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Final Report

2020 Analysis of Impediments to Fair Housing Choice in the Baltimore Region

PREPARED FOR:

City of Annapolis and the Housing Authority of the City of Annapolis; Anne Arundel County and the Housing Commission of Anne Arundel County; City of Baltimore and the Housing Authority of Baltimore City; Baltimore County; Baltimore Metropolitan Council (BMC); Harford County and the Havre de Grace Housing Authority; and Howard County and the Howard County Housing Commission

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We are also grateful to the residents who shared their experiences and perspectives with fair housing and access to opportunity by participating in the resident survey.

Dan Pontious of the Baltimore Metropolitan Council (BMC) was instrumental in completing this study. The AI would not have been possible without his leadership and we are thankful for his tireless contribution.

SECTION ES.

EXECUTIVE SUMMARY

Baltimore Regional AI Executive Summary

The Analysis of Impediments to Fair Housing Choice, or AI, is a planning process for local governments and public housing agencies (PHAs) to take meaningful actions to overcome historic patterns of segregation, promote fair housing choice, and foster inclusive communities that are free from discrimination.

This AI was conducted for the Baltimore Region between 2019 and 2020 as a joint effort among the following entities:

- City of Annapolis and the Housing Authority of the City of Annapolis,
- Anne Arundel County and the Housing Commission of Anne Arundel County,
- City of Baltimore and the Housing Authority of Baltimore City,
- Baltimore County,
- Baltimore Metropolitan Council (BMC),
- Harford County and the Havre de Grace Housing Authority, and
- Howard County and the Howard County Housing Commission.

In general, this AI follows the template for the Assessment of Fair Housing (AFH) that was created by the US Department of Housing and Urban Development (HUD) pursuant to HUD's 2015 rule on affirmatively furthering fair housing. While following that template is no longer required, our region has a long history of working together to identify and address impediments to fair housing. The participants thought it was important to build upon that history by enhancing the community engagement process and continuing to examine our impediments collaboratively.

The AI is intended to identify barriers to fair housing. By its nature, the document identifies deficiencies in existing practices and problems that remain unaddressed. The fact that the AI is designed to point out areas of improvement is not meant to disparage the efforts made by the jurisdictions individually or the group's collective efforts, which is one of the few multijurisdictional attempts to remedy fair housing in the country.

Community Engagement

The Baltimore Regional AI community participation process resulted in meaningful engagement of nearly 2,800 residents and more than 660 stakeholders acting as part of local organizations, coalitions, private industry, state agencies, and local human rights and planning agencies.

Resident engagement was achieved through a community survey that was distributed primarily to applicants on Housing Choice Voucher waiting lists and to voucher participants in the region. As a result, the survey responses captured input from residents in the region who have the greatest housing needs and are at risk of facing fair housing challenges. Detailed findings from the survey are found in Appendix D.

Stakeholder consultation for the AI was accomplished through a Regional AI Stakeholder Work Group and hearings and meetings at the local levels. In creating the Work Group, the jurisdictions and housing authorities made significant effort to achieve balance by geography, interest, and protected classes. Maryland Commission on Civil Rights Deputy Director, Cleveland Horton, chaired the Work Group, and M&T Bank Administrative Vice President, Charles Martin, served as vice chair. In addition to participating in the Regional AI Stakeholder Work Groups, participating jurisdictions solicited feedback at the local level through hearings and meetings with local constituencies. Section I of the AI discusses the citizen outreach and stakeholder consultation processes in depth.

Primary Research Findings

The Baltimore Region is centered by the City of Baltimore—a city of architectural uniqueness, natural beauty, and strong anchor institutions, including world class universities and medical centers. The greater Baltimore region contains a mix of historic communities, newer suburbs, and rural towns, with a more traditional employment base supported by federal and state governments and related industries. The region is well-positioned to capture economic growth and workforce in the broader Washington D.C.-Baltimore region due to its relative affordability for both businesses and workers, well-developed public infrastructure, and strategic location on the east coast.

The region—and particularly, the City of Baltimore—is also notable for being challenged with a myriad of historical barriers to economic growth in both the public and private sectors for African Americans. These challenges, and their effect on the region and its residents, are the focus of this report.

This report is an update to fair housing analyses that have been conducted regularly in the region. The Baltimore Regional Fair Housing Group was formed in 1996 to coordinate their duty to affirmatively further fair housing under the federal Fair Housing Act of 1968. In 1996, this group created one of the first Regional Analyses of Impediments to Fair Housing Choice (AIs) in the nation and, since that time, it has completed fair housing plans regionally.

Sections III through VIII of this AI present research findings on the barriers to housing choice and economic opportunity in the region. The final section of the report presents an updated regional action plan to address identified barriers.

Primary findings include:

The region remains segregated racially and economically due to past actions that caused and have perpetuated inequities

- Like in many early U.S. cities, growth of heavy manufacturing in Baltimore City, which attracted new African American residents from more southern states and immigrants from abroad, prompted fears of encroachment into surrounding residential areas that were largely occupied by wealthier, White residents. The public sector attempted to implement racial zoning and other actions to promote segregation, and the private sector used deed restrictions toward the same end. Federal regulations that denied financial capital to many protected classes bolstered these local actions. Together, these discriminatory efforts resulted in neighborhoods that became highly segregated by race, ethnicity, and income.
- Many African American residents and other minorities were further denied upward mobility through limits on access to higher education and higher-paying jobs, making them more vulnerable to economic recessions and the overall decline of the manufacturing industry in the late 20th century.
- African American residents in the Baltimore region remain the most segregated of any racial group. While that segregation has decreased modestly as the region has grown economically, African American residents are still by far the most likely to live in neighborhoods with concentrated poverty, and face the largest disparities in educational and health outcomes. In this document's analysis of various "opportunity maps," and demographic patterns, African Americans are the only racial or ethnic group in the region more likely to live in lower opportunity areas than higher opportunity areas.
- Although racial segregation in the region is high, it is not as severe as in Chicago, Atlanta, Milwaukee, Philadelphia, St. Louis, and even nearby Washington D.C.

Housing and economic opportunity is unequally distributed among protected classes

- In the Baltimore region, African American individuals and families face housing needs at higher rates than what would be expected *even after accounting for income*. African American residents are more likely to be homeless and at-risk of homelessness, experience housing cost burden, live in publicly subsidized housing, be denied mortgage loans, and, as a consequence, rent, rather than own their home. For example, in the Baltimore region, Non-Hispanic White households with low incomes have a better chance of getting a mortgage loan approved than African American applicants with moderate to high incomes.
- Severe cost burden—an indicator of extreme housing needs and homeless risk—is nearly twice as high for African American and Hispanic households as for White Non-Hispanic households. It is also higher for single person households than for families.

- Access to quality educational environments varies considerably in the region. School proficiency data suggest that non-Hispanic African American students who attend schools in high-performing suburban districts, namely Howard County and Anne Arundel County, are much more likely to be proficient in reading and math than their counterparts in Baltimore City schools.
- There is a significant mismatch between residents with the greatest needs for employment (e.g., unemployed residents in Baltimore City), the location of jobs (increasingly in the suburban counties), and the time it takes on public transit to access those jobs. Households who are dependent on transit—many of whom are low income African Americans—have access to far fewer jobs than if they had a car. A worker in the region taking transit may access 17,344 jobs through a 30 minute ride compared to 584,586 jobs by car.

The supply of deeply affordable housing remains inadequate overall and also concentrated in portions of the metropolitan area without access to high-performing schools.

- The region has a shortage of nearly 60,000 deeply subsidized units, renting at less than \$500/month, to serve its households with incomes below the poverty level.
- While the implementation of recent voluntary conciliation agreements by the Maryland Department of Housing and Community Development and Baltimore County will increase the supply of affordable housing in higher opportunity areas of the Baltimore region somewhat, the current supply of publicly assisted housing remains skewed toward areas without access to high performing public schools. While nearly half (48%) of the total homes in the region are located in the high opportunity portions of the region identified in the 2014 Regional Housing Plan analysis, only 18 percent of publicly assisted housing units open to families are located in those same areas.
- While recent research has focused on the ability of housing vouchers to enable low income residents to access higher opportunity areas, only 25 percent of voucher holders live in the high opportunity areas identified in the 2014 Regional Housing Plan.
- According to the resident survey conducted for this AI, finding a landlord to accept a voucher remains a challenge, with four in five voucher holders who responded to the survey describing their experience using their voucher as difficult or very difficult. This finding came before the implementation of the recent new “source of income” ordinances in Baltimore City, Anne Arundel County, and Baltimore County. These laws may impact on the ability of voucher holders to find housing.

Continuation of a regional approach can address the region's disparities and help more families thrive in the region's economy.

- The Maryland Department of Planning estimates that the region will add nearly 55,000 jobs between 2020 and 2025. The Baltimore region will continue to be the state's primary place of employment, at 49 percent of all jobs.

- Most of the region’s current jobs—and those in high-growth industries—do not require a college degree, and the majority are not “family supporting.” “Family supporting” is defined as paying at least \$22.28 per hour. Publicly assisted housing will continue to be a critical need to support economic growth, especially for workers in the low-wage industries that are critical for supporting economic development.
- A combined strategy of helping low-income people access the existing high-opportunity areas in the region where jobs are growing, while also making the investments to bring opportunity to economically and racially segregated areas, will link more families with the opportunity of the Baltimore region’s economy and help support that economy.

The AFFH framework focuses on “fair housing issues”—defined as “a condition in a program participant’s geographic area of analysis that restricts fair housing choice or access to opportunity, and includes such conditions as racially and ethnically concentrated areas of poverty, significant disparities in access to opportunity, disproportionate housing needs, and evidence of discrimination or violations of civil rights law or regulations related to housing.”

Fair housing issues differ from “impediments”—the operative term in past AIs—in that they identify the conditions that create barriers to housing choice. Contributing factors align more closely with impediments in that they identify actions of public and private sector actors that create barriers to choice.

The regional action plan to address the challenges identified in this study will focus on the following fair housing issues—and addressing the barriers or “impediments” that continue to exist:

Fair Housing Issue No. 1: A significant shortage of deeply affordable rentals and/or public subsidies in the region, especially in opportunity areas, results in cost burden, overcrowding/doubling up, an increased risk of eviction, a higher risk of homelessness, and a lack of economic opportunity. Although this shortage affects all poverty-level households in the region, African Americans and persons with disabilities are disproportionately likely to experience the negative consequences from this shortage of rental units, both overall and in safe communities with access to high-performing schools.

Contributing factors:

- Continuing and widening wealth disparities,
- Community opposition to affordable housing,
- Limited public subsidies for extremely low income households,
- Limited resources to create needed rental housing, and
- Land use and zoning laws that limit the amount and location of multifamily housing development.

Fair Housing Issue No. 2: Significant differences in attaining homeownership

exist for African American and Hispanic residents, who have significantly lower ownership rates (in the 40-60% range) in all jurisdictions in the region. The lower ownership rates are a result of mortgage loan denials, geographic bias in lending (“lending deserts”), low appraisals in areas with affordable homeownership opportunities, and an inability for households to save for a down payment due to differences in economic status.

Contributing factors:

- Lending discrimination,
- Low home values in neighborhoods suffering disinvestment that then themselves constitute a barrier to new investment,
- Current and increasing wealth disparities,
- Limited public resources to invest in neighborhoods needing significant revitalization, and
- High land costs, particularly in opportunity areas, due to limits on development opportunities and other factors.

Fair Housing Issue No. 3: Unequal access to economic opportunity exists, fueled by unequal access to high quality schools for children and unequal access to jobs for adults, especially for those relying on public transportation. These differences are greatest for African American residents.

Contributing factors:

- Limited affordable housing in areas with high quality schools,
- Inadequate resources in low performing schools,
- Inadequate educational attainment of many working-age adults,
- Availability, frequency, and access to areas of employment using public transportation, and
- Lack of readily available data on residency of Maryland DHCD-supported housing by race, disability, and voucher status to assist in evaluating how well this housing is addressing this unequal access.

Fair Housing Issue No. 4: Insufficient resources to revitalize high poverty neighborhoods. Revitalization of many of the region’s most challenged neighborhoods requires significant public and private sector support. That support is needed both to catalyze redevelopment and to preserve existing affordable housing as redevelopment occurs to mitigate resident displacement.

Contributing factors:

- Current and increasing wealth disparities,

- Private disinvestment as evidenced by vacant and abandoned buildings, and
- Declining federal resources for revitalization.

Fair Housing Issue No. 5: Need for fair housing education and enforcement.

Awareness of fair housing obligations by residents and property owners and vigorous enforcement of those obligations are both critical to ensure that fair housing protections are effective. The new Fair Housing Action Center of Maryland provides a new opportunity for both education and proactive paired testing to enforce fair housing protections.

Approach to Address Barriers

There are many, significant efforts underway in the region to address the challenges identified above—including a well-established regional focus on mitigating fair housing challenges. The aim of this study is to further many of those efforts, strengthen others, and implement new actions.

Prioritization of fair housing issues. Prioritization of the fair housing issues was guided by HUD’s direction in the Assessment of Fair Housing (AFH) rule, as the AI guidance provides less direction on prioritization. In prioritizing the contributing factors to address, highest priority was given to those contributing factors that, for one or more protected classes:

- Limit or deny fair housing choice;
- Limit or deny access to opportunity; and
- Negatively impact fair housing or civil rights compliance.

To that end, the jurisdictions and housing authorities participating in this study propose the action items detailed in the matrices in Section X. In addition to actions specific to each local jurisdiction, high-impact regional actions include:

- 1) Continue to collaborate regionally to address barriers and expand capacity to further housing choice for all protected classes;
- 2) Continue and increase rental housing options through regional mobility efforts to enable choice among voucher holders, and expand affordable, accessible rental housing;
- 3) Advocate for criteria in the Low Income Housing Tax Credit (LIHTC) program that increases affordable and accessible rental stock in areas of opportunity and also catalyzes revitalization;
- 4) Advocate for programs and policies to address homeownership disparities among protected classes;

- 5) Preserve existing housing and mitigate displacement of low income households;
and
- 6) Establish a strong, central fair housing agency.

SECTION I.

COMMUNITY PARTICIPATION PROCESS

SECTION I.

Community Participation Process

The jurisdictions and public housing authorities participating in this Regional Analysis of Impediments to Fair Housing Choice (AI) are the following:

- City of Annapolis and Housing Authority of the City of Annapolis
- City of Baltimore and Housing Authority of Baltimore City
- Baltimore County
- Harford County and the Havre de Grace Housing Authority
- Howard County and the Howard County Housing Authority

In general, this AI follows the template for the Assessment of Fair Housing (AFH) called for in the U.S. Department of Housing and Urban Development's (HUD's) 2015 rule on affirmatively furthering fair housing. This section follows the organization of the Community Participation Process requirement of that AFH template. It describes outreach activities, methods to encourage and broaden meaningful community participation in the AFH, organizations consulted and describes residents' participation in the AFH.

Specifically, the AFH requires that jurisdictions:

- *Describe outreach activities undertaken to encourage and broaden meaningful community participation in the AFH process, including the types of outreach activities and dates of public hearings or meetings. Include a description of efforts made to reach the public, including those representing populations that are typically underrepresented in the planning process such as persons who reside in areas identified as R/ECAPs, persons who are limited English proficient (LEP), and persons with disabilities. Briefly explain how these communications were designed to reach the broadest audience possible. For PHAs, identify your meetings with the Resident Advisory Board and other resident outreach.*
- *Provide a list of organizations consulted during the community participation process.*
- *Describe whether the outreach activities elicited broad community participation during the development of the AFH. If there was low participation, or low participation among particular protected class groups, what additional steps might improve or increase community participation in the future, including overall participation or among specific protected class groups?*

Outreach Activities

The Baltimore region's community participation process resulted in meaningful engagement of nearly 2,800 residents and more than 660 stakeholders acting as part of local organizations, coalitions, state agencies, and local human rights and planning agencies.

Resident engagement was achieved through a community survey that was distributed primarily through Housing Choice Voucher waiting lists and participants in the region. As a result, the survey responses successfully captured input from residents in the region who have the greatest housing needs and are at most risk of facing fair housing challenges.

A summary of the residents whose experience are represented in the regional resident survey are shown below.

Detailed findings from the resident engagement, including the resident survey, appear in Appendix D. It is important to note, in reviewing the survey data, that not all respondents answer every question. The notation "n" provides the number of respondents to each question and is located at the end of every figure in Appendix D where findings are reported.

Resident Survey Participants

COMMUNITY ENGAGEMENT BY THE NUMBERS

2,789 resident survey participants



1,102 had a child under 18



800 had a household member with a disability



SECTION 8

433 had housing voucher



301 had other housing subsidy (place-based)



187 live alone



575 are single parents (no other adults in home)

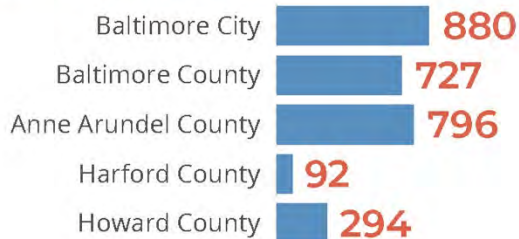


327 are single parents living with other adult family/roommates



180 are couples with children only or with other adult family/roommates

WHERE PARTICIPANTS LIVE



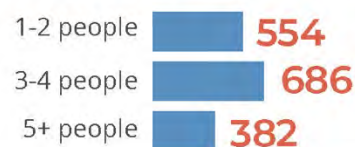
HOUSING STATUS



HOUSEHOLD INCOME



HOUSEHOLD SIZE



IDENTIFIED AS*

* Respondents could select all that applied.



Source: Root Policy Research from the 2019 Baltimore Regional Fair Housing Survey.

Harford County resident. In addition to the resident survey discussed above, Harford County crafted and deployed a survey of residents focused on resident perceptions of segregation, conflict between groups, access to transportation and affordable housing,

access to opportunity for people with disabilities, and recommendations to strengthen access to fair housing in the county. A total of 144 respondents completed the survey on paper (134) or online (10). About half of respondents identified one or more communities in Harford County as being segregated by race or ethnicity. Slightly more than half believe the county has sufficient affordable housing in a range of sizes, but that affordable housing is located in areas of concentrated poverty. About two-thirds describe public transit services in the county as “acceptable,” but describe a need for night/evening hours, free passes for low income residents, and more routes. A majority of respondents identify “education for residents” as the most needed fair housing activity, and the greatest number believe that Harford County Government should carry out the fair housing education activities. In their view, “teaching residents their rights”, “policies to protect residents” and “stricter laws for discrimination” are the recommended strategies to prevent housing discrimination.

Regional AI Stakeholder Work Group

Primary Stakeholder consultation throughout the full Regional AI process was accomplished through a Regional AI Stakeholder Work Group:

- The Regional AI partner jurisdictions and agencies assembled the Regional AI Stakeholder Work Group in the summer and fall of 2018, working hard to achieve balance by geography, interest, and protected class represented.
- Maryland Commission on Civil Rights Deputy Director Cleveland Horton chaired the Work Group, and M&T Bank Administrative Vice President Charles Martin served as vice chair.

In addition to the housing agencies leading the Regional AI effort, 65 stakeholders participated in the Regional AI Stakeholder Work Group representing the following organizations and agencies:

- | | |
|--|---|
| ■ ACLU of Maryland | ■ Baltimore Regional Initiative Demanding Genuine Equality (BRIDGE) |
| ■ Anne Arundel County Office of Transportation | ■ Bon Secours Baltimore Health System |
| ■ Baltimore City Health Department | ■ Central Maryland Transportation Alliance |
| ■ Baltimore City Office of Civil Rights | ■ Cherry Hill Development Corporation |
| ■ Baltimore County Public Schools | ■ The Columbia Bank |
| ■ Baltimore Jewish Council | ■ Disability Rights Maryland |
| ■ Baltimore Neighborhoods, Inc./Fair Housing Action Center of Maryland | ■ Dundalk Renaissance Corporation |
| ■ Baltimore Regional Housing Partnership | |

- Enterprise Community Partners
- Federal Reserve Bank of Richmond
- Habitat for Humanity Susquehanna
- Homeless Persons Representation Project
- Howard County Public Schools
- Human Relations Commission of Anne Arundel County
- Humphrey Management
- The Image Center
- Islamic Society of Baltimore
- M&T Bank
- Maryland Affordable Housing Coalition
- Maryland Association of Realtors
- Maryland Commission on Civil Rights
- Maryland Department of Disabilities
- Maryland Department of Housing & Community Development
- Maryland Legal Aid
- Maryland Multi-Housing Association
- Memorial Baptist Church/Baltimoreans United in Leadership Development (BUILD)
- NAACP Baltimore County Branch
- National Fair Housing Alliance
- Public Justice Center
- ReBUILD Metro
- Turner Station Conservation Teams

The Regional AI Stakeholder Work Group met 11 times over the course of about a year and a half, working through the data specified by the Assessment of Fair Housing tool and, suggesting additional data, and offering feedback on the analysis of the data and possible action steps. Meeting topics included:

- **October 22, 2018:** Overview and Initial Data – Segregation and Racially/Ethnically Concentrated Areas of Poverty (R/ECAPs)
- **November 8, 2018:** Disparities in Access to Opportunity – Employment and Transportation
- **December 13, 2018:** Disparities in Access to Opportunity – Education, Low Poverty, and Public Health
- **January 9, 2019:** Disability and Access
- **January 30, 2019:** Disproportionate Housing Needs and Publicly Supported Housing
- **March 14, 2019:** Data Analysis Follow-Up and Fair Housing Enforcement
- **April 10, 2019:** Initial Solutions Discussion
- **May 22, 2019:** Refine Solutions for Draft AI

- **August 14, 2019:** Additional Discussion before Release of Draft AI
- **September 17, 2019:** Review of Overall AI Presentation and Local and Regional Action Steps
- **March 5, 2020:** Review newly-released Draft AI.

Features of the AI Work Group process included:

- Feedback documented on flip charts during each meeting and then transcribed and posted on Baltimore Metropolitan Council web page set up for the work group: <https://www.baltometro.org/community/committees/regional-ai-stakeholder-work-group>
- Agendas and slides shown at each meeting also posted online afterwards.
- Information circulated electronically before each meeting. Participants unable to attend the meetings in person were able to join remotely by computer or phone.
- Feedback and recommendations on data, analysis, presentations, and agendas often incorporated into subsequent meetings.
- First six meetings focused on exploration of Assessment of Fair Housing topics and data, including analysis. Additional participants invited for particular topics, such as health and transportation.
- Final four meetings focused on discussion of action steps – expanded from the two meetings originally envisioned based on stakeholder suggestions.
- Fourteen-pages of action step suggestions from six Work Group members delivered May 16, 2019, which formed basis for much of later action step deliberation and discussion.

Other Stakeholder Consultation

In addition to the Regional AI Stakeholder Work Group, local jurisdictions, public housing authorities, and the Baltimore Metropolitan Council conducted the following outreach:

- **October 24, 2018:**
 - **Fair Housing Advocates.** Meeting among Root Policy Research consultant team and representatives of ACLU, Public Justice Center, and Homeless Persons Representation Project to discuss AI.
 - **Howard County Office of Human Rights.** Meeting with Root Policy Research consultant to discuss Howard County fair housing issues for the AI.
- **October 25, 2018:**

- **Anne Arundel County Human Relations Commission.** Conversation with Root Policy Research consultant regarding fair housing issues in Anne Arundel County.
- **Annapolis Department of Planning & Zoning.** Conversation with Root Policy Research consultant regarding planning-related fair housing issues.
- **Annapolis Human Relations Commission.** Conversation with Root Policy Research consultant regarding fair housing issues in the City of Annapolis.
- **October 26, 2018:**
 - **Disability Advocate.** Meeting between Root Policy Research consultant team and Disability Rights Maryland regarding disability-related fair housing issues.
 - **Harford County Agencies.** Meeting among Root Policy Research consultant team and Harford County Departments of Community and Economic Development, Community Services, and Planning and Zoning regarding planning, transportation, and other fair housing issues.
- **October 2018 through February 2019: Harford County Impediments to Fair Housing Survey.** Harford County developed its own “2019 Impediments to Fair Housing Survey” which was available online at www.harfordhousing.org and also in paper form. The survey was distributed via email to more than one hundred targeted stakeholders, distributed during public outreach activities, promoted via social media and handed out to clients visiting the Housing Agency. More than 200 citizens responded to the survey.
- **December 14, 2019: Baltimore City Department of Planning.** Meeting among Root Policy Research consultant, BMC housing policy coordinator, and Planning staff, including Acting Director regarding planning-related fair housing issues.
- **January 22, 2019: Maryland Multi-Housing Association (MMHA).** Meeting among Root Policy Research consultant, BMC housing policy coordinator, and MMHA executive director regarding multifamily housing-related fair housing issues.
- **January 31, 2019:**
 - **REALTORS.** Conversation among Root Policy Research consultant, BMC housing policy coordinator, Maryland Association of REALTORS Director of Housing Programs, and about 15 Baltimore-area REALTORS regarding real estate-related fair housing issues.
 - **Maryland Affordable Housing Coalition (MAHC).** Conversation among Root Policy Research consultant, BMC housing policy coordinator, and two MAHC leaders regarding affordable housing-related fair housing issues.

- **February 4, 2019: Annapolis Human Relations Commission meeting.** Presentation on the purpose of the Regional AI and process for developing it, preliminary data, and a request for input.
- **February 14, 2019: Harford County Resident Advisory Board (RAB) meeting.** Presentation on the purpose of the Regional AI and process for developing it, preliminary data, and a request for input.
- **February 28, 2019: Anne Arundel County Housing and Community Development Public Hearing.** Meeting included a diverse range primarily of providers who work with low income and protected classes participated. Presentation on the purpose of the Regional AI and process for developing it, preliminary data, and a request for input.
- **March 6 & 18, 2019: Housing Commission of Anne Arundel County (HCAAC).** Meeting of Housing Choice Voucher holders and residents of HCAAC public housing and Rental Assistance Demonstration (RAD)-converted housing. Presentation on the purpose of the Regional AI and process for developing it, preliminary data, and a request for input.
- **March 14, 2019: Route 40 Business Association meeting (Harford County).** Presentation to Harford County Route 40 Business leaders on the purpose of the Regional AI and process for developing it, preliminary data, and a request for input.
- **March 19, 2019: Harford County Continuum of Care group,** including homeless providers and advocates. Presentation on the purpose of the Regional AI and process for developing it, preliminary data, and a request for input.
- **April 2, 2019: Anne Arundel County Fair Housing Stakeholder Meeting.** Participants included Anne Arundel County NAACP, United Black Clergy, Caucus of African American Leadership (CAAL), Growth Action Network and Anne Arundel Connecting Together (ACT). Presentation on the purpose of the Regional AI and process for developing it, preliminary data, and a request for input.
- **April 15, 2019: Anne Arundel County Disability Stakeholder Focus Group.** Disability stakeholders present included Centers for Independent Living, County Department on Aging/Disability Commission, Main Street Housing, Bello Machre, Opportunity Builders, Inc. Presentation on the purpose of the Regional AI and process for developing it, preliminary data, and a request for input.
- **April 17, 2019: Anne Arundel County Human Relations Commission meeting.** Presentation on the purpose of the Regional AI and process for developing it, preliminary data, and a request for input.
- **April 23, 2019: Howard County Department of Planning & Zoning.** Conversation among Root Policy Research consultant, BMC housing policy coordinator, and Howard County Planning Director and staff regarding planning-related fair housing issues.
- **April 26, 2019: Anne Arundel County Coalition to End Homelessness/Continuum of Care group.** Participants included homeless providers, advocates, faith based

leaders and congregants, and formerly homeless individuals. Presentation on the purpose of the Regional AI and process for developing it, preliminary data, and a request for input.

- **May 7, 2019: Harford County AI Public Hearing.** Presentation to targeted stakeholders, including NAACP leadership, on the purpose of the Regional AI and process for developing it, preliminary data, and a request for input.
- **May 16, 2019: Howard County AI Public Hearing for Community Development Stakeholders.** Presentation on the purpose of the Regional AI and process for developing it, preliminary data, and a request for input.
- **May 16, 2019: Advocate Recommendations Submitted.** Six members of the AI Stakeholder Work Group submitted fourteen pages of recommendations to the full Work Group. Recommendations formed a basis for discussion of AI Action Steps in the following three Work Group meetings, as well as several others, smaller meetings on specific topics within the recommendations.
- **June 2019: Anne Arundel County Outreach to Hispanic/Latino Community,** including meetings with Anne Arundel County Multicultural Affairs Officer and Centro de Ayuda for ideas on community concerns, discrimination experienced, and best methods for future outreach, including about existing programs.
- **June 3, 2019: Housing Commission of Anne Arundel County Resident Advisory Board (RAB).** Presentation on the purpose of the Regional AI and process for developing it, preliminary data, and a request for input.
- **June 6, 2019: Howard County AI Public Hearing for Faith-Based and Civil Rights Stakeholders.** Presentation on the purpose of the Regional AI and process for developing it, preliminary data, and a request for input.
- **June 7, 2019: Anne Arundel Affordable Housing Coalition.** Presentation on the purpose of the Regional AI and process for developing it, preliminary data, and a request for input to local affordable housing developers, providers, elected officials, and advocates.
- **June 11, 2019: Baltimore County Community of Care Roundtable meeting.** Presentation on the purpose of the Regional AI and process for developing it, preliminary data, and a request for input.
- **June 12, 2019: City of Annapolis AI Public Hearing.** Presentation on the purpose of the Regional AI and process for developing it, preliminary data, and a request for input.
- **June 13, 2019: Harford County Human Relations Commission meeting.** Presentation to citizen civil rights leadership on the purpose of the Regional AI and process for developing it, preliminary data, and a request for input.

- **June 20, 2019: Baltimore City AI Public Hearing.** Presentation on the purpose of the Regional AI and process for developing it, preliminary data, and a request for input.
- **July 31, 2019: Baltimore County AI Public Hearing.** Presentation on the purpose of the Regional AI and process for developing it, preliminary data, and a request for input.
- **August 28, 2019: Greater Baybrook Alliance meeting,** attended by more than 40 diverse residents, business owners and community resource professionals from the Anne Arundel community of Brooklyn and the Baltimore City communities of Brooklyn and Curtis Bay. Presentation on the purpose of the Regional AI and process for developing it, preliminary data, and a request for input.
- **September 4, 2019: Anne Arundel County HIV/AIDS Commission.** Presentation on the purpose of the Regional AI and process for developing it, preliminary data, and a request for input.
- **September 13, 2019: Community Development Network of Maryland.** Presentation to Baltimore region members on data, analysis, and preliminary regional and local action steps.
- **September 17, 2019: Columbia Downtown Housing Corporation.** Presentation to stakeholders involved in supporting affordable housing in downtown Columbia on purpose of the Regional AI and process for developing it, preliminary data, preliminary action steps, and request for input.
- **October 9, 2019: Harford County Hope for the Homeless Alliance.** Presentation to Harford County business and faith based community leadership on the purpose of the Regional AI and process for developing it, preliminary data, and a request for input.
- **October 12, 2019: Beyond the Boundaries of the Archdiocese of Baltimore,** including about 20 active members from Catholic congregations in the Baltimore area concerned about housing and issues the cross jurisdictional boundaries. Presentation on purpose of the Regional AI and process for developing it, preliminary data, and a request for input.
- **February 29, 2020:** Social Ministry Convocation, sponsored by the Catholic Campaign for Human Development of the Archdiocese of Baltimore. Presentations and discussion at two breakout groups at day-long symposium.
- **March 2, 2020:** Release of Draft AI, with comment period ultimately extending to April 22. Comments received and replies are included as Appendix F to this document in the separate Appendices volume/PDF file.
- **April 14, 2020:** Virtual Public Hearing attended by at least 32 participants. All testimony is reflected in written comments in Appendix F.

