

## DHCD 2019 ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE ACTION STEPS CHART

AFFH Goal	Key Impediments to AFFH Goal/Contributing Factors to FH Issues*	DHCD Action Steps	2-5 Year Measures and Milestones	Long-term Measures and Milestones
Invest and develop policies to increase access to opportunity areas	1, 2, 3, 4, 5, 8, 9, 14, 15, 16, 17, 19, 20, 24, 25, 29, 30, 31, 32, 34, 38	<b>DHCD Rental Assistance Programs</b>  <u>SNO Mass:</u> -Fully implement DHCD Section 8 MTW Supportive Neighborhood Opportunity mobility pilot (SNO Mass) in the Lowell and Springfield regional areas) -SAFMRs to assist with higher rents in opportunity areas -Mobility counseling -Longer housing search periods -Payment standards to further mobility -Financial assistance to facilitate moves -Online neighborhood opportunity index tool	-Number of households able to move to a neighborhood of opportunity, and number of households receiving services aimed to increase housing choice (annual benchmarks, subject to funding availability, are 20 households and 200 households, respectively (see MTW Plan))	-Evaluate results of pilot; explore expansion of pilot to other regions
		-Requiring rent caps for restricted affordable units to be the lesser of the maximum allowable rent under the program (c. 40R) and local housing authority Section 8 payment standard	-Implement policy as a c. 40R program requirement	-Consider expansion of policy to other DHCD programs
		-Implement program expansion for MRVP, Alternative Housing Voucher Program for persons with disabilities (AHVP), and DMH rental assistance, based on increased resources under state budget for these programs	-Implement and evaluate FY19-FY20 budget expansion and MRVP and AHVP ceiling rent increase to 100% FMR; maintain increase annually subject to funding availability	-Once AHVP vouchers are fully utilized, consider appropriate goals relating to growth of program; continue to increase MRVP and AHVP ceiling rent to 100% FMR annually, subject to funding availability
		-Develop a state voucher management data warehouse and use	-Implement DMH-RSP	-Evaluate success of

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<p><b>Invest and develop policies to increase access to opportunity areas (cont.)</b></p>		<p>data to track utilization and rents in opportunity areas</p> <hr/> <p>-Expand CHAMP to state rental assistance programs (AHVP and MRVP if feasible) to make it easier for applicants to access housing in areas of opportunity</p> <hr/> <p>-Continue to support funding for HCECs to assist with affordable housing navigation as well as homelessness prevention across the state; explore the potential for expanding cross-data analysis within the HCECs to evaluate how clients are being served</p> <hr/> <p>-Explore the availability of funds to aid fair housing enforcement agencies to assist voucher holders who encounter discrimination from landlords during the housing search and lease-up process</p>	<p>expansion to increase housing opportunities (by approx. 260 over 3 years) -Develop and implement state voucher management system data</p> <hr/> <p>-Expand CHAMP to state rental assistance programs if feasible (beginning with AHVP)</p> <hr/> <p>-Develop a cross-data analysis model to establish common metrics and objectives across program areas and HCECs and to establish best practices for program implementation</p> <hr/> <p>-Determine potential use of additional MTW funds, subject to HUD approval; if funding, develop initiative</p>	<p>DMH-RSP program expansion (utilization of tenant-based subsidy and effect on DMH beds turnover). Evaluate data on state voucher management system, including on voucher utilization and rents in opportunity areas</p> <hr/> <p>- Evaluate data to inform state rental assistance programs and housing need analyses, including with respect to race/ethnicity, disability/ accessibility needs, and source of income</p> <hr/> <p>-Expand HCEC clients, subject to funding availability, and develop shared resources, e.g., online neighborhood opportunity index tool, for HCECs to share with their clients and to incorporate into housing counseling</p> <hr/> <p>-Evaluate outcomes of an initiative to support fair housing enforcement</p>
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<b>Invest and develop policies to increase access to opportunity areas (cont.)</b>		<b>DHCD Housing Development and Public Housing Programs</b>		
		<hr/> -Continue LIHTC QAP priorities: -Family housing production in neighborhoods and communities that provide access to opportunities -Housing production in communities in which affordable Housing stock is <12%	<hr/> - Track number of funded applications seeking priority based on family housing production in neighborhoods and communities that provide access to opportunity  -Track number of funded applications seeking priority based on communities in which affordable housing stock is <12%	<hr/> -Increased affordable and mixed-income housing options in areas of opportunity in furtherance of fair housing choice, more integrated communities and deconcentrated poverty
		<hr/> -Continue administration and evaluation of CHAMP data	<hr/> -Provide ongoing maintenance and evaluation of CHAMP and CHAMP data	<hr/> -Ongoing evaluation of CHAMP waitlist demographics to inform state-aided public housing program and housing need analyses, including with respect to race/ethnicity, disability/accessibility needs, source of income
		<hr/> -Develop and implement a state-aided public housing tenant management system	<hr/> - Provide ongoing maintenance and evaluation of state-aided public housing management system data	<hr/> -Ongoing evaluation of tenant management system data to inform state-aided public housing program and tenant housing stability, including with respect to race/ethnicity, disability/accessibility

