting this session, an Open Choice Voucher program will help Connecticut unwind our state’s history of segregation.

As this proposal moves from concept to draft language it is important to consider the following elements:

⁶ Id. Again, these data are not publicly available for the RAP program so this estimate is based on the same statistics for the Housing Choice Voucher program serving the same population as RAP.

⁷ Erin Boggs, Lisa Dabrowski and Sam Brill, “Do Housing Choice Voucher Holders Want to Move to Opportunity?” *Race and Poverty*, June 1, 2018, available at <https://prrac.org/do-housing-choice-voucher-holders-want-to-move-to-opportunity/>.

⁸ Doug Rice, *The Role of Neighborhoods in Persistent Poverty*, Center for Budget and Policy Priorities, November 2015, available at <https://www.cbpp.org/blog/the-role-of-neighborhoods-in-persistent-poverty>.

- We recommend that the pilot be implemented in one particular geographical area. Hartford is ideal because it has the most robust Open Choice program.
- Ideally, the pilot would use program-specific newly allocated RAPs.
- A RAP voucher costs about \$10,000 a year.
- To allow for proper piloting and assessment, we recommend that 25 RAPs be allocated for each year of this 2-year pilot.
- It is critical that the pilot be implemented in partnership with the state’s Mobility Counseling program which is designed to provide assistance to families interested in moving to higher opportunity areas.
- If families cannot find housing in the town where their children are in school because they face discrimination or a dearth of affordable units, they should be permitted to seek housing in other high or very high opportunity towns.
- If a family still cannot find housing and faces the risk of homelessness, they should be permitted to use their voucher
- Further details for this pilot should be developed by a partnership of advocates, the state Department of Education, the Department of Housing and, if the Hartford region is chosen, the Capitol Region Education Council.
- Funded appropriately, this program should cost about \$300,000 annually.

S.B. 110, An Act Concerning Housing Authority Jurisdiction

In many states, housing authorities operate on a county-wide basis, meaning their jurisdiction is quite large, in some cases as large as the entire state of Connecticut. In Connecticut, housing authority jurisdiction is typically defined by very small town borders. This – along with incentives in federal regulations – unnecessarily restricts choices for families. For example, housing authorities have limited ability to administer the tenant-based Housing Choice Voucher program or participate in the development of certain types of physical housing units outside of their municipal jurisdiction. The S.B. 110 would give Connecticut housing authorities the ability to opt into a broader jurisdiction – one that extends to thriving communities up to 15 miles from their municipal boards. This new policy would give the families housing authorities assist genuine choices in where to live and allows housing authorities to help the state address our affordable and housing segregation crises.

Open Communities Alliance’s white paper, “A Case for Broadening Housing Authority Jurisdiction in Connecticut,” is available online,⁹ but I want to highlight here a few of the reasons it is essential that we expand the jurisdiction of our towns’ housing authorities. Importantly, I would like to note that this proposal in no way interferes with their zoning authority.

⁹ OCA, A Case for Broadening Housing Authority Jurisdiction in Connecticut, available at https://d3n8a8pro7vhmx.cloudfront.net/opencommunitiesalliance/pages/544/attachments/original/1550119406/HA_jurisdiction_2-12-2019.pdf?1550119406.

The current restrictions make it difficult for housing authorities to provide their clients with true housing choice, including the option to live in “higher opportunity areas” - based on assessments of local educational outcomes, employment access, poverty, crime rates, and more.

Because most vouchers (68%) are administered by housing authorities in “lower opportunity areas,” housing authorities have been functionally co-opted into maintaining a system of segregation. 86% of voucher holders live outside of higher opportunity areas and 48% are concentrated in the 2% of the land area of the state assessed as very low opportunity. Jurisdictional limits make it more difficult for housing authorities to meet their obligation under federal and state law to affirmatively further fair housing.