List of Organizations and Agencies Consulted

- ACLU of Maryland
- City of Annapolis
 - Human Relations Commission
 - Department of Planning
- Anne Arundel Connecting Together (ACT)
- Anne Arundel County:
 - Continuum of Care group
 - Department of Aging
 - Department of Health
 - Department of Planning & Zoning
 - Disabilities Commission
 - Human Relations Commission
 - Mental Health Agency
 - Multicultural Affairs Office
 - Office of Transportation
- Anne Arundel County NAACP
- Baltimore City:
 - Department of Planning
 - Health Department
 - Office of Civil Rights
- Baltimore County
 - Continuum of Care Group
 - Department of Planning
 - Public School System
- Baltimore Jewish Council
- Baltimore Neighborhoods, Inc.
- Baltimore Regional Housing Partnership
- Baltimore Regional Initiative Demanding Genuine Equality (BRIDGE)
- Bello Machre
- Beyond the Boundaries of the Archdiocese of Baltimore
- Bon Secours Baltimore Health System
- Caucus of African American Leadership (Anne Arundel County)
- Centers for Independent Living
- Central Maryland Transportation Alliance
- Centro de Ayuda (Anne Arundel County)
- Cherry Hill Development Corporation
- The Columbia Bank
- Columbia Downtown Housing Corporation
- Columbia Housing Center
- Community Development Network of Maryland
- Disability Rights Maryland
- Dundalk Renaissance Corporation
- Enterprise Community Partners
- Fair Housing Action Center of Maryland
- Federal Reserve Bank of Richmond
- Greater Baybrook Alliance
- Growth Action Network (Anne Arundel County)

- Habitat for Humanity Susquehanna
- Harford County:
 - Commission on Disabilities
 - Continuum of Care group
 - Department of Community Services
 - Department of Planning
 - Human Relations Commission
 - Resident Advisory Board (RAB)
- Homeless Persons Representation Project
- Hope for the Homeless Alliance (Harford County)
- Housing Commission of Anne Arundel County Resident Advisory Board (RAB)
- Housing Authority of Baltimore City Resident Advisory Board (RAB)
- Howard County:
 - Department of Planning and Zoning
 - Public School System
- Humphrey Management
- The Image Center
- Islamic Society of Baltimore
- M&T Bank
- Main Street Housing
- Maryland Affordable Housing Coalition
- Maryland Association of Realtors
- State of Maryland:
 - Commission on Civil Rights
 - Department of Disabilities
 - Department of Housing & Community Development
 - Maryland Transit Administration
- Maryland Legal Aid
- Maryland Multi-Housing Association
- Memorial Baptist Church/Baltimoreans United in Leadership Development (BUILD)
- NAACP Baltimore County Branch
- National Fair Housing Alliance
- Neighborhood Housing Services – Baltimore
- Opportunity Builders, Inc.
- Public Justice Center
- ReBUILD Metro
- Route 40 Business Association (Harford County)
- Turner Station Conservation Teams
- United Black Clergy (Anne Arundel County)

Stakeholder Feedback Received

The following are general summaries of key feedback received in stakeholder outreach.

Regional. Additional details of feedback received can be found in the materials for the Regional AI Stakeholder Work Group available at:

<https://www.baltometro.org/community/committees/regional-al-stakeholder-work-group>,

Top-line summaries include:

- Need to connect this AI with previous fair housing studies.
- Concerns about existing transit service – reliability, frequency, especially in suburban areas, including for people with disabilities.
- Concerns about incentives for affordable housing construction in State Qualified Allocation Plan (QAP) for awarding Low Income Housing Tax Credits and need to influence revisions for 2020.
- Concern about school segregation and achievement disparities and interest in better linking housing and education.
- Concern about impact of housing quality and stability on health, particularly of parents and children.
- Focus on integrating people with disabilities into housing with non-disabled residents.
- Need for accessible features but also affordability, since many people with disabilities have very low incomes.
- Need analysis of zoning as part of AI.
- Concern about investments – including mortgage and banking investments – in historically redlined and disinvested areas.
- Need for fair housing enforcement.
- Enforcement-related fair housing actions, including regional mobility program, can be models for non-enforcement-related fair housing actions.
- Region needs to apply for HUD mobility demonstration program.
- Need for a “Marshall Plan” for challenged neighborhoods.
- Need more enforcement during housing construction of accessibility features in development plans.
- Need to address barriers for low-income renters to leasing a home, e.g. credit obstacles, “3 times the rent” income requirement in jurisdictions with source of income protections.
- Recommendation to articulate impediments specifically and format action steps in a matrix that includes impediments, responsible parties, and milestones in the draft AI.
- Request for Stakeholder Work Group to be able to see action step matrix before full AI draft is released.

Anne Arundel County. Stakeholders identified a significant need for:

- Eviction Prevention Assistance and tenant landlord line

- Credit Counseling- not just to get into homeownership but also to get into quality rental apartments.
- Accessibility modifications for renters, although there are challenges to getting landlords to agree that need to be worked out.
- Supply side and demand side subsidies to make units affordable for a range of protected classes and persons with special needs.
 - Related to this, there is a need for case management services to go along with the housing to make sure people can sustain the housing.
- Housing located along transportation routes (more important to some than areas of opportunity).
- Preserving affordable rental housing and also make sure existing housing in revitalization areas is well managed and maintained.
- Preserving and improving single family housing stock, creating programs to improve quality of life in revitalization areas.
- Local fair housing legislation that addresses SOI, persons with disabilities, immigrants, people of color; need for enforcement as well as education and outreach.
 - Need to do outreach and education around fair housing responsibilities among property managers and HOAs, especially when dealing with accessibility modifications.
- Need to balance need for new affordable housing development with need to protect environmentally sensitive land.

Baltimore City

- HABC resident and applicant requests for one-floor units with no steps exceed requests for UFAS units. Many residents who have trouble with steps are not wheelchair users and do not like the lower countertops and lack of cabinets under sinks in UFAS units .
- HABC has a reasonable accommodations modification program for participants in the Housing Choice Voucher Program where HABC will have a contractor make the modifications, but owners are sometimes reluctant to approve the modifications because they are concerned about ongoing responsibility for maintaining the features if the voucher holder moves.
- HABC has continued to offer its Enhanced Leasing Assistance Program beyond the time required by the Bailey Consent Decree because non-elderly persons with disabilities often need the additional assistance in finding housing, leasing up, making reasonable accommodation requests, etc.

- Some properties make all of their tax credit units affordable for extremely low income persons (30% of AMI and below). HABC has a number of participants who are low income but who do not qualify for these units because they are over-income for them. There is a need for tax credit units for which low income persons are income eligible.
- Need for investment in challenged and historically redlined communities.
- Resident fear of being forced out of their communities because of gentrification.

Baltimore County. Stakeholders identified the need for:

- Expanding the Urban Rural Demarcation Line (URDL) to provide access to two-thirds of the total land space in Baltimore County,
- Revision of the County's zoning regulations,
- Members of protected classes to be more represented on County boards and commissions dealing with housing issues,
- Expansion of affordable housing opportunities outside of areas of minority and low-income concentration,
- Equitable allocation of CDBG and HOME funds from a fair housing perspective,
- An increase in affordable, accessible housing,
- Increased enforcement authority under the provisions of Article 29 to support Source of Income legislation.

Harford County. Need for:

- Source of income protection
- Fair Housing training/outreach in the local communities – suggested areas included local community centers, churches, libraries, etc.
- Housing Choice Voucher preferences for special populations. While Harford County does currently have preferences, suggestions included having a “super preference” for people with disabilities.
- Investment in older communities (where affordable housing exists). Many of the comments and suggestions surrounded investing in established communities rather than building in areas of opportunity – “Why should we have to move?”

Howard County. From the Office of Human Rights:

- Efforts to evade Source of Income ordinance:
 - Requiring 3x rent in income

- Requiring income from a job
- Other complex calculations
- Changing price of units depending on race or source of income.
- Changing amount of security deposit.
- Changing required credit score.
- Failure to accommodate disabilities re: both modifications and accommodations.
- Programs used by outside contractors that yield a “score” for applicant, but not clear on basis for score.
- Maintenance of unit charges where tenant believes maintenance was denied. May be just landlord/tenant dispute, but with a possible overlay of discrimination.
- Complaints against HOAs and Condominium Associations re: failure to accommodate, etc.

SECTION II.

ASSESSMENT OF PAST GOALS AND ACTIONS

SECTION II.

Assessment of Past Goals and Actions

This section meets the Assessment of Past Goals and Actions requirements of the Assessment of Fair Housing (AFH) template by:

- Discussing the progress made by program participants in affirmatively furthering fair housing; and
- Discussing how the region has been successful in achieving past goals and where the region has fallen short in achieving those goals (including potentially harmful unintended consequences).

The AFH template also calls for a discussion of policies and action steps that need to be taken to mitigate continued fair housing challenges and how past experiences have influenced the selection of current goals. These are partially addressed in the zoning analysis and in the final, Impediments and Action Plan, section.

Description of Approach

Any HUD program participant and subgrantee that directly or indirectly is a recipient of HUD funds must certify on an annual basis that it is Affirmatively Furthering Fair Housing (AFFH) by complying with 42 United States Code § 3608 (d) and (e)(5); 24 Code of Federal Register § Part 5. These AFFH regulations and rule require program participants to take meaningful actions to address impediments identified in Analysis of the Impediments to Fair Housing (AI); and maintain records of actions taken to overcome the impediments. In order to continue receiving Community Development Block Grant funds and other federal financial assistance, a program participant must complete this annual certification by submitting a Consolidated Annual Performance Evaluation Report (CAPER) to HUD. This signed report documents and attests to activities, if any, undertaken by the program participant to address the Goals and Tasks discussed in the Analysis of Impediments to Fair Housing Choice.

All CAPERs available on the participating jurisdictions' and Baltimore Metropolitan Council's websites, supplemented by additional information provided by the jurisdictions, were used to complete this section of the Regional Analysis of Impediments to Fair Housing Choice. Below are the sections of the CAPER where this information was found:

- Other Actions 91.220(j)-(k); 91.320(i)-(j) Actions taken to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such

as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment. 91.220 (j); 91.320 (i)

- Identify actions taken to overcome the effects of any impediments identified in the jurisdictions analysis of impediments to fair housing choice. 91.520(a)

In addition to the CAPERs, Annual Action Plans, Fair Housing Implementation Plans, published newspaper articles and supplemental information provided by the jurisdictions were used to complete this section.

Jurisdiction	Fiscal Year of CAPER
City of Annapolis	2016, 2017, 2018 and 2019
Anne Arundel County	2014, 2015, 2016, 2017, 2018 and 2019
City of Baltimore	2016, 2017 and 2018
Baltimore County	2018 and 2019
Harford County	2018
Howard County	2014, 2015/2016, 2017 and 2018

Finally, in the Baltimore region the Baltimore Metropolitan Council summarized the progress on joint actions since the 2012 Regional AI, and that summary is included in this section.

Assessment of 2012 Regional AI Goals and Actions

Action Step

- a. Preserve the supply of affordable rental housing for families by supporting a replacement policy that encourages the region to work together to:
 1. Preserve the number of affordable housing units available by replacing vacant units or creating equivalent units in opportunity areas whenever economically feasible, and/or
 2. Provide housing choice vouchers, subject to funding availability, relocation assistance and mobility counseling for displaced families within the region.

Progress since 2012 AI: Complete and Continuing

The Baltimore Regional Fair Housing Group reiterated the goal of preserving affordable rental housing in the recommendations of the 2014 Opportunity Collaborative report, *Strong Communities, Strong Region: The Baltimore Regional Housing Plan and Fair Housing Equity Assessment*, and then finalized in a regional policy in November 2016. That policy recommended the creation of a new Preservation Database, begun in late 2015 and now housed at the Baltimore Metropolitan Council (BMC). It also created a new Preservation Task Force made up of local, state, and federal housing agency staff, public housing authority (PHA) officials, and other housing stakeholders.

The Task Force met four times in 2017 and 2018, reviewing properties with affordability at risk of expiring and learning about the 1989 Maryland Assisted Housing Preservation Act (MAHPA) and the federal Low Income Housing Preservation and Resident Homeownership Act of 1990 (LIHPRHA). BMC's research to refine the Preservation Database uncovered five properties that had pre-paid their Section 236 loans over the past 20 years and one property that had opted out of its Section 8 contract.

The fact that those opt-outs are rare make required notice of intent very important, and BMC and other stakeholders are now set to receive notices that come to the Maryland Department of Housing and Community Development (DHCD) from owners seeking to opt out of housing subsidies covered by State and federal law. The Task Force also learned about investors who have been recently bidding up the sales price for multifamily housing, putting pressure on affordability and maintenance budgets. The Task Force plans to continue meeting to develop strategies to preserve affordable housing in the region and to create new housing in opportunity areas when economically feasible.

Action Step

- b. Encourage the State of Maryland to revise its QAP and other vehicles for affordable housing to expand the supply of affordable rental housing for families in opportunity areas:
 - 1. Create a set-aside for tax credit projects in opportunity areas of the Baltimore region
 - 2. Give preference to family units in opportunity neighborhoods
 - 3. Eliminate local approval requirements, and
 - 4. Create incentives for scattered site tax credit projects.

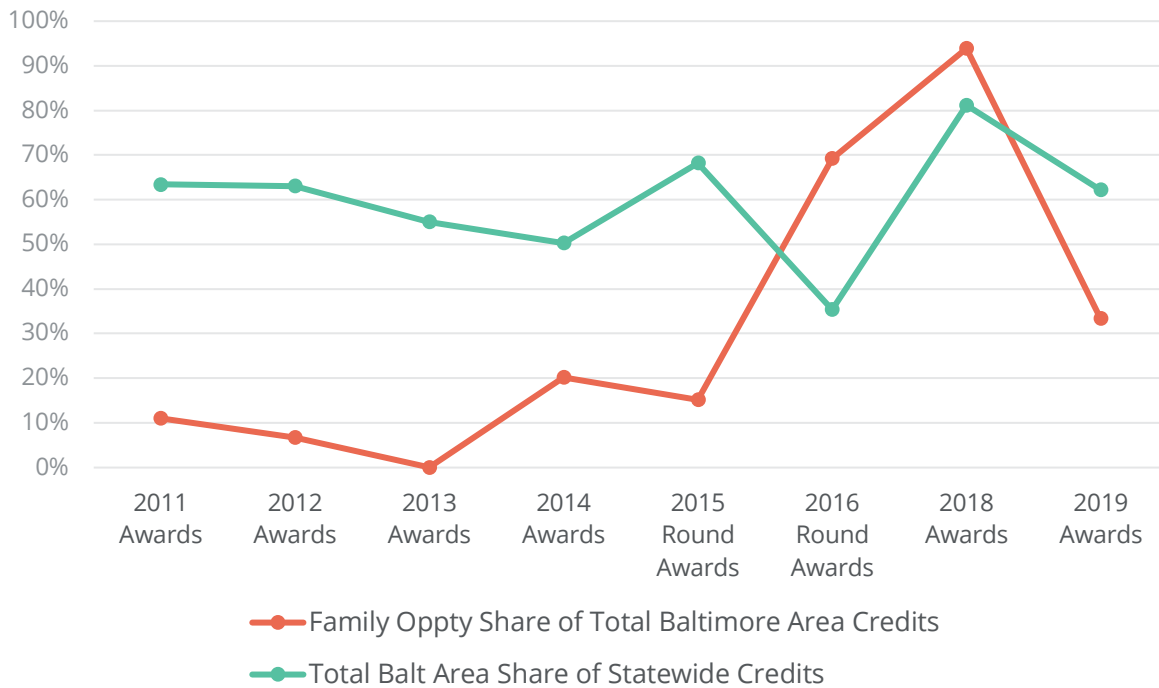
Progress since 2012 AI: Complete and Continuing

The Baltimore Regional Fair Housing Group submitted a number of comments to Maryland DHCD in 2012, 2013, 2015, 2018, and 2019 urging incentives for affordable family housing in metropolitan area opportunity areas and, in 2012 and 2013, urging repeal of local approval requirements in DHCD's Qualified Allocation Plans (QAPs). In 2014, the Fair Housing Group wrote to the Maryland House of Delegates Environmental Matters Committee Chair urging support for House Bill 453, which passed and repealed any legislative indication that local approval was necessary to receive Low Income Housing Tax Credits. In addition, the Fair Housing Group's comments in 2012 and 2013 urged incentives for scattered site tax credit awards.

The Fair Housing Group has also tracked, back to 2011, the share of Baltimore-area tax credits that have been awarded in DHCD Communities of Opportunity (COOs) and the share of total Maryland tax credits awarded in the Baltimore region, shown in the graph below. In 2018 the Fair Housing Group urged DHCD to restore point incentives for COOs that had been in place in their 2018 QAP but had been removed in the draft 2019 QAP. The Fair Housing Group also urged incentives for metropolitan area awards, given that most of that State's tax credits in 2016 were awarded in rural areas with only 20 percent of the State's low-income population.

The Fair Housing Group's comments in 2019 on the draft 2020 QAP followed the same themes, urging a balance of substantial awards for family homes in metropolitan Communities of Opportunity, balanced with awards in other communities that have robust and coordinated revitalization plans and investments. In addition to submitting written comments, Fair Housing Group members met with DHCD staff and attended and spoke at DHCD public listening sessions.

Maryland LIHTC Trends



Action Step

- c. Educate elected officials on affirmatively furthering fair housing by working with HUD, the Maryland Commission on Civil Rights, BMC or all three to conduct AFFH workshops for elected officials of the participating jurisdictions.

Progress since 2012 AI: Complete and Continuing

Using funding from a 2013 HUD Fair Housing Implementation Plan (FHIP) grant, BMC staff and Fair Housing Group organized two workshops on local government legal obligations to affirmatively further fair housing:

- May 20, 2014 at BMC featuring Michael Allen from Relman, Dane, Colfax and Sara Pratt, then with HUD, and attended by 32 local government staff, including two county attorneys and seven other local law department staff.
- August 15, 2014 at the Maryland Association of Counties (MACO) conference in Ocean City featuring Timothy Smythe, then with Relman, Dane, Colfax, Kathleen Koch from Arundel Community Development Services, and Elizabeth Glenn from Baltimore County. Attended by 35 people, including three county councilmembers and one ultimately successful 2014 candidate for Anne Arundel County Council.

In addition, BMC staff and local housing officials met individually or in small groups with twenty local officials in 2014 and 2015, including:

- Four Baltimore City Council members
- Four Howard County Council members
- Then-new Harford County Housing Director
- Seven local government legal staff, including Harford County's then-new County Attorney and municipal attorneys for Bel Air, Aberdeen, and Havre de Grace.

BMC also assisted the Fair Housing Group in compiling fact sheets on the 2015 Supreme Court ruling regarding disparate impact and HUD's 2015 rule on affirmatively furthering fair housing, met with Howard County Solicitor Gary Kuc, and presented at conferences for the following:

- National Association of Housing and Redevelopment Officials (NAHRO)
- Maryland Association of Housing and Redevelopment Agencies (MAHRA)
- Baltimore City Vacants to Value Summit

Finally, BMC held a third educational forum for local government officials on December 6, 2017, also featuring Michael Allen and Sara Pratt, now both with Relman, Dane, Colfax. This forum also included briefings by Baltimore County's planning director and Maryland DHCD's Community Development Administration deputy director on their respective 2016 and 2017 fair housing voluntary conciliation agreements. This forum was attended by 28 officials, including:

- Seven planning staff from four jurisdictions
- Two law department staff
- Nine cabinet-level officials from all six jurisdictions represented

Action Step

- d. Actions to expand the supply of accessible and affordable housing:
 - i. Determine the unmet need for affordable, accessible housing for persons with mobility impairments in the Baltimore Metropolitan Area.

Progress since 2012 AI: Complete

As part of developing the 2014 Regional Housing Plan, the Fair Housing Group estimated the unmet need for affordable housing in the Baltimore metropolitan area that is accessible to people with an ambulatory disability at about 14,000 units. That was based on a county-by-county calculation by Maryland DHCD as part of its 2006-2010 Rental Housing Shortage analysis.

Action Step

- ii. Take steps to address the identified unmet need for affordable, accessible housing for persons with mobility or sensory impairments in the Baltimore Metropolitan Area, which may include increasing the percentage of newly constructed rental housing units that must be made accessible for wheelchair users in accordance with the governing standards in place, and/or requiring that some percentage of newly constructed residential units meet universal design standards.

Progress since 2012 AI: In Progress

As part of developing the new Preservation Database, BMC staff used the Year Built field, elevator data, and whether or not the rental structure is a multifamily building or townhouse, combined with Fair Housing Act requirements, to estimate the number of Fair Housing Act-accessible rental units in the metropolitan area. The data show that the Fair Housing Act has resulted in a substantial number of rental units that have basic wheelchair accessibility:

- About 16,000 of the 51,000 publicly assisted rental units in our region, or 31 percent, are Fair Housing Act accessible. Nearly 1,800 meet the stricter Uniform Federal Accessibility Standards (UFAS – includes grab bars and lowered countertops and vanities) under Section 504 of the Rehabilitation Act of 1973.
- Almost 23,000 of the roughly 155,000 large multifamily market rate rental units in our region (i.e. in buildings of 40 units or more), or 15 percent, are Fair Housing Act accessible.

These data show that there are a substantial number of rental units in our region that are accessible to a resident with a mobility impairment. The challenge seems to be having enough accessible units that are affordable for people living on disability benefits and other extremely low incomes, rather than having enough units that are structurally accessible.

In addition, local governments and public housing authorities (PHAs) participating in this AI have taken the following measures to address the unmet need for persons with mobility or sensory impairments in the region:

- As required by federal law, 5 percent of the units in any developments funded by federal housing funds controlled by local governments, such as HOME funds, must meet Uniform Federal Accessibility Standards (UFAS).
- In addition, as described in Section VII, in carrying out the *Bailey* consent decree, the Housing Authority of Baltimore City has required a higher percentage than 5 percent of units to meet UFAS standards. Going forward, recognizing the need, HABC will voluntarily continue to require a higher percentage of UFAS units.
- Also as described in Section VII, HABC has set aside funds for home modifications needed by its Housing Choice Voucher holders with disabilities.
- Anne Arundel, Baltimore, and Harford Counties have programs to help residents fund modifications to their home because of their disability. All three programs serve homeowners, and Baltimore County's program serves tenants as well.
- Baltimore County, as part of carrying out its 2016 voluntary conciliation agreement, is doing the following:
 - Has reached agreement with a developer to create 100 accessible units.
 - Is issuing a request for proposals to create another 50 accessible units.
 - Has added funds to its Accessibility Modification Program to create a new program specifically for Housing Choice Voucher holders.

Action Step

- iii. Sponsor informational and education sessions for those local jurisdictions in the region that do not have inclusionary zoning laws. The sessions would focus on using such legislation to require that a percentage of all newly constructed housing units be affordable to low and moderate income households, and on tools that may be used as incentives to create affordable housing, such as public infrastructure subsidies, density bonuses and tax increment financing.

Progress since 2012 AI: Complete

Through the 2013 HUD FHIP grant, BMC contracted with the Innovative Housing Institute (IHI) to organize two inclusionary zoning tours and roundtable discussions:

- One tour on June 4, 2014 of sites in Montgomery and Howard Counties, with a roundtable in Ellicott City led by IHI and Howard County Housing attended by 18 people, including local government staff from four jurisdictions.
- Another tour on June 12, 2015 of sites in Howard County with a roundtable discussion featuring IHI, Howard County Housing, and the Washington, DC Office of Planning. This tour was attended by 40 people, including a State delegate, and Baltimore City councilman, three planning directors, Baltimore City's housing commissioner, and other local government staff from all six of the region's county-level jurisdictions, along with the City of Annapolis.

Action Step

- iv. Convene a meeting with the State of Maryland Department of Housing and Community Development, which already maintains a database of apartments and identifies units that are wheelchair accessible, to discuss steps that may be taken that will result in more landlords listing their units in the State database, especially landlords with units that are accessible or have accessible features. Such steps may include, but not be limited to, conducting regional outreach and education to property managers on the importance of submitting information regarding accessible units to the database. Explore how the database may be improved and/or linked to services like socialservice.com.

Progress since 2012 AI: Complete and Continuing

Various groups of BMC and local government staff along with advocates active with BMC's Housing Committee have been meeting with Maryland DHCD on this topic since 2013, suggesting various improvements to the Md. Housing Search site and to DHCD's use of it. Most of these improvements have not been made. One notable example is our suggestion that the operator of the site, first Social Serve and new Emphasys, use basic elements of the Fair Housing Act to populate legally required accessibility features already included as options on the site. The experience of advocates for people with disabilities is that representatives of the property owner or manager who list available units on Md. Housing Search do not check the possible accessibility features accurately.

Our suggestion to improve that situation was to use questions such as, "Was your property first available for occupancy after March 13, 1991?" and "Does your property

have an elevator? and “Was your property built using federal funds?” to determine which features are legally required for which units and then auto-populate those features. Despite the fact that these features are legally required, Emphasys has expressed discomfort with potentially populating an inaccurate feature of certain units. This is despite the advocate experience that many features in units listed on Md. Housing Search are currently inaccurate. These discussions are ongoing and our efforts will continue.

These general discussions regarding Md. Housing Search also ultimately drew the participants’ attention to the importance of a new development’s first lease-up and the potential of Maryland Housing Search to be an effective affirmative marketing tool.

In late 2016 Maryland DHCD asked the Fair Housing Group and advocates for suggested edits to their affirmative marketing requirements, which that group offered in early 2017. This led to some changes in DHCD’s materials in April 2018.

Most recently, following discussions with Maryland DHCD and affordable housing owners and managers, DHCD has agreed to require a more structured affirmative fair housing marketing process that includes Maryland Housing Search:

- DHCD now requires developments they fund to be listed on Maryland Housing Search within 30 days of closing.
- Site-specific contact information will be posted on Maryland Housing Search at the same time a physical sign with site-specific contact information is posted on the property construction site. As a result, any Interest List that the owner creates will be open to people who see the online posting on Maryland Housing Search as well as people who see the sign on the physical property.
- The owner will set an Application Date – the date on which they will first start accepting applications – at least 30 days in advance, disseminating that information through their affirmative fair housing marketing methods and on Maryland Housing Search. This will reduce the advantage people may have who currently live near the site or have a connection with the developer.
- Further discussion is needed around the idea of a lottery to further reduce the advantage of people who already live near the site and have a greater ability to be “first” in a “first-come, first-served” process. Particularly in opportunity areas, such a system may result in a disadvantage for certain classes of people protected under the Fair Housing Act.

Action Step

- e. Organizational strategies for inter-jurisdictional cooperation and collaboration relative to fair housing:
 - i. Formalize the regional efforts to address fair housing issues through a formal memorandum of understanding (“MOU”), entered into by Anne Arundel, Baltimore, Harford and Howard Counties and Baltimore City (the “Baltimore Regional Fair Housing Group” or the “Group”). Pursuant to the MOU, each jurisdiction would address the regional issues by committing staff time to meet on a regular basis and financial resources, as available, such as local entitlement funds, competitive FHIP funds, and Sustainable Communities Initiative planning funds to carry out regional actions to address fair housing impediments. Funds received would be made available for uniform fair housing testing, education and outreach throughout the region.

Progress since 2012 AI: Complete and Continuing

Members of the Regional Fair Housing Group have now signed three 3-year memoranda of understanding, beginning in 2012, committing to work together and to help fund regional coordination staff at BMC. In the 2015 MOU, Fair Housing Group jurisdictions agreed to double their financial support for BMC coordination as the region’s HUD Sustainable Communities grant came to a close. The Fair Housing Group has also met monthly since 2012 to coordinate their 2012 AI implementation and planning of the 2019 AI process.

In 2013, on behalf of the Fair Housing Group, BMC applied for and received a \$125,000 Fair Housing Implementation Program (FHIP) Education and Outreach Initiative (EOI) grant with which it created and distributed a series of fair housing education booklets and conducted many meetings, tours, presentations, and discussions on inclusionary zoning, the duty to affirmatively further fair housing, and the impact of federal court and administrative decisions.

The Fair Housing Group has also served as a useful forum to engage on issues of fair housing act enforcement. Since most jurisdictions had funded paired testing by Baltimore Neighborhoods, Inc. (BNI), in fiscal year 2017 the Fair Housing Group engaged BNI on how to ensure that tests included follow-up to reach a firm conclusion and possible enforcement. Currently the jurisdictions are coordinating on their work relative to the new Fair Housing Action Center of Maryland – the successor organization to BNI.

Action Step

- ii. The Baltimore Regional Fair Housing Group will set goals each year and establish a schedule, which prioritizes the action steps recommended under this plan and articulates the scope of work and expected outcomes for each action. The Group's regional accomplishments will be reported in each participating jurisdiction's CAPER.

Progress since 2012 AI: Complete and Continuing

In 2012 the Fair Housing Group conducted three focus groups to get input from fair housing stakeholders on implementing its 2012 Regional Fair Housing Action Plan. The Fair Housing Group then published a more detailed AI Implementation Plan that sets annual goals. The Fair Housing Group has updated that plan each fiscal year through 2019, including compiling a list of regional accomplishments that Fair Housing Group members have reported in their annual CAPERs.

In June 2016, the entitlement jurisdictions and their PHAs finalized an MOU memorializing their intent to conduct a joint Regional Assessment of Fair Housing (AFH) under HUD's 2015 rule on affirmatively furthering fair housing. In 2018, given HUD's new direction to complete a Regional Analysis of Impediments to Fair Housing Choice (AI), the Fair Housing Group agreed to continue to use the Regional AFH process and HUD tool and settled on a budget and jurisdictional contributions toward that end. BMC issued an RFP on behalf of the Fair Housing Group in July 2018 and managed the selection process, ultimately contracting with Root Policy Research in September and first convening a Regional AI Stakeholder Work Group in October.

Action Step

- iii. The Baltimore Regional Fair Housing Group will work to establish routine interaction and cooperation among the Baltimore Metropolitan Council ("BMC"), fair housing advocates, the entity implementing the mobility program established pursuant to the Thompson partial consent decree, transportation agencies, planning and zoning officials and other interested parties regarding the implementation of the regional AI.

Progress since 2012 AI: Complete and Continuing

In 2013 the Fair Housing Group designated the Opportunity Collaborative Housing Committee as the forum for this "routine interaction and cooperation" among various stakeholders regarding implementation of the 2012 Regional AI. The Fair Housing Group has sought to involve various key constituencies in this group and BMC has

continued to convene it as BMC's Housing Committee after the conclusion of the Opportunity Collaborative effort in 2015.

The Fair Housing Group also convened an "AI Implementation Plan Mid-Course Stakeholder Meeting in July 2015 to gather more robust stakeholder input after three fiscal years of 2012 Regional AI implementation. That feedback then informed the Fair Housing Group's final FY 2016 Regional AI Implementation Plan.

Action Step

- iv. Examine the Section 8 porting procedures of each jurisdiction and, to the extent they are inconsistent, make them consistent. Work with HUD to convene a meeting to discuss porting procedures and regional cooperation. Request additional financial assistance from HUD to allow jurisdictions to implement increased payment standards to encourage moves to opportunity areas. If HUD provides the requested financial assistance, implement the increased payment standards.

