



SPRING QUARTERLY MEETING

April 25, 2024

Statewide Association of Community and Economic Development Organizations

Bill Rotert

Former CPD
Director, Kansas
City, MO

CELEBRATING 50 YEARS OF CDBG

Lisa Rice,
President / CEO
National Fair
Housing Alliance

FAIR HOUSING IN 2024 AND BEYOND



Fair Housing in 2024 and Beyond OCCD Conference

www.nationalfairhousing.org

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ABOUT NFHA™

The National Fair Housing Alliance® leads the fair housing movement. NFHA works to eliminate housing discrimination and ensure equitable housing opportunities for all people and communities. We advance fair housing to build inclusive, resilient, well-resourced communities where everyone can thrive.



- Education and Outreach
- Member Services
- Public Policy & Advocacy
- Housing and Community Development

- Responsible AI
- Enforcement
- Consulting and Compliance
- Resource Development & External Affairs

NFHA

How Structural Barriers Impede Fair Access to Housing & Credit

**De Facto and De Jure
Actions Created:**
Segregation
Dual Credit Market
Biased Appraisal System
Unfair Technologies
Restrictive Zoning
Other Biased Systems

Federal Government Actions

- Donation Land Claim Act
- Homestead Grants
- Home Owners Loan Corporation Act
- FHA Program
- National Highway Act
- National Housing Act
- Chinese Exclusion Act
- Indian Removal Act
- Jim Crow & Segregation Laws
- Exclusionary Zoning Ordinances

State and Local Government Actions

- Racially Restrictive Covenants
- Sundown Towns
 - Mercer County
 - Portsmouth
- State of Ohio “Black Laws”
- Act to Regulate Black and Mulatto Persons
- Exclusionary Zoning Ordinances
- Inequitable Investments
- Model Cities Program
- Urban Renewal Program
- Lack of Compliance with AFFH Mandate

Private Actions

- Racial Steering
- Blockbusting
- Lending Redlining
- Insurance Redlining
- Racial Violence
- Other Discriminatory Actions

Board of Realtors Code of Ethics Promoted Segregation

NAR's Code of Ethics mandated segregation and restricted integration.

ARTICLE 34.

A Realtor should never be instrumental in introducing into a neighborhood a character of property or occupancy, members of any race or nationality, or any individuals whose presence will clearly be detrimental to property values in that neighborhood.

Article 34.

A Realtor should never be instrumental in introducing into a neighborhood a character of property or use which will clearly be detrimental to property values in that neighborhood.

Sundown Towns and Black Laws

- **Ohio's Black Laws** restricted where **People of Color** could live, forbade them from testifying against a **White** person, prohibited them from voting, required **Whites** to post "good behavior" bonds on behalf of **Black** people, prohibited **Black** children from attending school, and more
- **Municipalities** established "all White" communities or **Sundown towns** –
 - **Portsmouth** (Jan. 1831) banished **Blacks** from the city
 - "The citizens of Portsmouth are adopting measures to free the town of its colored population."
 - **Whites** in **Mercer County** forbade newly liberated **Blacks** from moving into the area issuing a warning they would "resist the settlement of **Blacks** and **Mulattoes**...to the full extent of our means, the bayonet not excepted."

Racially Restrictive Covenants

buildings shall be erected or maintained on said premises, such dwelling house to cost not less than \$6,000.00; it being intended by this provision to prohibit, among other things, any double, duplex or apartment house on said premises.

Third: That no soil on said premises shall be removed for any commercial purposes;

Fourth: That no building shall be erected on said premises any wall of which shall be nearer the street or streets on which the said premises abut, than the building line as shown on said plat; and for the distances between said building line and such street or streets, reference is hereby made to said plat, which is made a part hereof, as fully as if hereto annexed, and no building or erection of any kind, excepting eaves, cornices, bay windows, one-story porches, one-story verandas, one-story portecocheres, and structures of a like character (some constructed in connection with any dwelling house erected inside of said building line), together with any fence or neat and ornamental material and design, shall be erected or maintained on any portion of said premises between said building line and such street or streets;

Fifth: That, until the 1st day of January, A. D. 1909, said premises, or any part thereof, shall not be sold, leased, mortgaged, pledged, given or otherwise disposed of to, or owned, used or occupied by, any person or organization of persons in whole or in part of the Negro race or blood, and this restriction shall be a condition and covenant running with the land, for the benefit of any present or subsequent owner of other premises shown on said plat; provided, that nothing herein shall prohibit a person, while occupying said premises in compliance with this restriction, from employing as a servant a person not of the white race.

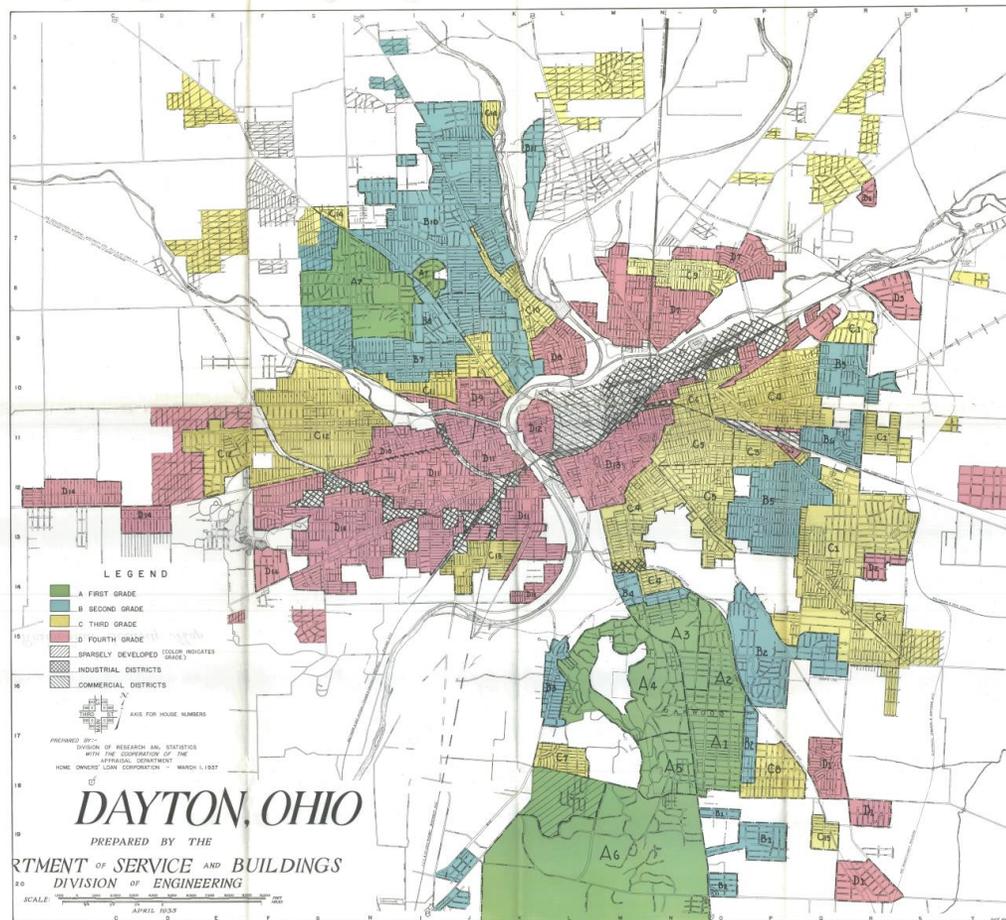
One of the first inclusions of the racially-restrictive clause in a property deed in UA. (Franklin County Recorder online database. *Henry Miller, Edward D. Howard and King G. Thompson as Executors of the Last Will and Testament of James T. Miller, deceased to Fred S. Horner and Lorraine R. Horner*, 1926 Sept 26, DB Vol 825, P 561. recorder.franklincountyohio.gov)

Race-Conscious Policies Created Systems of Inequality that are Still in Place

- **Residential Segregation**
- **Biased Appraisal System**
- **Restrictive/Exclusionary Zoning**
- **Dual Credit Market**
- **Biased Technologies**
- **Imbalanced Infrastructure and Investments**
- **Climate and Environmental Inequities**
- **Biased Tax Code**
- **Unfair Criminal Justice System**
- **Inequitable Educational System**
- **Others**

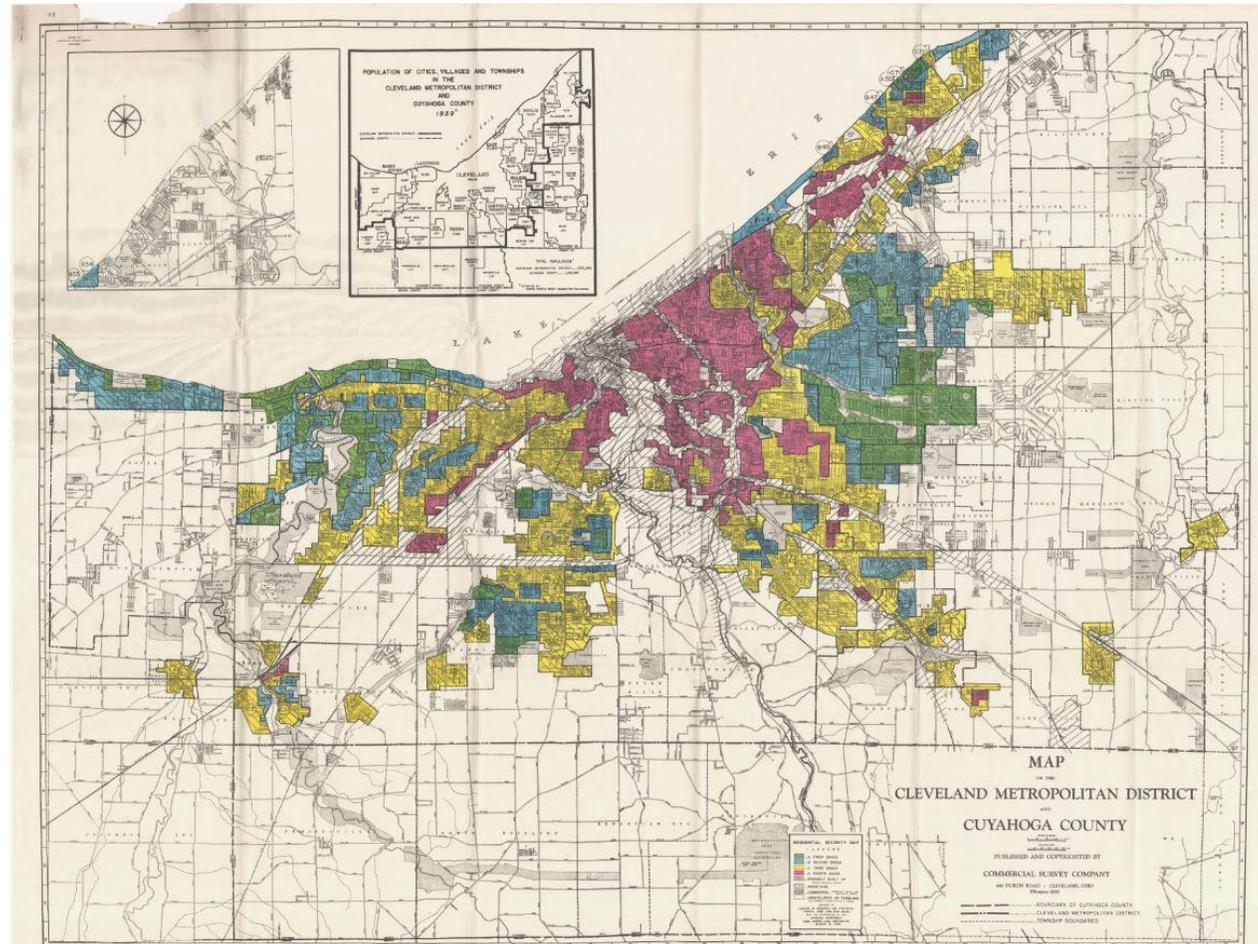
- Leads to the Highest Value Being Placed on White, Homogenous Areas
- Arbitrarily and Erroneously Devalues Properties in Communities of Color

- A "Best"
- B "Still Desirable"
- C "Definitely Declining"
- D "Hazardous"



