Overcoming Impediments to Fair Housing
Contact Information

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Are there federal or state mandates regarding affirmatively furthering fair housing that have been ignored or violated?
What checks and balances need to be put in place to ensure federal/state mandates are implemented regardless of the administration in power?

What other measures can be taken to remediate the impediments that do not include adding staff or spending money?
Impediments Leading to Segregation

- Several actors in housing market took actions that resulted in segregation in Connecticut
  - Federal government
  - State government
  - Municipal governments
  - Private actors
    - Developers
    - Real estate agents
    - Landlords
    - Lenders
    - Insurers
Impediments Caused by Federal Failure to Follow Law/Mandates

- Failure to adequately supervise and evaluate federal housing grantees to determine if they are affirmatively furthering fair housing and complying with the fair housing laws
Impediments Caused by Federal Action or Inaction

- No requirement to do planning on a regional basis
- HCV rents are not high enough to allow participants to rent in areas of high opportunity
- HUD policies and regulations are not in compliance with current fair housing laws
Impediments Caused by Federal Action or Inaction

- Reimbursement for administration of housing subsidy programs are inadequate

- Failure to adequately fund fair housing enforcement and education efforts by public and private entities
Impediments Caused by State Failure to Follow Law/Mandates

- Failure to adequately supervise and evaluate state housing grantees to determine if they are affirmatively furthering fair housing and complying with the fair housing laws
- Failure to review and evaluate state plans to determine if they affirmatively further fair housing
- Failure to fully comply with federal LEP requirements
Impediments Caused by State Action/Inaction

- No requirement to do housing planning on a regional basis
- Lack of coordination among agencies that fund and administer housing programs
- Lack of coordination among agencies administering housing and transportation programs
Impediments Caused by State Action/Inaction

- State housing regulations are not in compliance with current fair housing laws
- Housing authorities’ have limited jurisdiction
- Funding for mobility counseling programs is inadequate
- Funding for the SDG program is inadequate
Impediments Caused by State Action/Inaction

- Funding fair housing enforcement and education efforts by public and private entities is inadequate
- RAP rents are not high enough to permit participants to rent in areas of high opportunity
Impediments Caused by Municipalities

- **Zoning ordinances**
  - Do not permit affordable housing as of right
  - Require large lot sizes
  - Do not permit multi-family housing in a variety of locations
  - Restrictive occupancy requirements
  - Restrictions on the location of group homes for the disabled
  - Lack of process for reasonable accommodations
Impediments Caused by Municipalities

- Fair housing violations against individuals and groups
- Lack of knowledge about how to affirmatively further fair housing
- Lack of knowledge of the fair housing laws
- Failure to comply with LEP requirements
Impediments Caused by Municipalities

- Misperceptions regarding affordable housing
  - Affordable housing will change character of the municipality
  - Affordable housing will cost the municipality tax revenue
  - New family housing will increase cost for schools
Impediments Caused by Private Actors

- Developers
  - Reluctance to build affordable housing in a variety of locations
  - Reluctance to build affordable housing for a variety of tenures and bedroom sizes
  - Reluctance and lack of tools to deal with NIMBYism
  - Failure to comply with the accessibility requirements of the FHA
  - Lack of knowledge of the fair housing laws
Impediments by Private Actors

- **Real estate agents**
  - Fair housing violations against individuals, including steering
  - Perception that selling/renting in areas of high poverty and high minority concentrations leads to lower commissions
  - Reluctance to go against discriminatory requests of client
  - Lack of knowledge of the fair housing laws
Impediments by Private Actors

- Private Landlords
  - Fair housing violations against individuals
  - Reluctance/inability to deal with subsidy paperwork
  - Less economic return to own housing in areas of high poverty
  - Failure to comply with LEP requirements
  - Lack of knowledge of the fair housing laws
Impediments by Private Actors

- Subsidized landlords
  - Fair housing violations against individuals
  - Failure to affirmatively market properties
  - Unit recommendations for subsidy holders are not in a diversity of locations
  - Failure to comply with federal LEP requirements
  - Lack of knowledge of the fair housing laws
Impediments by Private Actors

- Bankers
  - Fair lending violations against individuals
  - Redlining
  - Reverse redlining
  - Reluctance to deal with paperwork of specialized programs for people who are low-income
  - Refusal to grant reasonable accommodations
  - Failure to comply with federal LEP requirements
  - Lack of knowledge of the fair lending laws
Impediments by Private Actors

- Insurers
  - Fair housing violations against individuals
  - Refusal to grant reasonable accommodations
  - Lack of knowledge of the fair housing laws
Remediation That Outlasts an Administration

- Mandating data collection that shows whether housing programs are affirmatively furthering fair housing
  - Data should include:
    - Demographics of who is living in housing or using the housing services
    - Where the housing is located
    - Demographics of area where housing is located
    - Demographics of waiting lists
  - Making the data publicly accessible
Remediation That Outlasts an Administration

- Requiring regional planning to affirmatively further fair housing
- Requiring coordination among agencies that provide or finance housing or influence the location of housing
- Changing housing regulations and policies to comply with current fair housing laws and mandating periodic updates
Remediation That Outlasts an Administration

- Requiring periodic evaluation of efforts of state and federal actors to affirmatively further fair housing with penalties for failure to do so

- Creating private rights of action to enforce these recommendations against state and federal actors
Remediation that Does Not Cost Money

- Begin by assessing capacity of every entity required to AFFH or working to AFFH
  - Federal agencies
  - State agencies
  - Private actors
- Determine if there is a lack of capacity or a lack of knowledge
- Determine next steps