Progress since 2012 AI: In Progress

PHAs did examine their Housing Choice Voucher porting procedures and made two key changes – if someone is porting who is not changing jobs, they will not have to go through a whole new income verification process, and receiving PHAs will accept the criminal background check of the sending jurisdiction. For other issues, such as the size unit a family qualifies for and how the PHA handles income changes in the middle of the lease, BMC helped the PHAs develop a booklet to be distributed at each voucher briefing. The booklet explains a person's basic right to take their voucher to another jurisdiction and presents how the remaining differing policies might affect their household. BMC, with the help of the Baltimore Regional Housing Partnership (BRHP), also assisted the PHAs in creating a two-minute video to present this information more engagingly during the voucher briefing. Booklets were available for distribution starting in November 2018 and the video in February 2019. Next the PHAs will be exploring the possibility of voucher holder moves without porting, via BRHP.

In 2015, assisted by BRHP, the PHAs successfully turned back a HUD preliminary decision to remove 50th percentile fair market rents (FMRs) from the Baltimore region. The strongest rental market jurisdictions of Howard and Anne Arundel Counties were able to receive HUD approval for substantial exception payment standards. Now that HUD's 2015 50th percentile FMR basis has expired, PHAs are exploring ways to maintain high enough payment standards in opportunity areas.

Based on a learning trip to Chicago in April 2014, where participants learned about Chicago's regional project-based voucher program – the Regional Housing Initiative – Baltimore-area PHAs requested support from HUD to begin our own program in 2015, receiving a seed grant in December 2015 to begin only the second such effort in the country. Originally a three-year seed grant, it will last for four years. Since 2016 the program has issued a request for proposals each year, awarding 44 vouchers to six developments in five jurisdictions through 2018 – all in opportunity areas, as defined by BRHP. Upcoming challenges will include sustaining the program past the expiration of the HUD seed grant.

Action Steps

- f. Actions to encourage the inclusion of public transportation in opportunity areas of the region:
 - i. Encourage entities engaged in transportation planning to involve housing agencies, housing advocates and developers of affordable housing in their planning and policy development processes, including obtaining their comments on specific programs, initiatives and policies released by local, state and federal transportation agencies and on funding strategies.
 - ii. Encourage coordination between transportation and housing agencies to more effectively align housing and transportation investments and resources and to reflect both state and federal policies that are requiring more integrated approaches to community revitalization and development.

Progress since 2012 AI: Complete and Continuing

Over the course of 2013, BMC worked with local governments, the Maryland Transit Administration, and Vehicles for Change to conduct five informational discussions with local community development organizations as well as local housing, workforce and economic development, and transit agencies on regional and State transit planning, funding, and policy setting processes. The sessions included information on route and schedule planning cycles for MTA and local transit agencies, yearly capital and operating budget schedules, and federally-required regional planning processes. The sessions also included information on fair housing for transportation planners and agencies. Through these sessions, the Fair Housing Group developed a list of interested people, which BMC passed along to the Baltimore Regional Transportation Board (staffed by BMC) and the Maryland Department of Transportation to be kept up-to-date on opportunities to weigh in on transportation decisions.

In addition, keeping with the Housing Committees purpose of bringing disparate stakeholders together for routine interaction and communication, BMC invited MTA to present on proposed BaltimoreLink transit changes in October 2016 and on the experience so far with the implemented BaltimoreLink routes in May 2018. The May 2018 discussion also included Maryland DHCD's director of multifamily housing, since DHCD had added new incentives for housing developers to provide a basic level of transit service to their property if MTA did not already provide it.

Action Steps

- iii. Encourage MTA to create a bus line that circles the Baltimore beltway and includes multiple stops.
- iv. Encourage MTA to review public transportation routes to ensure that:
 - 1. Service is provided between residential opportunity areas and areas of employment opportunity and job growth for both first shift and second shift workers.
 - 2. Service is provided between affordable housing resources and areas of employment opportunity and job growth for both first shift and second shift workers.
 - 3. Service is provided between residential opportunity areas and educational institutions and health care facilities, and
 - 4. The various transportation systems are connected in order for riders to move easily from one system to another.

Progress since 2012 AI: Complete

The Fair Housing Group first sent a letter to then-MTA administrator Ralign Wells in March 2013 laying out this 2012 AI agenda and met with him in May 2013. At that meeting, Administrator Wells laid out his then-new Bus Network Improvement Project (BNIP) – an initiative to evaluate and re-envision MTA's network of local bus routes that was very similar to these 2012 Regional AI action steps. This led the Fair Housing Group to engage with MTA's BNIP process and for MTA to engage with the Opportunity Collaborative's Housing Committee. BNIP then became BaltimoreLink after the election of Governor Larry Hogan in 2014.

Several of the first new BaltimoreLink routes, rolled out in 2016, included circumferential routes like the one recommended in our action step f.iii: routes from White Marsh to Towson, Owings Mills to Towson, and Old Court Metro station to Baltimore Washington International Thurgood Marshall Airport via the Social Security

Administration in Woodlawn and the University of Maryland Baltimore County. Unfortunately, after about 18 months MTA discontinued those routes because of lack of ridership.

BMC is currently working with a consultant to analyze the current interface between MTA service and locally operated transit systems (LOTS) in the region, looking for ways to improve connections.

Action Step

- v. Encourage the State to include affordable housing as part of the requirements at sites designated as either a Smart Site or Transit Oriented Development (TOD) site.

Progress since 2012 AI: Complete

Following this action step, BMC staff met with Maryland Department of Transportation (MDOT) transit-oriented development staff for more in-depth discussion. Joint State and local government and private stakeholder consideration led to recommendations b and c under Objective 1 in the 2014 Regional Housing Plan. Those recommendations urge the establishment of a state policy of including quality affordable housing at both high-opportunity sites and currently low-opportunity sites targeted for investment.

Action Step

- vi. Pursue HUD and MD-DHCD Sustainable Communities opportunities, which will include:
 - 1. Working with BMC on responding to Sustainable Communities NOFAs, and
 - 2. Seeking funds to create a regional housing strategy, which would include funds for staff and a study to develop regional funding mechanisms.

Progress since 2012 AI: Complete

Following the development of this action step, BMC did receive a \$3.5 million HUD Sustainable Communities planning grant, which resulted in the 2012-2015 Opportunity Collaborative public-private initiative. That program led to the completion of the 2014 Baltimore Regional Housing Plan and Fair Housing Equity Assessment. It also enabled BMC's hiring of a housing policy coordinator beginning in the summer of 2012.

A number of initiatives recommended by the 2014 Regional Housing Plan have moved forward, including the establishment of the Baltimore Regional Project-Based Voucher Program, the creation of BMC's housing affordability preservation database, and exploration of a new initiative to preserve racial diversity and integration in Columbia in Howard County.

Unfortunately, the Obama administration's original plan of implementation funds to follow HUD's Sustainable Communities planning grants never materialized, but BMC and the Fair Housing Group are alert for other possibilities.

Action Step

g. Legislative actions

- i. Advocate for the adoption of a statewide law that would include source of income as a class protected from discrimination.

Progress since 2012 AI: In Progress

Three Baltimore-area jurisdictions submitted testimony in favor of source-of-income legislation in the Maryland General Assembly in 2013, and two jurisdictions supported the bill in 2016 and 2017. Legislation was not introduced in 2014, 2015, or 2018, and it was withdrawn in 2019.

Despite this lack of action at the state level, in 2019, Baltimore City, Anne Arundel County, and Baltimore County all passed source of income protections that include Housing Choice Vouchers. State legislation with broad support has been introduced in both houses of the Maryland General Assembly in 2020.

PHAs are planning to discuss the recruitment of landlords to participate in the Housing Choice Voucher program and pursue that recruitment, if appropriate.

Action Step

h. Education and Outreach

- i. Continue to hold routine regional education events on fair housing issues, especially as a means by which to educate housing professionals on relevant fair housing issues.

Progress since 2012 AI: In Progress

The Baltimore Regional Fair Housing Group held an educational event in December 2012 at the Enoch Pratt Free Library featuring Antero Pietila, author of *Not In My Neighborhood: How Bigotry Shaped a Great American City*, that was attended by more than 150 people. The housing-transportation discussion with the Community Development Network in 2013 described above in f.i-ii served to educate housing professionals and others, as did the 2014 and 2015 inclusionary zoning tours and roundtable discussions described in d.iii. above.

The Fair Housing Group also worked with Baltimore Neighborhoods, Inc. (BNI) to conduct a fair housing training for property managers at BMC on April 21, 2016. That training was attended by 63 people, with others turned away because of lack of room, which indicates substantial demand for this type of training.

Action Step

- i. Develop a brochure, to be distributed regionally and placed on each jurisdiction's website, and a training program to educate multi-family property managers and landlords, especially those that operate in multiple jurisdictions, and real estate agents on the different fair housing ordinances and their applicability across the region. Use the Howard County training package and agreement with the Howard County Association of Realtors as a model.

Progress since 2012 AI: Complete and Continuing

The Fair Housing Group supported the Community Development Network of Maryland's successful application to the Opportunity Collaborative's Demonstration Grant program in fiscal year 2013 for its Consider the Person campaign to encourage landlords to accept Housing Choice Vouchers. Material and videos from that campaign are still available at www.considertheperson.org.

The Fair Housing Group also updated the local fair housing protections chart from the 2012 Regional AI, distributing it at the 2013 Howard County Housing Fair. Then, with the assistance of the 2013 HUD Fair Housing Implementation Program (FHIP) grant, the Fair Housing Group used that chart as the basis for developing a more comprehensive set of education booklets for property owners and managers, renters, homebuyers, and real estate agents. The Group produced more than 23,000 of those booklets in English, Spanish, and Korean, distributing more than 12,000 through local housing agencies and partners.

Also with the assistance of the HUD FHIP grant, BMC worked with BNI and the Maryland Commission on Civil Rights to conduct nine trainings in fiscal year 2015

attended by more than 120 housing counselors, attorneys, real estate agents, property owners and managers, and homebuilders. In addition, as cited above, BNI conducted a training for property managers at BMC in April 2016 attended by 63 people.

City of Annapolis Assessment of Past Goals and Tasks

Goals	Status
<i>Goal 1: Improve the public's knowledge and awareness of the Federal Fair Housing Act, and related laws, regulations, and requirements to affirmatively further fair housing in the City</i>	
Task 1: Continue to promote Fair Housing awareness through the media and with assistance from local/regional social service agencies, by providing educational awareness/opportunities for all persons to learn more about their rights and requirements under the Fair Housing Act and Americans with Disabilities Act.	Complete and Continuing: ■ During FY2019, staff began work on updating the City's Limited English Proficiency Plan. The City Council included funding to update and implement the plan in its FY 2020 budget. The city has hired consultant to update the current plan. Once completed, the new plan will be implemented. ■ The Human Relations Commission held a 50th Anniversary of Fair Housing Law workshop to educate the public on the Fair Housing Act. ■ During FY2016, the Human Relations Commission worked with City Council members and the City Office of Law to amend the city's fair housing ordinance to include transgender and bisexual persons as protected classes. That inclusion brought the ordinance into consistency with Maryland law. ■ In FY 2018, the Mayor's Office of Community Services created Uplift Annapolis. The African American Community Services Specialist for the City of Annapolis spearheads the initiative. The overarching goal of the Uplift Annapolis Initiative is to create inclusive citywide programming and events to empower and enrich African American individuals and communities within the City of Annapolis ■ The city also employs a Hispanic Community Services Specialist in the Mayor's Office and a Hispanic Liaison in the Annapolis Police Department to provide constituent services to the Hispanic community. ■ In FY 2019 the Commission worked with the City Council to add immigrant and citizenship status as protected classes.

Goals	Status
Task 2: Continue to make available and distribute literature and informational material, in English and Spanish, concerning fair housing issues, an individual's rights, and landlord's responsibilities to affirmatively further fair housing.	Complete. In FY2019, in light of the City's changes to its Fair Housing Law, staff revised, reprinted, and disseminated the Fair Housing Information Brochure both in English and in Spanish.
Task 3: Improve the information on the City's website about whom to contact and how to file a fair housing complaint, as well as general Fair Housing information for homeowners and renters.	Complete. During FY2016, the City improved the information on the website about whom to contact and how to file a fair housing complaint, as well as general Fair Housing information for homeowners and renters.
Task 4: Strive for better intergovernmental cooperation between Federal, State, County, and local partners, as well as community groups and developers, to effectively identify and address potential barriers to affordable housing choice.	Complete. Annapolis joined the Baltimore Regional Fair Housing group to improve intergovernmental cooperation between the city and the county in efforts to identify and address potential barriers to affordable housing choice.
Task 5: Continue to support the efforts of the City's Human Relations Commission.	In Progress. The City's Community Development Division provides technical and financial assistance to the Human Relations Commission on fair housing activities.
Goal 2: Revise the City Zoning Code to affirmatively further fair housing.	
Task 1: The local planning commission should review the existing ordinances and zoning regulations for compliance with the Fair Housing Act, as amended	In Progress: ■ The Planning and Zoning Department revised the Fair Housing Legislation to provide a clearer definition of "source of income" which is one of the protected classes in its Fair Housing Law. ■ The department is also reviewing the code relating to group homes and is continuing to review the existing ordinances and zoning regulations for compliance with the Fair Housing Act as amended.

Goals	Status
Task 2: Revise the definitions and add new definitions for the words: "Family," "Handicap" (Disabled)," "Fair Housing Act," "Accessibility," "Visitability," etc.	In Progress. During FY2016, the Planning and Zoning Department submitted legislation to remove the definition of "family". However, the legislation was withdrawn because of technical issues. The department plans to revise and resubmit the legislation.
<i>Goal 3: Promote and encourage the construction and development of additional affordable rental housing units in the area, especially for households whose income is less than 80% of the median income.</i>	
Task 1: Support and encourage both private developers and non-profit housing providers to develop plans for the construction of new affordable and accessible renter occupied and owner occupied housing that would be located in areas that provide access to employment opportunities, transportation, amenities, and services throughout the Region.	Complete: The City of Annapolis supported Pirhl developers by providing a Payment in Lieu of Taxes (PILOT) for its 42-unit LIHTC development that will provide housing to households with incomes at or under 80% of Median Household Income. The city also provided technical and financial assistance to Bowman Community Development Corporation, which completed 6 units of veterans housing with Project-based vouchers.
Task 2: Support and encourage the rehabilitation of existing housing units in the City to become decent, safe, and sanitary renter occupied and owner occupied housing that is affordable and accessible to lower income households.	Complete. Since FY 2016 the City supported the rehabilitation of 24 existing housing units in the City to become decent, safe and sanitary owner occupied housing that is affordable and accessible to lower-income households. Homes for America, a local nonprofit affordable housing developer, rehabilitated 81 project based Section 8 Units with LIHTC.
Task 3: The Housing Authority of the City of Annapolis (HACA) should partner with private and non-profit housing developers to continue to construct affordable rental housing utilizing Low Income Housing Tax Credits (LIHTC) and other financing tools through federal, state, and local units of government.	In Progress. The Housing Authority of the City of Annapolis is partnering with Pennrose LLC to redevelop Newtowne 20, a 78 unit public housing development. HACA is also partnering with a developer to rehabilitate Morris Blum Apartments, a 154 unit elderly/disabled development.

Goals	Status
Task 4: Continue to enforce the ADA and Fair Housing requirements for landlords to make “reasonable accommodations” to their rental properties so they become accessible to tenants who are disabled, as well as educating the disabled how to request special accommodations.	In Progress. Since the 2012 AI, the City continued to enforce the ADA and Fair Housing requirements for landlords to make “reasonable accommodations” to their rental properties so they become accessible to tenants who are disabled, as well as educating the disabled how to request special accommodations.
<i>Goal 4: Approval rates for all originated home mortgage loans and insurance coverage should be fair, risk based, unbiased, and impartial, regardless of race, familial status and location.</i>	
Task 1: Federal, state, local, and private funding should be used to provide a higher rate of public financial assistance to potential homebuyers in lower income neighborhoods to improve loan to value ratios, so that private lenders will increase the number of loans made in these areas.	In Progress. The City provides financing to the local Community Action Agency to provide information and training to new homebuyers. The city is also providing settlement assistance to the homebuyers at Homes at the Glen, a lease/purchase tax credit project.

Anne Arundel County Assessment of Past Goals and Tasks

2012 AI Action Step	Status
<i>Goal 1: Adopt an over-arching fair housing policy to establish a foundation for affirmatively furthering fair housing</i>	
Task 1: Adopt a fair housing ordinance that designates a fair housing officer and establishes the procedures by which complaints are processed, investigated and resolved by the County Commission on Human Relations.	Complete and continuing. During FY2019, a fair housing ordinance was introduced to the County Council that provides local fair housing protections in Anne Arundel County, including protected classes covered under State and federal law, as well as source of income, citizenship and ancestry.
Task 2: In developing policy priorities for entitlement investment in affordable housing, the County should give first consideration to the use of HOME funds for new family rental housing on sites outside of impacted areas.	Complete and continuing. The County has prioritized the use of County HOME funds to be used towards the development of affordable rental housing in Opportunity Areas as stated in the Consolidated Plan and as evidenced by the Commitment of funds to Berger Square and Brock Bridge Landing. The County has also committed funding to projects in Opportunity Areas, however these projects have not successfully attained State or federal low income housing tax credit financing.
<i>Goal 2: Amend policy and program documents to affirmatively further fair housing</i>	
Task 1: Work toward the adoption of an inclusionary zoning ordinance that mandates a minimum set-aside of units affordable to lower-income households, with the aim of creating new opportunities outside of impacted areas.	Incomplete. No inclusionary zoning ordinance has been adopted; however the County has started to explore the adoption of an inclusionary zoning policy.
Task 2: Adjust the Section 8 HCV payment standards based on the affordability of area neighborhoods.	Complete and continuing. In 2014, HUD approved a two tier system of Payment Standards (i.e. Exception Rents) at 110 and 120 percent of the Fair Market Rent (FMR) for the Housing Commission of Anne Arundel County.

2012 AI Action Step	Status
Task 3: Amend the County's zoning ordinance to remove undue restrictions on group homes.	Complete. Bill No. 1411 was adopted on April 4, 2011 and amends the definition of "group homes" removing parking restrictions and other group home requirements from the County's zoning code so that group homes are treated as any other residential structure.
Task 4: Amend both the Section 8 Administrative Plan and the ACOP to ensure consistency among terms used and include detailed policies on reasonable accommodation.	Complete. During Local Fiscal Year 2012, the Housing Commission of Anne Arundel County amended its plans to revise their definition of family and to include detailed policies for providing reasonable accommodation, based on the recommendations of the AI. The revisions are now included as part of the ACOP plan as an addendum.
Task 5: Amend the ACOP to enable applicants to turn down two units before being moved to the bottom of the waiting list.	Complete. During FY2014, HUD has approved the Housing Commission's amendment to the ACOP and now allows applicants the ability to turn down the offer of one unit without cause. In addition, they allow an applicant to turn down a second unit due to financial, health, disability and/or economic reasons.
Task 6: Work toward amending the County Comprehensive Plan to add specific policies and strategies addressing unmet housing needs for all household types, including families.	In progress. Anne Arundel County develops and adopts a new comprehensive plan – or "General Development Plan (GDP)"- every ten years and the next GDP is scheduled to be completed in late FY2020. During FY2019, the County continued the process for revising its Comprehensive Plan. This process includes development of a Land Use study that will identify unmet housing needs. In addition, ACDS procured an affordable housing needs analysis for both rental housing and homeownership housing and drafted preliminary strategies to address those needs that can be used in the Comprehensive Plan and the County's Consolidated Plan.

2012 AI Action Step	Status
Task 7: Conduct the four-factor analysis outlined at www.lep.gov to determine the extent to which the translation of vital documents is necessary to assist persons with limited English proficiency (LEP) in accessing the Urban County's federal entitlement programs.	Complete and continuing. During Local Fiscal Year 2015, ACDS completed a LEP Analysis in conjunction with its Consolidated Planning Process and determined that there is a significant number of Spanish Speaking residents in Anne Arundel County.
Goal 3: Increase the supply of housing affordable to households below 80% MHI, specifically in opportunity areas	
Task 1: Work with area landlords and property management companies, in conjunction with the HCAAC, to encourage acceptance of vouchers in non-impacted neighborhoods of the County.	Complete and continuing. More outreach to recruit landlords and property management companies to encourage acceptance of vouchers in non-impacted neighborhoods of the County is needed.
Task 2: Expand incentives for property owners and investors to build new apartment buildings or substantially rehabilitate existing buildings for occupancy by lower-income families.	Complete and continuing. Incentives like Workforce housing density bonus legislation, some waiver and reduction of fee incentives, , an increase in County general funds to subsidize the development of affordable rental units , the "Consider the Person" campaign and a Payment In Lieu of Taxes (PILOT) Program to developers of affordable housing are sound initiatives. However, they may not be enough to produce the number of units that are needed.
Task 3: Partner with regional affordable housing developers to increase the supply of affordable housing throughout the County. Provide land, extend financial assistance and reduce fees and regulatory requirements that impede the development of affordable rental housing for families.	Complete and continuing. As mentioned previously, incentives like Workforce housing density bonus legislation, new impact fee schedule, provide resources, extend financial assistance and reduce fees and regulatory requirements that impede the development of affordable housing are sound initiatives. However, they may not be enough to produce the number of units that are need. Unsure of impact of these incentives due to market forces, NIMBYISM and the sizable demand for affordable housing.

2012 AI Action Step	Status
Goal 4: Advance understanding of rights and obligations under the Fair Housing Act and related laws	
Task 1: Continue to provide fair housing education and outreach efforts to landlords, building owners, rental agents, and Realtors.	Complete and continuing. Since the 2012 AI, ACDS hosted two lender/real estate agent workshops annually and contracted with BNI to provide targeted trainings. Similarly, the Housing Commission regularly hosts trainings for landlords.
Task 2: Contract with a qualified fair housing agency to perform fair housing discrimination testing in Anne Arundel County.	Complete and continuing. Since the 2012 AI, ACDS was under contract with BNI, a fair housing organization serving jurisdictions throughout the State of Maryland, to provide fair housing outreach and education, as well as fair housing testing in Anne Arundel County. Although BNI closed in FY2018, the group was reconstituted with a new Board of Directors in FY2019 and ACDS awarded County grant funds to the new organization, the Fair Housing Action Center of Maryland, to build their operating capacity.
Goal 5: Broaden community outreach in ensuring fair housing access to members of the protected classes	
Task 1: Engage the Anne Arundel County Association of Realtors in efforts to ensure that local Realtors reflect the County's diversity by encouraging the Association to maintain data that reflects the number of Realtors who are members of the protected classes.	In progress. During Local Fiscal Year 2019, ACDS met with both the Anne Arundel Association of Realtors and the Maryland Association of Realtors and learned that Realtors register through the National Association of Realtors and that local chapters do not maintain that data.

2012 AI Action Step	Status
Task 2: Continue to engage HUD-certified counselors to target credit repair education through existing advocacy organizations that work with minority populations on a regular basis.	Complete and continuing. Since the 2012 AI, ACDS continued to operate the HUD Certified Homeownership Counseling and Foreclosure Prevention Counseling Programs. The programs offer individual, one-on-one counseling on budget management and credit repair assistance. In addition, ACDS continued its Financial Empowerment Program, providing financial literacy counseling, as well as one-on-one credit counseling to very low income individuals, including many of our County's public housing residents. During the last year, these services were aggressively marketed at over 15 outreach events hosted by local agencies, community organizations and faith based groups, with a focus on reaching minority residents and other protected classes.
Task 3: Continue to facilitate home ownership workshops and training sessions, with special outreach in impacted neighborhoods and to engage members of the protected classes.	Complete and continuing. Since the 2012 AI, ACDS continued to market its homeownership programs, attending over 15 outreach events in the County's revitalization communities and in partnership with organizations that support members of the protected classes, including the Commission on Disability Issues, Veteran's Commission, Housing Commission, Department of Aging and Disabilities, and faith based groups. ACDS also participated in a Hispanic Health Festival, widely attended by the County's Hispanic community who had the chance to learn about the programs ACDS has to offer.
Task 4: Continue to strengthen partnerships with local lenders that will offer homebuyer incentives to purchase homes in the County.	Complete and continuing. Since the 2012 AI, ACDS annually has hosted two "Lender and Agent" workshop to encourage lenders and realtors to market affordable homebuyer programs to their clients. Approximately 20 to 25 local lenders and real estate agents attended each workshop.

2012 AI Action Step	Status
Task 5: Conduct an annual demographic survey of appointed citizens who are members of public boards to gauge participation by members of the protected classes.	Complete and continuing. This should be done routinely. The independent consultant who completed the AI conducted a survey of County appointed boards and commissions, which included information on protected class status of appointees. During Local Fiscal Year 2016, ACDS staff worked with the Anne Arundel County Boards and Commissions staff and the Office of Law staff to develop demographic surveys for housing related Boards and Commission members. Surveys were distributed and collected and have been reviewed with an eye toward recruiting more protected class members. ACDS will continue to work with the Boards and Commission staff to ensure that this work continues.

The City of Baltimore Assessment of Past Goals and Tasks

When the 2012 Actions Steps were created, the Commissioner of Baltimore City's Department of Housing and Community Development ("DHCD") and the Executive Director of the Housing Authority of Baltimore City ("HABC") were the same and the two agencies, although separate, operated under the umbrella of Baltimore Housing. In 2016, pursuant to the direction of Mayor Catherine Pugh, the two agencies were formally separated with one person appointed as the Commissioner of DHCD and another person being hired by HABC's Board of Commissioners as the Executive Director.

2012 AI Action Step	Status
<i>Goal 1: Establish over-arching fair housing policy to establish a foundation for affirmatively furthering fair housing</i>	
Task 1: Prepare and adopt a formal policy with a clearly stated commitment to affirmatively further fair housing	Complete. Baltimore Housing generated a statement setting forth its commitment to affirmatively furthering fair housing ("AFFH") and placed it on the Baltimore Housing website. As indicated above, DHCD and HABC are no longer under the umbrella of Baltimore Housing and, as a result, they now have separate websites. The AFFH statement now appears on each agency's website.
Task 2: Establish selection criteria for proposed HOME activities giving preference to projects that expand the supply of affordable rental housing in opportunity areas as identified in the City's typology map.	Complete. After the adoption of 2012 AI Action steps, the Baltimore Housing NOFA that was issued when HOME money was available included a threshold category under which projects must meet two of five possible public policy goals. One of the goals was that the project be located in a regional choice, middle market choice, or middle market area on the City's typology map. DHCD NOFAs have continued this requirement and provide that projects that are not in a regional choice, middle market choice, or middle market area will not be eligible for HOME funds unless they are in a major revitalization area or communities of opportunity as defined by the State of Maryland's Qualified Action Plan or in a Federally designated Choice Neighborhood Area. As a result of these requirements, a number of proposed projects have been rejected.

2012 AI Action Step	Status
Goal 2: Increase access to City programs for persons with limited English proficiency	
Task 1: Complete four-factor analysis of needs and language access plan according to HUD's LEP guidance	In progress. During fiscal year 2018, HABC adopted an LEP Plan and Procedures. Baltimore City's LEP Plan is scheduled to be released by summer 2020.
Goal 3: Ensure that members of the protected classes are represented on appointed volunteer boards	
Task 1: Survey current board members on a voluntary basis to document race, gender, ethnicity and disability status	Incomplete. Baltimore City developed and administered a survey in fiscal year 2015 to document that members of the protected classes are represented on appointed volunteer boards. Because completion of the survey was voluntary, not all of the board members completed the survey. The survey results indicate that members of protected classes are represented on the boards. However, since not all board members responded, it was not possible to determine how many board members were in various protected categories. No additional survey has been conducted since fiscal year 2015. Nevertheless, Baltimore City and HABC are committed to their boards reflecting the residents of Baltimore City and representing protected classes.
Task 2: Affirmatively recruit protected class members to fill vacancies on appointed boards and commissions	In progress. The City and HABC affirmatively recruit protected class members to fill vacancies on appointed boards and commissions.
Goal 4: Increase the supply of housing affordable to households below 80% MHI, specifically in opportunity areas.	
Task 1: Create affordable housing through a number of strategies including, but not limited to, the Vacants to Value program, neighborhood reinvestment projects and the inclusionary housing ordinance.	In progress. The City has created affordable housing. In the first four years of the current Consolidated Plan, Baltimore City DHCD has supported, using Federal, State, local and private funds, the creation of over 870 new units of rental housing available to low-income households. During the same time period it has assisted over 1,250 low-income renter households in becoming homeowners.

2012 AI Action Step	Status
<i>Goal 5: Expand the availability of housing options for persons with disabilities</i>	
Task 1: After HABC completes creating all 755 UFAS units required by the Bailey consent decree, HABC should determine the need for accessible housing and then develop strategies for creating units to meet the need, taking into account funding availability.	In progress. Since the 2012 AI, over 755 UFAS units have been created. Several of the mixed population buildings increased the number of UFAS units after the RAD conversion. As a result, there are a total of 3557 units in the RAD properties and 349 (9.5%) are or will be UFAS compliant (3 properties are still under construction). Sixteen long term affordable UFAS units were created in addition to the UFAS units that count towards the Bailey Consent Decree UFAS requirement. These additional UFAS units are occupied exclusively from HABC's waiting list.
Task 2: Contingent upon funding availability, provide project-based vouchers to developers who create accessible units funded with tax credits and/or HOME funds.	In progress. HABC and DCHD continue to partner to provide that an agreed upon number of accessible units created with tax credits and/or HOME funds will receive project-based vouchers.
Task 3: Continue to maintain a current list of landlords with accessible units to offer a high level of assistance to persons with disabilities.	In progress. Since the 2012 AI, HABC has used Go Section 8 as the mechanism for landlords to list units available for rental. HABC encourages landlords to identify any accessible features that are in their units through its monthly landlord orientation sessions and via periodic mailings to landlord. HABC is also identifying units created through the tax credit program that are UFAS compliant or meet the Fair Housing Act accessibility requirements because tax credit projects may not reject applicants solely because they have a voucher. Finally, HABC and DHCD are collaborating with BMC, the other Baltimore metropolitan area jurisdictions and Maryland's DHCD to make MD Housing Search a tool that identifies accessible units that are available for rental.

2012 AI Action Step	Status
<i>Goal 6: Review and/or restructure the existing process for receiving, investigating and recording housing discrimination complaints</i>	
Task 1: Evaluate the role of the Community Relations Commission relative to its responsibility to process complaints, in light of budgetary limitations. Refer persons filing fair housing complaints whose claims are covered by Maryland's Fair Housing law to the Maryland Commission on Human Relations.	In progress. The Agency has a new director and has increased the number of staff who investigate complaints. The Agency applied for and was awarded a HUD Fair Housing Initiatives Program ("FHIP") grant to conduct education and outreach. The award was announced in April 2019 and is effective July 1, 2019 through June 30, 2020. As a result of the education and outreach conducted, the number of Fair Housing complaints has increased from four in 2018 to twelve as of October 2019. The Agency has had discussions with HUD about becoming a Fair Housing Assistance Program ("FHAP") agency. However, it was determined that Baltimore City will first have to make its fair housing law substantially equivalent to the Fair Housing Act.
<i>Goal 7: Amend policy and program documents to affirmatively further fair housing</i>	
Task 1: Amend draft ordinance to remove undue restrictions on group homes	Incomplete. Since the 2012 AI, the City Council has debated measures governing the number of persons allowed to reside in group homes. However, the council did not remove existing restrictions or impose new ones. The law remains unchanged.
Task 2: Prepare a written policy that encompasses the Site and Neighborhood Selection requirements at 24 CFR 983.6	Complete. DHCD requires developers to comply with 24 CFR 983.57 (site and neighborhood standard requirements) and rejects projects that do not meet site and neighborhood standards.
Task 3: In each year's CAPER, map the addresses of all new affordable housing projects financed with formula grant funds to depict their location relative to the City's typology map.	Complete. DHCD maps the addresses of all new affordable housing projects financed with formula grant funds to depict their location relative to the City's typology map.