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<b>Invest and preserve resources to improve opportunities for a range of households in racially/ethnically concentrated areas of poverty</b>	6, 7, 8, 14, 15, 19, 21, 22, 23, 24, 25, 29			needs, source of income, tenure
		<b>DHCD/Other Housing Agency Investments</b>		
		<u>Continue Federal LIHTC Qualified Allocation Plan (QAP) priorities:</u>  -Priority funding for investment in distressed and at-risk neighborhoods; additional points for projects located in qualified census tracts that contribute to a concerted community revitalization plan (investments in jobs, education, and/or health care)  - Priority funding for preservation of existing affordable housing	-Track number of funded applications seeking priority based on investment in distressed and at-risk neighborhoods (qualified Census tract and/or Gateway Cities)  -Track number of funded applications seeking priority based on preservation of existing affordable housing	- With partners, analyze changes (e.g., relating to poverty, employment, education, and health) that occur after investment in qualified QCTs, subject to available resources; examine gentrification and displacement research
		<u>Preservation oversight, funding, and policy:</u>  -Preservation oversight	- Continue emphasis in QAP and other programs on preserving as many occupied units as possible each year, including remaining units funded under MassHousing's 13A program	- Preserve 85% of expiring (by 2030) LIHTC projects subject to G.L. c. 40T by the end of 2030

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Invest and preserve resources to improve opportunities for a range of households in racially/ethnically concentrated areas of poverty (cont.)		<p>-Targeted preservation funding</p> <p>- LIHTC income averaging policy to help avoid displacement</p>	<p>-Continue implementation of state LIHTC expansion, including \$5 million in annual credits specifically for preservation</p> <p>-Continue implementation of the 4% LIHTC income averaging to preserve tenancies of existing residents</p>	<p>-Continue to seek additional funding for future preservation to prevent displacement</p> <p>-Track the number of tenancies preserved by inclusion of higher income (60-80% AMI) units in 4% LIHTC projects that adopt income averaging</p>
		<p><u>Neighborhood Revitalization in Distressed Areas</u></p> <p>-Implementation of the Liability to Assets pilot to assist municipalities in redeveloping deteriorated, abandoned housing</p>	<p>-Implement Liability to Assets Pilot to acquire, renovate, and sell to income-eligible households</p>	<p>-Explore pilot renewal in additional locations</p>
		<p><u>Explore new housing preservation strategies, including:</u></p> <p>-Ongoing efforts to develop approaches to preservation through the Preservation Advisory Committee</p>	<p>- Identify new strategies for certain asset portfolios; continue development of a DHCD asset management platform for LIHTC projects</p>	<p>-Ongoing implementation and evaluation of the asset management platform for LIHTC projects</p>
		<p>-Creation of a pilot to preserve manufactured housing communities through septic and water improvements and long-term affordability restrictions</p>	<p>-Develop pilot design and launch implementation with the goal of preserving an estimated 40 units annually</p>	<p>-Evaluate pilot and explore expansion of pilot</p>

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Invest and preserve resources to improve opportunities for a range of households in racially/ethnically concentrated areas of poverty (cont.)		<b>DHCD/Other State Agency Investments in Household Economic Security</b>		
		-Continue implementation and evaluation of Family Self-Sufficiency (FSS) program and related state program	-Serve a combined estimate of 1,300 households annually; build upon lessons from MassLeap to create new economic mobility program for state-aided public housing	-Evaluate efficacy of FSS and related state program; as resources permit, continue to serve a combined estimate of 1,300 households annually
		-Learn to Earn, Data Use Licensing Agreement (DULA) (cross-agency tracking and policy planning to maximize household achievements with services and prevent benefits “cliff effects” that impede household progress toward economic prosperity)	-Build tracking system and bridge data from participating agencies into a shared database with dashboards to analyze data	-Based on continued DULA analysis, improve understanding of benefits participants and benefits interaction and develop policies across state agencies to mitigate “cliff effects”
		<b>DHCD/EOHED Non-Housing Investments</b>		
		- Continue implementation of the Learn to Earn workforce grants (EOLWD, EOE, EOHHS, EOHED)	-Serve an estimated 230 households through 7 initial pilots	- Ongoing interagency monitoring and assessment to inform state-level policy; as resources permit, continue pilots
		- Continue implementation of the Economic Development Incentive Program (EDIP) to create jobs through tax credits to support economic revitalization	-Provide up to \$20 million in annual tax credits to create an estimated 3,500 jobs and retain an estimated 8,750 jobs annually; prioritize credits for, inter alia, projects in Gateway Cities	-With partners, evaluate success of EDIP in supporting economic revitalization in Gateway Cities and areas of economic need