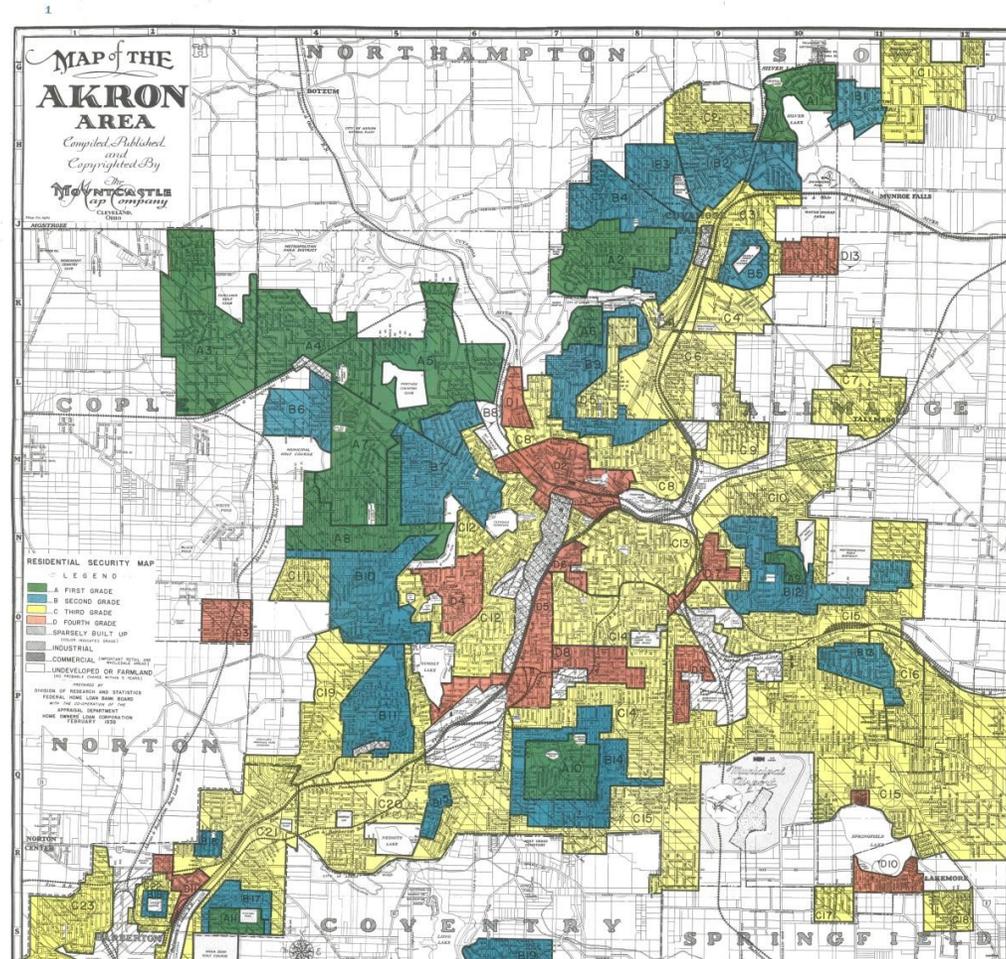
- Inculcated the Association of Race and Risk in the Appraisal System
- Systematized Bias in the Appraisal Market

- A "Best"
- B "Still Desirable"
- C "Definitely Declining"
- D "Hazardous"



- Promoted Segregation
- Resulted in Redlining and Disinvestment in Communities of Color

- A "Best"
- B "Still Desirable"
- C "Definitely Declining"
- D "Hazardous"

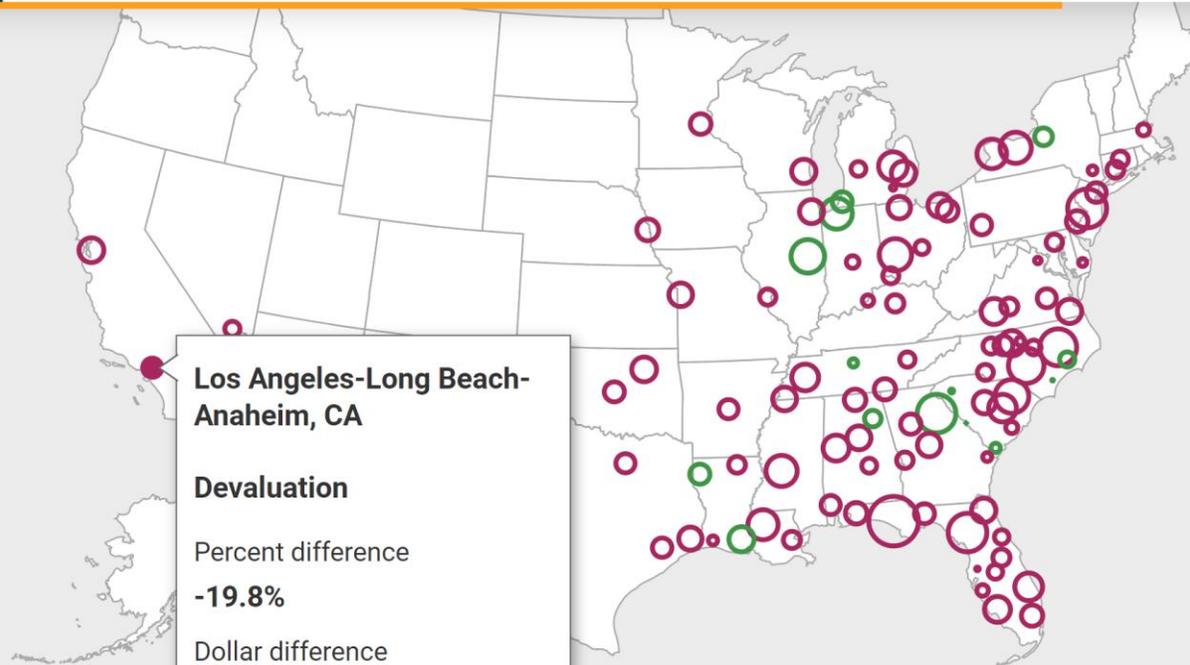


- Homeowners in Black neighborhoods are devalued on average by \$43,000 in the U.S.
- Dayton/Kettering - \$45,285
- Cleveland - \$32,553
- Cincinnati - \$18,589

Biased Appraisal System Results in Disparate Outcomes

B

How racial bias in appraisals affects the devaluation of homes in majority-Black neighborhoods



majority Black neighborhoods with those where less than 1% of residents are Black

Devaluation: Comparable homes in majority Black neighborhoods are worth less ↘



Appreciation: Comparable homes in majority Black neighborhoods are worth more ↗

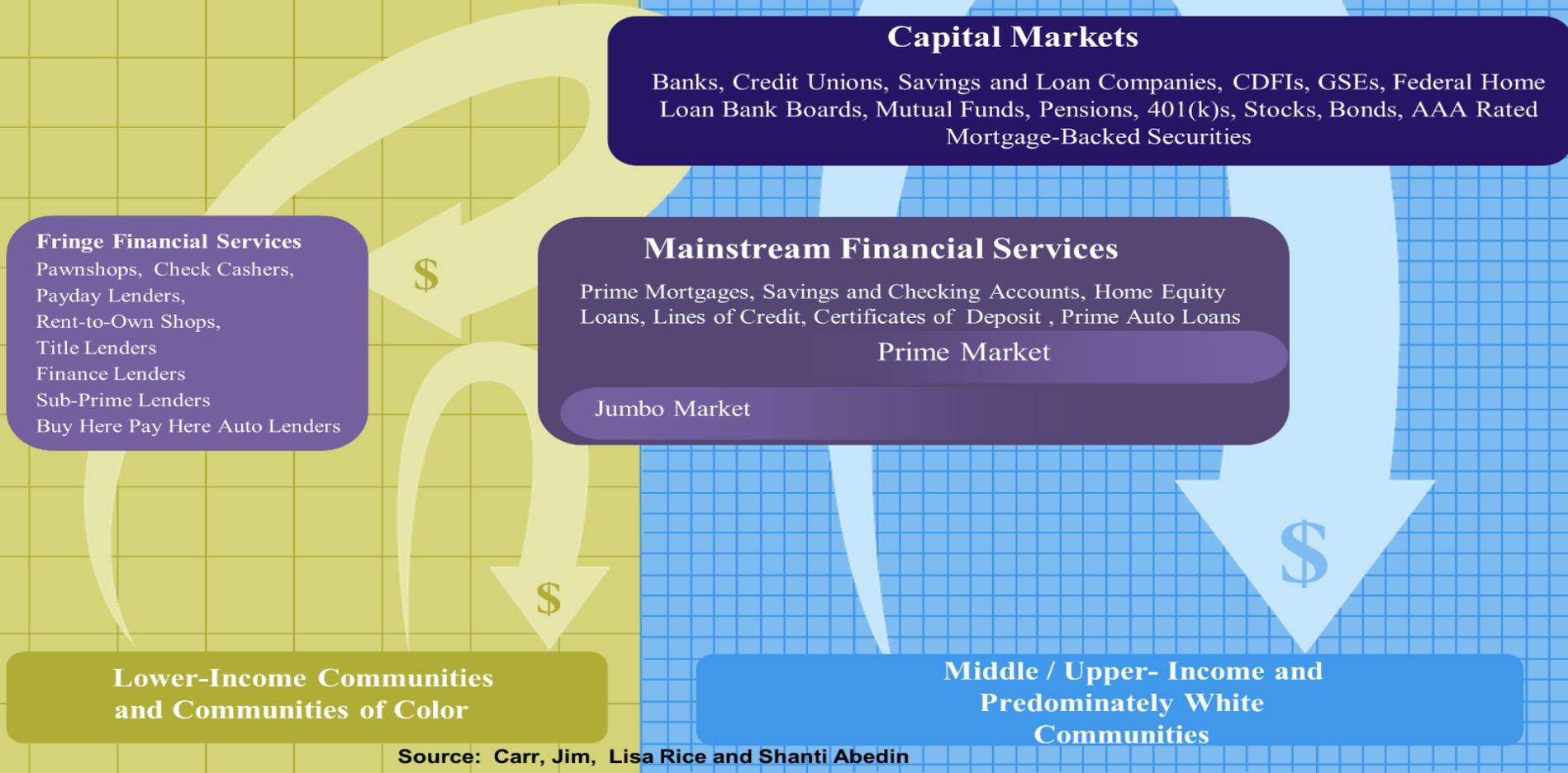


The Dual Credit Market Drives Disparities in:

The U.S. Dual Credit Market Perpetuates Inequality

- **Credit visibility**
- **Credit scores**
- **Insurance scores**
- **Credit access**
- **Homeownership access**
- **Rental housing access**
- **Insurance access**
- **Cost to access housing, credit, and insurance**
- **Job access**
- **Wealth**

Bifurcated U.S. Financial System



Source: Carr, Jim, Lisa Rice and Shanti Abedin

Who is Using Alternative Financial Services?