2012 AI Action Step	Status
<i>Goal 8: Mitigate the extent to which mortgage loan denials and high-cost lending disproportionately affect minorities</i>	
Task 1: Continue to engage HUD-certified counselors to target credit repair education through advocacy organizations that work with minority populations.	In progress. Baltimore City's DHCD has continued to support HUD certified housing counseling agencies. In 2019, using CDBG funds it supported ten such agencies to provide a range of housing counseling activities throughout Baltimore City. In the first four years of the current Consolidated Plan over 18,800 households have been assisted by these agencies. These agencies serve predominately minority households.
Task 2: Continue to facilitate home ownership education and outreach with particular attention to members of the protected classes	In progress. Requests for homeownership incentive assistance typically exceed the amount of incentive funds immediately available. Therefore, applicants for the assistance sometimes have to wait until the resources are replenished. Annually, approximately 300 low-income renter households are assisted in becoming homeowners. These households are overwhelming members of protected classes.
Task 3: Determine whether an organization exists with the experience needed to conduct mortgage lending testing based on race and ethnicity	In progress.

Baltimore County Assessment of Past Goals and Tasks

2012 AI Action Step	Status
<i>Goal 1: Establish over-arching fair housing policy to establish a foundation for affirmatively furthering fair housing</i>	
Task 1: Ensure that there is a statement of policy in Master Plan 2020 and the Zoning Regulations that clearly articulates the County's commitment to expanding fair housing choice.	Complete and continuing. With the change in administration for Baltimore County, the County Executive introduced Source of Income legislation, known as the "Home Act", and it was successfully passed in November 2019.
Task 2: Incorporate AFFH principles, including provisions to expand the locations available to multi-family housing, into any future substantial revisions to the zoning map.	Complete and continuing. The County has taken this recommendation under advisement and continues to explore development of potential strategies as solutions to this task.
Task 3: Adopt an inclusionary housing ordinance that can be incorporated into the County's development codes.	In progress. The County has taken this recommendation under advisement and will explore development of potential strategies as solutions to this task.
Task 4: Revise policy priorities for the investment of HOME and CDBG funds to promote projects involving rental housing for families on sites outside of racially/ethnically concentrated areas.	In progress. The County continues to use HOME and CDBG funds to increase access to homeownership, and maintain while increasing housing for low-to-moderate income households.
<i>Goal 2: Amend policy and program documents to affirmatively further fair housing.</i>	
Task 1: Revise the County's HOME policies to remove potential impediments to the creation of rental units in non-concentrated areas, particularly the requirement that developers acquire Council approval before submitting an application for financial assistance.	Complete and continuing. In the 2016 publication, "A Guidebook for Developers Requesting Development Financing and Assistance", the County's HOME policies revision removed the requirement "that developers require assistance". Any reference requiring County Council support to initiate the development or funding processes for affordable rental housing was deleted.

2012 AI Action Step	Status
Task 2: Prepare a written policy that encompasses the Site and Neighborhood Selection requirements at 24 CFR 983.6, incorporate these requirements into the County's HOME written agreements, distribute as part of application package.	Complete and continuing. The Department of Planning revised its loan agreements to incorporate the Site and Neighborhood Selection requirements at 24 CFR 983.6 accordingly.
Task 3: Amend the affirmative marketing standards so that the County is responsible to devise the standards by which the effectiveness of affirmative marketing efforts for each project will be judged.	Complete and continuing. In accordance with the regulations of the Department of Housing and Urban Development (HUD), and in furtherance of Baltimore County's commitment to non-discrimination and equal opportunity in housing, the Department of Planning has developed a standard for the development of affordable housing in its 2017 Affirmative Fair Housing Marketing Plan. Also, certain Baltimore County-funded development projects are required to submit a Conciliation Agreement Marketing Plan (CAMP) that must be reviewed and approved by HUD FHEO. After which 30 days of affirmative marketing must take place prior to leasing.
Goal 3: Increase access to County programs for persons with limited English proficiency.	
Task 1: Complete four-factor analysis of needs and language access plan according to HUD's LEP guidance.	Complete and continuing. The Office of Housing publishes its language access plan annually. The Department of Planning published the 2015 Language Access (LAP) Plan. Both agencies continue to take reasonable steps to ensure meaningful access to LEP persons per HUD guidance.
Task 2: Update the Section 8 Administrative Plan to include the policy determinations resulting from the four-factor analysis.	Complete and continuing. The Office of Housing's Administrative Plan includes policy determination derived from the four-factor analysis.
Task 3: Continue to provide language services (interpreters, translators, etc.) on an as-needed basis.	Complete and continuing. Both the Office of Housing and the Department continue subscriptions to Language Line services taking reasonable steps to ensure meaningful access to LEP persons per HUD guidance.

2012 AI Action Step	Status
<i>Goal 4: Ensure that members of the protected classes are represented on housing-related boards and commissions.</i>	
Task 1: Survey current board members on a voluntary basis to document race, gender, ethnicity and disability status.	Complete and continuing. The Department of Social Services Board is comprised of members of protected classes and continues to affirmatively recruit members of the protected classes.
Task 2: Affirmatively recruit protected class members to fill vacancies on appointed boards and commissions.	Complete and continuing. The Commission on Disabilities and Human Relations Committee continue to affirmatively recruit members of protected classes. In November of 2019 the newly elected County Executive in established the Diversity, Inclusion and Equity Community Advisory Council advocates for, engages in and responds to issues, concerns and needs of County residents as it relates to diversity, inclusion and equity. The Community Council's responsibilities include providing advisement to, and working collaboratively with, the Chief Diversity and Inclusion Officer on specific community diversity, inclusion and equity issues.
Task 3: Encourage the Greater Baltimore Board of Realtors to ensure that local Realtors reflect the County's diversity by encouraging the board to maintain data demonstrating the number of Realtors who are members of the protected classes.	In progress. The County has taken this recommendation under advisement and will explore development of potential strategies as solutions to this task.
<i>Goal 5: Increase the supply of housing affordable to households below 80% MHI, specifically in opportunity areas.</i>	
Task 1: Increase the Section 8 payment standard for higher-cost areas in the County as a means of expanding fair housing choice outside of racially/ethnically concentrated area.	Complete and continuing. The Office of Housing reviews payment standards annually to ensure Housing Choice options for program participants in areas of opportunity.

2012 AI Action Step	Status
Task 2: Expand incentives for property owners and investors to build new apartment buildings or substantially rehabilitate existing buildings for occupancy by lower-income families, specifically in areas of opportunity.	Complete and continuing. The County continues to work with developers/property owners and has been successful in creating new multifamily and scattered site properties throughout the County. The County recently passed legislation to eliminate impact fees for affordable housing projects.
Goal 6: Expand the availability of housing options for persons with disabilities.	
Task 1: Devise means of more effectively publicizing the policy to increase the voucher payment standard for landlords who are willing to create accessible units.	Complete and continuing. The Office of Housing will continue to incorporate voucher payment standards for landlords willing to create accessible units in its Annual, Five-Year and Administrative Plans.
Task 2: Partner with regional affordable housing developers to increase the supply of accessible housing outside of racially/ethnically concentrated areas.	Complete and continuing. Since 2016 Baltimore County has worked with several affordable housing developers to assist with the creation of accessible housing units in areas of opportunity. Including Project Based Voucher opportunities to facilitate development of new units or substantial rehabilitation of scattered site units.
Task 3: Maintain a current list of landlords with accessible units to offer a high level of assistance to persons with disabilities.	Complete and continuing. Office of Housing continues to recruit landlords that have accessible housing. Housing Search Specialist work directly with families to identify their specific housing needs.
Goal 7: Improve the existing process for receiving, investigating and recording housing discrimination complaints.	
Task 1: Expand the protections of Article 29 to prohibit discrimination on the bases of familial status and sexual orientation in order to achieve consistency with Maryland's fair housing law.	Complete and continuing. In 2012, Baltimore County Executive enacted legislation that added gender identity and sexual orientation to the county's existing anti-discrimination laws. In November 2019, the Source of Income legislation, known as the "Home Act", was successfully passed, expanding Article 29 of the Human Relations Code for Baltimore County.

2012 AI Action Step	Status
Task 2: Continue to provide fair housing education and outreach efforts to landlords, building owners, rental agents and real estate agents.	Complete and continuing. Since 2017 Baltimore County has, and continues to fund vendors that provide fair housing services in the form of outreach and training geared towards housing industry professionals.
<i>Goal 8: Mitigate the extent to which mortgage loan denials and high-cost lending disproportionately affect minorities</i>	
Task 1: Continue to engage HUD-certified counselors to target credit repair education through advocacy organizations that work with minority populations.	Complete and continuing. Credit repair education has been implemented in our ongoing contracts with HUD Certified Housing Counseling organizations contracted to provide housing counseling services.
Task 2: Continue to facilitate home ownership education and outreach with particular attention to members of the protected classes.	Complete and continuing. The County continues to facilitate education and outreach to home owners, home buyers and renters utilizing accessible venues and providing accessible materials for members of protected classes. These efforts continue to be reported in the County's CAPER.
Task 3: Determine whether a local agency exists that has the capacity to provide mortgage lending testing on the basis of race.	Complete and continuing. Since 2016 Baltimore County has, and continues to fund vendors that provide fair housing services in the form of outreach, training, intake of complaints and referrals, and testing on the basis of protected classes in the areas of rentals, sales and mortgage lending.

Harford County Assessment of Past Goals and Tasks

2012 AI Action Step	Status
<i>Goal 1: Increase access to County programs for persons with limited English proficiency.</i>	
Task 1: Complete four-factor analysis of needs and language access plan according to HUD's LEP guidance	Complete and continuing. During the FY2018 Consolidated Planning Process, Harford County completed an LEP analysis and determined there has been a slight increase in the number of Spanish speaking residents living in Harford County. Harford County is beginning its FY20 Consolidated Planning process and will; again, complete an LEP analysis.
Task 2: Analyze 2010 Census data to determine other language groups that meet threshold for needing additional services and outreach.	Complete and continuing. No additional groups were identified that meet the threshold for needing additional services and outreach. A new analysis will take place with the FY21-FY2025 Consolidated Planning Process.
Task 3: Provide other language services on an as-needed basis.	Complete. Harford County provides on-site translation services to all clients who request the service. In addition, the Agency provides telephone translation services in 240 languages and dialects, document translation in 100 languages, and on-site translation services in over 25 languages. TTY services, sign language interpretation and other formats are also available as needed.
<i>Goal 2: Ensure that members of the protected classes are represented on appointed volunteer boards.</i>	
Task 1: Survey current board members to document race, gender, ethnicity, disability status and familial status.	Complete and continuing. Harford County maintains a matrix of all current board members and strives to maintain a balance and ensure all populations are represented on all local boards.
Task 2: Affirmatively recruit protected class members to fill vacancies on appointed boards and commissions.	Complete and continuing. Harford County actively recruits protected class members to fill vacancies on appointed boards and commissions to ensure that all populations are adequately represented.

2012 AI Action Step	Status
Goal 3: Continue to provide fair housing education, outreach, and testing services throughout the County.	
Task 1: Continue to contract with a Fair Housing provider to perform fair housing discrimination testing, conduct fair housing education and outreach, and operate the tenant-landlord hotline.	Complete and continuing. Since the 2012 AI, Baltimore Neighborhoods, Inc. (BNI) has conducted matched paired housing testing throughout all Fair Housing Group members' jurisdictions. In FY2018, local government funders of testing began to require use of new form, developed in FY2017 designed to track testing progress toward conclusive determinations re: discrimination in housing rental and sales. In FY2018 the County allocated \$8,000.00 in CDBG funds to contract with Baltimore Neighborhoods, Inc. (BNI) to identify and respond to complaints and inquiries with regard to discrimination in housing. BNI has reopened as Maryland Greater Fair Housing Action Center.
Task 2: Document the number of affordable housing opportunities created for members of the protected classes, including those located in non-impacted areas.	In progress. The County did not undertake any activities on its own. The need and demand are greater than the regional production. The County must invest and leverage resource directly to have an impact. In FY2018, the Baltimore Regional Project-Based Voucher (PBV) Program: Awarded 21 project-based vouchers (PBVs) to two proposed developments, awarded 31 PBVs to five proposed developments, BMC refined its affordable housing database adding Low Income Housing Tax Credit information, adding accessibility and affordability level information, and vetting records with local governments and PHAs.
Goal 4: Increase opportunities for homeownership throughout the County.	
Task 1: Continue to partner with local lenders that offer homebuyer incentives.	Complete. Harford County is a HUD certified Housing Counseling Agency with 3 HUD-certified counselors on staff. Harford County offers monthly homebuyer education classes, partners with local lenders and the Maryland Mortgage Program, as well as providing its own down payment assistance to first time homebuyers who work for Harford County

2012 AI Action Step	Status
	Sheriff's Department, Harford County Public Schools, Harford County Government, or the Harford County Fire and EMS Foundation.
Task 2: Continue to identify collaborative initiatives to increase homeownership among minorities, residents of low-moderate income Census tracts, and low-moderate income residents.	Complete and continuing. Harford County continues to partner with local non-profits, targeting minorities and low-moderate income households to provide information and outreach on homeownership opportunities and financial literacy.
<i>Goal 5: Increase the supply of housing affordable to households below 80% MHI, specifically in non-impacted neighborhoods.</i>	
Task 1: Expand incentives for property owners, developers and housing organizations to build or substantially rehabilitate rental units in neighborhoods of opportunity.	Complete and continuing. Harford County has awarded CDBG, HOME and HCV funds to developers of multi-family rentals, including Rockspring Station located in Forest Hill and; most recently to Homes at Fountain Green, both located in areas of opportunity.
Task 2: Partner with affordable housing developers to increase the supply of affordable housing in non-impacted areas. Collaborate with affordable housing developers to select sites, construct infrastructure, provide financial subsidies, and otherwise support the expansion of affordable housing.	In progress. Harford County continues to award federal funding to developers of affordable housing to construct or rehab homes in non-impacted areas, awarding HOME funding to Habitat for Humanity for a new subdivision build in Havre de Grace, and; most recently, awarding HOME funds to a multi-family rental project in Havre de Grace, Ivy Hills.
Task 3: Define a County policy for expanding the supply of affordable rental housing units for families.	In progress. The County's efforts to expand the supply of affordable rental housing are largely conducted through programs supported with CDBG; however, CDBG cannot directly subsidize rental housing creation. A county policy specific to increasing the rental housing supply is not yet complete.
Task 4: Define specific geographical areas that are suitable for multifamily housing and work towards reducing or eliminating regulatory barriers that impede such development.	In progress. Harford County continues to work with developers to expand the supply of multi-family housing in suitable geographical areas.

2012 AI Action Step	Status
Task 5: Collaborate with affordable housing developers to select sites, construct infrastructure, provide financial subsidies, and otherwise support the expansion of affordable housing.	In progress. Harford County continues to work with developers to expand the supply of multi-family housing in suitable geographical areas.
Goal 6: Amend policy and program documents to affirmatively further fair housing	
Task 1: Recommend to the City of Havre de Grace that zoning regulations be amended to permit multi-family housing units by-right.	Incomplete. Since the 2012 AI, no activity has been reported.
Task 2: Recommend to the Town of Bel-Air that zoning regulations should be amended to eliminate existing restrictions on the number of unrelated people that can live together as a common household and those residing in group homes, and that undue restrictions on group homes should be removed.	Incomplete. Since the 2012 AI, no activity has been reported.
Task 3: Amend the County's zoning ordinance to remove undue restrictions on group homes.	Group Homes for sheltered care are permitted by right in the B3 and CI zoning districts. They are a Special Exception in the AG, RR, R-1, R-2, R-3, R-4, R-O and VR zoning districts. Group homes for sheltered care are defined in the Code as: A home for the sheltered care of more than 8 unrelated persons with special needs, which, in addition to providing food and shelter, may also provide some combination of personal care, social or counseling services and transportation.
Task 4: Develop intervention strategies to implement the housing policy statements in within the County's Master Plan.	Incomplete. Since the 2012 AI, no activity has been reported.
Task 5: Provide a list of known rental properties available to Section 8 voucher holders.	Complete. Harford County distributes lists of know rental properties available to Section 8 voucher holders to all clients during program briefings and maintains an up-to-date, very

2012 AI Action Step	Status
	current, notebook listing all properties available to the public daily in the Bel Air office.
Task 6: Provide additional incentives to landlords to induce their participation in the Section 8 program, including increasing the payment standard on a case-by-case basis.	Complete and continuing. Harford County is developing a landlord mitigation fund that provides additional financial protections for landlords who accept vouchers.
Task 7: Amend the Section 8 Admin Plan to eliminate the local preferences for persons who live and/or work in Harford County.	Incomplete. Since the 2012 AI, no activity has been reported.
Task 8: Create maps that show the geographic distribution of affordable housing developments in the County financed through the use of CDBG, HOME, or other public funds and insert these maps into the CAPER.	Complete and continuing. Harford County always includes maps showing projects funded with CDBG and HOME in annual Consolidated Annual Progress Evaluation Reports (CAPER).
Task 9: Ensure that local communities that receive CDBG or HOME funds understand their individual obligation to affirmatively further fair housing.	Complete and continuing. Harford County mandates participation in fair housing training and presentations to all recipients of federal funding.
Task 10: Evaluate developer's affirmative marketing policies and accomplishments when monitoring HOME-assisted development projects.	Complete. Harford County requires all recipients of HOME funding to provide a copy of their Affirmative Marketing Policies prior to the distribution of funds. Annual monitoring includes an in-depth evaluation of the organizations marketing plan.
Task 11: Amend the County's HOME policies and procedures to require any housing developer at closing to provide certification that the design and construction is in compliance with UFAS.	Incomplete. Since the 2012 AI, no activity has been reported.
Task 12: Prepare a written policy that encompasses HUD's Site and Neighborhood Standards. Incorporate this policy as part of the application review and approval process for all applicable HOME-assisted rental housing projects.	Incomplete. Since the 2012 AI, no activity has been reported.

2012 AI Action Step	Status
<i>Goal 7: Mitigate the extent to which mortgage loan denials and high-cost lending disproportionately affect minorities.</i>	
Task 1: Continue to engage HUD-certified counselors to target credit repair education through advocacy organizations that work with minority populations.	Complete and continuing. Harford County has 3 HUD-certified counselors on staff and provides credit repair and financial literacy to all county residents free of charge. Housing Counseling Staff partner with local non-profits to help reach historically underserved minority populations.
Task 2: Continue to facilitate home ownership training with special outreach in impacted neighborhoods.	Complete and continuing. Harford County provides monthly homebuyer education classes and specifically targets potential clients with outreach to impacted neighborhoods, particularly along the Route 40 corridor.

Howard County Assessment of Past Goals and Tasks

2012 AI Action Step	Status
<i>Goal 1: Establish an over-arching fair housing policy to establish a foundation for affirmatively furthering fair housing.</i>	
Task 1: Upon the revision of the Master Plan, ensure that there is a statement of policy that clearly articulates the County's commitment to expanding fair housing choice.	Incomplete. Since the 2012 AI, the County has not reported any activities to revise the Master Plan. In October 2019, the County Executive signed an executive order to appoint a Housing Opportunities Master Plan Task Force to oversee the development of a Housing Opportunities Master Plan by December 2020. This plan will comment on ways to expand fair housing choice and address geographic inequities.
Task 2: In evaluating the effectiveness of activities designed to affirmatively further fair housing, the County should rely upon empirical data describing the number of affordable housing opportunities created for members of the protected classes, especially those located in non-concentrated areas.	Incomplete. The County collects data on the number of affordable rental housing opportunities created for members of the protected classes.
Task 3: Prepare a written policy that encompasses HUD's Site and Neighborhood Standards and that can be incorporated as part of the application review and approval process for all applicable HOME-assisted projects.	Complete. This policy is written into our HOME Program Policy Manual and implemented during on-site monitoring.
<i>Goal 2: Promote the dispersal of affordable housing opportunities outside of areas of concentration.</i>	
Task 1: Continually monitor racial and ethnic concentrations and concentrations of lower-income persons in Columbia. Invest entitlement funds in both the revitalization of this community's older neighborhoods and in the creation of affordable housing opportunities in non-concentrated areas of the County.	Complete and continuing. The Housing Commission is investing LIHTC funds in the redevelopment of Downtown Columbia to provide affordable housing opportunities to low income households. The County and Columbia Downtown Housing Corporation are requiring the market rate developer to provide a percentage of units be affordable to low and very low income households.

2012 AI Action Step	Status
Task 2: Define a strategy to address the need for fixed units of affordable rental housing for families in non-concentrated areas of the County. In light of the limited federal entitlement resources at the County's disposal, such a strategy might include facilitating or incentivizing the construction of affordable family rental units by private or nonprofit developers.	Complete and continuing. The County and Housing Commission have worked with several private and non-profit developers to create new units of affordable rental housing in non-concentrated areas of the County.
Task 3: Work with area landlords and property management companies, in conjunction with HCHC, to encourage acceptance of Housing Choice Vouchers in non-impacted neighborhoods in the County.	Complete and continuing. More consultation and outreach to the landlords and property management companies must take place to encourage acceptance of the HCVs in non-impacted neighborhoods in the County.
Task 4: Continue to educate landlord and Housing Choice voucher holders on their rights and responsibilities, particularly related to source of income discrimination, under the County Human Rights Law.	Complete and continuing. More and consistent training needs to be offered to educate landlord and Housing Choice voucher holders on their rights and responsibilities, particularly related to source of income discrimination, under the County Human Rights Law.
Task 5: Facilitate HCVP training for staff members when necessary.	Complete and continuing. Fair housing training for staff completed in May 2019 by Howard County Office of Human Rights (OHR).
<i>Goal 3: Increase access to County programs for persons with limited English proficiency</i>	
Task 1: Continue to monitor the language needs of the County's expanding population, providing the accommodations and services provided in the Language Access policy.	Complete and continuing. Since the 2012 AI, the County has partnered with several non-profits to provide housing classes and materials in different languages to assist foreign-born populations in the County. OHR has increased outreach to Indian, Korean, Chinese, and other Asian constituencies and has published brochures in Korean, Chinese, and Spanish.

2012 AI Action Step	Status
Task 2: Continue to provide language services (interpreters, translators, etc.) on an as-needed basis.	Complete and continuing.
<i>Goal 4: Ensure that members of the protected classes are represented on housing-related boards and commissions.</i>	
Task 1: Survey current board members on a voluntary basis to document race, gender, ethnicity and disability status.	Complete and continuing. A survey is conducted on a routine basis to document race, gender, ethnicity and disability status. Since the 2012 AI, OHR continues to support two commissions: the Human Rights Commission (HRC) and the Martin Luther King, Jr. Holiday Commission (MLK). The HRC is legislatively mandated to hear any cases (including housing and finance cases) which are docketed with them under certain procedural conditions. Both have diverse members with regard to race, national origin, sexual orientation, gender, and religion. The County also supports Howard County Commission on Disabilities. This Commission was established by statute in 1988 to increase public awareness of matters impacting individuals with disabilities. The members of the Commission are appointed by the County Executive. There are 14 diverse members on the Commission (6 males and 8 females), including several members with varying disabilities.
Task 2: Affirmatively recruit protected class members to fill vacancies on appointed boards and commissions.	Complete and continuing. Affirmatively recruit of protected class members should occur on a routine basis to ensure protected class members are well represented on appointed boards and commissions. Since the 2012 AI, as members retire/leave, OHR and DHCD recommend diverse members of the community to the County Executive to fill vacancies. As of January 28, 2020, the HRC has 10 members, including 1 student member, and 1 vacancy. Members include 2 African American females, 3 white males, 2 Asian/Chinese females, 1 Asian male, and 1 Indian female. The student member is Middle Eastern.

2012 AI Action Step	Status
	The Housing and Community Development Board has 6 members (2 white males, 2 African American females, 1 white female and 1 Asian female). There is currently 1 vacancy on the board. The Columbia Downtown Housing Board has 12 members (6 white males, 4 white females, 1 African American male and 1 Asian female).
<i>Goal 5: Increase the supply of housing affordable to households below 80% MHI, specifically in opportunity area.</i>	
Task 1: Continue to impose affordable unit set-asides through the MIHU program. Explore the feasibility of increasing the percentage of units to be set aside for moderate-income households.	Complete and continuing. The County continues to implement optional and alternative methods of compliance to increase the number of MIHUs available to low and moderate income households in the County.
Task 2: Expand incentives for property owners and investors to build new apartment buildings or substantially rehabilitate existing buildings for occupancy by lower-income families, specifically in areas of opportunity.	Complete and continuing. The County has used MIHU fee-in-lieu funds to provide gap financing to incentivize developers to build new or redevelop existing communities for occupancy by low and moderate income households in areas throughout the County.
Task 3: Partner with regional affordable housing developers to increase the supply of affordable housing throughout the County. Provide land, extend financial assistance, and reduce fees and regulatory requirements that impede the development of affordable rental housing for families in non-concentrated areas.	Complete and continuing. The County has used MIHU fee -in-lieu funds, as well as funds from alternative compliance agreements to extend financial assistance and/or provide gap funding to affordable housing developers to increase the number of affordable rental housing units in non-concentrated areas.
<i>Goal 6: Reduce instances of housing discrimination.</i>	
Task 1: Continue to investigate discrimination complaints in accordance with the County Human Rights Law.	Complete and continuing. OHR enforces fair housing laws in Howard County.

2012 AI Action Step	Status
Task 2: Continue to provide fair housing education and outreach efforts to landlords, building owners, rental agents and real estate agents.	Complete and continuing. Since the 2012 AI, Howard County has undertaken numerous fair housing education efforts to landlords, building owners, rental agents and real estate agents. Through the Howard County Association of REALTORS (HCAR), Office of Human Rights staff provide credit courses in Howard County fair housing law.
<i>Goal 7: Mitigate the extent to which minorities are less commonly represented among those able to purchase a home.</i>	
Task 1: Continue to work collaboratively with fair housing advocates, certified housing counselors and lenders to increase homeownership among members of the protected classes.	Complete and continuing. The County sponsors annual fair housing training sessions for landlords and property owners. The County also works with housing counselors, non-profits and lenders to increase homeownership opportunities through the MIHU Program. The County also offers closing cost assistance funds to first-time homebuyers and homebuyers that live and/or work in the County.
Task 2: Continue to strengthen partnerships with local lenders to facilitate home ownership education and outreach with particular attention to members of the protected classes.	Complete and continuing. The County works with housing counselors, non-profits and lenders to increase homeownership opportunities through the MIHU Program. The County also offers closing cost assistance funds to first-time homebuyers and homebuyers that live and/or work in the County. The County sponsors monthly homebuyer workshops, quarterly MIHU workshops and quarterly credit repair sessions for potential homebuyers with credit issues that limit their ability to qualify for mortgage financing.
Task 3: Contract with a qualified agency to perform housing discrimination testing in Howard County.	Complete and continuing. During this period, OHR used CDBG Funds to enter into a contract with Baltimore Neighborhoods, Inc. in 2015 and more recently issued a request for proposals for additional fair housing testing.

SECTION III.

DEMOGRAPHIC PATTERNS

SECTION III.

Demographic Patterns

This section examines demographic patterns that are associated with residential settlement, housing availability and affordability, and access to opportunity. It also provides context for the analyses in Sections IV (Access to Opportunity) and V (Disproportionate Housing Needs).

This section follows the framework recommended in the Assessment of Fair Housing (AFH) template by:

- *Describing demographic patterns in the region and over time;*
- *Examining segregation and identifying the racial and ethnic groups that experience the highest levels of segregation and geographic areas that are segregated and integrated; and*
- *Identifying racially and ethnically concentrated areas of poverty (R/ECAPs) and the location and predominant protected classes residing in R/ECAPs.*

Primary Findings

- Decades of discriminatory practices in the region—a federal, local, and private, and primarily in the 20th century—have contributed to a significant economic gap among protected classes in the region. According to a 2015 study of neighborhood income inequality, the Baltimore metropolitan “commuting zone” ranks in the top five for neighborhood-level economic inequity.¹
- Poverty is unevenly distributed in the region: Baltimore City houses 49 percent of the region’s residents living below the poverty level, compared to 24 percent of all residents.
- African American residents have faced the most housing and economic exclusion historically in the region. They remain the most segregated of any racial group, the most likely to live in neighborhoods with concentrated poverty, and, as discussed in the Access to Opportunity section, now face the largest disparities in educational and health outcomes.
- The region has 29 Racially or Ethnically Concentrated Areas of Poverty (R/ECAPs)—neighborhoods that have a poverty rate of 38.5 percent (three times the regional rate of 12.84%)² and higher and are more than 50 percent Non-White and Hispanic residents. These neighborhoods correlate strongly with the lowest two grades on the

¹ Urban Institute’s *Worlds Apart: Inequality between America’s Most and Least Affluent Neighborhoods*.

² Based on 2017 1-year ACS

Home Owners Loan Corporation 1937 “redlining” map and are all located in the City of Baltimore. The region is also home to many racially and ethnically diverse areas, most of which are located in suburban areas. Many of these neighborhoods also have diverse housing types.

- Concentrations of residents with Limited English Proficiency (LEP) residents and who are foreign-born residents are much less pronounced than racial and poverty concentrations in the region.
- Segregation from White population appears to be decreasing modestly for African Americans, as measured by the Dissimilarity Index (DI), although it remains more than one-third higher than it is for the Latino or Asian population. The DI also suggests an upward trend in segregation for Asian or Hispanic residents. Although segregation in the region is high, it is not as severe as in Chicago, Atlanta, Milwaukee, Philadelphia, St. Louis, and even nearby Washington D.C., according to a Brown University study using 2010 Census data.

History of Residential Settlement and Segregation

The history of residential settlement in the Baltimore region—and intentional efforts to segregate residents by race, ethnicity, national origin, and class—is well documented. The 2014 Regional Housing Plan (Appendix A of that plan), contains an in-depth discussion of how members of certain protected classes were denied access to rental housing and financial capital, and steered away from particular neighborhoods.³ A 2019 study by the Federal Reserve Bank of Richmond explores how segregative housing policies destabilized housing choice for many residents of Baltimore City.⁴

This section does not replicate those studies; instead, it focuses on the outcomes of those actions in terms of racial and ethnic segregation, disparities in income, and protected class presence in neighborhoods of concentrated poverty.

It is appropriate, however, to begin with a brief synopsis of the history of residential and economic segregation in the region to provide context for current conditions.