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			and municipalities/regions with economic need	
<b>Further access to opportunity through implementation of fair housing evaluation criteria for discretionary grants and/or impose fair housing conditions on grants to assure that future practices serve the goal of affirmatively furthering fair housing</b>	All	<p>-Develop guidance for applicants for discretionary funds under DHCD's "Non-Discrimination, Equal Opportunity, and Affirmative Furtherance of Fair Housing Regulations Governing Recipients of Department of Housing and Community Development Financial Assistance" regulation. Guidance under consideration will:</p> <ul style="list-style-type: none"> <li>-Instruct applicants on identifying in their applications how the discretionary funds would improve efforts they have undertaken or propose to undertake in support of AI goals</li> <li>-Instruct awarded applicants on reporting their achievements in furthering such goals in subsequent funding applications</li> </ul>	<p>-Develop guidance for applicants for competitive funding in demonstrating consistency with AI goals</p>	<p>-Evaluate applicant achievements consistent with the guidance</p>
		<p>-Explore modifications to the CDBG annual Action Plan and application guidance to more fully reflect AI goals</p>	<p>-Modify the CDBG Action Plan</p>	<p>-Continue to modify the CDBG Action Plan, as needed, for consistency with AI goals</p>

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Further access to opportunity through reduction of local barriers to housing choice	1, 2, 3, 4, 5, 7, 8, 9, 16, 17, 28, 30, 31	<b>Reduce local zoning barriers to housing choice</b> <hr/> -Administration's Housing Choice legislation to change state law to: 1) reduce the voting threshold required to adopt pro-housing zoning changes from a 2/3 "supermajority" to a simple majority; 2) change the voting threshold for a special permit-granting body to a simple majority for multi-family housing near transit or mixed-use development near commercial centers, where at least 10% of the units are affordable to households with incomes $\leq 80\%$ AMI <hr/> -Continue to provide, through the Housing Choice Initiative, Housing Choice designated municipalities exclusive access to grants for local capital projects as a reward for housing production <hr/>	-Implement Housing Choice regulations and/or guidance; track number of municipalities that adopt multifamily or mixed-use development with an affordability component <hr/> -Number of communities that receive a state priority grant based on a Housing Choice Community designation <hr/>	-Develop mechanism to track local zoning amendments that allow for development of multi-family or affordable housing <hr/> -Continue and expand Housing Choice grant program, subject to funding availability, to incentivize housing production that will benefit protected classes <hr/>
		<b>Increase housing choice for families with children</b> <hr/> -Expand access to affordable housing for families with children through state housing program policies <hr/>	-Develop database to track annual production of affordable housing units with 3+ bedrooms; continue implementation of the interagency 3+bedroom policy and other policies limiting age-restrictions <hr/>	-Track annual production of affordable housing units with 3+ bedrooms and age-restricted housing trends; consider further policies that may expand housing opportunities for families with children <hr/>
		-Support increased education and funding to prevent lead paint discrimination <hr/>	-Develop and implement education (by DHCD and/or partners) for the public and owners on lead paint discrimination and funding/loan opportunities <hr/>	-Analyze and/or consult analysis regarding access to affordable lead-paint free housing stock by families with children under 6 <hr/>



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<b>Further access to opportunity through reduction of local barriers to housing choice (cont.)</b>			for lead paint removal and abatement	
		<b>Increase awareness of barriers to fair housing choice at the local level</b>  -Increase municipal awareness of local impediments to fair housing choice, as well as awareness of developers, managers, and other stakeholders regarding issues impacting protected classes at the local level	-Consider withholding SHI inclusion of units in projects where municipal requirements and/or tenant selection practices clearly violate Fair Housing; increase awareness through policy guidance, educational materials, and/or trainings in collaboration with partners	-Continue to analyze, and/or share analysis by other agencies (including zoning data analyzed by the Pioneer Institute and others, as well as zoning opinions by the AGO), of local barriers to fair housing choice to inform policy development
		<b>Respond to barriers to housing choice</b>		
		- Reduce applicant screening barriers by developing a background screening policy for application across state housing agencies	-Implement background screening policy	-Continue to evaluate background screening policies for consistency with fair housing laws
		-Reduce other barriers to the application process and housing search	-Support other initiatives to improve affordable housing search, including Housing Navigator  -Monitor LHAs for compliance with regulatory requirement for language access plans	-Continue to analyze with partners potential barriers to affordable housing access by protected classes  -Continue monitoring of LHAs
		-Increase education and awareness	-Provide fair housing training for LHAs, including Executive	-Continue promoting attendance at fair