African American
46%



Latino
40%



American Indian/
Alaska Native
38%



Hawaiian/Pacific
Islander
27%



Asian
19%



White
18%

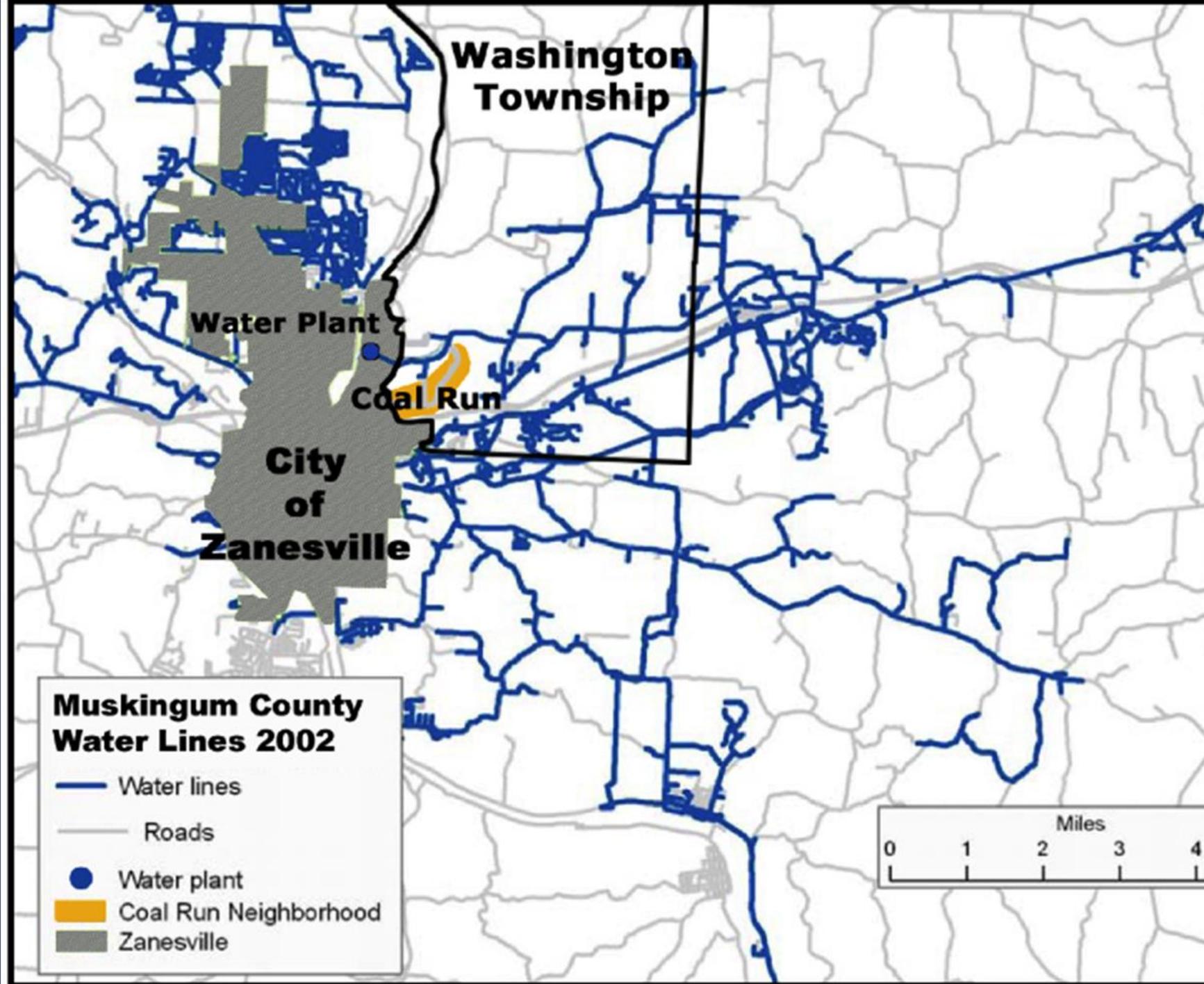


Restrictive and Exclusionary Zoning Policies

- **Single Family Only Requirements**
- **Minimum Lot Size Requirements**
- **Spatial Requirements**
- **Maximum Building Height**
- **Minimum Parking Requirement**
- **Restrictions on Manufactured/Modular Housing**
- **Blood Relative or Restrictions Based on Familial Ties**
- **Restrictive Floor to Ratio Requirements**
- **Excessive/Exclusionary Building Requirements**
- **Community Input Requirements**

NFHA

**Inequitable
Investments
Deepen Wealth,
Housing, Health,
Educational, and
other Divides**



Technology Is The New Civil and Human Rights Frontier

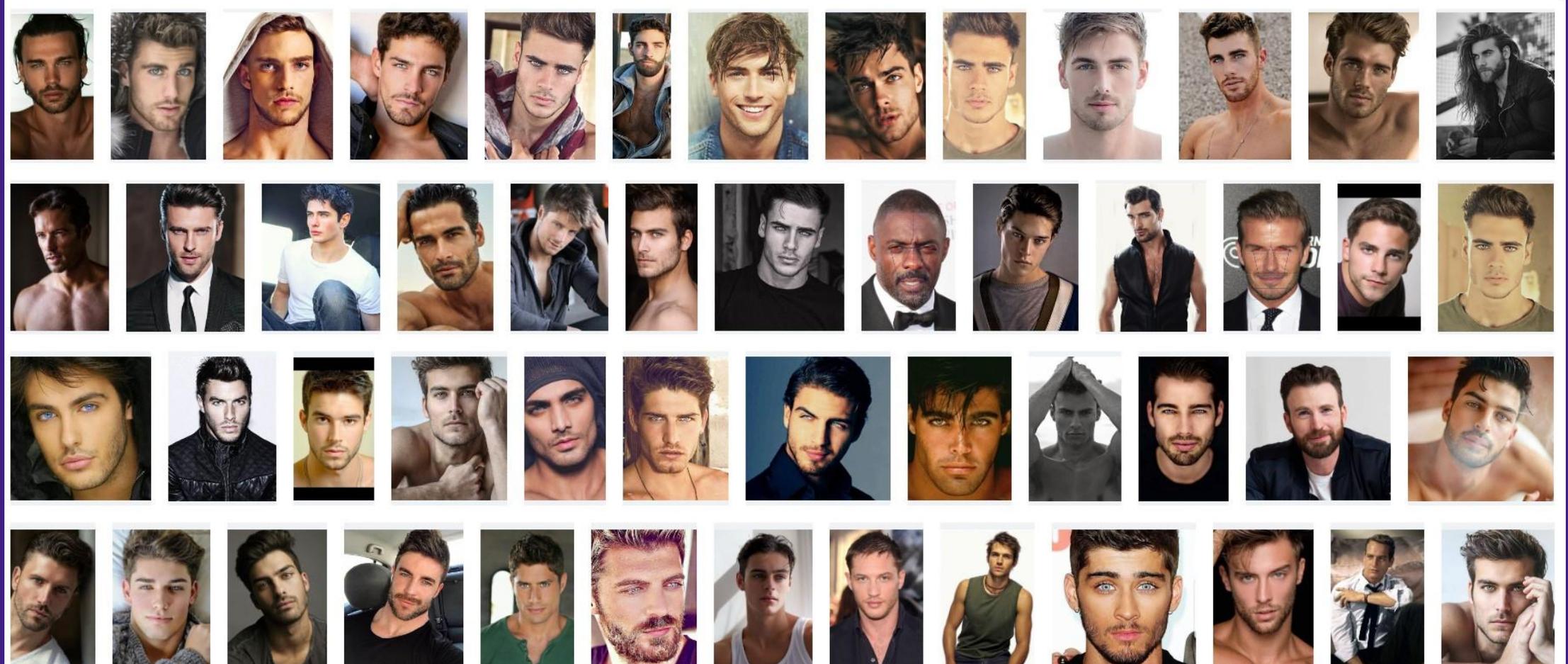
- **Technology is not innocuous**
- **Data is tainted**
- **Computers are not blind**
- **Technology can make it easier to manifest/replicate discrimination**
- **Technology can amplify discrimination**
- **Technologies systemize bias**

Technology Is The New Civil and Human Rights Frontier

- Facial Recognition
- Credit Scoring
- Insurance Scoring
- Automated Underwriting
- Risk-based Pricing
- Digital Marketing Platforms (Meta, etc.)
- Tenant Screening Selection
- Dynamic Rental Pricing
- Automated Valuation Models
- Claims Processing
- Customer Service
- Mass Eviction Filing

Search navigation: All, **Images**, Video, News, More, Filter. Safesearch On

Filter tags: Blue Eyed Handsome Man, Green Eyed Men, HandSome Man with Blue Eyes, Handsome Men Ever, HandSome Men Green Eyes, Handsome Gentleman, HandSome Man with Beard, Handsome Cute, Hand Some Men in Kilts, Handsome Faces



Stunning Beautiful Woman

Beautiful Women in Dresses

Beautiful Woman Eyes

Beautiful Plus Size Women

Beautiful Women Love

Beautiful Women Amazing Most

Beautiful Woman Face with Makeup

Pretty Women



Beautiful Women Pictures and Wallpapers - WoW Style



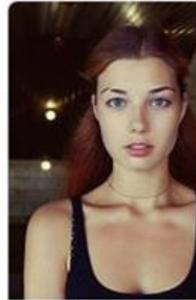
Beautiful Women Pictures and Wallpapers - The WoW Style



Beautiful Women Pictures and Wallpapers - The WoW Style



Beautiful Women Pictures and Wallpapers - The WoW Style



Top 10 Countries With the Most Be...



Beautiful Women Pictures and Wallpapers - The WoW Style



Beautiful Women Pictures and Wallpapers



Most Beautiful Women in the Wo...



10 Nations With The Most Beautiful Women



Top 30 World's Most Beautiful Women of 2013 | Movies Songs Lyrics



Top10 Most Beautiful Women in the World



37 Amazing Photos of Beautiful and Sexy Wo...



Wonderful Photos: Most Beautiful Women In The World Everything has its ...





Esquire
The Most Beautiful ...



People
All-Time Beautiful W...



People
Most Beautiful Women ...



New York Post
Most Beautiful' woman ...



The Florida Times-Uni...
WORLD'S TOP 10 M...



Pexels
Beautiful Woman Pho...



Glamour
Lupita Nyong'o Nam...



Quora
beautiful and famous...



DeviantArt
Black Women by K...



Quora
Who is the most attr...



Pinterest
Beautiful girl face, ...



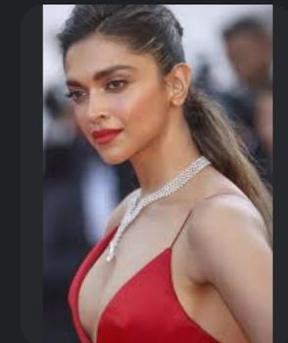
ELLE
Most Beautiful Wo...



Bright Side
The Top Twenty Mo...



Damia Global Services
10 Most Beautiful Wo...



The Economic Tim...
World Most Beautif...



Where You Live Matters

Education

Where you live impacts your child's ability to attend a **well-resourced school** with expanded learning opportunities. Across the nation, schools spend \$334 more on White students than students of Color and predominately White school districts receive \$23B more than non-White districts even though they educate the same number of students. Moreover, schools in predominately White communities have higher instances of veteran, highly-qualified educators who are teaching in their field of expertise. The COVID-19 pandemic has exacerbated the racial education gap.

Transportation

Transportation points, like highways, toll roads, and train lines have been used to isolate communities of color, entrenching segregation and cutting them off from access to job centers and important amenities and services. Since People of Color are less likely than their White counterparts to own a car, they are more susceptible to injury when they walk to work, school, and other places. In fact, Black people are more likely to die in traffic accidents than other group because they are less likely to own a car making reliable public transportation an imperative. Moreover, NFHA's investigative work shows even when People of Color have better credit, they are often charged more for auto loans than their White counterparts.

Wealth

In 2016, the **median wealth** of White families was 10 times that of Black families and 8 times that of Latino families. According to Prosperity Now, if White wealth were to remain constant, it would take Latinos 84 years and Blacks 228 years to reach parity. This **wealth gap** is tied to disparities in H/O rates – 72% for Whites, 47% for Latinos and 42% for Blacks.

Healthy Environments

People of Color are more likely to be impacted by **environmental injustice** and are twice as likely to live in areas without potable water or proper sanitation. Race is the most significant predictor of whether a person will live in a neighborhood with contaminated air, land or water. More than half of the people who live within 2 miles of a waste facility are People of Color.

Healthy Food

People of Color are more likely to live in a **food desert**. Latinos are a third less likely and Blacks half less likely to have access to a grocery store than their White counterparts. 8% of Blacks live in a census tract with a grocery store compared to 31% of Whites.

Living Wage Jobs

There are large **income disparities** based on race. Higher paying jobs are not located in Communities of Color. These jobs are located either in core downtown areas or suburban hubs. In addition, People of Color face direct discrimination when trying to get a job. One study found that people with "White" sounding names are contacted 20% more than those with "Black" sounding names.

Healthcare

Blacks and Latinos are more likely to live in **health deserts** with fewer healthcare facilities and primary care physicians. As Melody Goodman, Assistant Professor of Washington University put it, when it comes to your well-being, "Your zip code is a better predictor of your health than your genetic code." The COVID-19 pandemic has exacerbated racial health disparities. Due to discrimination, segregation, and other structural inequities, people of color are dying from the coronavirus at more than twice the rate of Whites.

Digital Access and Tech Equity

Communities of Color have less access to **high-speed Internet**. Most people who benefit from federal investments on rural broadband subsidies are non-Hispanic White. Moreover, people who lack residential broadband service for reasons other than network availability are disproportionately people of color. Black and Brown communities are also disproportionately impacted by **tech bias**, like automated underwriting, credit scoring, tenant screening, and risk-based pricing systems that often manifest discrimination.

Access to Credit

People of Color are more likely to be affected by America's **dual credit market**. 46% of Blacks, 40% of Latinos, and 38% of American Indian/Alaska Natives use non-traditional credit compared to 18% of Whites. Subprime and fringe lenders are hyper-concentrated in Communities of Color. Alternatively, White communities have an average of 41 bank branches while Communities of Color have an average of 27 bank branches for every 100,000 people.

NFHA

**Current Anti-Discrimination Laws
Can Help Expand
Fair Access**

Affirmatively Furthering Fair Housing

- Mandated in the Federal Fair Housing Act
- Requires all entities receiving federal funds for a housing or community development purpose to use funds and implement all programs in a manner that affirmatively furthers fair housing
- Jurisdictions must conduct an Analysis of Impediments to Fair Housing (Equity Plans) every 5 years
 - Identify barriers to fair housing
 - Develop solutions to overcome barriers
 - Monitor progress
- AFFH fosters diverse, vibrant, well-resourced communities replete with affordable housing, clean land and air, fresh water, healthy foods, banks, clean transportation, living wage jobs, well-resourced schools, healthcare facilities, etc.