Racial zoning. The City of Baltimore was the first city in the U.S. to enact “racial zoning”—city codes dictating where residents live based on their race or ethnicity. The city’s law, Ordinance 610, intended to curb Black/White residential integration, which was prompted by the purchase of a row house by a prominent African American civil rights attorney in a majority White neighborhood. That city law designated city blocks as either majority Black or majority White and prohibited residents from moving into a block when

³ https://drive.google.com/file/d/1ZUL7X_a0Sge9kspMmvvf77yRG1tX63S/view?usp=sharing

⁴ https://www.richmondfed.org/publications/community_development/community_scope/2019/community_scope_2019_issue_1.

they were not in a majority. Blocks that were mixed race required a judge's determination of which race constituted a "majority."

Racial zoning is important not only because it tried to disrupt the racial and ethnic integration that already existed in Baltimore City, but also because it became a successful way to deny minority residents the benefits of public and private investment. Restoration of the city after the 1904 fire led to expansion of modern water and sewer systems into areas would be termed "high opportunity areas" today. Racial zoning limited the benefits of those investments by dictating where residents could live based on their skin color.

Restrictive covenants. A 1917 decision by the U.S. Supreme Court invalidated racial segregation ordinances like Baltimore's; however, many cities, including Baltimore, found other legal mechanisms to enforce racial zoning. Covenants attached to residential properties were one tool.

As the suburban expansion of Baltimore City took hold, many land developers—most notably the Roland Park Company—attracted mid- to upper-class White residents by promising neighborhoods free from the public health hazards of the factories in the city core. And by attaching racial and ethnic covenants to those properties, those developers assured the owners that African Americans and sometimes other people of color would not become their neighbors.

Suburban migration. As wealthy and middle class White households moved to the newly formed city-suburbs like Roland Park and other less expensive developments, the workers and residents who were denied those housing options were left behind. Those workers, who were largely immigrants and racial and ethnic minorities, had few choices to expand their economic situation, due to employment and housing discrimination. They remained in central, east, and west Baltimore City, many living in very substandard housing.

Future public programs to address blight resulted in demolition of the substandard housing in which these residents lived, displacing racial and ethnic minorities, and further limiting rental opportunities. Public housing was funded as the solution to address gaps in the rental market, yet separated residents by race and tended to concentrate developments for people of color in areas with the lowest levels of environmental health.

Maryland voters then amended the State constitution in 1948 to prohibit the City of Baltimore from continuing to annex land. Employers began to relocate or expand into the suburbs and retail and commercial development followed. Many White residents who could move, did, and the City lost more than half of its white population by 1980. Only a significant in-migration of African American residents until the 1990 census prevented the City's overall population loss since 1950 from being more severe. African Americans were generally denied residential access to the suburbs because of their inability to secure a mortgage loan, lack of rental housing, and overt discrimination. The prohibition on

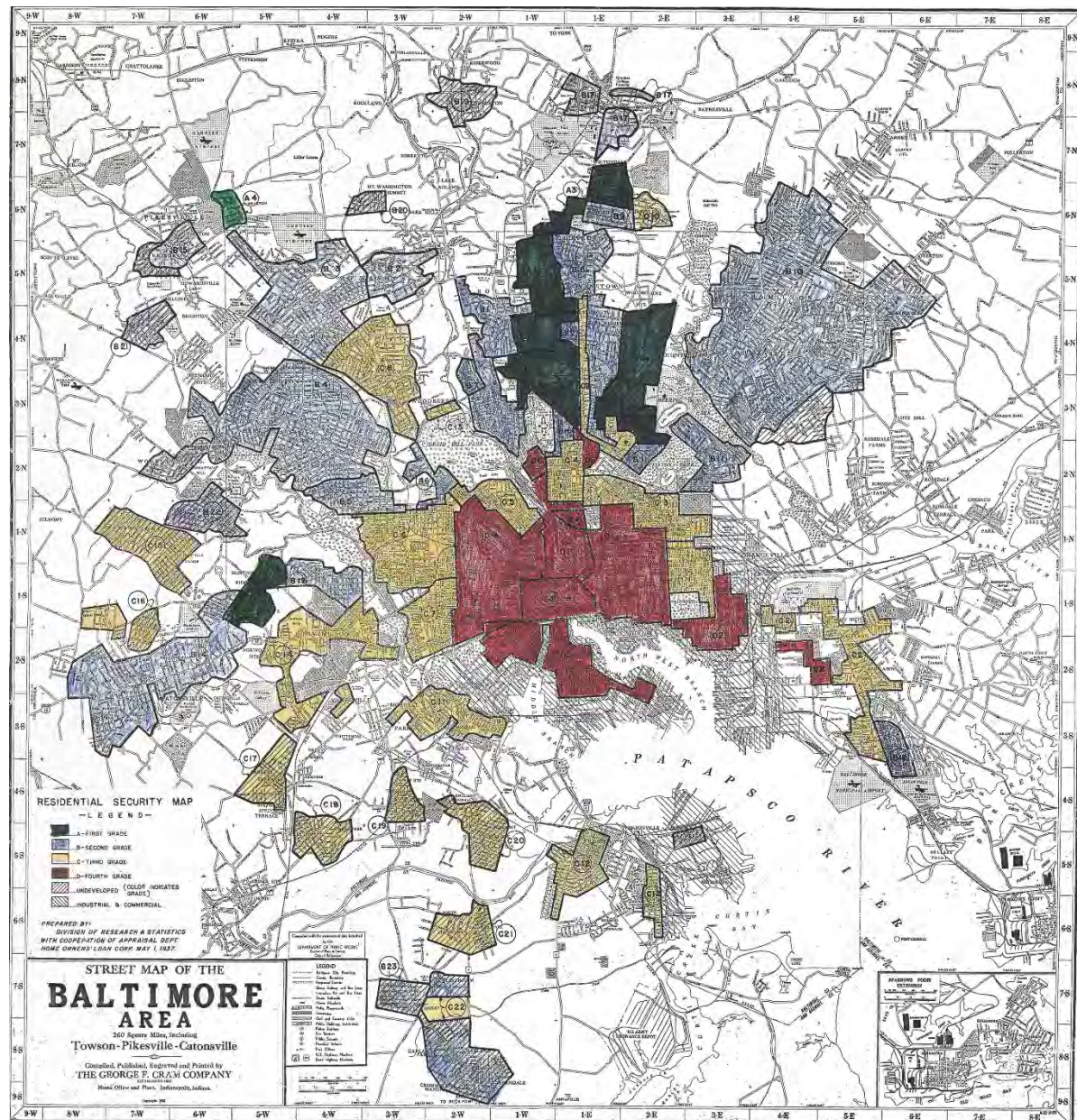
annexation denied the city from realizing the economic benefits of the nationwide suburban migration that continued for many decades, supported by federal investments in highway expansion and homeownership initiatives.

Redlining. The term “redlining” refers to a practice of the Federal Home Owner’s Loan Corporation (HOLC), which was established in 1933 to stabilize the housing market. Prior to the HOLC, homeownership was unusual for all but the very wealthy, as lenders required very large down payments (e.g., 50% of home value), interest only payments with a “balloon” payment at the end of the loan term requiring additional financing, and a loan term of just five to seven years. The HOLC offered more reasonable terms, allowing middle and upper middle class households to become owners.

To evaluate loan risk, the HOLC hired local real estate agents to develop maps depicting neighborhood quality, on which loan pricing would be based. Lacking data or historical trends to evaluate risk, these agents relied on local real estate agent expertise (which included racial and ethnic prejudice) as well as the popular eugenics racial hierarchy of the day to risk-rate residential blocks and neighborhoods. This not only had the effect of reinforcing the segregation of non-White residents into certain areas in cities, it also aided White wealth-building by supporting low-interest home mortgages in segregated White areas. At the same time, it generally prevented non-White residents from obtaining home ownership by supporting only high-interest loans—or none at all—for purchasing a central city home.

An example of redlining in the Baltimore region is shown in the following map from 1937. Dark green and blue areas were rated as lower risk areas; these were areas where residential loans were easiest to obtain and issued at the lowest interest rates. Yellow areas were moderate- to high risk and red were the lowest grade areas; red areas could not receive conventional mortgage loans. The effect of this risk-rating system was to drive capital and access to mortgages with the lowest rates into new, segregated White neighborhoods and away from older “lower grade” neighborhoods which, in Baltimore, were working class neighborhoods dominated by industrial uses and minority and immigrant residents.

Figure III-1.
Baltimore Redlining Map, 1937



Source: NARA II RG 195, Entry 39, Folder "Austin, Texas," Box 153.

The Federal Housing Administration (FHA), which insures residential mortgages, was formed shortly after the HOLC and continued the federal effort to continue to expand homeownership for the middle class. This opportunity was effectively only available to White renters, as the FHA underwriting manual instructed against higher risk ratings for neighborhoods with mixed race or social class. The FHA also actively denied lending in urban neighborhoods, favoring lending in suburbs. In effect, the FHA rewarded racial covenants and cut off racial and ethnic minorities from conventional mortgages, denying

them America's most successful wealth-building tool: subsidized ownership of one's home in a neighborhood where one could expect investment in the future.

Discrimination in mortgage lending provided an opportunity for predatory lenders to make huge profits by preying on racial fears and discrimination through a strategy known as blockbusting. This had two elements: Predatory lenders convinced White owners to sell at below market prices based on threats that minority buyers were moving into the neighborhood, and then offered minority buyers inflated prices with unfavorable lending terms.

Laws prohibiting discrimination in lending were passed in 1974, much later than the prohibition of other discriminatory actions. As such, for decades these restrictions on mortgage lending—mostly for African Americans, immigrants, and women—significantly limited access to economic growth which, in the U.S., is primarily achieved through homeownership.

Cumulative impact. In sum, for more than 100 years, African American residents' housing choice in the region has been disrupted through forced relocation (examples are the creation of Preston Gardens in downtown Baltimore⁵ and the Rt. 40 "Highway to Nowhere" in West Baltimore); denial of ownership opportunities (redlining, blockbusting, mortgage insurance discrimination); segregation into developments and neighborhoods with concentrated poverty; and restrictions on migration into higher opportunity, mostly suburban areas (racial covenants, housing market discrimination).

The practices that denied housing choice for many protected classes in Baltimore reached the region early relative to other metropolitan areas, and were persistently and stubbornly applied for decades. The cumulative impact of these actions, as discussed in the remainder of section, have led to considerable differences to economic opportunity.

Demographic Context

According to the city's planning department, the City of Baltimore's population peaked in 1950 at 949,708. As discussed above, around this time, a state law was passed that limited the city's ability to annex additional land. This, coupled with federal subsidies into highway expansions, white flight from *Brown v. Board of Education* school desegregation in Baltimore City, and suburban residential development, shifted growth into the suburbs – primarily Baltimore County. These growth patterns have shifted, and, today, neighboring counties are capturing more of the region's growth—namely, Anne Arundel County.

As shown in Figure III-2, the City of Baltimore's share of the region's population has declined in the past 27 years, from approximately 31 percent in 1990 to 22 percent in 2017. Conversely, the counties' share of the region's population has expanded, especially in Anne Arundel County and in Howard County. Baltimore County far exceeds the city's population,

⁵ Pietila, Antero, *Not in My Neighborhood: How Bigotry Shaped a Great American City*, pages 50-52.

which was not the case in 1990, and Anne Arundel County is approaching the city's population level.⁶

Figure III-2.
Share of Population and Population Change by Jurisdiction and Region, 1990-2017

	1990	2017	Change		Share of Region	
			Number	Percent	1990	2017
Anne Arundel County	392,566	551,615	159,049	41%	16%	20%
Baltimore County	691,305	809,351	118,046	17%	29%	30%
Harford County	181,906	245,529	63,623	35%	8%	9%
Howard County	187,018	305,899	118,881	64%	8%	11%
Annapolis	34,117	38,423	4,306	13%	1%	1%
Baltimore City	735,075	597,030	-138,045	-19%	31%	22%
Region					2,379,253	2,722,054

Note: Data are a sum of the racial and ethnic resident groups provided in HUD's Table 2 from the AFFH and, as such, may not perfectly represent total population numbers.

Source: HUD AFFH Table 2.

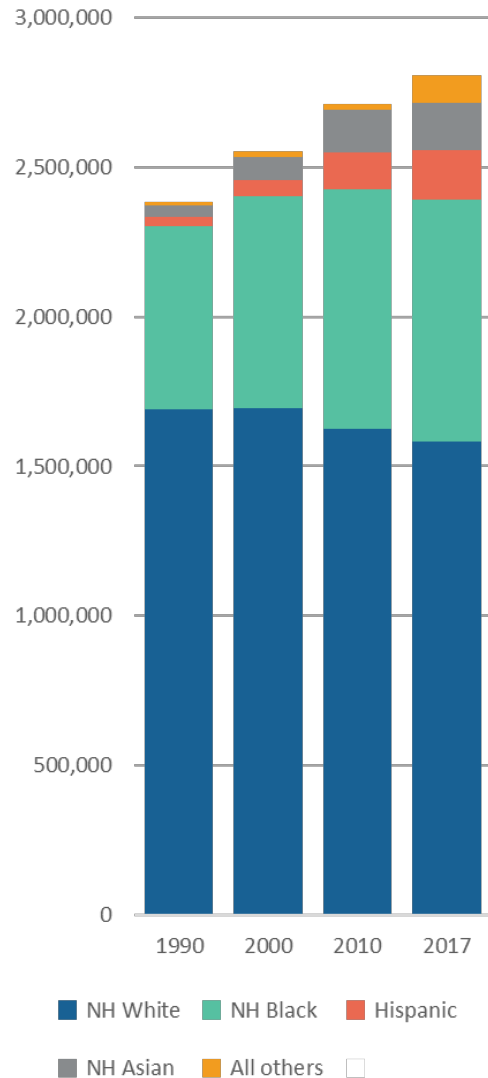
Figure III-3 shows the race and ethnicity of residents in the region. As the region has grown, it has increased racial and ethnic diversity, largely through the growth of the Hispanic and mixed-race residents.

The region as a whole is 56 percent Non-Hispanic White and 44 percent minority. The largest racial minority group by far is African American, comprising 29 percent of the region's population.

⁶ Population data are from HUD AFFH tables, which informed this AI. Please see Appendix A for tables for all jurisdictions included in the study, as well as a guide to interpreting the data in those tables.

Figure III-3.
Region Population by Race and
Ethnicity

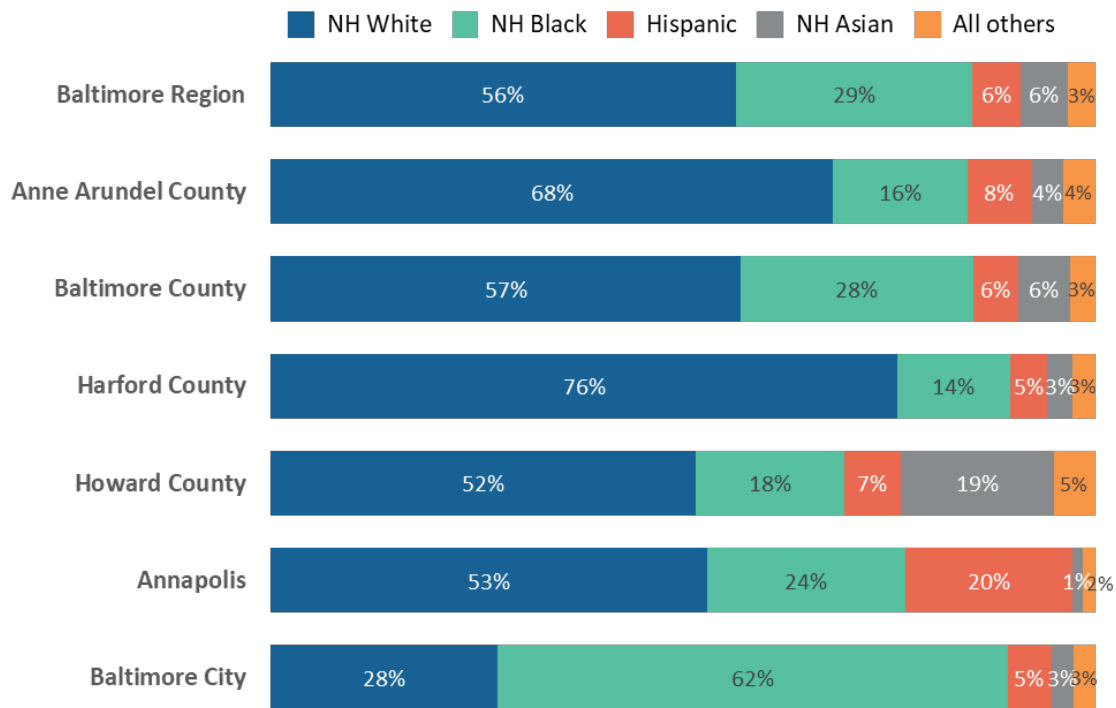
Source:
 HUD AFFH Data and Mapping Tool and 2017 ACS.



Racial/ethnic distribution differs by jurisdiction, as shown in Figure III-4. Anne Arundel and Harford Counties have the smallest minority populations, with 68 percent and 76 percent of their residents Non-Hispanic White. These counties also have the smallest proportions of African American residents at 16 percent and 14 percent, respectively. By comparison, Baltimore City's population is 28 percent Non-Hispanic White and 62 percent African American.

The Hispanic population is largest in Annapolis at 20 percent. The Asian population is largest in Howard County at 19 percent.

Figure III-4.
Race and Ethnicity Distribution by Jurisdiction, 2017



Source: 2017 ACS (except Annapolis = 2016).

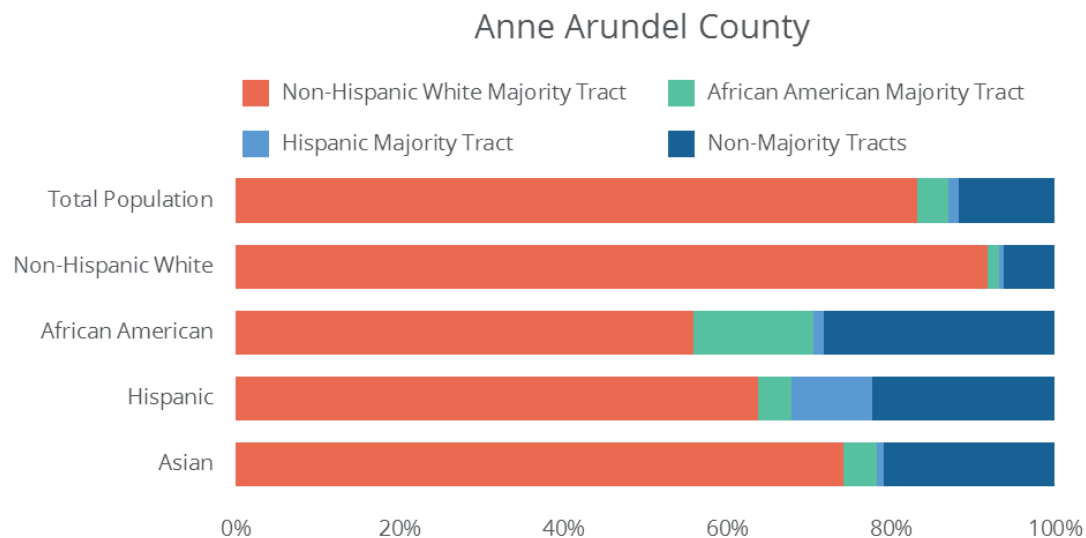
Segregation and Integration

Figures III-5 through III-10 show how residents are distributed among tracts where people of different races or ethnicities are the majority population. It shows where residents of different races and ethnicities tend to live compared to the concentration of *all* residents in that place by race and ethnicity. In other words, how different is your community likely to be by race and ethnicity based on your own race/ethnicity? This set of figures introduces the discussion on racial and ethnic concentrations, segregation, and integration.

In the graphs, bar lines that show large deviation from the distribution of the population overall indicate racial and ethnic concentrations. Non-majority tracts are an indicator of integration, since no one race or ethnicity is in the majority.

As demonstrated by Figure III-5, in Anne Arundel County, the population overall is mostly likely to live in Non-Hispanic White majority tracts: more than 80 percent live in these tracts. The county also has a large share of residents living in non-majority tracts, particularly African Americans.

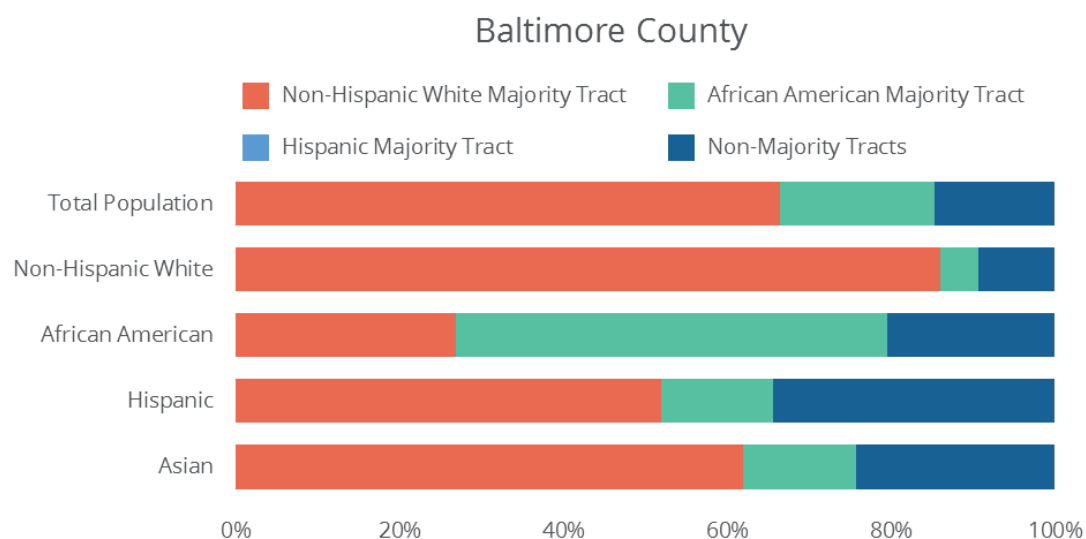
Figure III-5.
Distribution among Majority Race and Ethnicity Tracts, Anne Arundel County, 2017



Source: 2016 1-year ACS.

Non-Hispanic Whites in Baltimore County are more likely than any other race and ethnicity to live in a tract that is their racial majority, followed by African Americans. African Americans are by far the least likely to live in a Non-Hispanic White majority tract. Asian residents most closely reflect the distribution of the population overall.

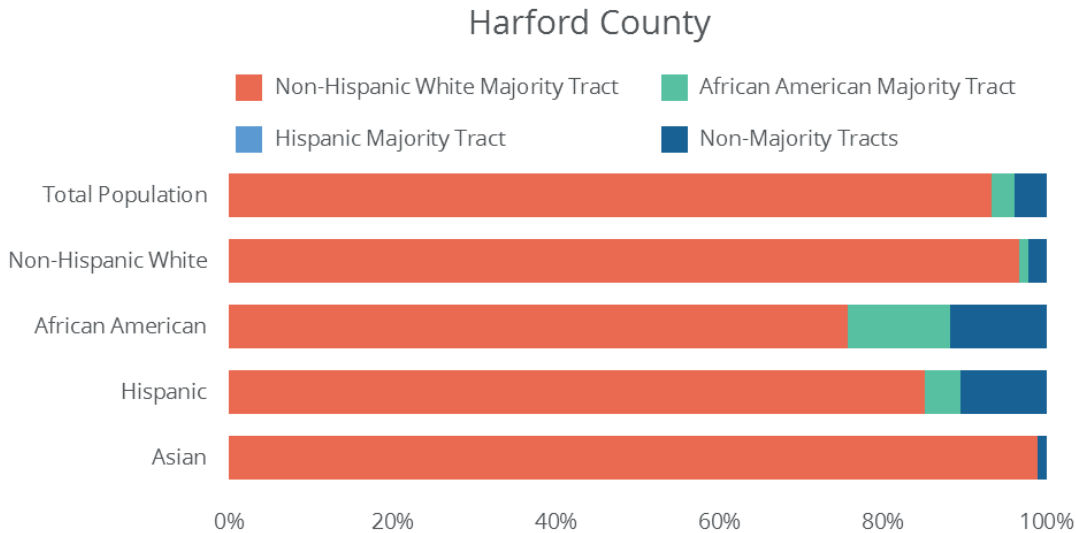
Figure III-6.
Distribution among Majority Race and Ethnicity Tracts, Baltimore County, 2017



Source: 2016 1-year ACS.

There is little variation among distributions for Harford County, except for African Americans, who are moderately more likely to live in a majority-African American and non-majority tract than other races and ethnicities.

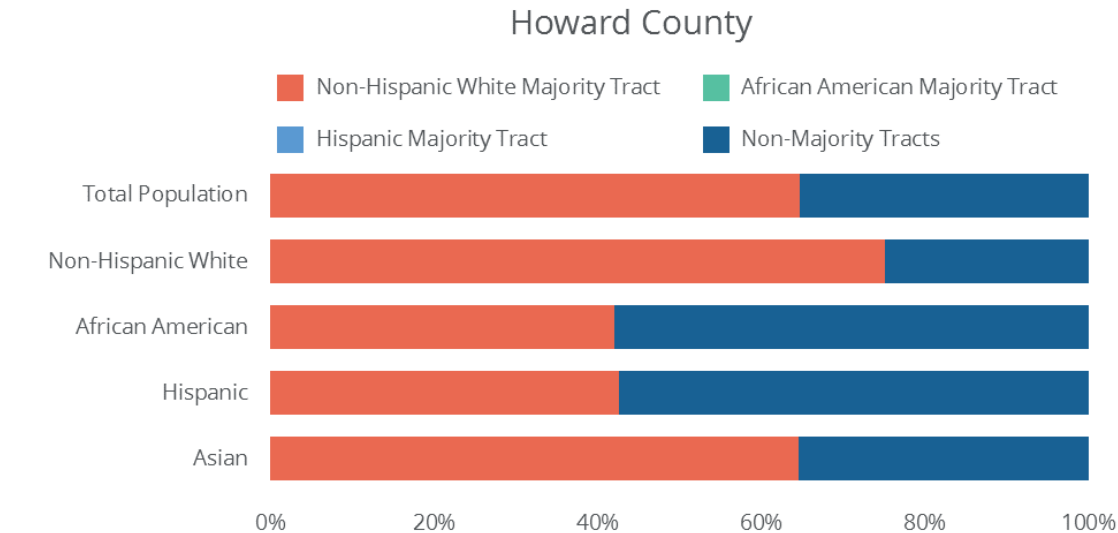
Figure III-7.
Distribution among Majority Race and Ethnicity Tracts, Harford County, 2017



Source: 2016 1-year ACS.

Howard County is unique in that the county has far more non-majority tracts than any other county or city. African American and Hispanic residents are more likely to live in non-majority tracts than Non-Hispanic White majority tracts. This is only the case in Howard County.

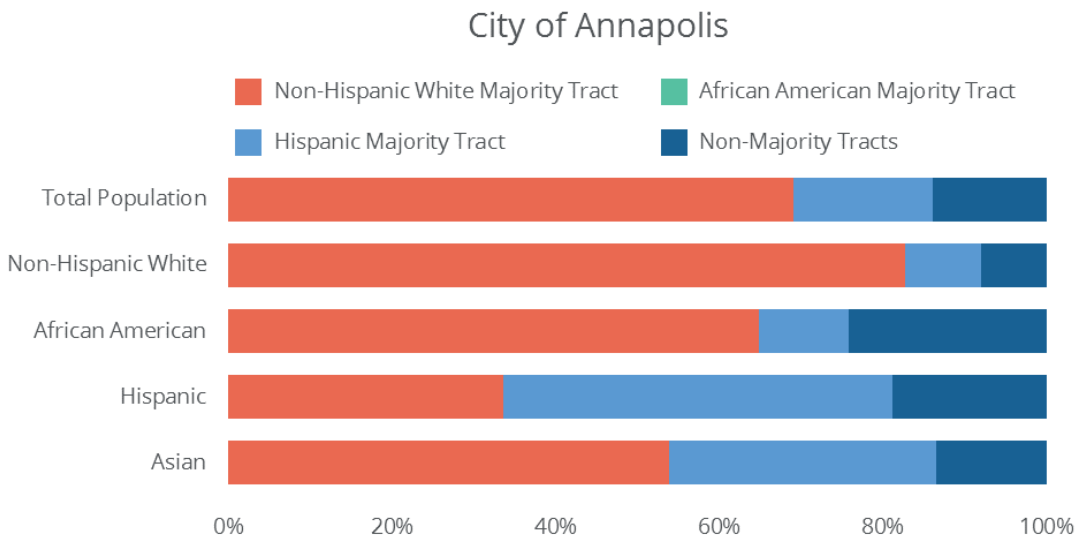
Figure III-8.
Distribution among Majority Race and Ethnicity Tracts, Howard County, 2017



Source: 2016 1-year ACS.

Annapolis is the only jurisdiction to have Hispanic majority tracts. Hispanic residents are most likely to live in these tracts; a relatively large share of Asians also occupy Hispanic majority tracts.

Figure III-9.
Distribution among Majority Race and Ethnicity Tracts, City of Annapolis, 2017

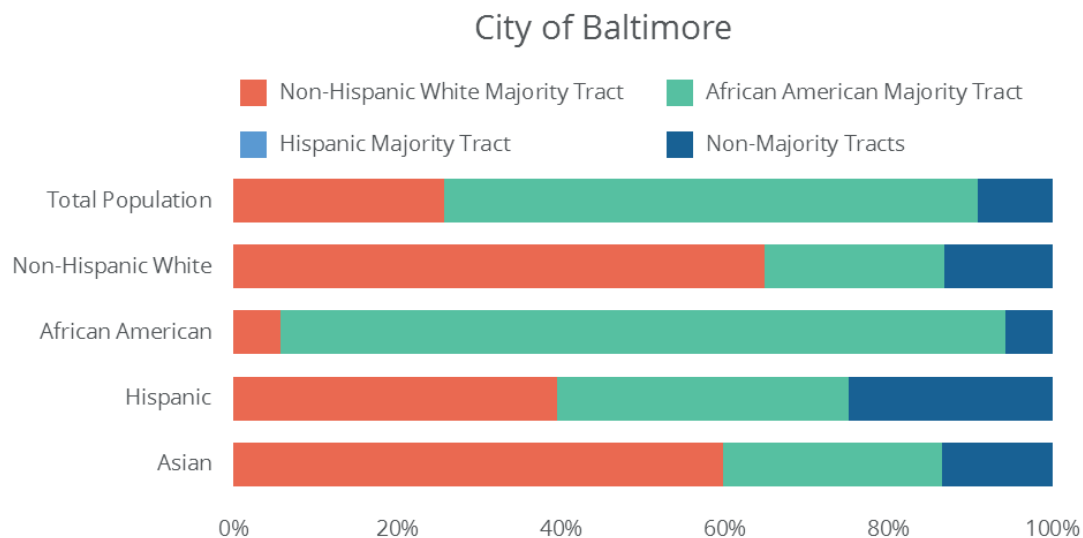


Note: Census tracts partially in City of Annapolis have been included in their entirety with the exception of Census tracts appearing to have "sliver" overlaps (map review) with Annapolis. See data for detail.

Source: 2016 1-year ACS.

Baltimore City has more African American majority tracts than any other jurisdiction, and African Americans are very concentrated in these tracts, with nearly 90 percent of the city's African American population residing in African American majority tracts. White and Asian residents are much more likely than residents overall to reside in Non-Hispanic White majority tracts.