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<p><b>Further access to opportunity through reduction of local barriers to housing choice (cont.)</b></p>			<p>Directors as well as LHA Board members</p> <ul style="list-style-type: none"> <li>-Further promote LHA attendance at fair housing trainings, including MassHousing TAP trainings on reasonable accommodations</li> <li>-Develop further fair housing trainings for EA providers</li> </ul>	<p>trainings, including TAP trainings, EA trainings, and other trainings, as well as updating training and educational materials as needed.</p>
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<b>Expand accessibility</b>	9, 10, 11, 12, 13, 14, 17, 26, 27, 28	-Adopt policies for state-funded developments that address gaps in accessibility code standards or that otherwise enhance accessibility	-Enhance policy statements regarding inclusion of accessible units in QAP -Develop 40R and LIP design guidance -Develop updated 40B design standards across the state housing agencies -Incorporate approved Senior Housing Design Guidelines into program policy	-Continue to evaluate design standards and incentives for expanding the stock of affordable housing units that incorporate accessibility, Universal Design, or Visitability, and track the number of such housing units created
		-Coordinate rental assistance for persons with disabilities in new development	- Include incentives in the QAP for sponsors that will accept 811 project-based rental assistance	-Continue to evaluate 811 program success in providing integrated, deeply subsidized housing options for persons who are institutionalized or at risk of institutionalization, and in meeting a diversity of housing needs (e.g., unit size and accessibility)
		-Further accessibility by implementing new and expanded home modification programs -Implement new affordable housing accessibility grants funded under FY19-20 budget to improve or create accessible affordable housing units for persons with disabilities; -Implement Home Modification Loan Program (HMLP) expansion under Chapter 99 of the Acts of 2018 to: support creation of accessory dwelling units; and allow up to 10% of funding to be used for grants to assist landlords seeking to make modifications for tenants	- Serve approx. 20-25 units/yr with accessibility grants; Seek inclusion of accessibility grants in FY 21- FY25 budgets  -Conduct outreach to landlords and families to facilitate use of funds; increase projects by approx. 10-15 units/yr.	-Continue to seek inclusion of accessibility grants in state budget for future fiscal years  -Continue outreach and evaluation of HMLP application process and program

