



**PY 2020 Ohio Consolidated Plan
Fair Housing and New Horizons Program
Advisory Committee Meeting**

**Vern Riffe Center for Government and the Arts, Columbus, Ohio
October 28, 2019
1:00 p.m. - 3:00 p.m.**

Advisory Committee Members in Attendance:

Kelan Craig, Ohio Housing Finance Agency (OHFA)
Michelle Hyer, Buckeye Hills Regional Council
Kris Keniray, Housing Research and Advocacy Center
Evelyn King, City of Cambridge
Julie Kiser, Ohio Regional Development Corporation
Jimmy Russell, The Ability Center of Greater Toledo
Joe Maskovyak, Coalition on Homelessness and Housing in Ohio (COHHIO)
Marie Flannery, The Fair Housing Center
Karen Sprague, Gallia County
Nicholas Coggins, Trumbull County Planning Commission
Angie McConnell, WSOS Community Action
Sean Brooks, Hocking Athens Perry Community Action

Ohio Development Services Agency (ODSA) Employees:

Timothy Allen
Sheilah Bradshaw
Ian Thomas
Matthew LaMantia
Michael Frazier

Others in Attendance:

Zach Reizes, Hocking Athens Perry Community Action

Overview: Office of Community Development Fair Housing Actions

Tim Allen presented an overview of the Office of Community Development's (OCD) ongoing fair housing actions including:

Fair Housing Training for OCD local government grantees

OCD includes fair housing presentations in grant application and implementation training events, and offers individual grantee training upon request.

OCD's Civil Rights and Fair Housing Technical Assistance webpage

OCD provides an extensive collection of training and technical assistance materials on its [Civil Rights and Fair Housing](#) webpage. Specific topics include:

- Fair Housing Basics
- Civil Rights Technical Assistance

- Affirmatively Furthering Fair Housing (AFFH)
- Analysis of Impediments
- Accessibility and Reasonable Accommodations and Modifications
- Section 3
- State of Ohio Fair Housing

OCD also maintains a list of local government grantee fair housing contacts on the Civil Rights and Fair Housing website. The Ohio Fair Housing Contacts List is updated annually and includes all local governments with active, federally-funded OCD grants.

Standard Fair Housing Program

The Standard Fair Housing Program is a community-based framework of analysis, outreach, training, and technical assistance that serves to affirmatively further the purposes of the Fair Housing Act. Through this program, local governments actively promote fair housing by appointing a local contact, analyzing impediments to fair housing choice, and providing targeted public education. Local government recipients of Community Development Allocation and Community Housing Impact and Preservation (CHIP) Program grants must fulfill Standard Fair Housing Program requirements.

Grant Application Review and Grant Agreements

Local governments submit Standard Fair Housing Program proposals with Community Development Allocation and Community Housing Impact and Preservation (CHIP) Program grant applications. OCD's Civil Rights Compliance Specialist reviews Standard Fair Housing Program plans and provides technical assistance. Community Development Allocation and CHIP Program grant agreements include special conditions regarding Standard Fair Housing Program requirements and the grantee's obligation to affirmatively further fair housing.

Monitoring of OCD Grants

OCD monitors all grants for compliance with program requirements, including completion of approved Standard Fair Housing Program plans.

Analysis of Impediments to Fair Housing Choice

Local government recipients of Community Development Allocation and CHIP Program grants conduct an Analysis of Impediments to Fair Housing Choice (AI) as part of the Standard Fair Housing Program. OCD reviews local government AI documents and compiles data regarding locally identified impediments to fair housing choice to inform the statewide AI that is submitted to HUD with the Ohio Consolidated Plan.

New Horizons Fair Housing Assistance Program

The New Horizons Fair Housing Assistance Program is a competitive program that provides funds to units of local government to affirmatively further fair housing and eliminate impediments to fair housing. Activities funded with New Horizons grants must be in addition to a grantee's Standard Fair Housing program, which is required as a part of the Community Development Program and Community Housing Impact a Preservation (CHIP) Program applications. New Horizons fair housing strategies are based on locally assessed needs, and further the State's initiative to affirmatively further fair housing.

Fair Housing / New Horizons Consolidated Plan Advisory Committee

As part of the citizen participation process for the Ohio Consolidated Plan, OCD convenes a Fair Housing/New Horizons Advisory Committee each year. The committee meeting is open to the public and OCD draws committee members from fair housing organizations, the Ohio Civil Rights Commission, Coalition on Homelessness and Housing in Ohio (COHHIO), Ohio Housing Finance Agency (OHFA), entitlement and non-entitlement local governments, and advocacy organizations. The annual meeting provides an opportunity for a wide array of stakeholders to engage in productive

discussion regarding OCD's programs, fair housing requirements, and training efforts. The committee also discusses the state of fair housing in Ohio, and offers recommendations on how OCD can enhance training and outreach to address specific issues.