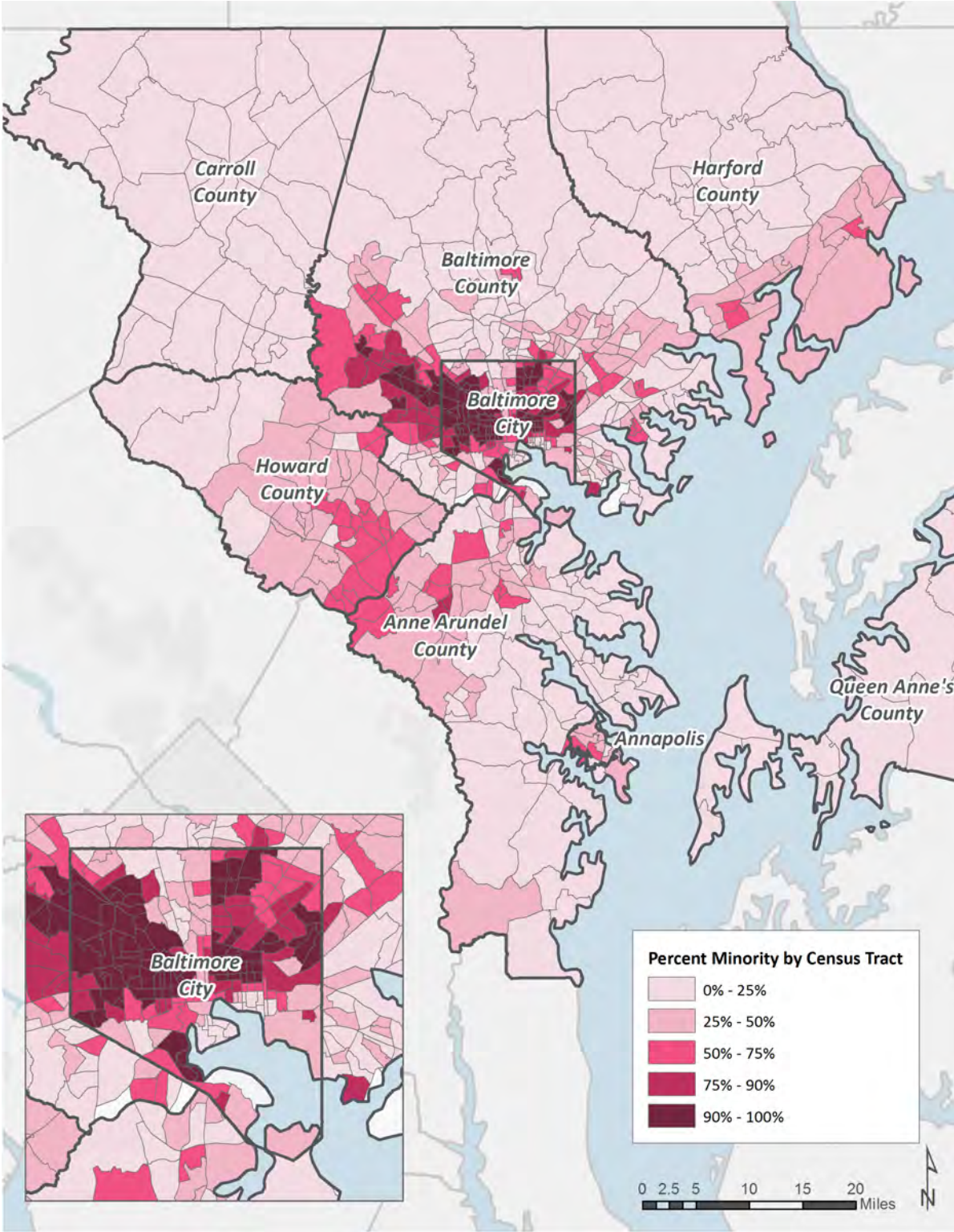
Figure III-10.
Distribution among Majority Race and Ethnicity Tracts, City of Baltimore, 2017



Source: 2016 1-year ACS.

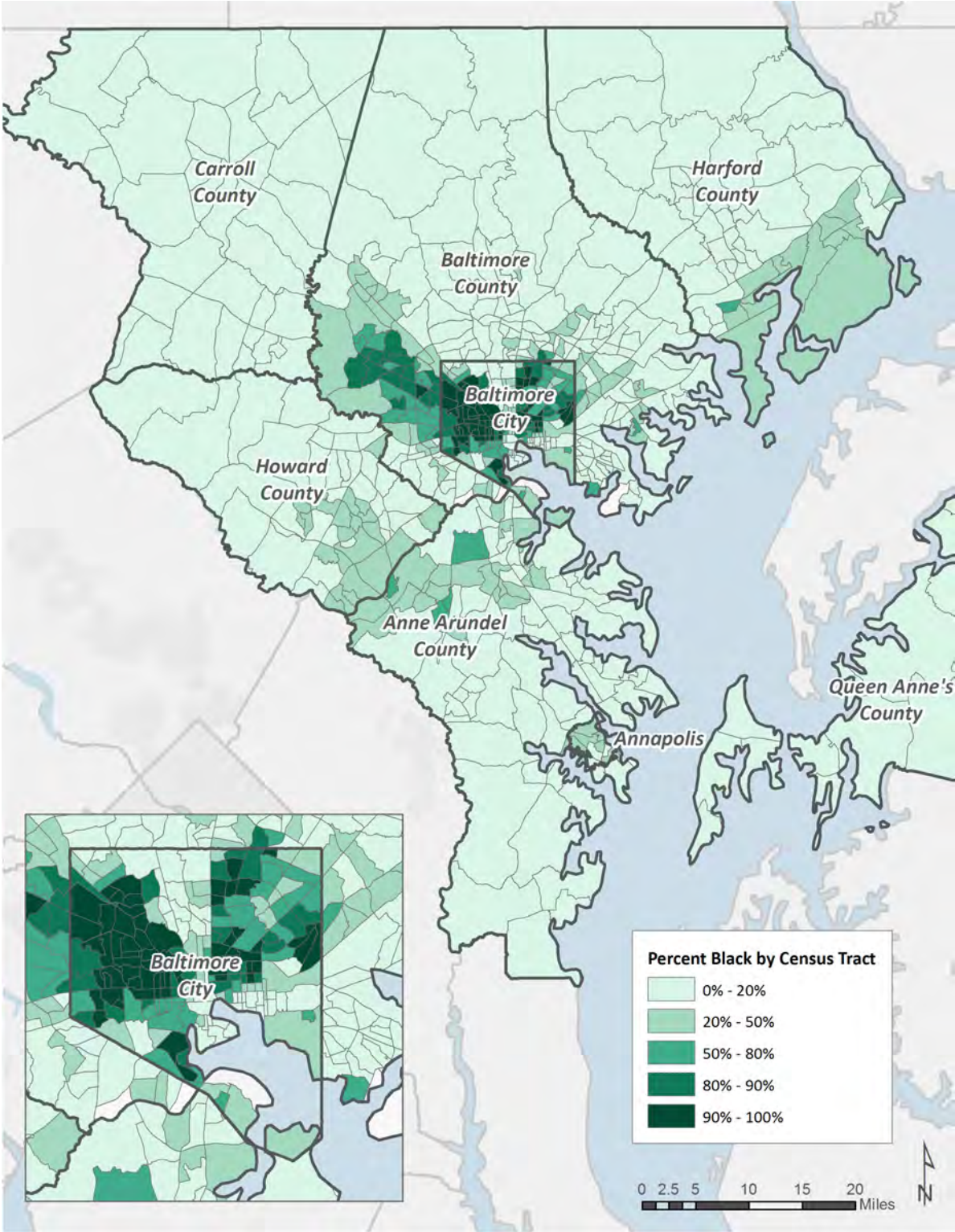
The following maps demonstrate these concentrations geographically beginning with the distribution of the region's Non-White and Hispanic residents (Figure III-11). The region's minority residents are very concentrated in Baltimore City and parts of Baltimore County, which largely reflects the high concentration of African American residents. Concentrations of Non-Hispanic White residents exist in neighborhoods along the water and in rural areas of the county, with Howard County having the fewest Non-Hispanic White concentrations. Concentrations of residents of Hispanic descent exist in southeast Baltimore City and in some parts of Anne Arundel County. Asian concentrations exist in Howard County and one neighborhood of Baltimore County. Concentrations of Hispanic and Asian residents never exceed 52 percent, however, meaning that they do not approach the much higher concentrations of African American and Non-Hispanic White residents in the metropolitan area.

Figure III-11.
Percent Minority by Census Tract, 2016



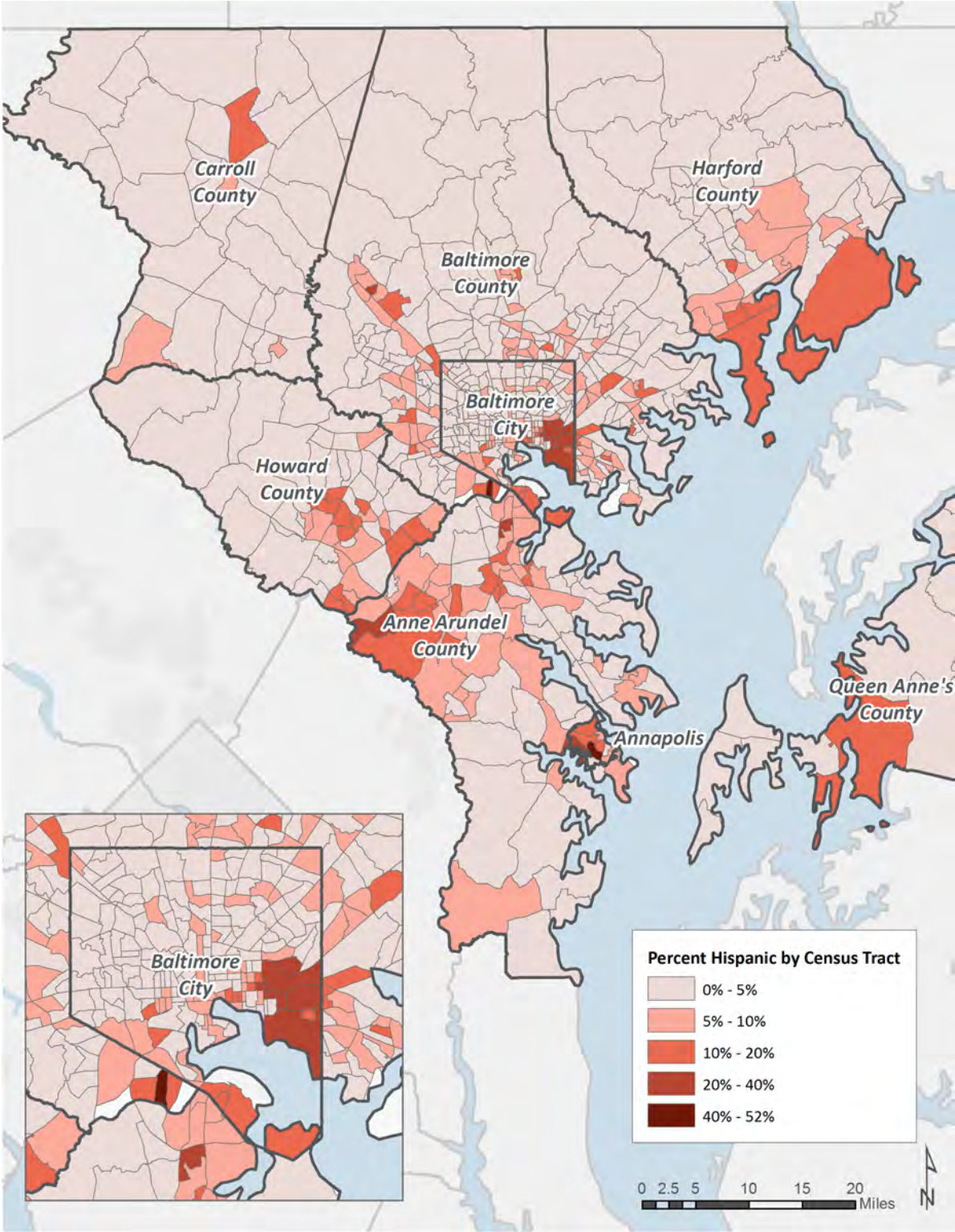
Source: 2016 5-year ACS.

Figure III-12.
Percent African American by Census Tract, 2016



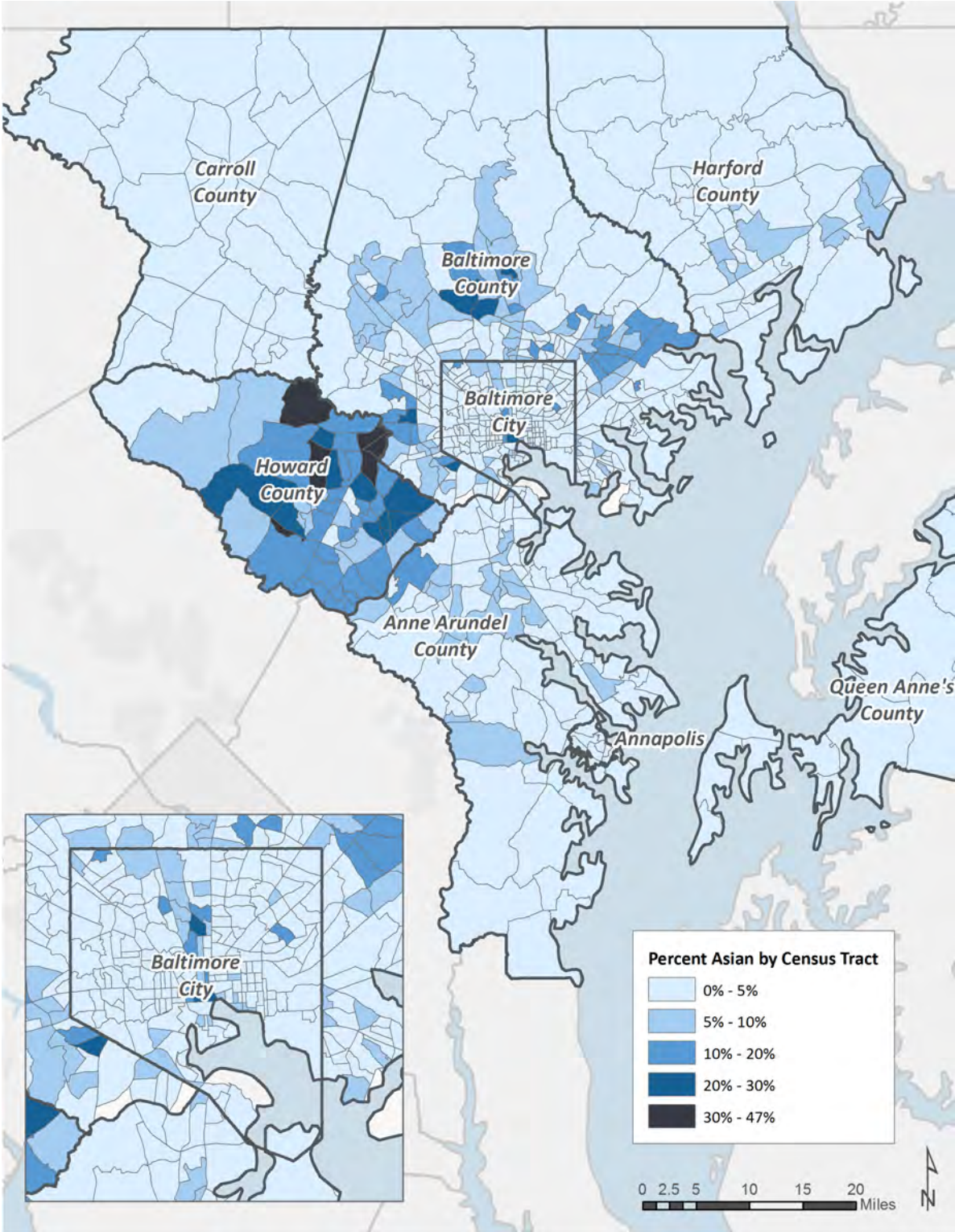
Source: 2016 5-year ACS.

Figure III-13.
Percent Hispanic by Census Tract, 2016



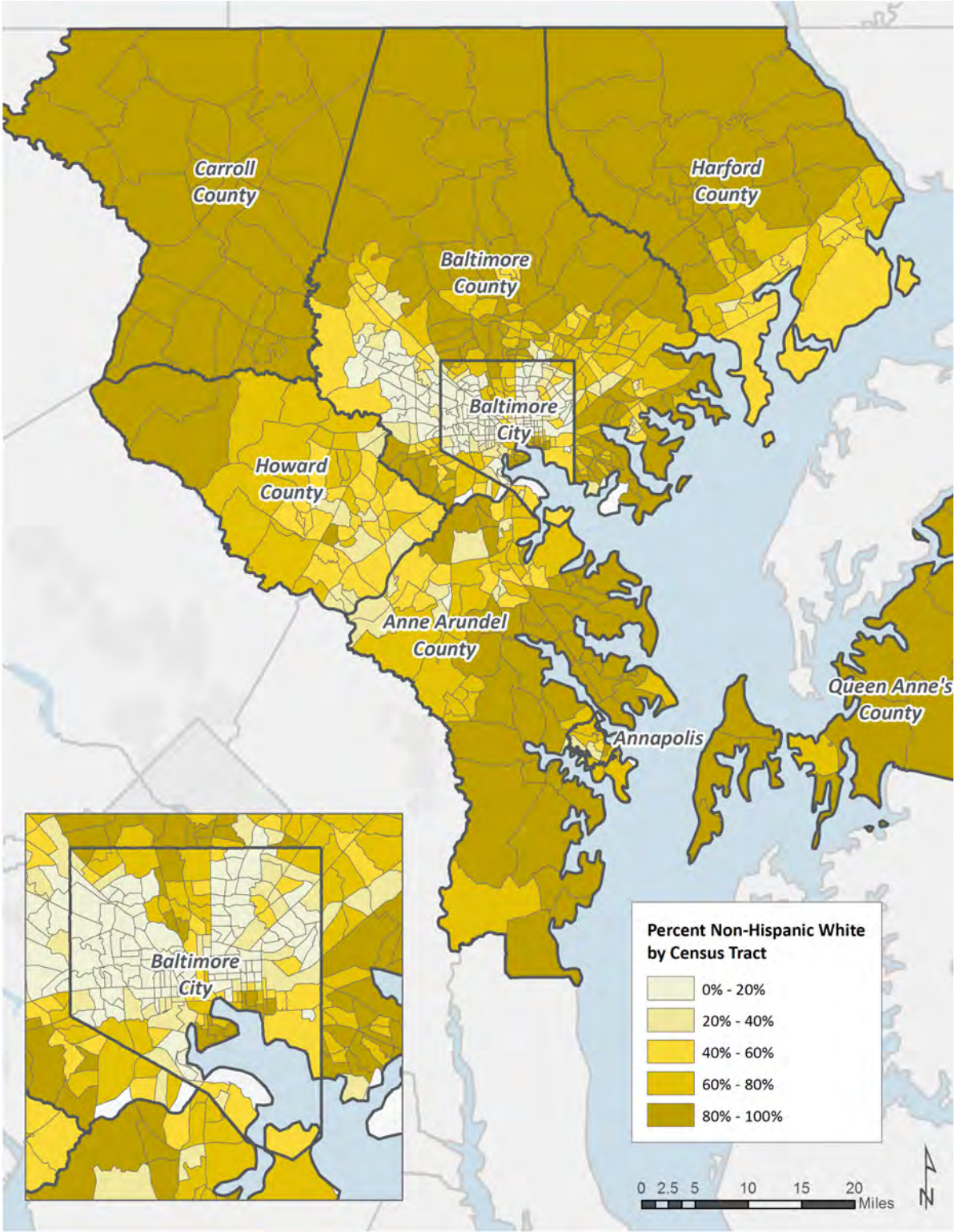
Source: 2016 5-year ACS.

Figure III-14.
Percent Asian by Census Tract, 2016



Source: 2016 5-year ACS.

Figure III-15.
Percent Non-Hispanic by Census Tract, 2016

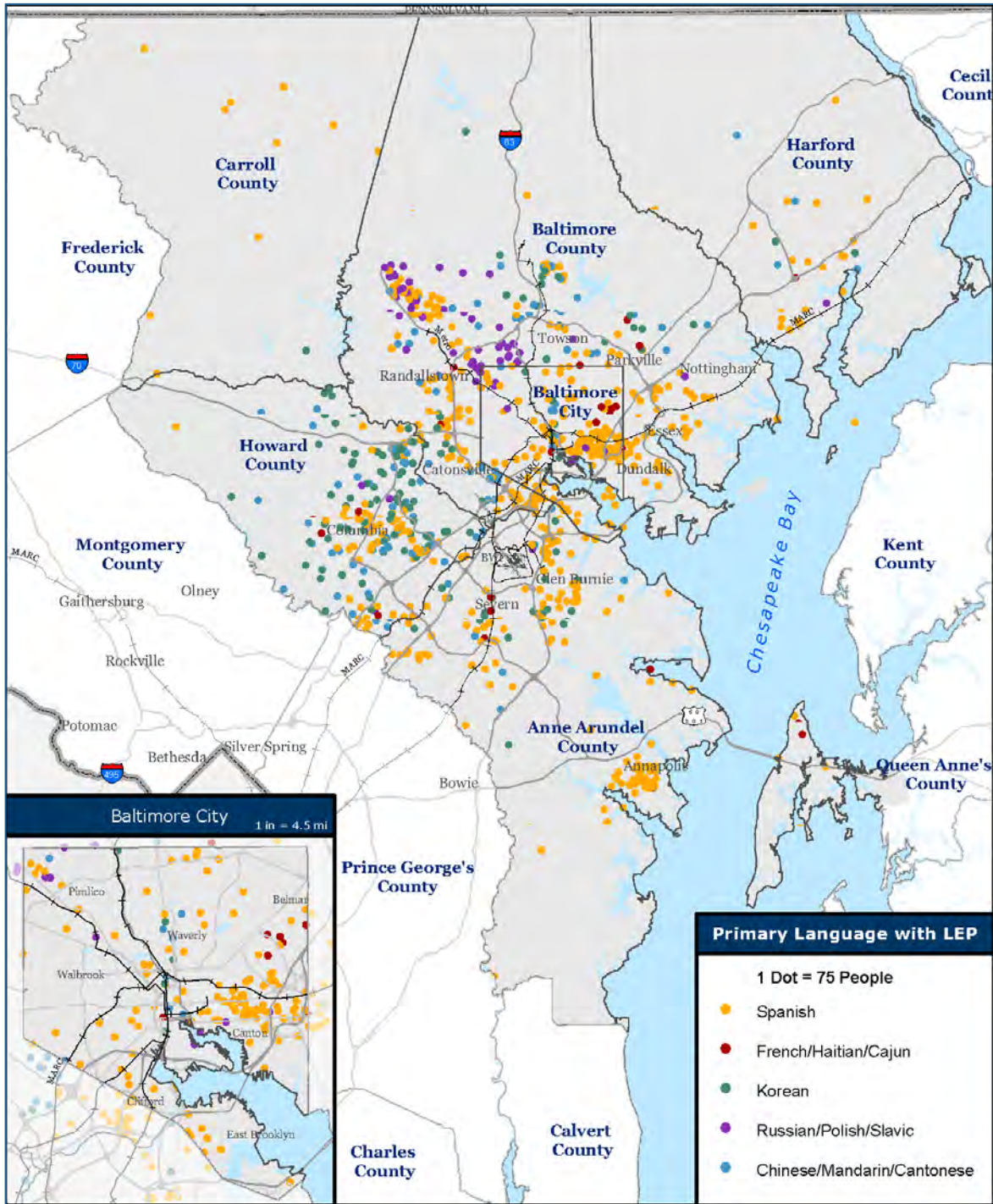


Source: 2016 5-year ACS.

Figures I-16 and I-17 show the distribution of residents with Limited English Proficiency and foreign-born residents (a proxy for the protected class of national origin). The largest concentrations of LEP residents occur in southeast Baltimore City and Annapolis, which are also the areas of Hispanic resident concentrations. Korean residents with limited English Proficiency live throughout Howard County, and Russian residents with limited English Proficiency cluster in parts of Baltimore County.

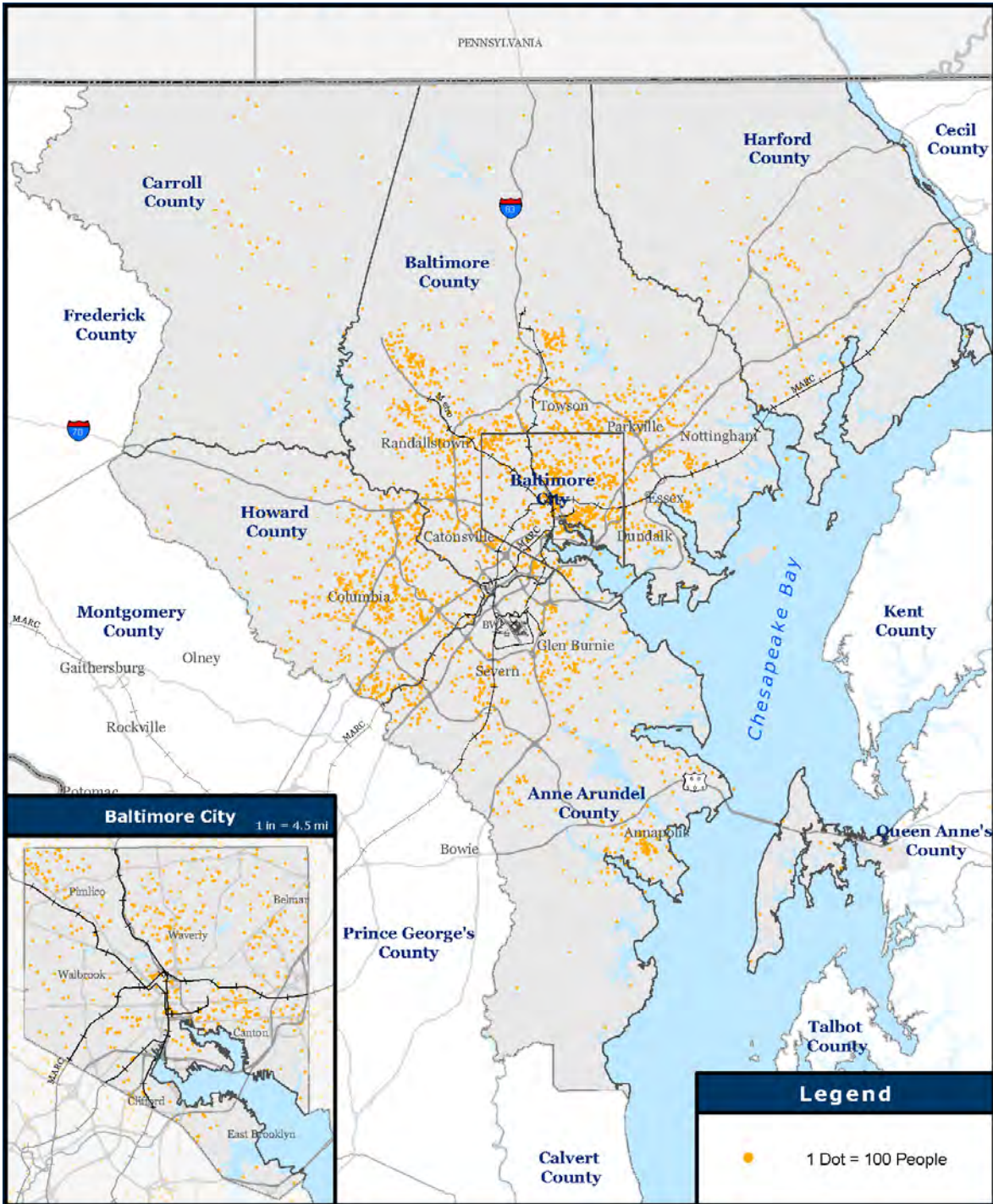
Figure III-17 suggests that foreign-born residents live throughout the region.

Figure III-16.
Limited English Proficiency



Source: 2016 5-year ACS.

Figure III-17.
Foreign Born Residents



Source: 2016 5-year ACS.

Severity of segregation. A common measure of segregation used in fair housing studies is the dissimilarity index (DI). The DI measures the degree to which two distinct groups are evenly distributed across a geographic area, usually a county. DI values range from 0 to 100—where 0 is perfect integration and 100 is complete segregation. The DI represents a “score” where values between 0 and 39 indicate low segregation, values between 40 and 54 indicate moderate segregation, and values between 55 and 100 indicate high levels of segregation.

It is important to note that the DI is a broad index that, much like the indices described in the Access to Opportunity section, which is a starting point for understanding the magnitude of segregation. Like all indices, the DI has some weaknesses: First, the DI provided by HUD uses Non-Hispanic White residents as the primary comparison group. That is, all DI values compare racial and ethnic groups against the distribution of Non-Hispanic White residents.

Another limitation of the DI is that it can conceal practices that lead to racial and ethnic exclusion. Communities without much diversity typically have very low dissimilarity indices, while counties with the most diversity will show high levels of dissimilarity. Thus, a “low” dissimilarity index for a jurisdiction is not always a positive if it indicates that racial and ethnic minorities face barriers to entry in a community. These limitations are not significant for this study—all jurisdictions included have a Non-White proportion of approximately 25 percent and higher—however, the limitations are noted here to acknowledge that the DI is just one of many measures to understand the extent of segregation.

Figure III-18 shows trends in the DI for the region. Non-White/White segregation has declined since 1990, from High segregation levels to Moderate. Black/White segregation has improved very modestly, yet is still High. Hispanic/White and Asian/White segregation has increased from Low to Moderate.

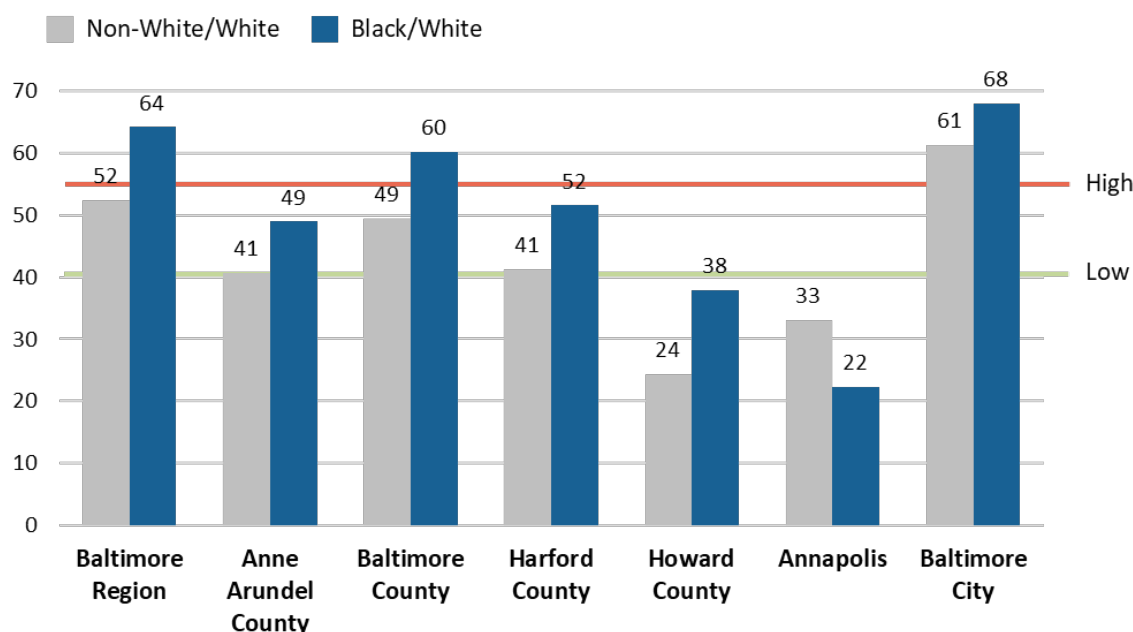
Figure III-18.
Regional Dissimilarity Index Trends

Racial/Ethnic Dissimilarity Index	Baltimore Metro Area				Interpreting the index:
	1990	2000	2010	2016	
Non-White/White	64.7	59.6	54.2	52.5	0-39 Low Segregation 40-54 Moderate 55-100 High
Black/White	71.1	67.5	64.3	64.2	
Hispanic/White	30.1	35.8	39.8	43.7	
Asian/White	38.4	39.3	41.0	47.4	

Source: HUD AFFH tables.