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<p><b>Expand accessibility (cont.)</b></p>		<hr/> <p>-Continue DHCD commitment to goal of at least 5% fully accessible units across the entire state-aided public housing portfolio</p> <hr/> <p>-Promote accessibility through community funding programs</p>	<p>-Explore improvements to/streamlining HMLP application</p> <hr/> <p>- Implement FY 21-22 Accessible Unit Initiative, committing \$3 million annually in FY21 and FY22 to create new accessible units towards the 5% goal; continue to target capital funding to assist LHAs for accessibility improvements and accommodations (at least \$1-2 million annually, as resources permit)</p> <hr/> <p>-Continue implementing MOD-DHCD MOU under which applicants for DHCD CDBG funds and Housing Choice Initiative grants must have, or commit to have, an ADA/Section 504 self-evaluation/transition plan within 5 years and making referrals to MOD for technical assistance</p> <p>-Explore expansion of MOU to cover other municipal grant program</p>	<hr/> <p>-Continue commitment to, and track progress towards, goal of achieving at least 5% fully accessible units across the entire state-aided public housing portfolio. Subject to funding availability, DHCD plans to continue an annual commitment of \$3 million Accessible Unit Initiative for at least 5 yrs</p> <hr/> <p>-Coordinate with MOD to track municipal progress in developing plans and expanding accessibility pursuant to plans ADA/Section 504 self-evaluation/transition plans</p>
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<p><b>Increase supportive housing</b></p>	<p>10, 11, 13, 24, 25, 28</p>	<p><b>Implementation of supportive housing funding and coordination</b></p> <hr/> <p>-Increase funding opportunities for supportive housing projects, including by implementing the Capital Spending Plan FY2019-FY2023 (\$1.2 billion for housing over 5 years; \$230 million+ annually), and the National Housing Trust Fund program, as funds become available from HUD; implement Supportive Housing Initiatives with EOHHS</p> <hr/> <p>-Fully implement 3% Priority expansion</p> <p>-Inform funding priorities based on tracking of housing opportunities goals and production by the ICHH Committee on Supportive Housing Production and Services (SHPS)</p>	<hr/> <p>-Number of units produced (e.g., 150 units estimated annually under the FCF and CBH programs, 100 units estimated annually under the Housing Trust Fund, and 50 units estimated annually under the 811 PRA program)</p> <hr/> <p>- Number of 3% Priority units produced (est. 100 new units annually)</p> <p>-Continues to update tracking through regular convening of the ICHH SHPS Committee</p>	<hr/> <p>- Continue to devote 100% of awarded funds under the Housing Trust Fund program for supportive housing</p> <p>-Continue to apply for HUD 811 PRA program funding and Mainstream vouchers when available (see state Olmstead Plan)</p> <hr/> <p>-Conduct ongoing evaluation of community integration programs and whether supportive housing programs are serving their intended target populations</p>
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<b>Create/expand other state interagency coordination</b>	5	<p>-Explore new/expanded inter-agency coordination to improve access to opportunity and to reduce barriers to housing choice</p> <hr/> <p>-Convene an ICHH Committee, notably including EOHEd, EOLWD, DOT, DOC, DOE, and DPH that incorporates a focus on access to opportunity for protected classes in addition to persons with disabilities, including racial/ethnic minority groups, families with children, and public assistance recipients</p>	<p>-Create further guidance or priorities within the Housing Choice Initiative for municipalities that have and will take actions in furtherance of AI goals, and coordinate with other agencies that award competitive points for municipalities with a Housing Choice designation</p> <hr/> <p>-Regularly convene the ICHH committee (the Supportive Housing Production and Services committee), as well as periodically meet with members of the AI Advisory Council to provide updates and receive feedback</p>	<p>-Evaluate Housing Choice Priorities in furthering fair housing goals</p> <hr/> <p>-Continue to convene the ICHH committee and meet with the AI Advisory Council committee members; consider analysis of new or updated housing data with partners (including ACS, CHAS, and AHS data), subject to availability of resources</p>
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\*See below for numerical listing corresponding to impediments to affirmatively furthering fair housing goals/contribution factors to fair housing issues.

**Impediments to Affirmative Furthering Fair Housing Goals/Contributing Factors to Fair Housing Issues<sup>1</sup>**

1. Impediments to mobility to areas of choice (including through use of federal or state rental assistance vouchers)
2. Community opposition (i.e., to housing developments, including subsidized or affordable housing, multifamily housing, or housing for persons with disabilities)
3. Land use and zoning law
4. Occupancy codes and restrictions
5. Lack of regional cooperation or inter-agency cooperation
6. Lack of community revitalization strategies
7. Displacement of residents due to economic pressures
8. Availability of affordable units in a range of sizes
9. Lack of affordable, accessible housing in a range of unit sizes
10. Lack of affordable in-home or community-based supportive services
11. Lack of affordable, integrated housing for individuals who need supportive services
12. Lack of assistance for housing mobility modifications
13. Lack of assistance for transitioning from institutional settings to integrated housing
14. Availability, type, frequency, and reliability of public transportation
15. Location of proficient schools and school assignment policies
16. Location and type of affordable housing
17. Location of accessible housing
18. Access to financial services
19. Location of employers
20. Location of environmental health hazards
21. Deteriorated or abandoned properties
22. Lack of private investment in specific neighborhood
23. Lack of public investment in specific neighborhoods, including services or amenities
24. Access to proficient schools for persons with disabilities
25. Access to transportation for persons with disabilities
26. Inaccessible buildings, sidewalks, pedestrian crossings, or other infrastructure
27. Inaccessible government facilities or services
28. Regulatory barriers to providing housing and supportive services for persons with disabilities

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<sup>1</sup> See HUD's AFFH Rule at 24 C.F.R. § 5.152 for full definitions and examples of contributing factors to fair housing issues.

## **DHCD 2019 ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE ACTION STEPS CHART**

29. Siting selection policies, practices and decisions for publicly supported housing, including discretionary aspects of Qualified Allocation Plans and other programs
30. Admissions and occupancy policies and procedures, including preferences in publicly supported housing
31. Quality of affordable housing information programs
32. Private discrimination
33. Lending discrimination
34. Source of income discrimination
35. Unresolved violations of fair housing or civil rights laws
36. Lack of local fair housing outreach or enforcement
37. Lack of local public fair housing enforcement
38. Lack of resources for fair housing agencies and organizations