Affirmatively Furthering Fair Housing Solutions

- Increasing support for fair housing groups in the region
- Strengthening enforcement of fair housing laws
- Broadening fair housing education
- Increasing support for fair housing research
- Engaging in zoning, licensing, and permitting modernization to increase supply of fair and affordable housing
- Supporting and implementing equity-based solutions
 - First Generation Homebuying Programs
 - Special Purpose Credit Programs
 - Shared Equity Programs
- Tying municipal investments in and relationships with financial institutions based on their fair housing compliance (CRA rating, bank locations, product mix, liability for fair housing violations, etc.)
- Reforming real estate tax structure to lessen racial disparities (addressing appraisal gap issue, loosening tax liens for low-wealth households, etc.)

NFHA

The Benefits of Closing The Gap

Closing The Wealth Gap Is An Economic Imperative

- If racial disparities had been closed 20 years ago, U.S. GDP could have benefitted by an estimated \$16 trillion
- By closing the racial wealth gap, the U.S. GDP could be 4-6% higher by 2028, up \$5T
- Diverse teams are more productive
- Reducing economic insecurity results in better educational outcomes for children, reduced stress and health issues, and better quality of life
- Advancing equity compels people to devote their intellect to higher uses, thereby making our country more productive
- Advancing racial equity is not a zero-sum game; it represents exponential growth and opportunity



15-Minute Break
Next Session begins at
10:15 a.m.

April 25, 2024

Statewide Association of Community and Economic Development Organizations

COMBINING HOME / CDBG FUNDS

Angela Rahman, Kettering

Amy Hayslip, Kettering

Jeremy Boggs, Hocking Athens Perry CAP

Sarah Geist, Dayton

Using CDBG & HOME for Affordable Housing Development

Amy Hayslip

Community Development Program Coordinator

HUD Intends for Grantees to Use the programs together!



The Upside: HOME doesn't allow for much admin costs so using it with CDBG can assist with this problem



The Downside: Both programs rules apply; making the work a little more complex

HUD Provides Guidance on how to do this!

hudexchange.info/resource/267/home-and-cdbg-working-together-to-create-affordable-housing-training-manual/

HUD EXCHANGE

Home > Resources > HOME and CDBG: Working Together to Create Affordable Housing - Training Manual and Slides

Guides and Training Manuals

HOME and CDBG: Working Together to Create Affordable Housing - Training Manual and Slides

Date Published: February 2012

Description

This training provides information on using HOME Program and CDBG funds for affordable housing activities as strategically as possible. It outlines differences between the two programs and provides a detailed consideration of how to use HOME Program and CDBG to support rental housing, homeownership, rehabilitation, and comprehensive neighborhood revitalization projects.

Resource Links

- Slides (PDF)
- Training Manual (PDF)

Auth
ICF
Reso
HUD

Chapter 1: HOME and CDBG Basics

This chapter is a basic primer for housing practitioners who are new to the HOME or CDBG programs. It provides a general overview of the two programs, including their statutory bases and key program partners. For each program, the chapter describes basic eligible activities and highlights important administrative requirements. The subsequent chapters provide more detail on each of the eligible affordable housing activities. This chapter concludes with a detailed chart that compares the key requirements of the two programs.

Part 1: HOME Investment Partnerships (HOME) Program

What is HOME?

Created by the National Affordable Housing Act of 1990 (NAHA), HOME is the largest Federal block grant available to communities to create affordable housing. The intent of the HOME Program is to:

- Increase the supply of decent, affordable housing to low- and very low-income households;
- Expand the capacity of nonprofit housing providers;
- Strengthen the ability of state and local governments to provide housing; and
- Leverage private sector participation.

Every year, the U.S. Department of Housing and Urban Development (HUD) determines the amount of HOME funds that states and local governments—also known as Participating Jurisdictions (PJs)—are eligible to receive using a formula designed to reflect relative housing need. After money has been set aside for America's smallest areas and for nationwide HUD technical assistance, the remaining funds are divided between states (40 percent) and units of general local government (60 percent).

The HOME Program regulations are found at 24 CFR Part 92. The Final Rule was published on September 16, 1996 and was amended on March 30, 2004 to include ADD. The HOME regulations may be found on HUD's Office of Affordable Housing Programs website at: <http://www.hud.gov/offices/opd/affordablehousing/letsunderstandregs/home/index.cfm>

HOME Program Partners

To ensure success in providing affordable housing opportunities, the HOME Program requires PJs to establish new partnerships and maintain existing partnerships. Partners play different roles at different times, depending upon the project or activity being undertaken with HOME funds. Key program partners include:

- **PJs.** A PJ is any state, local government, or consortium that has been designated by HUD to administer a HOME program.
 - *State governments:* States are given broad discretion in administering HOME funds. They may allocate funds to units of local government directly, evaluate and fund projects themselves, or combine the two approaches. States may also fund projects jointly with local PJs. They may use HOME funds anywhere within the state, including within the boundaries of local PJs.
 - *Local governments and consortia:* Units of general local government, including cities, towns, townships, and parishes, may receive PJ designation or they may be allocated funds by the state. Consortium units of local government may form a consortium for the purpose of qualifying for a direct allocation of HOME funds. The local government or consortium then administers the funds for eligible HOME uses.
- **Community Housing Development Organizations (CHDOs).** A CHDO is a private, nonprofit organization that meets a series of qualifications prescribed in the HOME regulations. Each PJ must use a minimum of 15 percent of its annual allocation for housing that is owned, developed, or sponsored by CHDOs. PJs evaluate



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www.ketteringoh.org

New Affordable Housing Development



LIVE

WORK

PLAY

Rehab Single Family Owner Occupied





CITY OF KETTERING
LIVE WORK PLAY
www.ketteringoh.org

CDBG HOME



LIVE

WORK

PLAY

Community Housing Impact and Preservation Program- CHIP Combining HOME and CDBG

HOME and CDBG Combined Funded Activities

- Rental Rehabilitation
- Owner Rehabilitation

Community Housing Impact and Preservation Program- CHIP Combining HOME and CDBG

Example: CHIP Award

Owner Rehabilitation

HOME Funds	\$469,000
<u>CDBG Funds</u>	<u>\$75,000</u>
Total Funds	\$544,000

Athens County

Owner Rehab

HOME Funds and CDBG Funds

Total Budget \$544,000.00 (This does not include program income)

Total Hard Cost \$390,833.00 HOME and \$62,500.00 CDBG=\$453,333.00

Total Soft Cost \$78,167 HOME and \$12,500.00 CDBG=\$90,667.00

	Hard Cost		Soft Cost		
1) Mrs. Smith					
Contract Price	\$ 50,643.00	HOME	\$ 11,333.00	HOME	Athens County
Program Income (\$10,853.00)	\$ 10,853.00		\$ 2,171.00	Program Income	
Total Price	\$ 61,496.00				
2) Mrs. Williams					
Contract Price	\$ 52,000.00	HOME	\$ 11,333.00	HOME	Athens County
Total Price	\$ 52,000.00				
3) Mr. Johnson					
Contract Price	\$ 63,600.00	HOME	\$ 11,333.00	HOME	Athens County
Total Price	\$ 63,600.00				
4) Mr. Thompson					
Contract Price (\$90000)	\$ 75,150.00	HOME	\$ 11,333.00	HOME	City of Athens
Minus Lead CHIP LAP	\$ (30,000.00)		\$ 2,970.00	Program Income	
Program Income (\$14,850.00)	\$ 14,850.00				
Total Price	\$ 60,000.00				
5) Mrs. Stens					
Contract Price	\$ 98,600.00	HOME	\$ 11,333.00	HOME	City of Athens
Change Order	\$ 650.00				
CHIP LAP	\$ (30,000.00)				
LSOP	\$ (7,000.00)				
Total Price	\$ 62,250.00				
6) Mrs. Ruth					
Contract Price	\$ 50,000.00	HOME	\$ 11,333.00	HOME	City of Nelsonville
Program Income (\$3,740.00)	\$ 3,740.00		\$ 748.00	Program Income	
Total Price	\$ 53,740.00				
7) Mr. and Mrs. Weeks	\$ 67,190.00	HOME			
Contract Price	\$ 12,500.00	CDBG	\$ 10,169.00	HOME	City of Nelsonville
Total Price	\$ 79,690.00	HOME/CDBG	\$ 1,164.00	CDBG	
8) Mrs. Phillips					
Contract Price	\$ 50,000.00	CDBG	\$ 11,336.00	CDBG	City of Nelsonville
Total Price	\$ 50,000.00				
Total Hard Cost Spent	\$ 482,776.00				
Total Hard Budget	\$ 482,776.00				(This total includes program income from Athens County, City of Athens and City of Nelsonville)
Total Hard Cost Left to Spend	\$ -				
Average per job to spend	\$ -				
Total Soft Cost Spent	\$ 96,556.00				
Total Soft Budget	\$ 96,556.00				(This total includes program income from Athens County, City of Athens and City of Nelsonville)
Total Soft Cost Left to Spend	\$ -				

Community Housing Impact and Preservation Program- CHIP Combining HOME and CDBG

- Only sign one set of contracts (Mortgage) for entire amount
- OCEAN- Need to set up address twice (Once in CDBG Grant and Once in HOME Grant)
- OCEAN- Set up other funds as leveraged to match contract amount

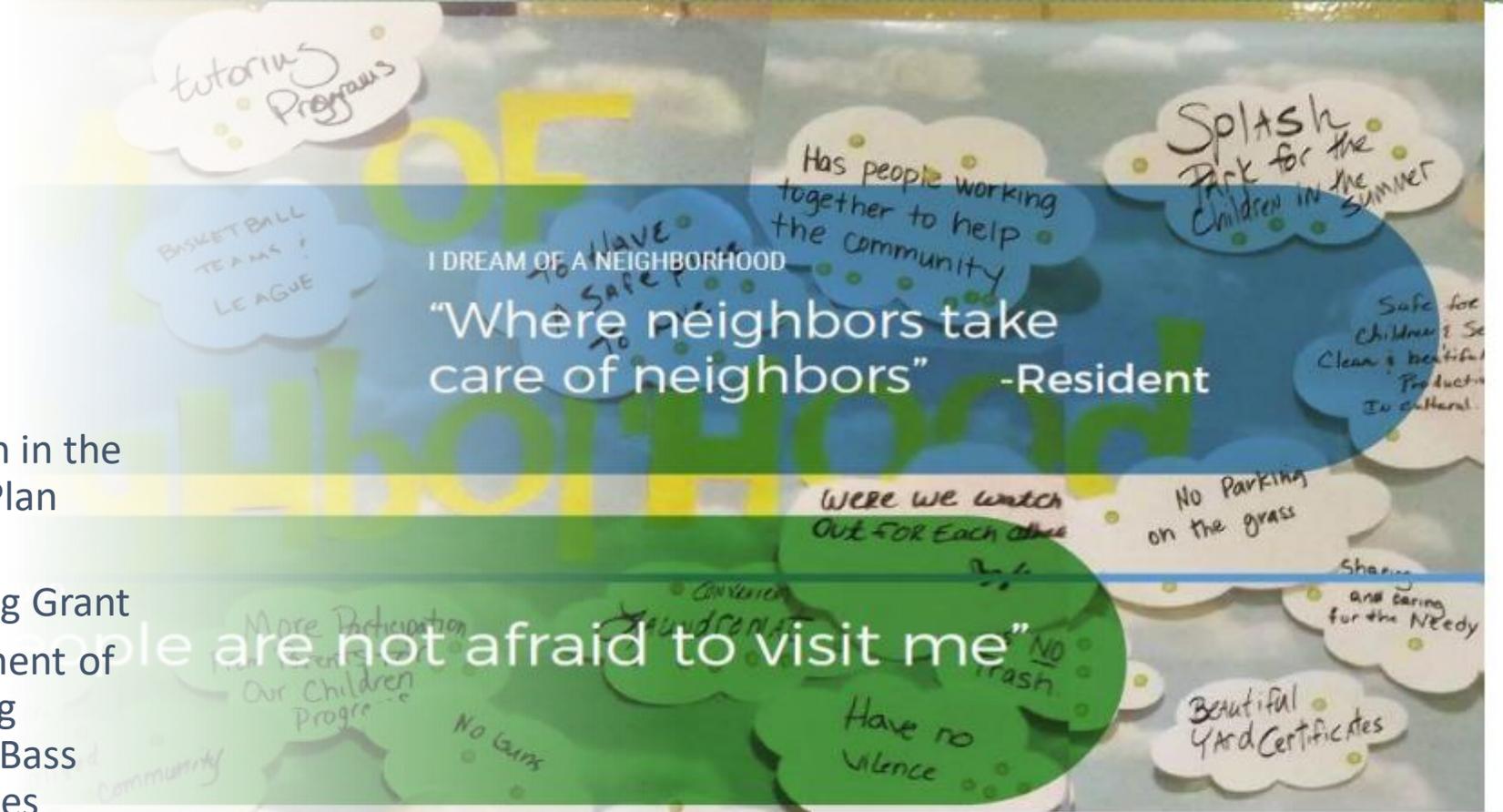


Combining HOME & CDBG

Transforming Blight into Affordable Housing in
Dayton, Ohio

Project History

- Stems from the Housing Plan in the 2016 Renew Miami Chapel Plan
 - Created via Choice Neighborhoods Planning Grant
 - Focused on redevelopment of two large public housing developments: DeSoto Bass Courts and Hilltop Homes
- GDPM's Strategic Planning includes phased demolition of both developments and unit replacement