Figure III-19 shows the Non-White/White and Black/White DI for each jurisdiction. Non-White/White DI is low in all jurisdictions except for Baltimore County, where it is Moderate, and Baltimore City, where it is High. Black/White segregation is High in the region overall, and in Baltimore County and Baltimore City, and moderate in all other except for Howard County and Annapolis, where segregation is notably low.

Figure III-19.
Dissimilarity Index by Jurisdiction, 2016

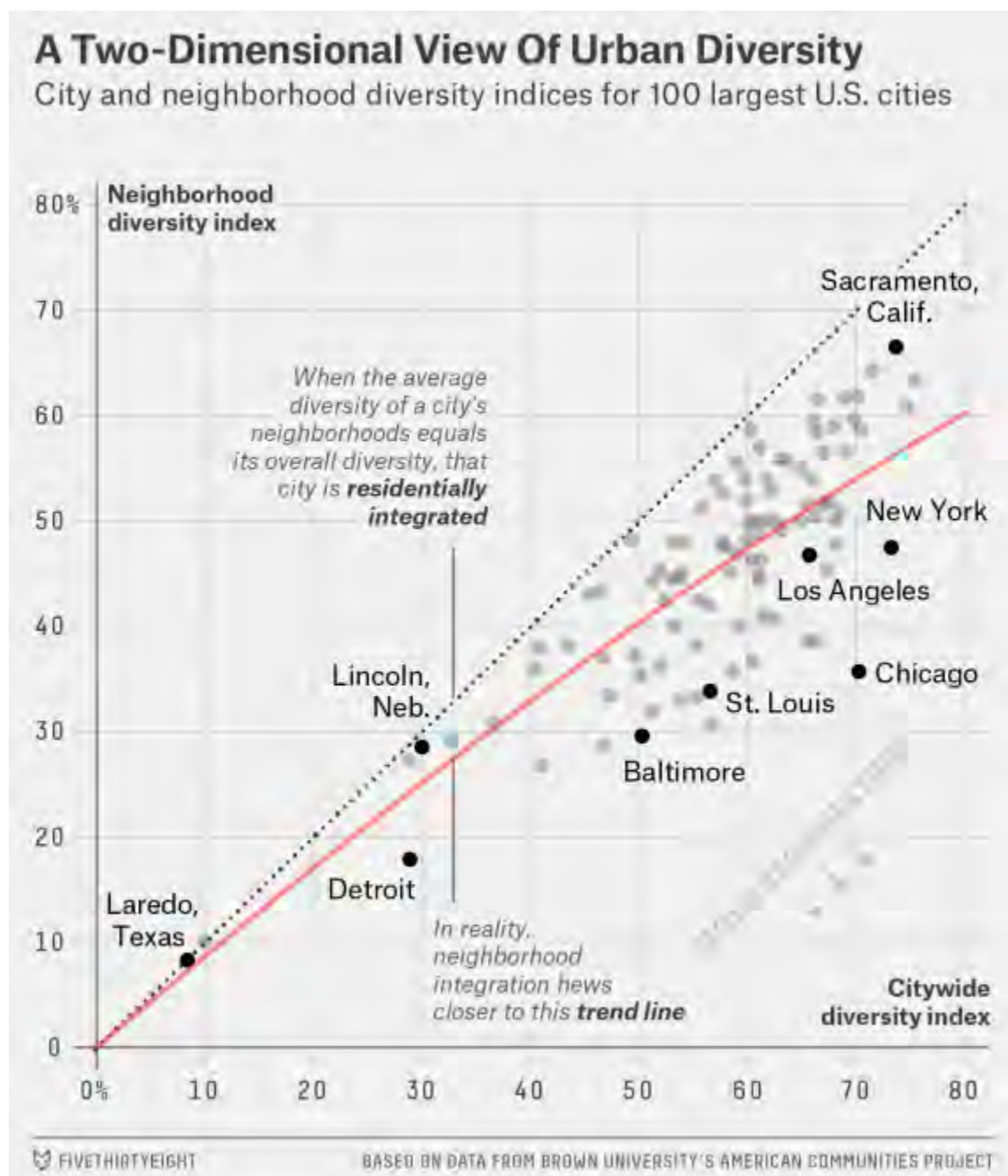


Source: 2016 ACS.

Brown University maintains and updates many alternative indices that measure segregation and integration, including a “integration-segregation index,” which accounts for neighborhood diversity in measuring segregation. That index is plotted on Figure III-20. The dotted line indicates perfect integration; the red line indicates the trend that U.S. cities are following, moving away from integration. Chicago, which has a -19 score, is the most segregated city in the country. It is followed by Atlanta, Milwaukee, Philadelphia, St. Louis, Washington and Baltimore (not all plotted on the graphic, but identified in the study). Detroit stands out for relatively high levels of segregation and low diversity.

This compares to Sacramento, California, which has both a high neighborhood and citywide diversity score. Sacramento stands out in that it is both diverse and integrated. Cities like New York and Los Angeles also rank well on citywide diversity, but lower on neighborhood integration.

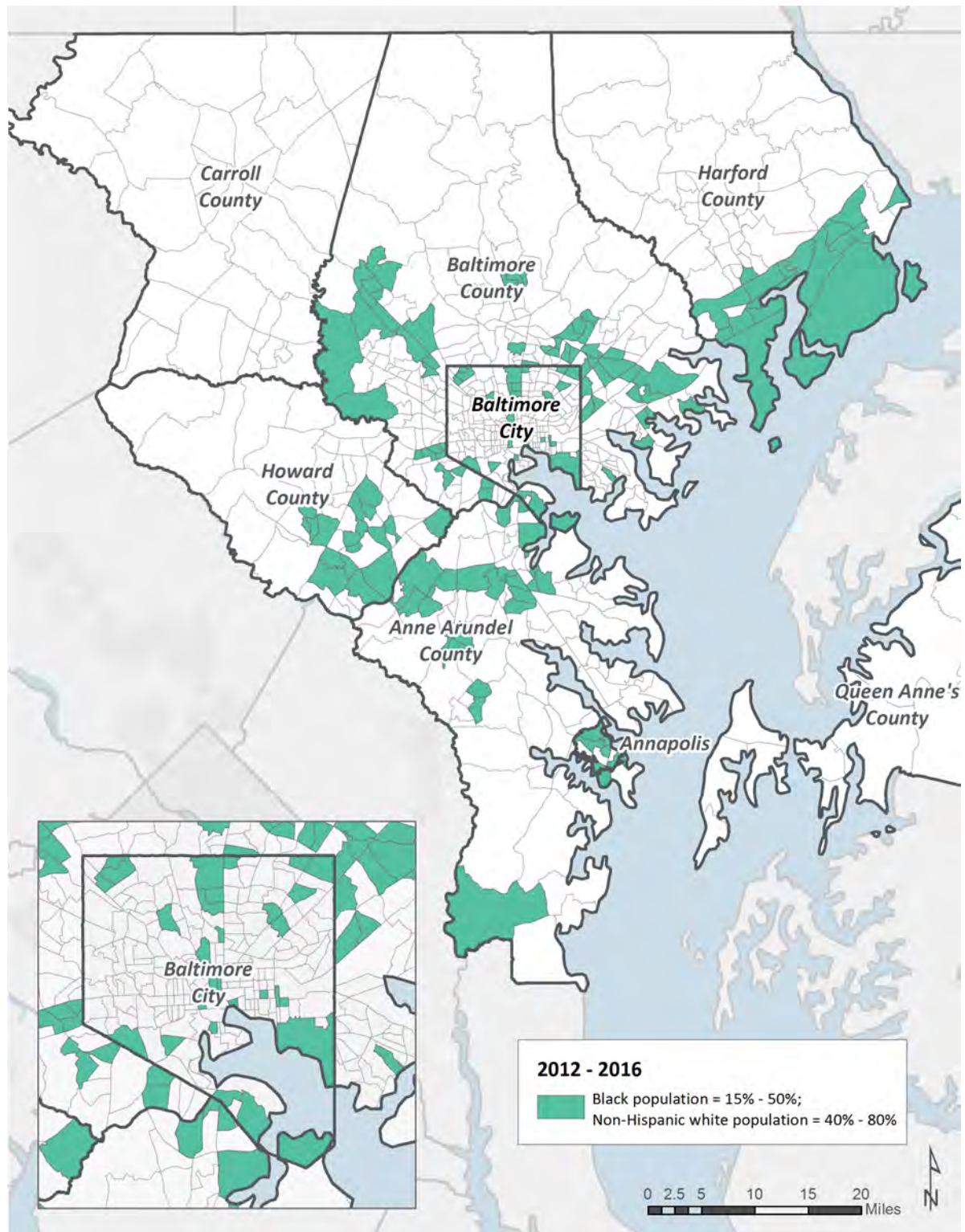
Figure III-20.
Diversity Indices for 100 Largest U.S. Cities, 2010



Source: FiveThirtyEight, <https://fivethirtyeight.com/features/the-most-diverse-cities-are-often-the-most-segregated/>

Integration can also be examined spatially, using a metric employed in the 2014 Regional Plan that identifies those neighborhoods which best represent the Black and White balance of population in the region. Those neighborhoods are shown in Figure III-21. These neighborhoods represent a balance of the two races in the region that are most rarely balanced, according to the dissimilarity index. They are also somewhat correlated with the areas in the region where moderate and high density housing is allowed, as discussed in Section VIII (see zoning maps).

Figure III-21.
Black/White Representation by Census Tract, 2012-2016



Source: 2016 5-year ACS.

Economic Segregation

A critical aspect of expanding economic opportunity is addressing economic segregation. A growing body of research has consistently found that reducing economic segregation, especially for young children, has long-term, positive outcomes for families, and decreases the public sector costs of addressing the consequences of poverty.

In a June 2015 report—*Worlds Apart: Inequality between America's Most and Least Affluent Neighborhoods*—researchers Rolf Pendall and Carl Hedman of the Urban Institute examined the gap in inequality among neighborhoods in cities throughout the U.S. through a customized “neighborhood advantage” score. The score measures inequality through four variables: average household income, proportion of residents with a college degree, homeownership, and median home value. The scores are summarized by commuting zones; for the Baltimore region, this includes Anne Arundel County, Baltimore City, Baltimore County, Carroll County, Harford County, and Howard County.

The study found that in the Census tracts examined overall income inequality at the neighborhood level increased between 1990 and 2010. That increase was due to large increases in income for high-income neighborhoods coupled with low increases, or declining incomes, for low-income neighborhoods.

The study also highlights the Baltimore region as being one of the top areas for economic inequality, based on neighborhood inequity. The region was one of five areas with the highest inequality score, along with Columbus, Dallas, Houston, and Philadelphia. Neighboring Washington, D.C. was home to the three most advantaged neighborhoods found in the study.

In the Baltimore region, between 1990 and 2010, the lowest income neighborhood in the *World's Apart* study, located in Baltimore City changed little. This neighborhood was very poor in 1990 and remained that way in 2010. This same phenomenon existed for similar neighborhoods in Boston, Bridgeport, Buffalo, Detroit, Milwaukee, Philadelphia, and St. Louis. In contrast, the City of Baltimore's top tract saw average neighborhood income increase by 10 percent.

Applying the concept of economic inequality to the region, we examined how the region's share of low income households is distributed among Baltimore City and the suburban counties. This exercise examines the overall and low income distribution of households, families, and non-families (i.e., single persons living alone or with unrelated roommates). The far right column shows the under- or over-representation of low income households by comparing the distribution of those households to the distribution of households in the region overall.

For low income households overall, Baltimore City has a much higher share than the city's overall proportion of the region's households would suggest. Anne Arundel has the largest under-representation of low income households at 9 percentage points, followed

by Baltimore and Howard Counties. Similar trends are exhibited for low income families except for Baltimore County, where the share of low income families is more closely representative of families overall. Differences are the smallest for non-families.

Figure III-22.

Share of Very Low Incomes Households, Families, and Non-families by Jurisdiction, 2013-2017

	Households				
	All Households	% of All Households	< \$25,000 Households	% of < \$25,000 Households	representation of < \$25,000 Households
Region	962,277	100%	154,991	100%	
Anne Arundel County	205,395	21%	19,307	12%	-9%
Baltimore County	312,859	33%	44,426	29%	-4%
Harford County	92,895	10%	12,169	8%	-2%
Howard County	111,337	12%	8,350	5%	-6%
Baltimore City	239,791	25%	70,738	46%	21%
	Families				
	All Families	% of All Families	< \$25,000 Families	% of < \$25,000 Families	representation of < \$25,000 Families
Region	619,830	100%	59,798	100%	
Anne Arundel County	142,696	23%	7,706	13%	-10%
Baltimore County	204,288	33%	17,160	29%	-4%
Harford County	67,167	11%	4,702	8%	-3%
Howard County	82,294	13%	3,703	6%	-7%
Baltimore City	123,385	20%	26,528	44%	24%
	Non-families				
	All Non-families	% of All Non-families	< \$25,000 Non-families	% of < \$25,000 Non-families	representation of < \$25,000 Non-families
Region	342,447	100%	100,501	100%	
Anne Arundel County	62,699	18%	12,414	12%	-6%
Baltimore County	108,571	32%	29,423	29%	-2%
Harford County	25,728	8%	7,950	8%	0%
Howard County	29,043	8%	4,850	5%	-4%
Baltimore City	116,406	34%	45,864	46%	12%

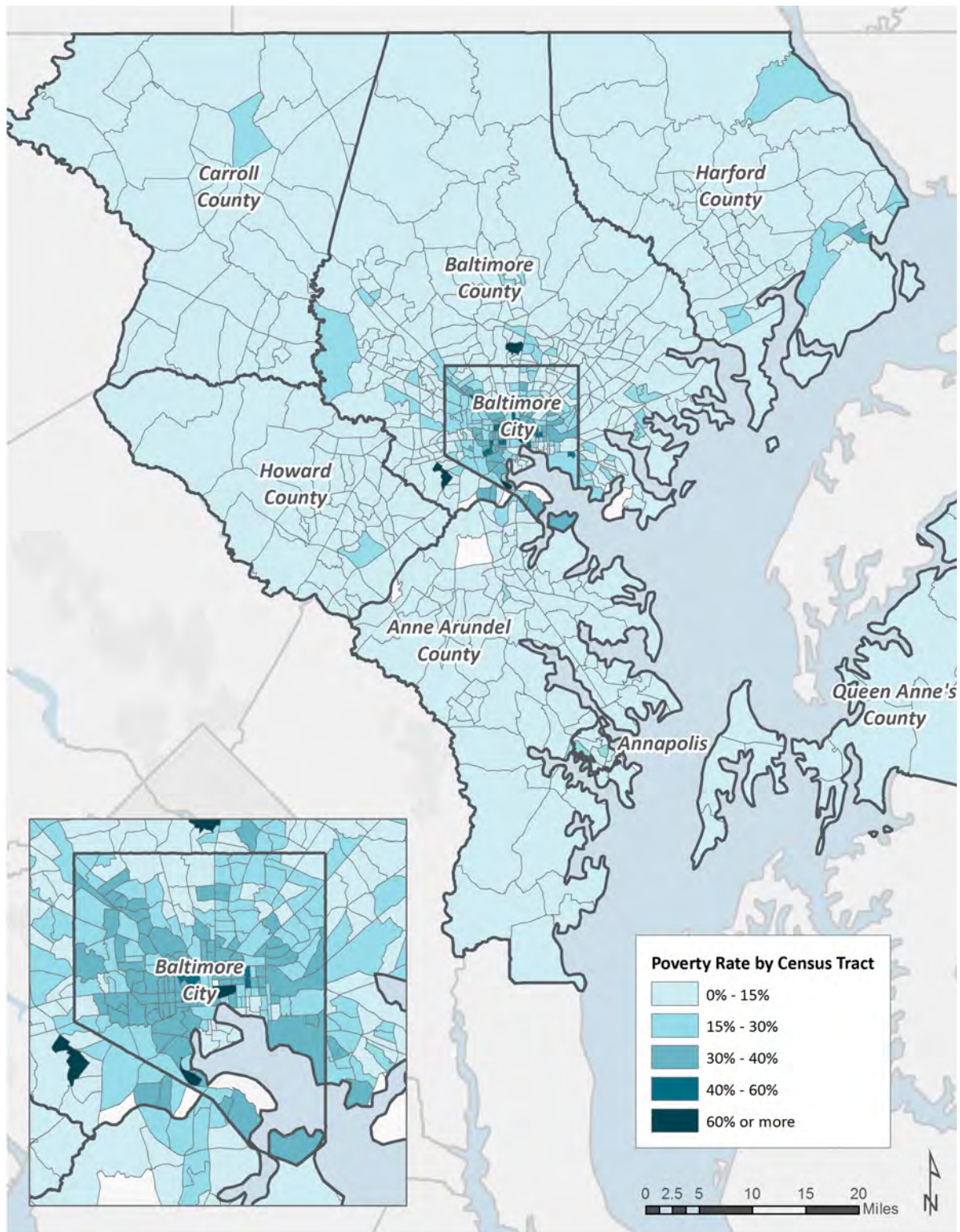
Source: 2013-2017 ACS.

The map on the following figure shows how poverty—roughly equivalent to the “<\$25,000” households captured in the table above—is distributed in the region. The high concentrations in Baltimore County are likely driven by large college student

populations near universities in those neighborhoods. Other than those, and a handful of moderate-poverty areas in the counties, poverty is heavily concentrated in Baltimore City—and very low elsewhere in the region.

About 60 percent of the region's Census tracts have poverty rates of less than 15 percent—the level at which research has shown there are no noticeable, negative effects on community opportunity. If the region's Census tracts with poverty levels of less than 15 percent housed as many as half of the region's residents currently living in concentrated poverty—a highly unusual occurrence—their poverty rates would still be below 8 percent.

Figure III-23.
Poverty by Census Tract, 2016



Source: 2016 5-year ACS.

Racially or Ethnically Concentrated Areas of Poverty (R/ECAPs)

HUD has developed a framework to examine economic opportunity at the neighborhood level, with a focus on racial and ethnic minorities. That focus is related to the history racial and ethnic segregation, which, as discussed in the beginning of this section, often limited economic opportunity.

“Racially or ethnically concentrated areas of poverty,” also known as R/ECAPs, are neighborhoods in which there are both racial concentrations and high poverty rates.

HUD’s definition of an R/ECAP is:

- A census tract that has a non-white population of 50 percent or more (majority-minority) and
- A census tract where the poverty rate is at least either 40 percent or three times the average tract poverty rate for the metropolitan area, whichever is lower. In the Baltimore region, three times the average tract poverty rate is 38.5%, so this analysis uses that threshold.

Why R/ECAPs matter. The 40 percent poverty threshold used in the R/ECAP definition is based on research identifying this to be the point at which an area becomes “socially and economically dysfunctional.” Conversely, research has shown that areas with up to 14 percent of poverty have no noticeable effect on community opportunity.⁷

In the Baltimore metropolitan area, R/ECAPs also correspond remarkably closely with areas that received the yellow and red “hazardous” ratings in the 1937 Home Owners Loan Corporation map in Figure III-1.⁸ As discussed earlier in this section, those ratings warded off private and public investment in those areas for decades, indicating that significant aspects of 20th century public policy contributed to the R/ECAP status of those areas today.

Households within R/ECAP tracts frequently represent the most disadvantaged households within a community and often face a multitude of housing challenges. By definition, a significant number of R/ECAP households are financially burdened, which severely limits housing choice and mobility. The added possibility of racial or ethnic discrimination creates a situation where R/ECAP households are likely more susceptible to discriminatory practices in the housing market. Additionally, due to financial constraints and/or lack of knowledge (e.g., limited non-English information and

⁷ The Costs of Concentrated Poverty: Neighborhood Property Markets and the Dynamics of Decline.” In Nicolas P. Retsinas and Eric S. Belsky, eds., *Revisiting Rental Housing: Policies, Programs, and Priorities*. Washington, DC: Brookings Institution, 116–9.

⁸ This is true in many metropolitan areas, yet not always the case. Some neighborhoods are able to recover from past redlining and concentrated poverty faster than others.

materials), R/ECAP households encountering discrimination may believe they have little or no recourse, further exacerbating the situation.

It is very important to note that many R/ECAPs, while not economically wealthy, are rich in culture, diversity, and community. R/ECAPs are not meant to cast broad judgments on an area, but rather to identify areas where residents may have historically faced discrimination and continue to be challenged by limited economic opportunity.

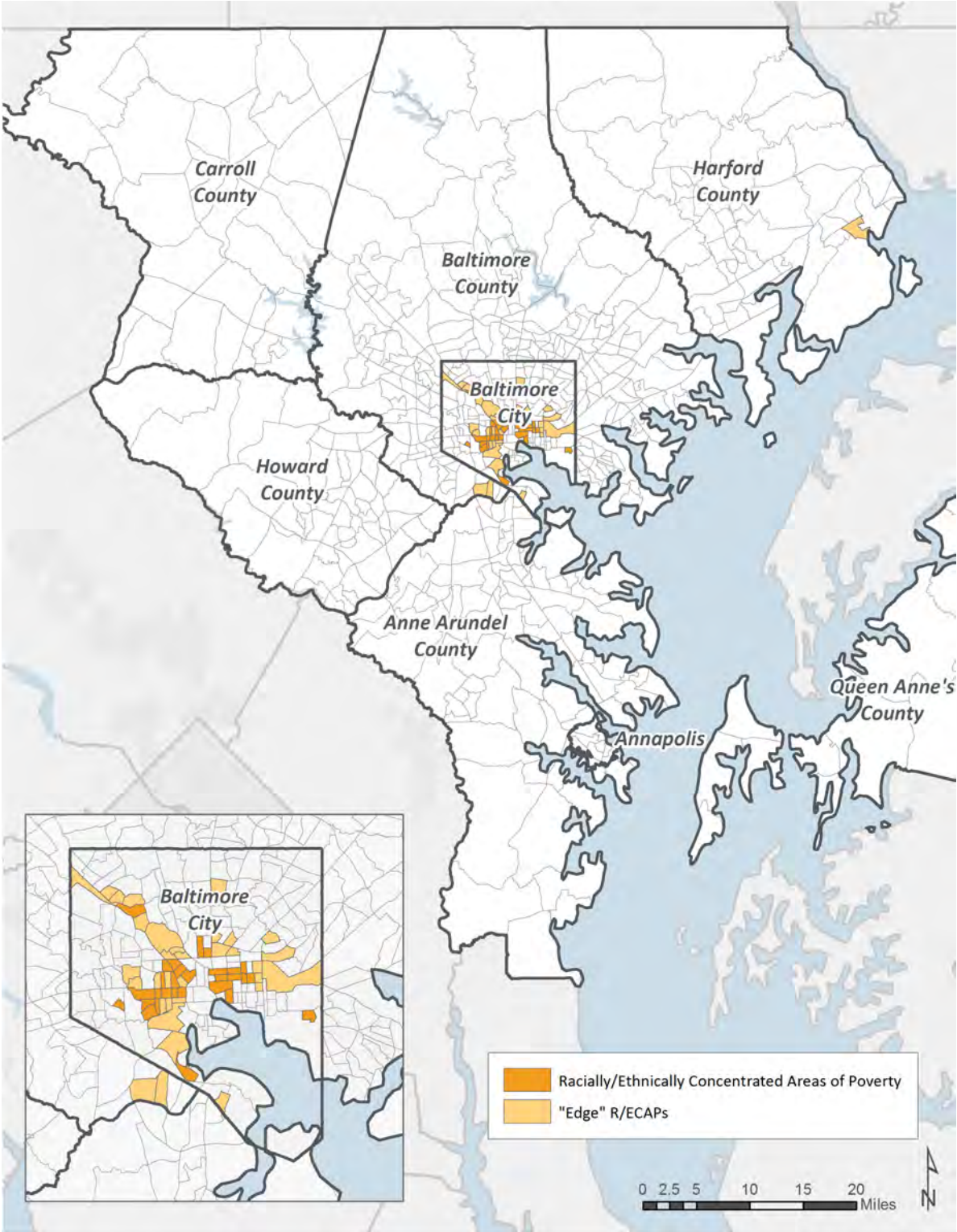
R/ECAP trends. 2016 American Community Survey (ACS) census data identifies 29 R/ECAPs in the region, which are shown in the map in Figure III-24. This is an increase from the 26 R/ECAPs found in 2010 according the Regional Housing Plan.

The map also shows “edge” R/ECAPs, which were added for this study. Edge R/ECAPs show areas that are approaching R/ECAP status: they have 80-99 percent of the threshold poverty level of R/ECAPs.

All of the region’s R/ECAPs are located in Baltimore City. The Edge R/ECAPs suggest that, if poverty continues to increase in the city, the number of R/ECAPs could double and expand geographically.

The number of R/ECAPs in the region has dropped considerably since 2000, when there were 42, according to the 2014 Regional Housing Plan.

Figure III-24.
Racially and Ethnically Concentrated Areas of Poverty, 2016



Source: 2016 5-year ACS.

Characteristics of R/ECAPs. More than 60,000 residents live in R/ECAPs and, of these, nearly 90 percent are African American. The 2014 Regional Housing Plan notes that poor Non-Hispanic White residents in the region are twice as likely than poor African Americans to live in suburban jurisdictions: 78 percent of White residents living in poverty live in suburban (and lower poverty) areas compared to 30 percent of African American residents.

The following table shows the demographics of residents living in the city's—and the region's—R/ECAPs. The data indicate that many of the people living in R/ECAPs are non-families—residents living alone, living with roommates, living in informal settings. Families living in R/ECAPs total 12,757 and, of these, 6,769 are families with children.

BALTIMORE CITY: Table 4 – R/ECAP Demographics

	(Baltimore, MD CDBG, HOME, ESG) Jurisdiction - UPDATED		(Baltimore-Columbia-Towson, MD) Region - UPDATED	
R/ECAP Race/Ethnicity	#	%	#	%
Total Population in R/ECAPs	65,740	-	65,740	-
White, Non-Hispanic	4,565	6.94%	4,565	6.94%
Black, Non-Hispanic	56,702	86.25%	56,702	86.25%
Hispanic	2,558	3.89%	2,558	3.89%
Asian or Pacific Islander, Non-Hispanic	866	1.32%	866	1.32%
Native American, Non-Hispanic	218	0.33%	218	0.33%
Other, Non-Hispanic	122	0.19%	122	0.19%
R/ECAP Family Type				
Total Families in R/ECAPs	12,757	-	12,757	-
Families with children	6,769	53.06%	6,769	53.06%
R/ECAP National Origin				
Total Population in R/ECAPs	65,740	-	65,740	-
#1 country of origin	Trinidad and Tobago	335 0.51%	Trinidad and Tobago	335 0.51%
#2 country of origin	Honduras	228 0.35%	Honduras	228 0.35%
#3 country of origin	Guatemala	219 0.33%	Guatemala	219 0.33%
#4 country of origin	Korea	217 0.33%	Korea	217 0.33%
#5 country of origin	Mexico	215 0.33%	Mexico	215 0.33%
#6 country of origin	Ethiopia	189 0.29%	Ethiopia	189 0.29%
#7 country of origin	Peru	176 0.27%	Peru	176 0.27%
#8 country of origin	El Salvador	153 0.23%	El Salvador	153 0.23%
#9 country of origin	Jamaica	118 0.18%	Jamaica	118 0.18%
#10 country of origin	Brazil	118 0.18%	Brazil	118 0.18%
Note 1: 10 most populous groups at the jurisdiction level may not be the same as the 10 most populous at the Region level, and are thus labeled separately.				
Note 2: Data Sources: Decennial Census; ACS				
Note 3: Refer to the Data Documentation for details (www.hudexchange.info/resource/4848/affh-data-documentation).				

Trends Affecting Diversity and Segregation

The region's future diversity, segregation, and integration depend on a number of factors, including overall population and employment growth, housing availability and pricing, economic conditions, and active efforts to promote racially and economically integrated communities. As discussed earlier in this report, segregation is on an increasingly slight downward trend for African Americans, although African Americans remain by far the most segregated from the region's White population of any racial group. Segregation is on an upward trend for Asian and Hispanic residents, although those current levels are still far below the level of Black/White patterns of segregation in the region. Racially and ethnically concentrated areas of poverty declined significantly from 2000, but increased slightly between 2010 and 2016.

The most important factors in determining future diversity, mitigating the consequences of segregation, and promoting integration will be:

1. Overall employment growth—and whether there are specific efforts to ensure that African American and Latino households will benefit from that growth;
2. The types and geographic placement of new housing development, especially as needed to accommodate a growing workforce and address current housing needs;
3. Investment in under-resourced neighborhoods and aging suburban areas to ensure that the region continues to attract new employers, residents, students, and visitors and that lower income residents of color can gain access to that economic opportunity; and
4. Whether there are specific affirmative marketing and other efforts to promote racially integrated communities as welcoming and desirable places for all to live.

The Maryland Department of Planning estimates that the region will add nearly 55,000 jobs between 2020 and 2025. The region will continue to be the state's primary place of employment, at 49 percent of all jobs. An aging of the region's population will create demand for new residents to fill new jobs. The region is well-positioned to attract employees from pricier areas if it can maintain competitive housing affordability.

The 2014 Regional Housing Study estimated that future housing would increase by 1,100 housing units by 2020. The study also indicated that the private sector was well-equipped to meet demand for market rate units, given that 22,000 multifamily rental units were under construction, planned, or proposed—a 12 year supply, not including vacant units that could be rehabilitated. Adequate Public Facilities Ordinances (APFO) will determine, in part, the timing and location of those developments. A decline in public school enrollment as the region ages may relieve some of the constraints on development associated with APFO.

A slowing of the U.S. economy would temper housing demand and decrease housing prices slightly. This is unlikely to address the region's housing needs, however, as the greatest needs in the region are at the 0 to 30 percent income level (see Section V) which, except in extreme circumstances, market slowdowns do not address. The public sector will need to continue to lead production and subsidies of housing to address the region's most acute housing needs.

It is unclear if levels of segregation in the Baltimore metropolitan area could *increase*, but, given the persistence of the region's high levels of racial segregation, especially for African Americans, and the high level of economic segregation identified in the 2015 Urban Institute *Worlds Apart* study, it seems clear that significant public policy initiatives must be undertaken if the region is ever significantly going to reduce those levels of segregation. Those initiatives would need to include a significant change in the region's neighborhoods that have historically faced disinvestment and a regional commitment to addressing the barriers identified in this study.