Grantee Training and Oversight

Tim described the fair housing training opportunities offered to OCD local government grantees. Individual grantee training is available upon request, and OCD includes a fair housing component in the grant application and implementation training events associated with the Community Development Program and Community Housing Impact and Preservation (CHIP) Program. During PY 2019, OCD's Civil Rights Compliance Specialist provided fair housing training during targeted training visits to communities with new grant administrators.

On December 12, 2018, OCD delivered a fair housing presentation during its one-day Community Development Block Grant (CDBG) Implementation Training for Allocation Program grant recipients.

At the April 22, 2019 Community Development Allocation Program Application Workshop, staff provided training regarding the Standard Fair Housing Program requirements.

In November and December 2019, OCD intends to host three targeted Community Development Allocation Program implementation workshops for new grant administrators. These workshops will include fair housing training.

Tim discussed the Fair Housing File Guide and Monitoring Tool, two of OCD's primary tools for grantee guidance and oversight. The File Guide provides a detailed outline of the documentation requirements for the Standard Fair Housing Program, and the Monitoring Tool directs OCD's oversight efforts. Basic Standard Fair Housing Program monitoring is a required component of the Community Development Program monitoring conducted by OCD staff. The Civil Rights Compliance Specialist also conducts targeted specialist monitoring.

Local Government Grantee Fair Housing Requirements

Tim discussed the required Standard Fair Housing Program for OCD local government grantees. Each local government grantee must certify that it will affirmatively further fair housing, and the Standard Fair Housing Program is the primary mechanism through which local governments fulfill this obligation. Standard Fair Housing Program requirements are incorporated into the Community Development Allocation Program and CHIP Program applications.

Tim outlined the four components of the Standard Fair Housing Program – education, outreach, analysis of impediments, and a local contact - and asked the committee for comments and suggestions regarding the effectiveness of the program.

Local Fair Housing Contact

The local fair housing contact is a local government employee who provides general information, receives and processes fair housing complaints, and refers cases to the Ohio Civil Rights Commission. A qualified consultant or local agency may serve as the local fair housing coordinator, upon OCD's written approval. The contact's name, address, and phone number must appear in all fair housing materials and on the grantee's official website.

Education

The Standard Fair Housing Program provides essential education regarding discrimination and fair housing rights. Local governments design an annual training program that includes presentations to residents of areas targeted for federal assistance; special populations affected by federally assisted projects; direct beneficiaries of federal housing assistance; and three additional schools, organizations, or civic groups schools (per calendar year during the grant period).

Outreach

To reach a broad community audience, local governments also develop an annual plan to distribute fair housing brochures, pamphlets, posters, and other informational materials to 10 area agencies, organizations, or public events each quarter during the grant period. Grantees must also provide fair housing outreach materials on their official website.

Analysis of Impediments to Fair Housing

To help target education and outreach efforts, local governments must conduct a comprehensive analysis to identify impediments to fair housing choice within their jurisdiction. The analysis should identify policies, actions, omissions, or decisions that restrict housing choices based on the seven protected classes listed in the Fair Housing Act and the two additional classes included in Ohio's Fair Housing Act (ORC 4112). Local governments use the Analysis of Impediments to Fair Housing Choice (AI) to develop strategies to address and overcome discriminatory policies and practices. Local government grantees generate a new AI every five years, and in the intervening years provide an annual update. All local government grantees submitted comprehensive AI documents on July 1, 2019.

The State of Ohio compiles and analyzes data regarding locally identified impediments to fair housing choice to inform a statewide AI that is submitted to HUD with the Ohio Consolidated Plan. The next statewide AI is due in May 2020.

The committee agreed that the Standard Fair Housing Program format is comprehensive and working well and recommended no changes at this time.

New Horizons Fair Housing Assistance Program

Tim described the New Horizons Fair Housing Assistance Program (New Horizons) application and instructions. New Horizons is a competitive program that provides funds to units of local government, or consortia of units of local government, to affirmatively further fair housing and eliminate impediments to fair housing. Activities funded with New Horizons grants must be in addition to a grantee's Standard Fair Housing Program. OCD provides New Horizons application information on the OCD Civil Rights and Fair Housing webpage, and staff promotes the program at Community Development Allocation Program and CHIP Program training events.

OCD allocates \$50,000 of CDBG funds each year for the New Horizons Program. Grant recipients may receive up to \$15,000 for one jurisdiction, and up to an additional \$5,000 for each additional eligible jurisdiction in a consortium, for a maximum award not exceeding \$30,000. Applicants must be direct Allocation Program cities or counties. Per a recommendation of the PY 2018 Advisory Committee, consortium members may now be direct Allocation Program cities or counties, or CHIP Program CDBG-eligible jurisdictions.