DeSoto Bass Courts

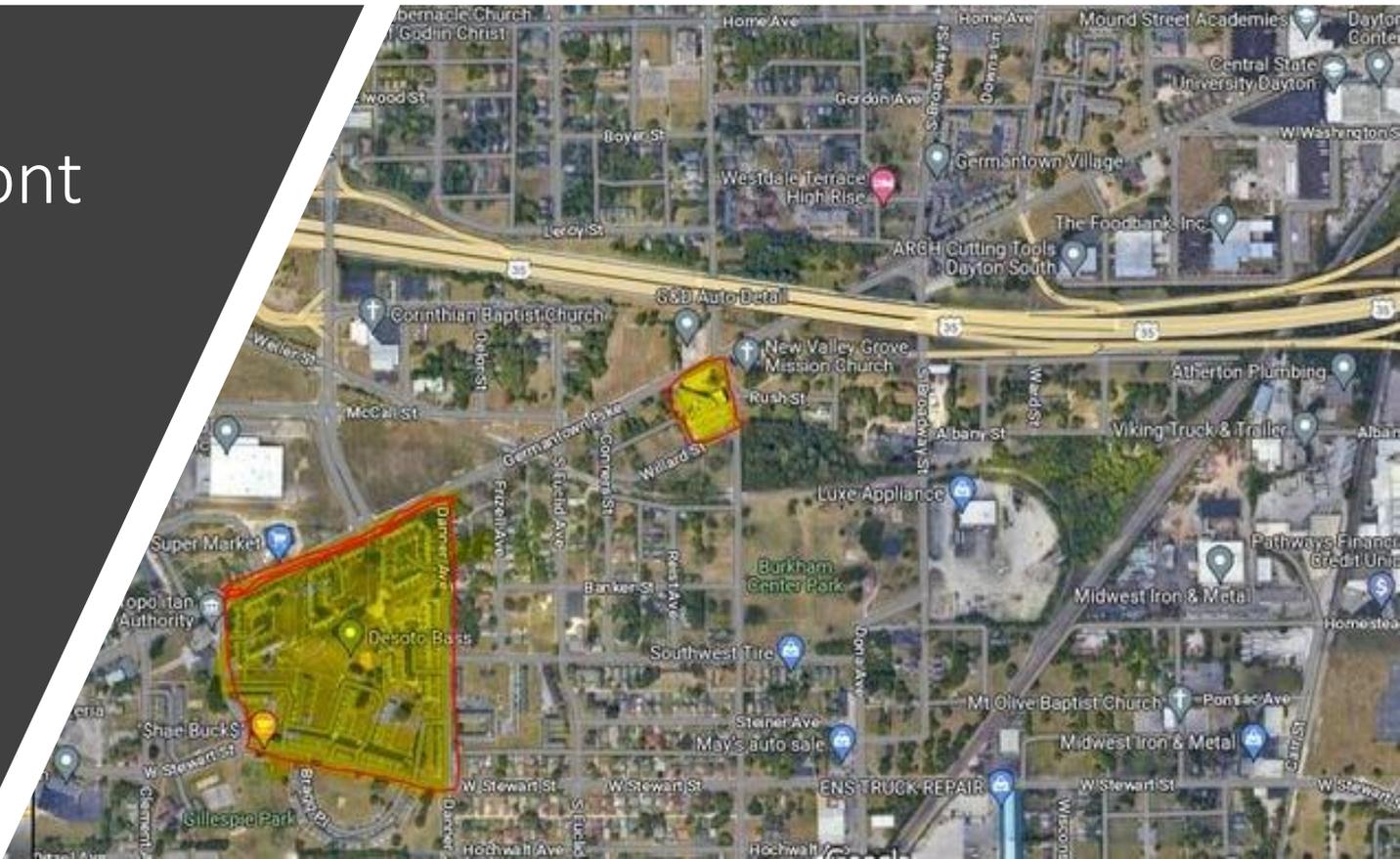
- 354 Public Housing Units managed by Greater Dayton Premier Management (GDPM)
- Constructed in 1945
- First public housing development in Dayton
- Originally intended for low-income families
 - Expanded briefly during WWII to include industrial war workers and returning veterans





CDBG – Demolition of Daymont

- Approximately \$300,000 in CDBG for site clearance of vacant Behavioral Health Clinic
- Prepared site for construction of new affordable units
- LMH National Objective



Current Site



New Site



13 1-Bedroom
 26 2-Bedroom
 11 3-Bedroom
50 Units TOTAL
9 Accessible Units

Germantown Crossing



- \$15.5 Million New Construction of RAD units at Former Daymont Site
- 50 New Affordable Units
 - Mix of 1, 2, and 3 Bedroom Units



HOME Funding

- \$2 Million Investment from Dayton's HOME Entitlement funds
- Leverages \$1.2 Million Tax Credit from OHFA, and ~12 Million in Equity and Private Investment



Takeaways

- Be mindful of eligible and ineligible activities when working with public housing partners.
 - Germantown Crossing is not traditional public housing
 - GDPM is a member of the Owner partnership
- Ensure Uniform Relocation Act (URA) and Section 104 (d) Requirements are met.
- Be sure both CDBG and HOME requirements can be met prior to project beginning.
 - National Objectives, Affordability Periods, Income Limits, Rent Limits, etc.





15-Minute Break
Next Session begins at
11:30 a.m.

April 25, 2024

Statewide Association of Community and Economic Development Organizations

HOMELESSNESS IN OHIO COMMUNITIES

Amy Riegel, Executive Director, COHHIO

Trudy Elder, Chief Strategic Officer, Homefull

Mindy Muller, Community Development Professionals

Billie Kuntz, Executive Director, Clermont County CAP

Kala Dodrill, Sojourners Care Network



Lunch
Next Session begins
at 1:30 PM

April 25, 2024

Statewide Association of Community and Economic Development Organizations



Business Meeting

April 25, 2024

Statewide Association of Community and Economic Development Organizations

OCCCD BUSINESS MEETING

- Call to Order
- NACEDA Presentation – Paul Herdeg
- OCCCD Foundation Update – Lucie McMahon
- Adjournment

NACCED Who is NACCED?

National Association for County
Community and Economic Development

The National Association for County Community and Economic Development (NACCED) is the premier organization empowering local governments to create thriving and sustainable communities.

NACCED builds generational capacity by providing education, resources, advocacy and peer support that strengthens local governments' ability to create sustainable communities and equitable economies, with safe and affordable housing.

What our Members are saying:

"NACCED gives county staff the tools to accomplish the county's mission."

Director, DuPage County, IL

"There is no other organization that understands county needs in affordable housing, community and economic development."

Director, ICF

"NACCED's weekly emails with news, tools and trainings help us enrich our programs and benefit our community!"

Program Manager, City of Vancouver, WA



CONTACT US



@NACCEDnews



NACCEDnews



info@naced.org



(202) 367-1149



OCCD BUSINESS MEETING

- Opportunity for Engagement
 - OCCD Standing Committees
 - Membership
 - Sessions & Training Programs
 - State Programs
 - Legislative
 - Finance

*If you are interested
in participating in one
of the committees,
please contact
Patricia Richards at
office@occd.org*

FAIR HOUSING, REASONABLE ACCOMMODATION & RESOURCES

John Zimmerman, VP, MV Fair Housing Center

Anna Breidenbach, Compliance & Inclusion
Manager, Kettering

Fair Housing, Reasonable Accommodations and Resources.



John T. Zimmerman, VP
Miami Valley Fair Housing Center, Inc.
505 Riverside Drive, Dayton, OH 45405
Visit www.mvfairhousing.com and write:
info@mvfhc.com
937-223-6035

Ohio Private and Public Fair Housing Organizations are Resources



PRIVATE

- Fair Housing Advocates Association -Akron- <https://www.housingassistanceonline.com>
- Fair Housing Contact Service, Inc. –Akron- <https://fairhousingakron.org/>
- Fair Housing Resource Center, Inc. –Painesville- <https://fhrc.org/>
- Housing Opportunities Made Equal, Inc. –Cincinnati- <https://homecincy.org/>
- Fair Housing Center for Rights & Research –Cleveland- <https://www.thehousingcenter.org/>

Ohio Private and Public Fair Housing Organizations are Resources



PRIVATE

- Miami Valley Fair Housing Center, Inc. –Dayton- www.mvfhc.com
- Toledo Fair Housing Center –Toledo- <https://www.toledofhc.org/>

PUBLIC

- Ohio Civil Rights Commission –Columbus- <https://crc.ohio.gov/>
- HUD Fair Housing Office –Columbus- <https://www.hud.gov/states/ohio/working/fheo>

Newest Ohio Private Fair Housing Organization



- **CITY OF COLUMBUS:**
- Southeastern Ohio Legal Services has a project called Appalachian Ohio Fair Housing Center
- <https://appalachianohiofairhousing.org/>
- Intake Line at [844-302-1800](tel:844-302-1800)

Miami Valley Fair Housing Center is a Resource

Private Non-Profit operated by a Board of Community Professionals and Citizens

Located in Dayton, Ohio

Mission: seeks to eliminate housing discrimination against all persons because of race, color, religion, national origin, sex, disability, familial status, or any other characteristic protected under state or local laws.

We Help people that

- Are victims of illegal discrimination related to residential real estate
- Need clarification about fair housing regulations and best practices
- Need referrals for other housing matters

We Educate

- Realtors, Property Managers, Insurance personnel, Lending personnel Builders, Contractors, Architects, Social Workers, Nursing staff and consumers – anyone whose life or work intersects with the provision of housing

Introduction to today's topic – Fair Housing Basics

- The Fair Housing Act applies to virtually all types of housing, public and private
- The Fair Housing Act applies to all Dwellings “used as a residence”



Fair housing laws
prevent discrimination
in how housing is



sold,

rented,

appraised,

financed,

insured,

inspected

serviced by vendors or municipalities

and advertised.

Fair housing laws regulate



Property owners,

Landlords,

Lenders,

Realtors,

Appraisers,

Newspapers/publishers &

Municipalities

And any business that intersects with the provision of residential housing

Fair Housing Laws utilize named protected classes

Color

Race

Religion

Familial
Status

Disability

National
Origin

Sex

- Gender
- Sexual Orientation
- Gender Identity/Expression

Common Local Protected Classes



Age (Dayton, Toledo, Columbus and others)

Marital Status (Dayton and others)

Ancestry (State of Ohio)

Military Status (State of Ohio)

Source of Income (20 Ohio Cities and some more pending)

Fair Housing Laws have specific Prohibitions

Refuse to sell or
rent

Discriminate in
the terms,
conditions

Discriminate in
advertising

Misrepresent
the availability
of housing

Engage in
blockbusting or
steering

**Refusing people
w/disabilities
accommodations**

To coerce, intimidate, threaten, or
interfere with any person in the
exercise or enjoyment of a fair
housing right including Racial or
sexual harassment

Stats introduce today's topic:

- American Survey Stats

Poverty and People with Disabilities need accommodations often



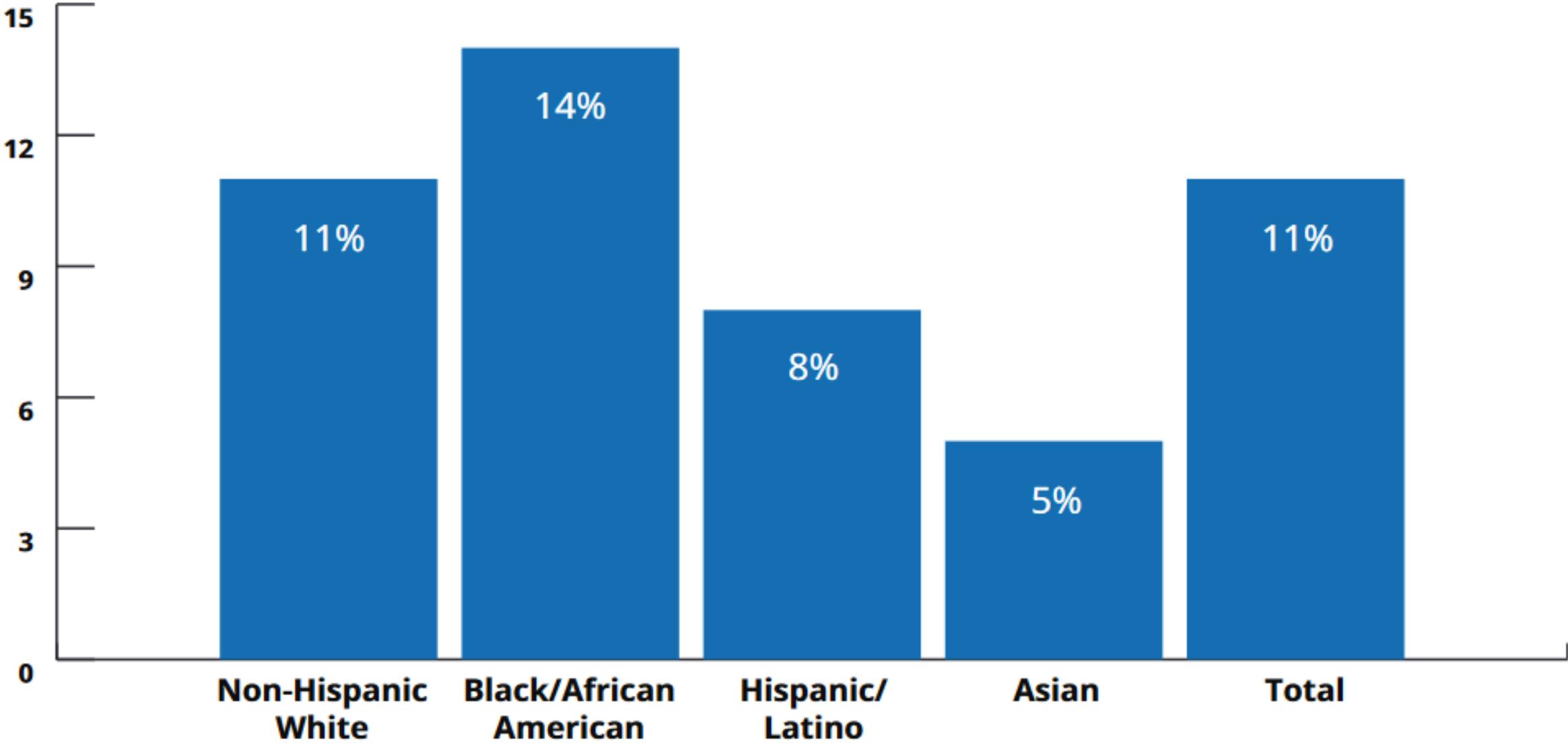
- **Poverty causes disability.**
- Children living in poverty are more likely to have:
 - asthma,
 - chronic illness,
 - environmental trauma such as lead poisoning,
 - learning problems and
 - low birth weight that leads to disabilities.

People with a disability live in poverty at nearly three times the rate of their non-disabled peers.



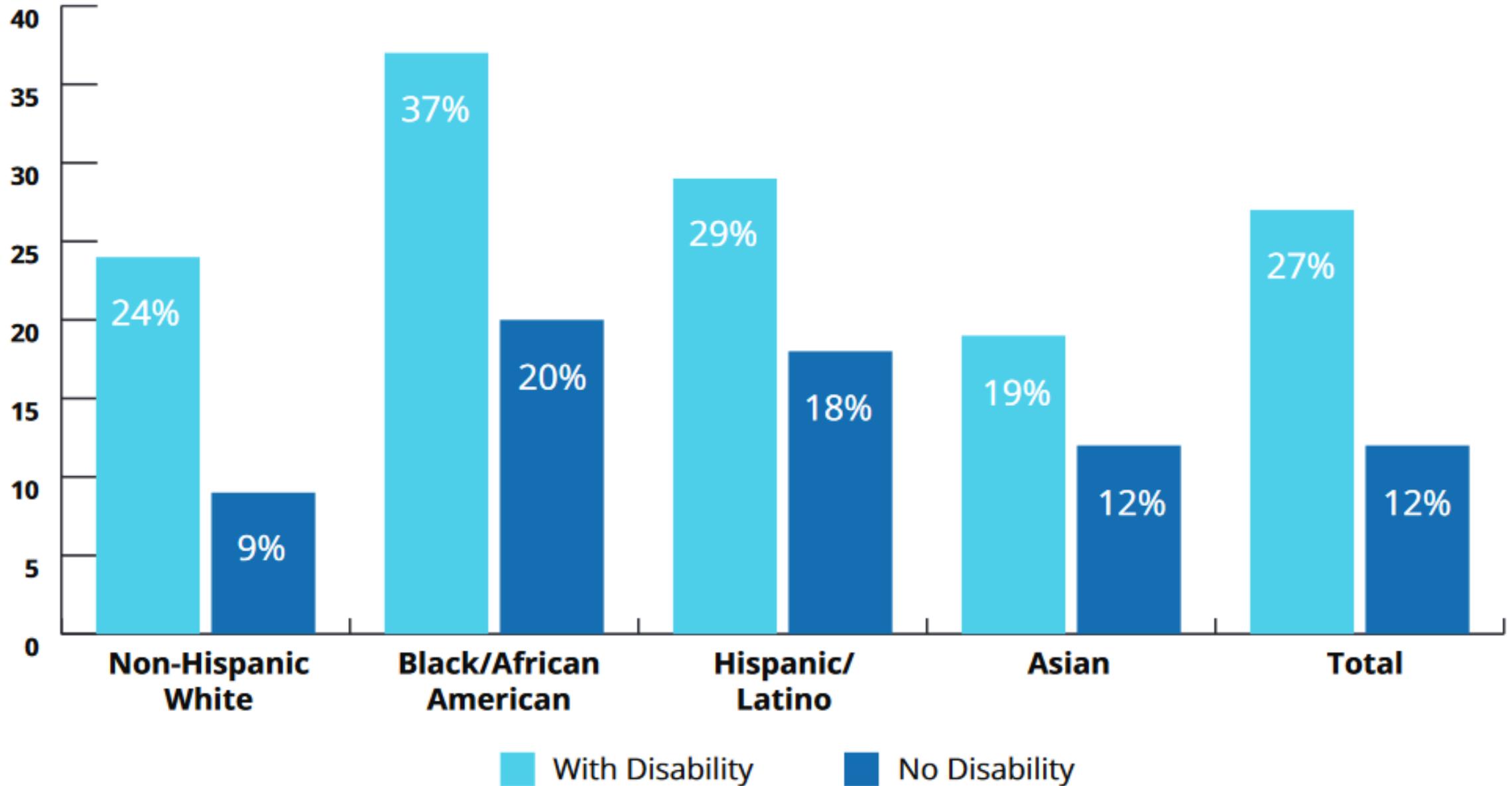
- One in nine working-age adults (18-65) have a disability that may put them at risk of exclusion from the economic mainstream.
- This rate varies dramatically by race and ethnicity, and it varies even greater when disability is added to the mix.
- See the next two slides for the stats.

Figure 2: Prevalence of Disability by Race



Source: American Community Survey, 2015

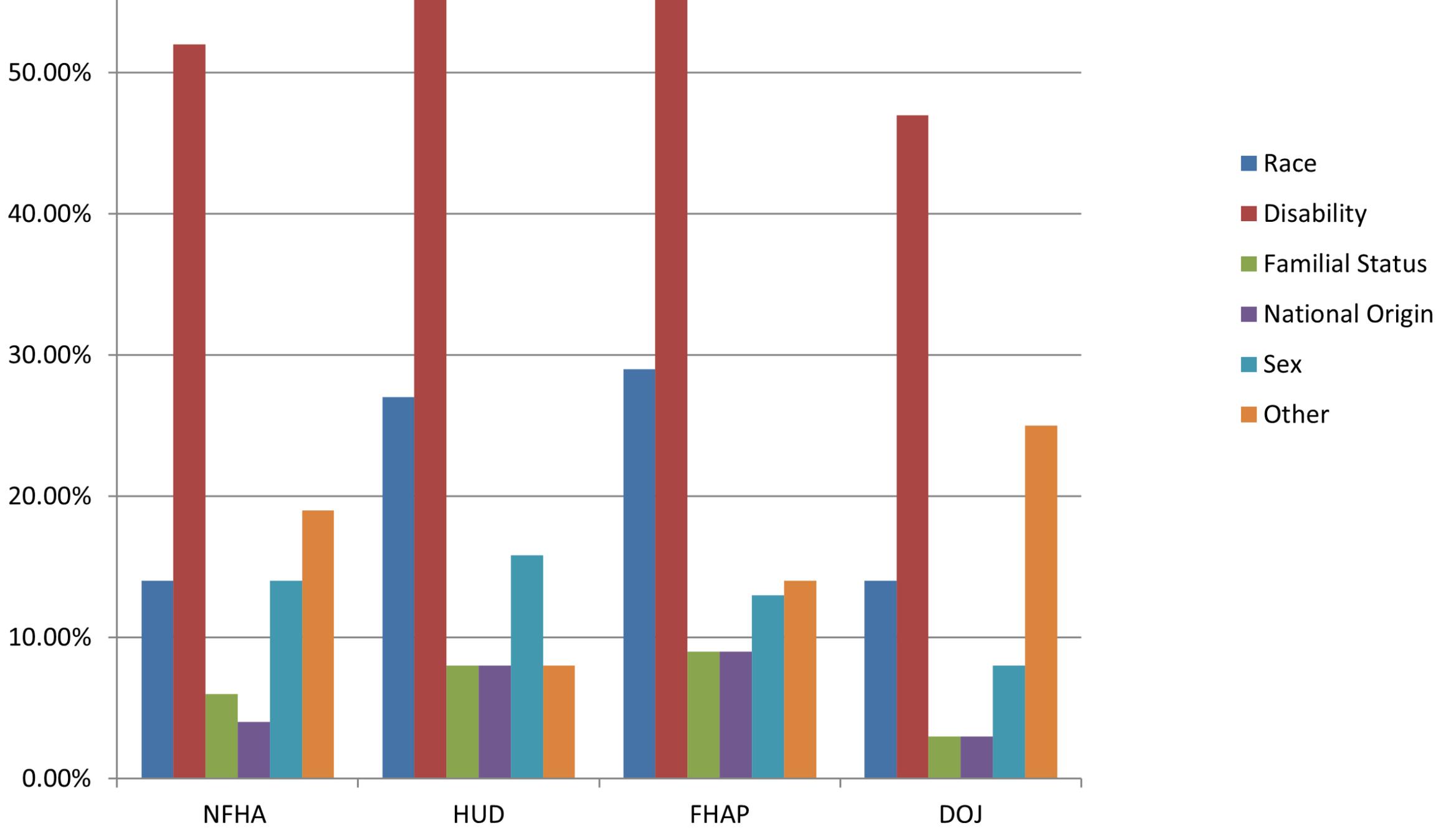
Figure 6: Poverty Rate by Disability Status and Race



Source: American Community Survey, 2015

Stats introduce today's topic:

- Fair Housing Litigation and Complaint Stats





Notes on Report

- Complaints alleging discrimination because of
 1. **Disability:** 53.26% or 17,580 up
 2. **Race:** 17.63% or 5,819 steady
 3. **Sex:** 7.54% or 2,490 up
 4. **Familial status:** 6.50% or 2,147 down
 5. **National Origin:** 4.95% or 1,653 down
 6. **Other:** 17.03% or 5,622 up by 3%, highest gain

Today's topic:

Main lines of litigation surging Disability to the top

- **Failure to construct** new multi-family homes (4 or more units under one roof) in compliance with the Design and Construction requirements of fair housing regulations.
- **Denial of requests for exceptions** to rules, policies, procedures, and denial of requests for structural changes such as grab bars, ramps, and extra railings.



Should Municipalities figure out a way to promote and monitor the FH Act Design and Construction Requirements?

- Best Practices say yes:
 - Keeps jurisdiction in compliance with Section 504...
 - Helps local jurisdictions stay in compliance with their obligation to Affirmatively Further Fair Housing
 - Helps to mitigate discrimination that lasts for over 100 years for every unit that is built out of compliance





Accessibility, Design and Construction Guidelines*

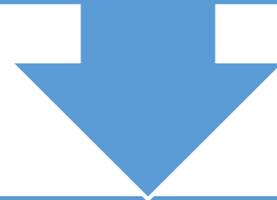
- 1) Units must have an accessible entrance and must be on an accessible route;
- 2) Public and common-use areas must be accessible;
- 3) The doors within units must be usable doors;
- 4) There must be an accessible route into and through the unit;
- 5) Light switches, electrical outlets and environmental controls must be accessible;
- 6) Bathrooms must have reinforced walls; and
- 7) Kitchens and bathrooms must be usable. In buildings without elevators only first floor units need to comply. In buildings with elevators every unit must comply.

see <http://www.fairhousingfirst.org/>

* for all units in new elevator buildings and ground floor units in new multi-family construction w/o elevators

Trend of not complying with requests for Exceptions Ensuring People with Disabilities are Welcomed

Definition



Reasonable Accommodations and Reasonable
Modifications

Use the correct definition, for the correct situation



- Definition for purposes of reasonable accommodations:
 - Has a physical or mental impairment that substantially limits one or more major life activities;
 - Has a record of such an impairment; or
 - Is regarded as having such impairment.
- This definition tells us first – who can get relief through a complaint; and second – who can ask and receive a reasonable accommodation & or modification under current FH laws.