- **Current rules reinforce segregation.** The federal rules for the Housing Choice Voucher program give housing authorities financial incentives to require voucher recipients to remain within their jurisdiction. Because housing authority jurisdiction is currently coterminous with the town lines (except for the two partnerships among groups of towns), this often means that voucher recipients must remain in racially and economically isolated communities, where poverty rates are up to ten times the state average. Our study found that 68% percent of Housing Choice Vouchers in Connecticut are administered by local authorities in lower opportunity, poverty-concentrated areas whose populations are disproportionately people of color.
- **Current rules prevent housing authorities from promoting opportunity.** Broader housing authority jurisdiction will allow housing authorities to participate in an innovative tool to promote choices, Mobility Counseling. Mobility Counseling has been an effective tool for affirmatively furthering fair housing in places like Baltimore and Dallas. But in Connecticut, housing authorities are penalized when voucher holders move outside their—currently very narrow—jurisdictional boundaries. Similar constraints prevent housing authorities from using project-based vouchers to create housing opportunities in high-opportunity neighborhoods beyond their town lines.
- **Expanding housing authority jurisdiction would connect low-income Connecticut residents to economic and educational opportunity.** In Connecticut, low-income people and people of color are highly concentrated in neighborhoods that our study found to be low- or very low-opportunity areas, where communities have little access to good jobs, quality education, or healthy food. If housing authorities’ jurisdiction is expanded to include nearby higher-opportunity communities, they will be able to give voucher families the choice to live in places where they will be able to access jobs and schools that will help break the cycle of poverty. Because housing authorities’ jurisdiction will only be extended to areas of high opportunity or low poverty, expansion will not create new areas of concentrated poverty—in fact, it will help high-opportunity towns meet their targets under Connecticut General Statutes § 8-30g.

H.B. 5125, An Act Concerning Transparency of Rental Rates for Tenants Receiving Rental

Assistance

Lastly, Open Communities Alliance supports H.B. 5125, a proposal requiring housing authorities to post the value of their vouchers on their websites and submit them to 211 for publication within 30 days of their issuance. HUD sets baseline values for vouchers of different bedroom sizes that can vary by town and zip code. Housing authorities are then permitted to go up to 10% above or below this baseline. Therefore, only a local housing authority knows how it is valuing its vouchers, and this information is sometimes not available on the housing authority's website and is not collected in any centralized location. This bill proposes that such information be published on a housing authority's website and submitted to 211 for centralized publication within 30 days of issuance. This will allow voucher families the ability to shop for units equipped with full information about the value of their voucher in different areas.

H.B. 5127, An Act Concerning the State's Long-Term and Short-Term Planning Concerning Housing Development

For decades the state of Connecticut has invested in subsidized housing in a manner that promotes segregation and spurs disinvestment in communities of color. Connecticut is publicly committed and legally obligated to affirmatively further fair housing—that is, to consciously work to reverse government-sponsored segregation. To fulfill this promise, the state needs accurate data in order to:

- Analyze current obstacles to housing choice,
- Develop a detailed plan to remove those barriers, and
- Regularly report on the state's progress in meeting its goals.

Unfortunately, a more meaningful federal obligation to report these data was suspended in January 2018 by the Trump administration. Despite this, a reporting obligation remains under state and federal law, but these can be strengthened to be made more meaningful.

Open Communities Alliance recommends that, in light of the federal abrogation of a meaningful fair housing data collection regime, Connecticut voluntarily adopt the original federal requirements for reporting state-level data to help identify barriers to fair housing, set meaningful, measurable goals for overcoming them, and measure results.

At a practical level, this means publicly producing data on the state's efforts to promote integration, including developing regional fair housing allocation goals, assessing the location of government-funded developments and tenant- and project-based subsidies; analyzing these locations in terms of racial demographics and access to opportunity; and setting measurable goals for expanding housing choice and measuring outcomes. A logical place to do this is in the HUD-mandated Consolidated Plan, which is due every five years, and the Action Plans the state submits to HUD on an annual basis.

Summary

With proposals like these in place families like the Caters will have a real shot at access affordable housing opportunities in areas of their choice. For some families, this will be in cities, where the state should be reinvesting for equitable revitalization. For other families, this will be moves to areas that have been “off limits” due to historical and contemporary policies. Please help us counteract these policies and support choice!