
Overcoming Impediments to Fair Housing

Contact Information

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Agenda

- Are there federal or state mandates regarding affirmatively furthering fair housing that have been ignored or violated?

Agenda

- 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?
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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
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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
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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
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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
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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
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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
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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
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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
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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
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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
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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
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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
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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
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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
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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
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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
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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
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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
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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
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