Use the correct definition, for the correct situation



- Definition for Eligibility in most federal housing programs designated for people with disabilities:
- **A person with disabilities** is a person who is disabled as defined in 42 U.S.C. 423 (the Social Security definition);
 - is determined to have a physical, mental or emotional impairment that is expected to be of long-continued and indefinite duration;
 - is substantially impeded in his or her ability to live independently;
 - is of such nature that the ability to live independently could be improved by more suitable housing conditions; or
 - has a developmental disability as defined in 42 U.S.C. 6001.

Physical impairment includes:



any physiological disorder or condition

cosmetic disfigurement

anatomical loss affecting specific body systems.

Mental
impairment
includes:



mental retardation

organic brain syndrome

emotional or mental illness

specific learning difficulties



Major life activities means:

Caring for one's-self

Performing manual tasks

Walking

Seeing

Hearing

Speaking

Breathing

Learning

Working

Attending School

Important Feature of Disability Definition under the Fair Housing Act

- The Fair Housing definition of disability is used to assess requests for exceptions, called Reasonable Accommodations and/or Reasonable Modifications





RA/RM Defined

- Accommodations are **changes in the rules, services, practices or policies** that allow individuals with disabilities equal enjoyment of housing, but do not change the nature of the program.
- Modifications are **changes to the physical characteristics** of a residence or to the common areas of a building.



Requests for RA/RM's:

- Housing Providers and Municipal staff should conduct assessments on a case-by-case basis – cannot have a “one size fits all approach” – individualize!
- Both parties must enter into interactive dialogue.
 - advocates can be a positive force to facilitate this

Joint Statement says:

- A provider has an obligation to provide **prompt responses** to reasonable accommodation requests.
- An undue delay in responding to a reasonable accommodation request may be deemed to be a failure to provide a reasonable accommodation.





Flexibility is Key to RA/RM

- In some cases, the assessor must consider alternative criteria as a reasonable accommodation to enable an applicant with a disability to establish eligibility.
- Some people with disabilities may have special needs due to their disabilities, so simply treating them the same as others may not ensure that they have an **equal opportunity to use and enjoy the housing** which is a cornerstone of fair housing best practices.

Reasonable Modification (RM)

- A change to the physical characteristics of a residence or to the common areas of a building including:
 - Installing a ramp.
 - Installing grab bars.
 - Widening doorways.
 - Installing a lift.





Reasonable Accommodation (RA)

- Changes in rules, services, practices or policy that do not change the nature of the program such as:
 - Allowing a working or therapy animal.
 - Providing a payment reminder.
 - Providing reserved accessible parking.
 - Waiving the process for conditional use permits
 - Assisting people with barriers to complying with rules around situations with, e.g. water service or trash pickup.

Guidance on Third Party Verification Source for Reasonable Accommodation Requests

- 2004 General Guidance for RA's from the Joint Statement (HUD/DOJ)
 1. “Doctor/Medical professional
 2. Non-Medical Service Provider
 3. Peer Support Group or
 4. “a reliable third party who is in a position to know about the individual's disability may also provide verification of a disability.”





When does a situation warrant a 3rd party Verifier?

- “If a person's **disability is obvious**, or otherwise known to the provider, and if the **need** for the requested accommodation **is** also readily **apparent** or known, then the provider **may not request** any additional information about the requester's disability or the disability-related need for the accommodation.
- If the requester's disability is known or readily apparent to the provider, but the need for the accommodation **is not readily apparent** or known, the provider **may request** only information that is necessary to evaluate the disability-related need for the accommodation.”



Processing a Request for RA/RM

- Developing a standard procedure is a best practice
- Keep in mind what needs to be clear:
 - You are happy to process the request for a disability-related need
 - Forms that can be used to facilitate the request
 - What exactly is being requested?
 - Does request warrant a third-party verification?
 - When a decision will be made if not made at time of request
 - **Talk about Who pays – private most time tenants pay, most public and subsidized housing, the providers pay**

Santa Rosa City Code: Best Practices

- **A request for reasonable accommodation** may be made by any person with a disability, their representative or any entity, when the application of a zoning law or other land use regulation, policy or practice acts as a barrier to fair housing opportunities.



- See <https://srcity.org/200/Americans-With-Disabilities-Act#BR>

Processing a Request for RA/RM

Developing a standard procedure is a best practice

Keep in mind what needs to be clear:

- You are happy to process the request for a disability-related need
- Forms that can be used to facilitate the request
- What exactly is being requested?
- Does request warrant a third-party verification?
- Who pays
- When a decision will be made if not made at time of request

Other allowable requirements particular to your process

* E.g. your firm prefers to do construction to keep costs down

Making the Request for an accommodation/modification both Joint Statements say:



Fair Housing Act does not require that a request be made in a particular manner or at a particular time.



Request does not need to mention the Act or use the words "reasonable accommodation."



Can be made by requester or third-party requester can be made orally or in writing, (does not have to use provider's preferred forms)



"Under the Act, a resident or an applicant for housing makes a reasonable accommodation request whenever she makes clear to the housing provider that she is requesting an exception,"

ADA Title II and Modifications

Anna Breidenbach

Compliance and Inclusion Manager

City of Kettering

Anna.Breidenbach@ketteringoh.org



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What is the ADA?

Americans with Disabilities Act

Title I: Employment

Title II: State/Local Government

Title III: Public Accommodations

Title IV: Telecommunications

Title V: Transportation &
Miscellaneous



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What Are Title II Entities?

A public entity covered by Title II is defined as:

1. Any state or local government regardless of size
2. Any department, agency, special purpose district, or other instrumentality of a state or local government
3. Certain commuter authorities and AMTRAK

Ensuring Equal Access

- All public entities, regardless of size must conduct self-assessments to ensure equal access
 - Physical Accessibility
 - Program accessibility
 - Reasonable Modifications

Why?

- It's the law
- To meet the needs of a growing and aging population
- To achieve the entity's goal to make their programs and services accessible to residents and visitors
- To educate and empower personnel about the importance of providing access
- It helps us provide better customer service to everyone!

Why?

Too many Americans with disabilities remain outside the economic and social mainstream of American life.



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Physical Accessibility

The Basics

- Exterior route
- Parking lots and walkways
- Entrance
- Interior circulation (hallways, offices, meeting rooms, etc)
- Signs
- Alarm systems
- Restrooms



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Program Accessibility

- A “program” is a service or activity undertaken by a department that affords benefits, information, opportunities, or activities to one or more members of the public
- This includes programs, services, and activities carried out by contractors or grantees on behalf of the City/County/State

Requirements for Modifications

- Include the provision of modifications in policies, public notices, website, materials, etc
- Instruct individuals on the process of requesting modifications
- Develop criteria for responding to requests
- Training on how to provide modifications

Title II And Your Organization

- Self-evaluation and planning
- Reasonable modifications to policies, practices and procedures
- Recognize barriers
- Communication

Invitation Clause

- Public meeting agendas
- Publications
- Website

Modification Request

- Create an interactive process
- Assess for program needs



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What Can You Do Now?



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Communication

- Is your website compliant with the newest WCAG?
- Is registration the same for everyone?
- Accessible forms- large print, Braille, simple forms
- Know who to call
- Train staff to be willing to assist

Remove Barriers

- Keep accessible routes clear
- Door opening and closing speeds
- Counter height options



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Lean Toward Yes





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Resources

U.S. Access Board

www.access-board.gov

Great Lakes ADA Center

www.accessibilityonline.org

ADA National Network

www.adata.org

Job Accommodation Network

www.AskJan.org

U.S. Department of Justice Civil Rights Division

www.ADA.gov



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15-Minute Break
Next Session begins at
3:00 p.m.

April 25, 2024

Statewide Association of Community and Economic Development Organizations

OHFA SINGLE FAMILY TAX CREDIT PROGRAM

Carrie Manno, OHFA

Single Family Tax Credit Program

Carrie Manno
Single Family Tax Credit Section Chief

Program Overview



Created in the FY2024-2025 State Budget Bill
(135th General Assembly, Am. Sub. H.B. 33)



Guided by ORC Section 175.17 and Chapter
175-12 of the Ohio Administrative Code



\$50 million per fiscal year (2024-2027) in tax
credit allocation

Program Goals



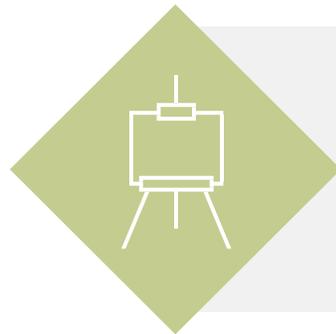
INCREASE

- ✓ Inventory of affordable housing
- ✓ Balance statewide needs



PROMOTE

- ✓ Affordable home ownership
- ✓ Qualified buyer support



CREATE

- ✓ Stable housing opportunities for qualified buyers
- ✓ Development team support

How to Define a Project?

Project Considerations:

Public Policy and Need

- Size of project
- Location
- Target market

Identifying a Developer/

Assembling a Development Team

- Affordable housing developer
- Community Development Corporation

Financial Sources for Project

- Assistance from local jurisdictions
- Assistance from other sources

Aspects of Eligibility

PROJECT

DWELLING

HOMEBUYER



**Project
Eligibility**
Development
Team

Project Development Owner

Unit of Government that owns a qualified project

- County
- Township
- Municipal Corporation
- Regional Planning Commission
- Community Improvement Corporation
- Economic Development Corporation
- County Land Reutilization Corporation (ORC Chapter 1724)
- Port Authority

Responsible for submitting the application/serving as the lead applicant

- May legislatively designate another member of the Development Team as lead applicant

Project Development Team

A group of entities that develops, constructs, reports, appraises, finances, and services the properties of a qualified project.

Oversees project through completion and post-completion reporting



Developer



General Contractor



Home Builder



Consultant



Construction Lender



Appraiser



Housing Counseling Agency



Realtors*



Syndicators*



**Project
Eligibility**
Size/Type

- **Minimum of five dwellings**
 - New construction and/or rehabilitation
- **“Rehabilitation”**

Substantial renovation to a building(s) that results in the reactivation of habitability

 - Blighted
 - \$75,000 minimum investment
 - Replacement of two or more major building components

Project Eligibility – Site(s)



Dwelling site(s) must be under control at the time of application

- Member of the Development Team – own or lease
- Active purchase contract
- Documentation from local government/land bank to transfer

Sites may be contiguous or “scattered” within the Project Development Owner’s jurisdiction

- Scattered sites must have 75% of sites under control at application

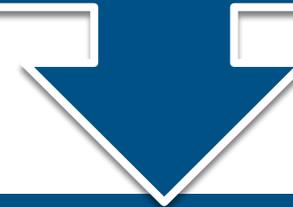
Dwelling Eligibility

- ❖ **“Single Family Dwellings” can include:**
 - Fully Detached Residential Units
 - Duplexes, Triplexes, Fourplexes
 - Row Houses
 - Townhomes
 - Multi-story Condominiums
- ❖ **Single family dwelling must include two bedrooms and one- and one-half baths at a minimum.**
- ❖ **Must be the primary residence of the qualified buyer for the affordability period.**

Dwelling Eligibility - Affordability



Per the definition, means a single-family dwelling with a monthly mortgage payment that is no more than 30% of Qualified Buyer's monthly income.



Payment includes:

Mortgage Loan
Principal and
Interest

Residential real
estate taxes

Homeowners
insurance

Condominium
fees (if
applicable)

Dwelling Eligibility - Affordability

Dwelling must remain available to qualified buyers during the affordability period – 10 years from date of initial sale



A restrictive covenant with OHFA to assure the dwelling remains affordable

If sell the property, must be to another qualified buyer.

If not, financial penalties will be assessed at the sale.