Tim described a potential New Horizons Program project that arose from a conflict between local zoning ordinances and a recovery housing property. Analysis of zoning laws is an eligible New Horizons activity, and Tim has encouraged the interested OCD grantee to consider applying for grant funds to conduct a county-wide zoning analysis. Considering that the most recent New Horizons grant

award was in PY 2016, Tim opened the meeting for a discussion of potential projects. The committee discussed the following issues:

- “Conservation districts,” created as zoning ordinances to preserve neighborhood character, that place restrictions on rental housing.
- “Nuisance ordinances,” especially as they pertain to cases of domestic violence and medical emergencies associated with persons with disabilities.
- Landlords renting under the guise of Airbnb to circumvent fair housing requirements and landlord/tenant law. Some jurisdictions have ordinances regarding the number of days required to establish tenancy.
- New Horizons funding to implement aspects of AI action plans.

State of Ohio Analysis of Impediments to Fair Housing Choice

Tim provided an overview of the status of HUD’s Affirmatively Furthering Fair Housing requirements. On July 16, 2015, HUD published the Affirmatively Furthering Fair Housing Rule, which introduced the Assessment of Fair Housing (AFH) process. The AFH replaced the Analysis of Impediments to Fair Housing Choice, and HUD committed to creating separate assessment tools for states, local governments, and public housing authorities. In May 2018, HUD withdrew the only operational assessment tool, the Local Government Assessment Tool, and outlined its intent to amend the existing AFFH regulations. Until HUD publishes revised AFFH guidance, program participants must continue to perform an Analysis of Impediments to Fair Housing Choice.

The AI documents submitted by local government grantees on July 1, 2019 will inform the State of Ohio’s next Analysis of Impediments to Fair Housing Choice, which is due May 2020. Tim presented preliminary data regarding grantee-identified impediments.

- The State of Ohio identified four primary impediments in its 2015 AI:
 - Lack of affordable rental housing for individuals with disabilities
 - Lack of affordable, accessible housing for older adults
 - Lack of education or understanding of Fair Housing laws by Hispanic Ohioans, especially in northern and northwestern Ohio
 - Limited access to public transit in rural areas
 - In 2019, these four issues remained important to grantees, with 51% citing a lack of affordable rental housing for individuals with disabilities; 26% citing a lack of affordable, accessible housing for older adults; 7% citing language barriers (Spanish); and 38% citing limited access to public transit in rural areas.
- The table below offers a preliminary summary of grantee-identified impediments in 2019:

Impediment	Percent of grantees
Lack of affordable housing	74%
Need for Fair Housing education	72%
Lack of accessible housing	56%
Lack of affordable/accessible housing for individuals with disabilities	51%
Lack of public transportation	38%
Lending issues (e.g. predatory lending, discrimination, lack of financial literacy)	28%
Lack of affordable/accessible housing for seniors	26%

Impediment	Percent of grantees
Exclusionary Zoning	25%
Poor condition of housing stock	21%
Fair Housing Enforcement	19%
Lack of building codes/code enforcement	13%
Lack of transitional housing	13%
Lack of understanding/failure to make reasonable accommodations/modifications	12%
Lack of housing for larger families	8%
Language barriers (Spanish)	7%
Lack of employment opportunities	7%
NIMBY	6%
Segregation	5%
Discriminatory advertising practices	4%
Lack of public infrastructure	4%

Committee members offered the following comments regarding the preliminary data:

- A committee member was surprised that lack of public infrastructure wasn't identified as an impediment by more grantees.
- A committee member wondered why the issue of fracking and its impact on housing was not considered by grantees.
- A committee member indicated that many of the impediments in the preliminary list could be grouped together.
- A committee member was surprised that NIMBYism wasn't more universally identified as an impediment by grantees.
- A committee member suggested that OCD further evaluate the significance of the grantee-identified impediments by conducting a survey which asks grantees to rate the impact of each impediment in their community.

Other Issues and Recommendations

Tim opened the meeting to general comments or recommendations from the Committee:

- A committee member mentioned that individuals who provide fair housing training in grantee jurisdictions need guidance/training on how to deliver effective fair housing presentations.
- A committee member noted that local governments should consider using social media as a fair housing education/outreach tool.
- A committee member noted that urban jurisdictions often permit large housing projects that are not in compliance with the Fair Housing Act.
- A committee member noted that the state's building permit authority does not effectively enforce ADA requirements, and further noted that aspects of the Ohio Revised Code prevent the state and local jurisdictions from "mandating accessibility."

The meeting adjourned at 3:00 p.m.