Homebuyer Eligibility

- Verified income of up to 120% of the area median income (AMI)
- Obtained a pre-approval letter stating qualification for mortgage
- Attended Homebuyer Education within 12 months of purchase
- Credit score of at least 640
- First-time Home Buyer or Eligible Home Buyer

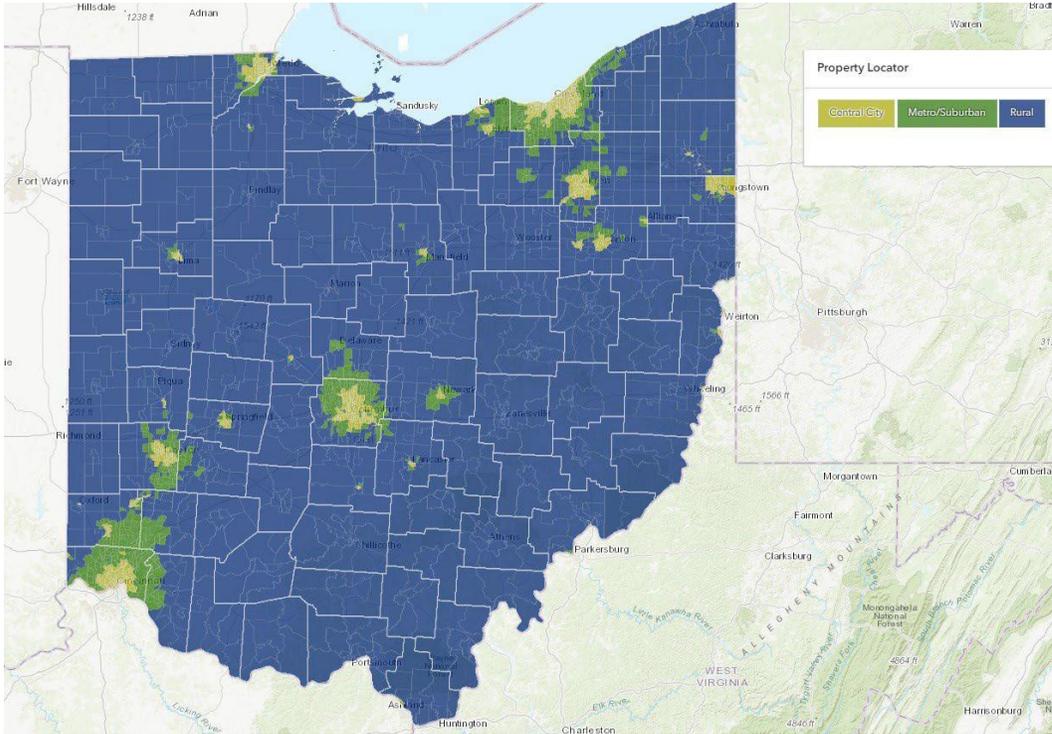


Allocation of Funding

Consideration to all regions of the state through:

1. Allocation Pools
2. County limits
3. Set-asides

Award Distribution



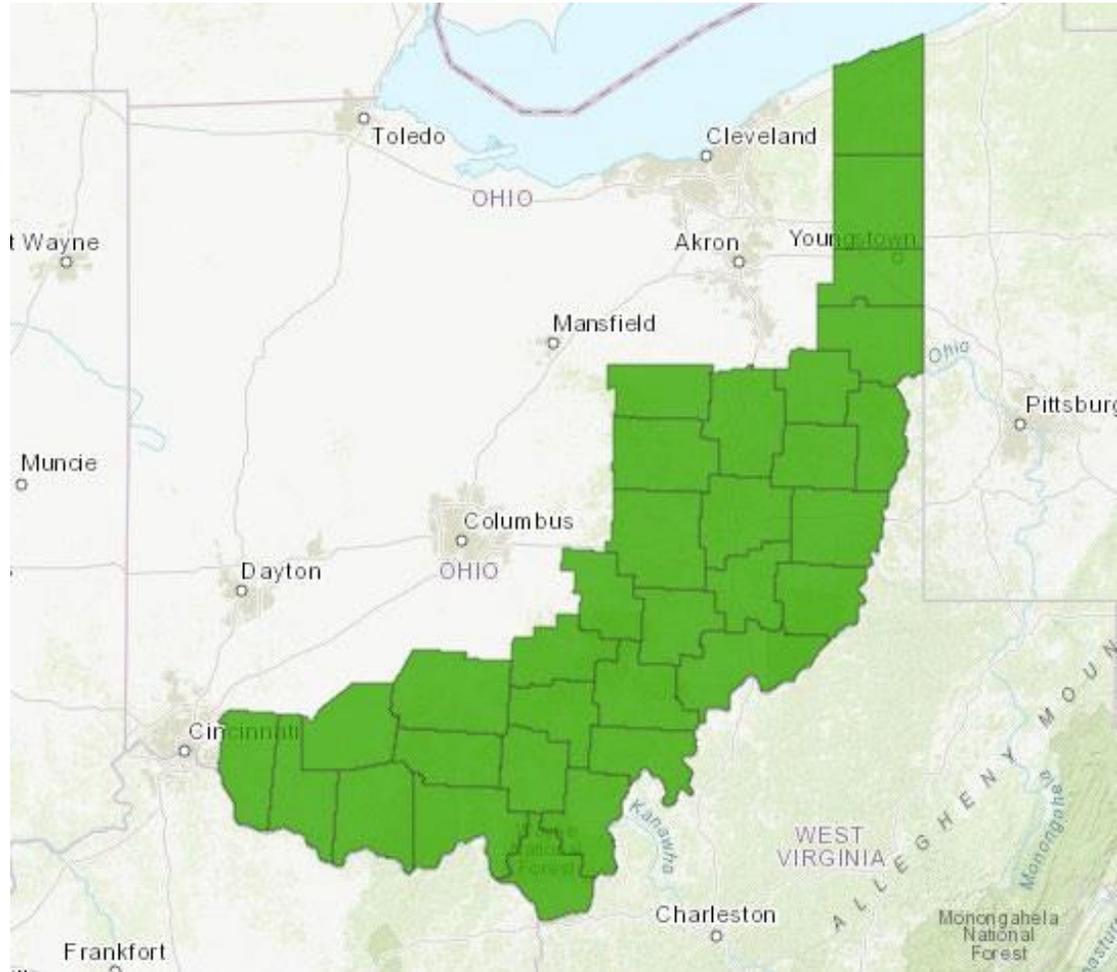
Allocation Amounts

- Central City: \$17.625 million (35.4%)
- Metro/Suburban: \$16.625 million (33.3%)
- Rural: \$14.125 million (28.3%)

Awards Per County

- Central City: Maximum of 2 per county
- Metro/Suburban: Maximum of 2 per county
- Rural: Maximum of 1 per county

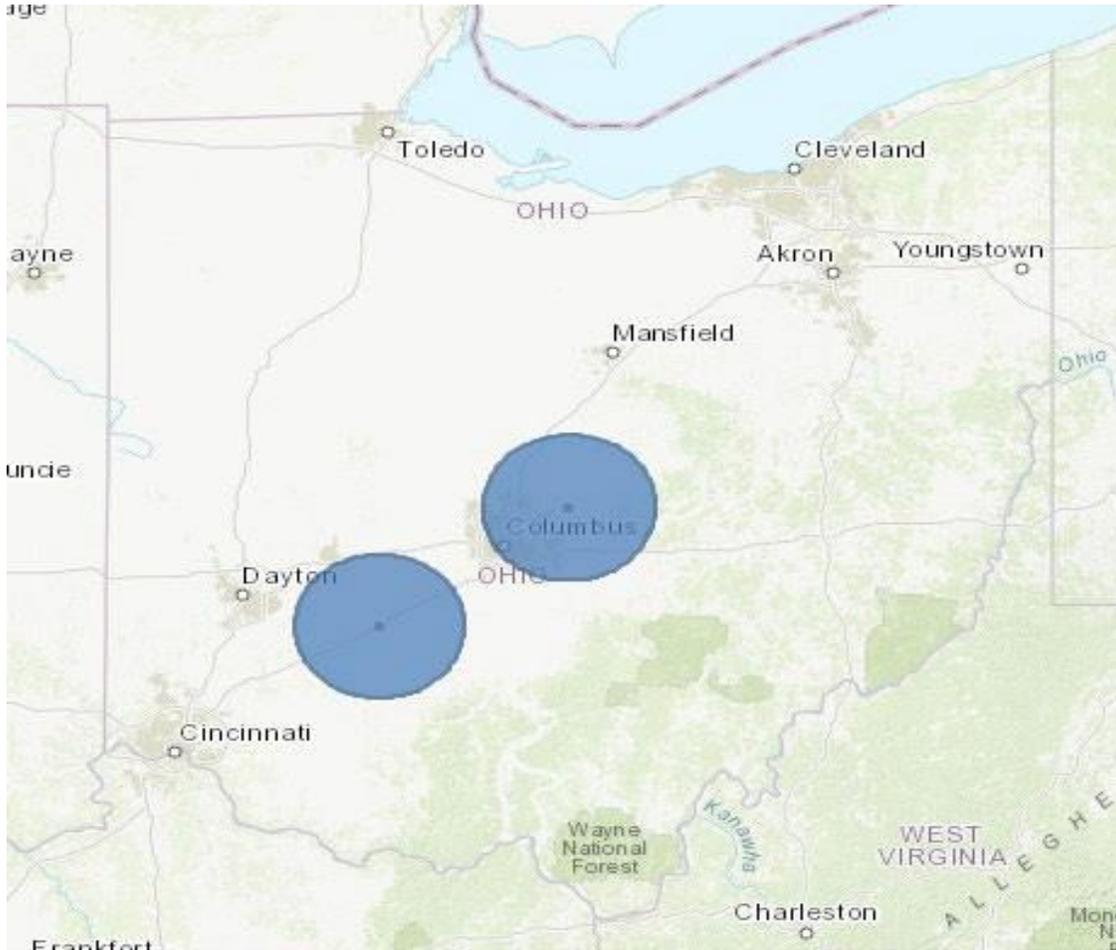
Set-Aside Categories



Appalachian

- At least one qualified project in an Appalachian County

Set-Aside Categories



Transformative Economic Development

- At least one qualified project within 20 miles of a “megaproject”

How does Tax Credit Fit in?

Assists in capitalization of the project:

- Bring in investor equity
- Fill gaps in the capital stack

How it could work:

- Connect with a syndicator to sell tax credit
 - Syndicators collect equity from investors who buy the tax credit, providing capital for the project
- Capital from sale is used as source of revenue for the project
- Reduces the amount of capital the developer needs to contribute

Tax Credit Calculation and Issuance

Calculation

The difference between the total estimated development cost and appraised market value of all dwellings in the project application.

- Maximized at \$50,000 per dwelling

Issuance

Tax credits are issued upon project completion.

TAX CREDIT CALCULATION



Basis

Utilize information from the application:

- Total estimated development costs
- Appraised market value of dwellings in the project

Calculation

Consider two scenarios:

1. “Calculated” tax credit
2. “Maximum” tax credit

Reservation

Tax Credit Reservation totals the lesser of the two calculations.

Tax Credit Calculation

Scenario 1



15 single-family dwellings in project
\$4.1M in Total Estimated Development Costs
\$3.75M in Appraised Market Value

Calculated tax credit: \$350,000
Maximum tax Credit: \$750,000

Reserved Tax Credit: \$350,000

Scenario 2



10 single-family dwellings in project
\$2.75M in Total Estimated Development Costs
\$3.5M in Appraised Market Value

Calculated tax credit: \$750,000
Maximum tax credit: \$500,000

Reserved Tax Credit: \$500,000

Tax Credit – Issuance

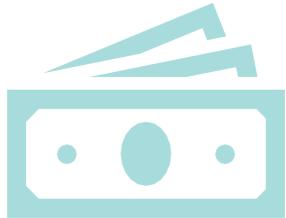
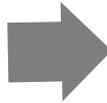


Issued at the end of the project, once it's complete

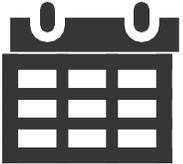


Project Development Owner must submit to OHFA:

- Final Development Cost Certification (certified by CPA)
- Post-construction As-Is appraisal for all dwellings in project
- Home Sale Summaries



Tax Credit shall not exceed the original reserved credit amount



Tax credit is claimed annually over a 10-year period, with 1/10 of the tax credit as the annual amount

Tax Credit Issuance

- After final calculation, OHFA will issue an eligibility certificate to the Project Development Owner
- Tax credit is claimed annually over a 10-year period, with 1/10 of the tax credit as the annual amount
- Project Development Owner may allocate all or a portion of the annual tax credit to one or more of project development investors
 - Must annually report to OHFA the credit allocation

Fiscal Year 2024 Application Round

Applications were due to OHFA by April 5th



OHFA received five applications



Allocation reservations awarded before June 30, 2024



Resources

Single Family Tax Credit
program website:

<https://ohiohome.org/singlefamilytaxcredit.aspx>

Carrie Manno

Single Family Tax Credit Section Chief

Cmanno@ohiohome.org

SingleFamilyTaxCredit@ohiohome.org

LEGISLATIVE UPDATE

- Tony Core, Principal, Squire Patton Boggs





**Thank you for attending the OCCCD
Spring Quarterly Meeting.**

*You will receive an email invitation for ODOD
and HUD Entitlement Breakouts to be held via
Zoom on Friday, April 26, 2024.*