Many of those initiatives are included in Section X of this analysis. Without implementation of those initiatives, the benefits of new growth may well fail to address growing inequality, disparities in access to economic opportunity, and the social ills caused by historical discrimination and segregation. If these disparities hinder the growth of local businesses and the attractiveness of the metropolitan area to new businesses, they could end up reducing opportunities available to all residents of the Baltimore region.

SECTION IV.

ACCESS TO OPPORTUNITY

SECTION IV.

Access to Opportunity

As discussed in the 2014 Regional Housing Plan, a growing body of social science research has tied the economic outcomes of adults to the neighborhoods in which they were raised as children. Neighborhood conditions also affect health outcomes: Stressful and high-risk environments have been shown to harm children's cognitive development, the ability to learn and process information, and lifetime health, including life expectancy.

This section examines disparities in access to various types of opportunity in the Baltimore region. Recognizing that the region is a leader on the social determinants of economic and health outcomes, this section reviews applicable research. It focuses on the areas that heavily influence economic outcomes for children and adults: Access to Quality Education; Access to Employment; Transportation Access; and Access to Healthy Communities.

This section builds upon the opportunity work already completed by examining how resident outcomes in the region are affected by access to opportunity. The content and organization of this section is guided by the areas of analysis recommended by the AFH template. This section discusses these topics in the following order:

1. *Differences in Access to Low Poverty Areas (discussed here and in the Demographic Context section);*
2. *Differences in Access to Quality Education;*
3. *Disparities in Employment Readiness and Access to Employment;*
4. *Differences in Transportation Access; and*
5. *Disparities in Community Health Access.*

The section begins by presenting relevant data on these topic areas before summarizing the three primary composite opportunity maps for the region and their implications for access to opportunity by race in the region.

Primary Findings

Access to Low Poverty Areas

- Access to low poverty neighborhoods varies by race and ethnicity within jurisdictions and across the Baltimore region. For residents overall, the difference by race or ethnicity in access to low poverty environments is smallest in Howard County and most pronounced in Baltimore City.

- These differences widen when looking specifically at people in poverty. African American, Hispanic, and Native American residents are much less likely to live in low poverty neighborhoods than poor non-Hispanic White or Asian residents. Low-income Howard County residents are most likely to have access to low poverty neighborhoods, despite differences by race or ethnicity.

Access to Quality Education

- The percentage of schools in Baltimore City and Baltimore County that are racially isolated has increased since 1990; poverty concentrations within schools has also risen.
- Non-Hispanic Black students who attend schools in high-performing suburban districts, namely Howard County and Anne Arundel County, are much more likely to be proficient in reading and math than their counterparts in Baltimore City schools.
- Kindergarten readiness among children in Baltimore City varies by neighborhood, but not as much as reading and math proficiency by 8th grade, suggesting that children may be experiencing an academic slide as they age.

Access to Employment

- Disparities in educational attainment by race/ethnicity are reducing access to living wage jobs: only 24 percent of Black and 27 percent of Hispanic adults have a college degree compared to 43 percent of Non-Hispanic Whites and 63 percent of Asians.
- That said, most jobs in the region do not require a college degree, and the majority are not “family supporting,” defined as paying less than \$22.28 per hour. This is expected to continue. Affordable housing will remain a critical need, especially for workers in the low-wage industries that are critical for supporting economic development.

Transportation Access

- Black residents are the most transit-dependent of the region’s residents when examined by race and ethnicity. They also have the highest unemployment rates and, as such, have the most challenges accessing employment. Inadequate transportation systems and lack of affordable housing in high job-growth areas could compromise their ability to find a job and remain employed.
- Data indicators show that transit access is best and cost is lowest in Baltimore City, including areas of African American concentration. This is largely due to the presence of a variety of transit options including bus service. Yet these data do not consider the opportunity trade-offs in accessing employment opportunities.
- There is a significant mismatch between residents with the greatest needs for employment (unemployed residents in Baltimore City), the location of jobs (increasingly in the suburban counties), and the time it takes on public transit to access those jobs. Households who are dependent on transit have access to far fewer jobs than if they had a car: a worker in the region taking transit could access 17,344 jobs through a 30 minute ride compared to 584,586 jobs by car.

Community Health

- Black residents have lower life expectancy and higher infant mortality rates than other residents in the region, particularly those living in neighborhoods with concentrated poverty.
- Low air quality has a disproportionate impact on African American residents regionwide because Baltimore City has the lowest air quality and the highest proportion of African American residents. Low air quality is linked to higher rates of asthma among Black residents in Baltimore City, and compromises the ability to children to consistently attend school and do well in school. Lead hazards, which can also compromise childhood developmental growth, are also highest in areas with high minority and poverty concentrations.
- The region's residents who live in neighborhoods with extreme poverty have much higher rates of exposure to crime.

Disparities in Access to Low Poverty Areas

HUD provides several “opportunity indices” to assess and measure access to opportunity in a variety of areas, including education, poverty, transportation, and employment, and this chapter draws on those indices in several topic areas. They allow comparison of data indicators by race and ethnicity, for households below the poverty line, between jurisdictions, and for the region overall. They generally provide a good grounding for our analysis of access to opportunity.

HUD indices were available for all jurisdictions covered in this study. The indices introduce the access to opportunity analysis throughout this section.

To interpret these indices, use the following rule: a higher number is always a better outcome. The indices should be thought of as an “opportunity score”, rather than a percentage.

The low poverty index below measures neighborhood exposure to poverty, with proximity to low poverty areas considered to be an advantage. Higher index scores suggest better access to economically strong (i.e. low poverty) neighborhoods.

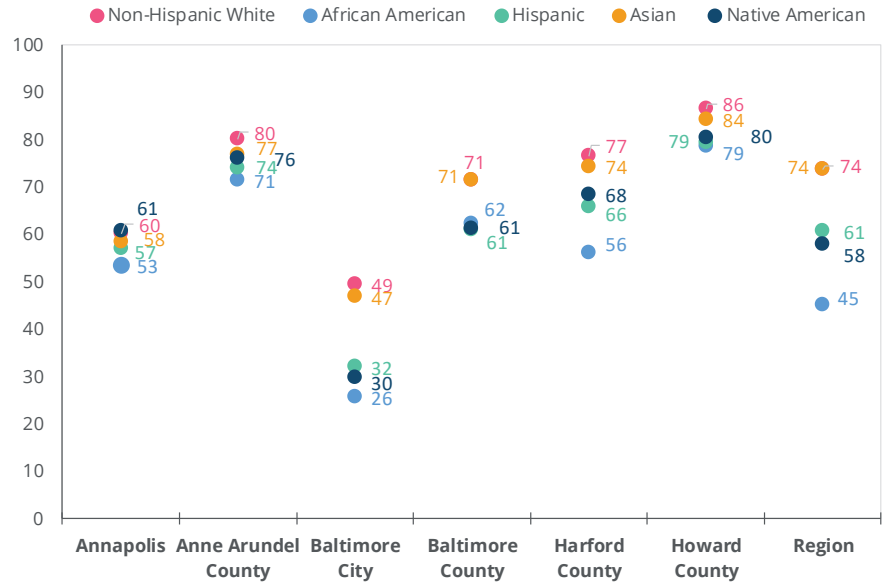
Low poverty index. Figures IV-4a and IV-4b present the low poverty index values by race and ethnicity. It is clear from both figures that access to low poverty neighborhoods varies by race and ethnicity within communities and across the Baltimore region. For residents overall, the difference by race or ethnicity in access to low poverty environments is smallest in Howard County and most pronounced in Baltimore City.

Figure IV-4b demonstrates that *after controlling for poverty status* differences in access to low poverty neighborhoods by race or ethnicity increase overall, but become even more pronounced. Poor African American, Hispanic, and Native American residents are much less likely to live in low poverty neighborhoods than poor non-Hispanic White or Asian residents. Both overall and among residents in poverty, Howard County's residents are most likely to have access to low poverty neighborhoods, despite differences by race or ethnicity.

**Figure IV-4a.
Low Poverty Index,
Total Population**

Note:
Higher numbers indicate greater access to low poverty neighborhoods.

Source:
Root Policy Research from the HUD AFFH-T Table 12, Opportunity Indicators by Race and Ethnicity, Low Poverty Index.

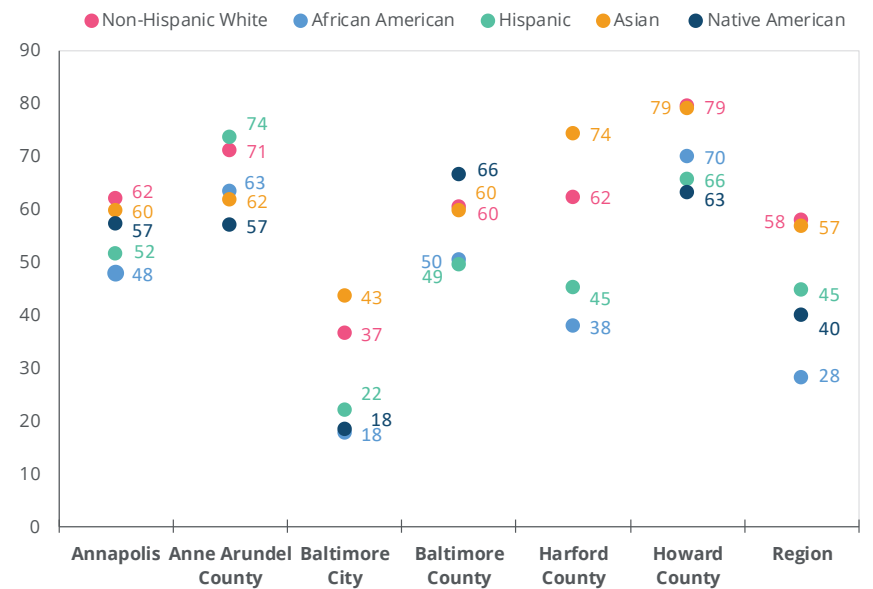


**Figure IV-4b.
Low Poverty Index,
Population Below
the Poverty Line**

Note:
Higher numbers indicate greater access to low poverty neighborhoods.

Insufficient data to report for Native American residents of Harford County in poverty.

Source:
Root Policy Research from the HUD AFFH-T Table 12, Opportunity Indicators by Race and Ethnicity, Low Poverty Index.



Disparities in Access to Quality Education

In many markets, access to quality education heavily influences where families choose to—or aspire to—live. Perceptions about quality education, along with an increasingly competitive environment for access to college and high-paying jobs, has produced a very divisive environment for policies that aim to close the education gap, such as school boundary redistricting, open choice enrollment, charter schools, and socioeconomic integration. In the Baltimore region, an added complication to school access is found in the Adequate Public Facilities Ordinance (APFO), which links the timing and type of housing developed to K-12 school availability.

School proficiency index. As shown in both Figures IV-5a and IV-5b residents of Baltimore City, regardless of race or income, are unlikely to have access to proficient schools. African American and Native American residents are even less likely than White, Hispanic, or Asian residents to have access to proficient schools.

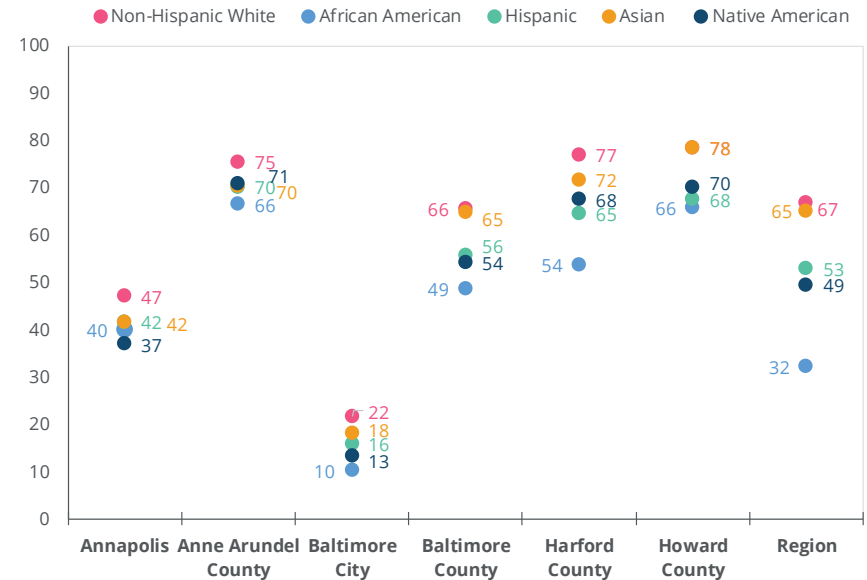
Residents of the counties are most likely to have access to proficient schools, but in each, non-Hispanic White residents and Asian residents are more likely than African American, Hispanic, and Native American residents to live near good schools. In Howard County, access to proficient schools does not change significantly when considering residents in poverty. In contrast, among residents in poverty in Harford County, African American and Hispanic residents are much less likely than other residents to have access to proficient schools.

In Annapolis, residents are less likely to live near proficient schools than county residents, and residents in poverty have slightly higher access.

**Figure IV-5a.
School Proficiency
Index, Total
Population**

Note:
Higher scores indicate greater likelihood of access to proficient schools.

Source:
Root Policy Research from the HUD AFFH-T Table 12, Opportunity Indicators by Race and Ethnicity, School Proficiency Index.

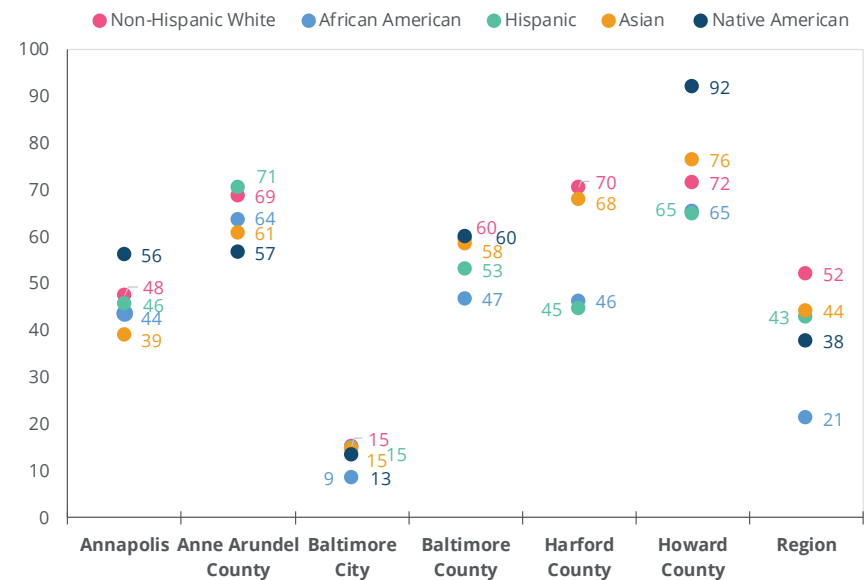


**Figure IV-5b.
School Proficiency
Index, Population
Below the Poverty
Line**

Note:
Higher scores indicate greater likelihood of access to proficient schools.

Insufficient data to report for Native American residents of Harford County in poverty.

Source:
Root Policy Research from the HUD AFFH-T Table 12, Opportunity Indicators by Race and Ethnicity, School Proficiency Index.



Racial segregation in schools. The State of Maryland was one of 17 states with de jure segregation of schools prior to the 1954 *Brown v. Board of Education* decision overturning the separate but equal doctrine. In Baltimore, as in cities across America, many Non-Hispanic, White residents moved to suburban areas after that decision, motivated by fear of how inner city schools may change. School integration programs in Baltimore City were met with much resistance and, as such, were not as aggressively pursued as in some other cities in the U.S. By the mid-1980s, school integration programs had appeared to have made a difference in desegregating schools; at that time, almost 45 percent of Black students in the U.S. attend majority-white schools. However, many studies have found re-segregation of schools in communities since integration programs ended.

As shown in Figure IV-6 below, schools in Maryland today are less likely to be highly White-concentrated, and more likely to be highly minority-concentrated than in 1990. The share of 50 to 90 percent concentrated schools has shifted very little: As of 2014, 66 percent of the state’s schools were either 50 to 90 percent White or minority concentrated, compared to 64 percent in 1990. Figure IV-7 shows the percent of highly concentrated, or “racially isolated”, schools in the region. As in the state, Baltimore City and Baltimore County have seen an increase in the proportion of schools that are racially isolated, along with, to a lesser extent, Anne Arundel and Howard Counties.

Figure IV-6.
Percent of Schools by Racial Composition, Maryland

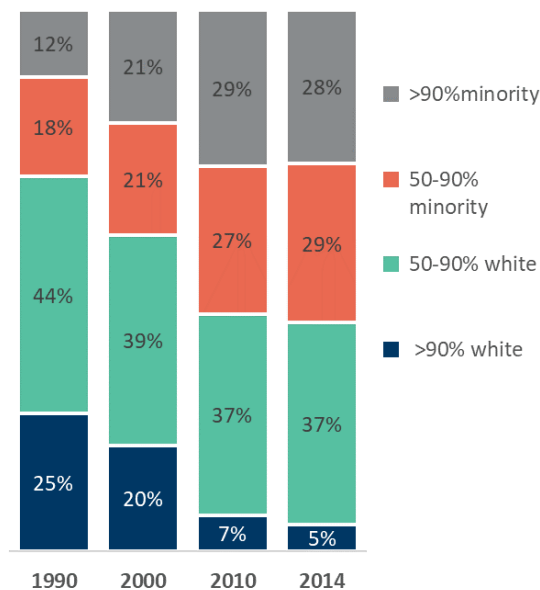


Figure IV-7.
Percent of Racially-Isolated Minority Schools (>90% Minority) by County

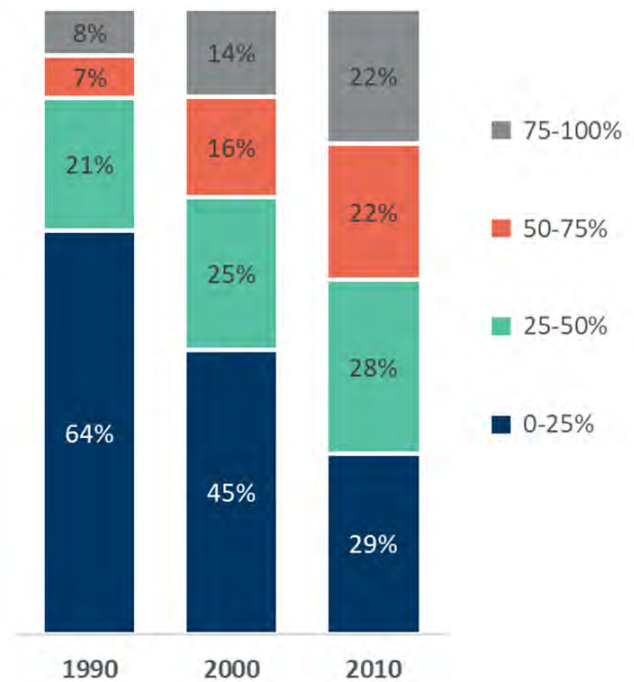
	1990	2000	2010	2014
Maryland	12%	21%	29%	28%
Anne Arundel County	0%	2%	4%	4%
Baltimore City	62%	71%	80%	76%
Baltimore County	2%	11%	20%	19%
Harford County	0%	0%	0%	0%
Howard County	0%	0%	0%	1%

Source: Maryland Equity Project, Data Brief: Trends in Maryland Public Schools: Segregation.

Poverty segregation in schools. Figure IV-8 shows poverty concentrations within the state's schools. In 1990, student poverty ranged from zero to 25 percent in most schools in the state. Just 8 percent of schools were heavily poverty-concentrated (75% to 100% of students living in poverty). Today, fewer than one-third of schools are low poverty schools and nearly one-fifth are heavily poverty-concentrated. Moderate poverty schools (25% to 50%) have stayed relatively level while high poverty (50 to 75%) schools have increased.

Figure IV-8.
Percentage of Maryland Public Schools by Level of Low-Income Concentration

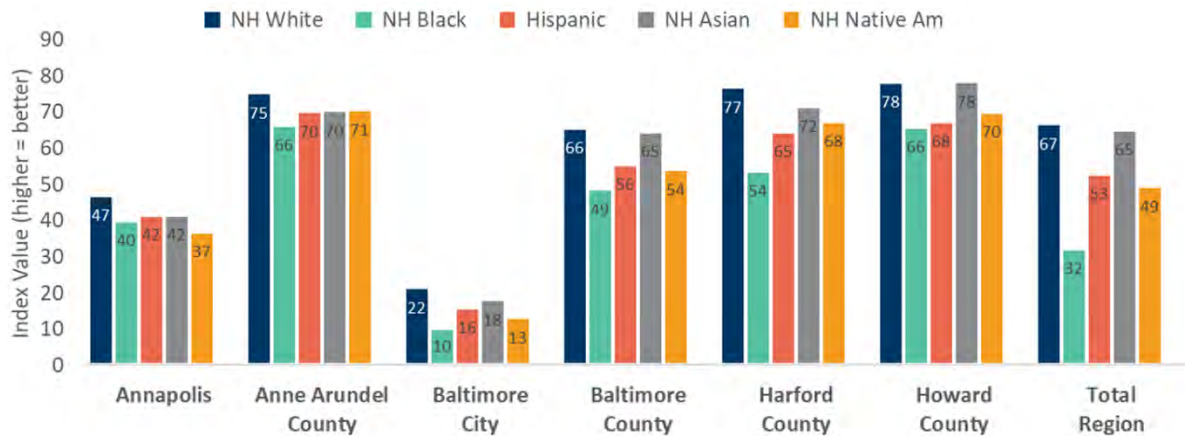
Source:
Maryland Equity Project, Data Brief: Trends in Maryland Public Schools: Segregation.



Gaps in student proficiency. Figure IV-9 shows proficiency of 4th graders in the Baltimore region by race and ethnicity and school district. For the region overall, Non-Hispanic Black students have the lowest proficiency levels at 32 percent. The figure shows a dramatic increase in proficiency for Non-Hispanic Black students attending schools in Howard and Anne Arundel Counties, and, secondarily, Harford and Baltimore Counties. This is also true for Hispanic students, although the gains from attending schools in these districts are lower because Hispanic students have higher proficiency in the region overall.

Anne Arundel County and Howard County have the most equitable proficiency results across races and ethnicities.

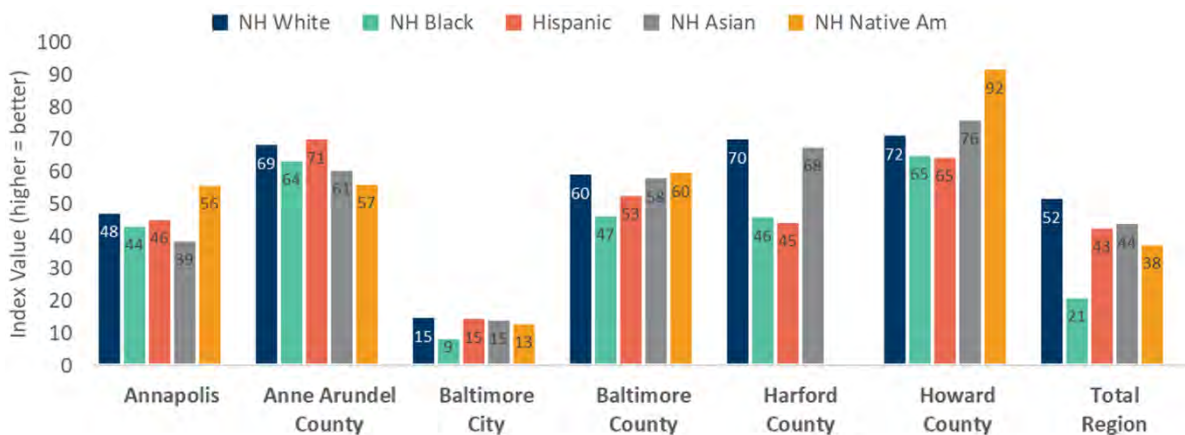
Figure IV-9.
HUD AFFH Opportunity Indicator: School Proficiency Index (All Residents)



Source: HUD AFFHT, based on 2013 data of 4th grade math/reading scores.

Figure IV-10 takes this a step further, comparing proficiency by race, ethnicity, and poverty. Howard County does the best job equalizing proficiency among students living in poverty, followed by Anne Arundel County.

Figure IV-10.
HUD AFFH Opportunity Indicator: School Proficiency Index (Residents in Poverty)



Source: HUD AFFHT, based on 2013 data of 4th grade math/reading scores.

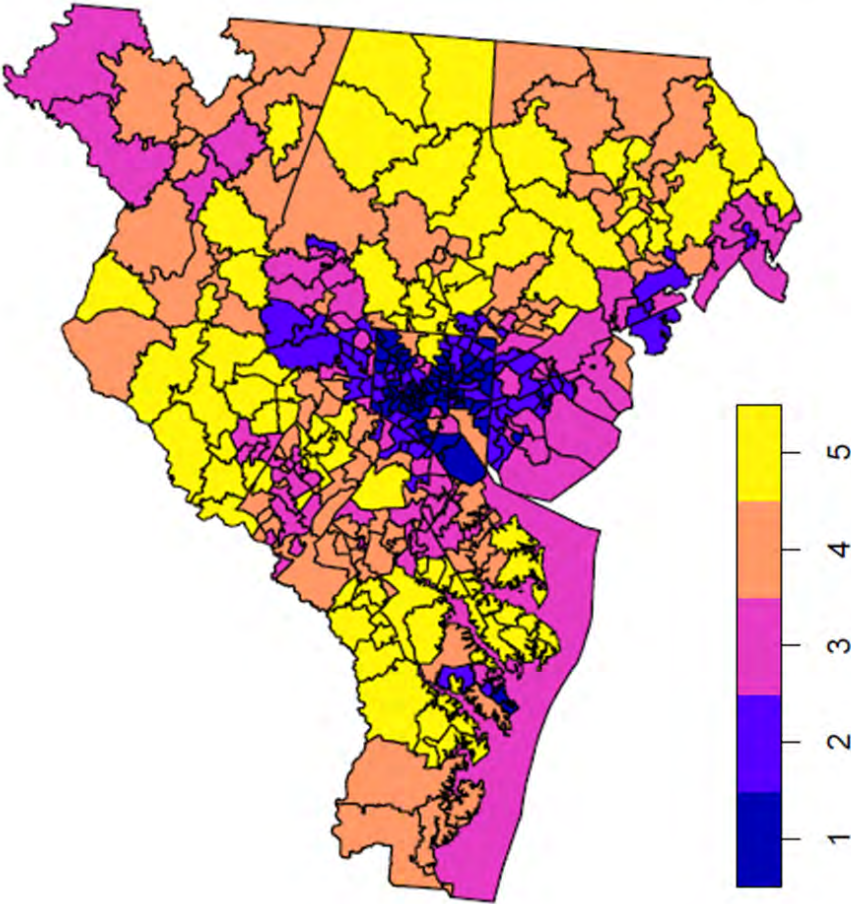
The following maps show proficiency levels geographically based on state proficiency data first for English language subjects and then for math. Overall, proficiency scores are the highest in suburban and rural parts of the region and lowest in the City of Baltimore and immediately surrounding areas. Math scores are lower than English language scores in many areas of the region.

Asthma in children, which is discussed in the Community Health disparities section, is a major challenge for low income children living in parts of the region with poor

environmental conditions, namely Baltimore City. Asthma is the primary cause of school absences, limits the ability to learn, and also affects the ability of parents to keep regular employment. Neighborhoods with the highest rates of child asthma are also those with the lowest-performing schools.

Figure IV-11.
English Language
Arts Met or Better
Quintile

Source:
Baltimore Regional Housing
Partnership, based on MSDE
data.



**Figure IV-12.
Mathematics Met
or Better Quintile**

Source:

Baltimore Regional Housing
Partnership, based on MSDE
data.

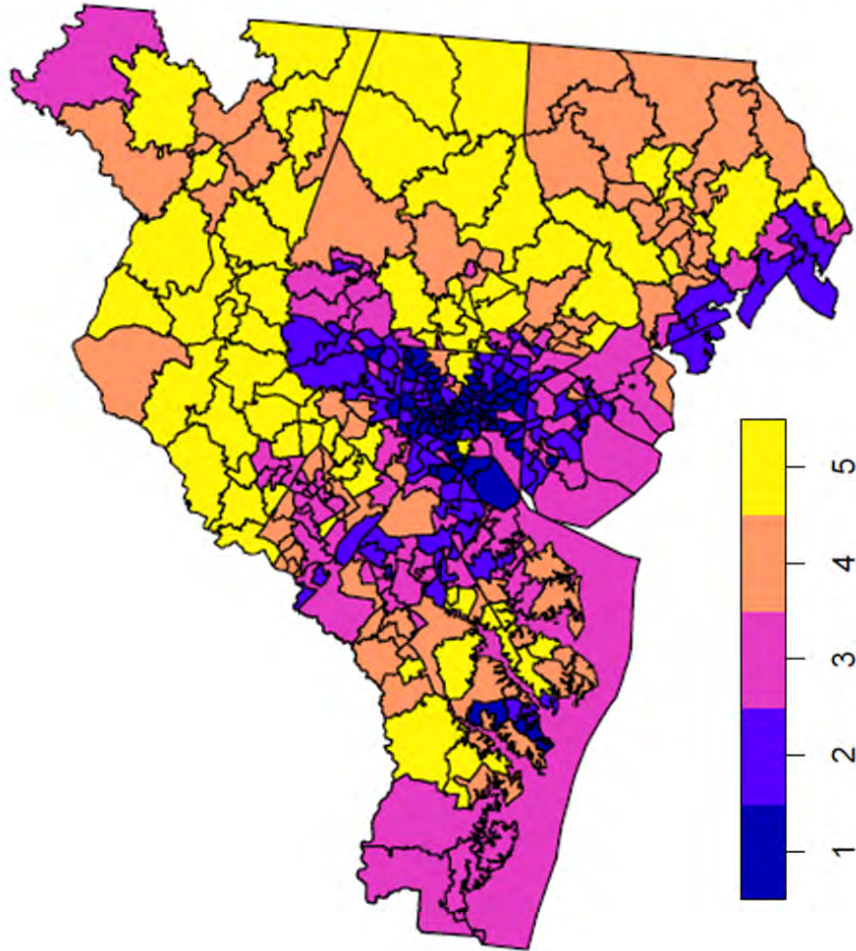


Figure IV-13 summarizes proficiency statistics by jurisdiction, poverty level (measured by free and reduced meals, or FARM), and race and ethnicity. The relationship between FARM students and proficiency levels is striking: highly poverty-concentrated schools, exhibited in Baltimore City, have the lowest levels of proficiency, while low poverty concentrations (namely, Howard County) have the highest levels of proficiency.

Access to high proficiency schools also varies by race and ethnicity: African American children living in Baltimore City are highly likely to attend a low performing school.

Figure IV-13.
Summary Statistics by Jurisdiction, 2016

	Num. of Schools	Avg School % FARM	Avg School % Black	Avg School % White	Avg School % Prof. or Higher	Minus State Avg Prof. or Higher
Maryland	1,329	48.6%	36.5%	40.2%	32.3%	n/a
Anne Arundel County	113	36.1%	20.5%	57.2%	40.3%	+8%
Baltimore City	162	85.2%	83.6%	8.1%	10.4%	-22%
Baltimore County	172	49.2%	38.3%	42.5%	31.8%	-1%
Harford County	53	34.0%	18.1%	66.0%	41.3%	+9%
Howard County	74	22.0%	23.1%	41.5%	47.8%	+15%

Source: Maryland Equity Project, Policy Brief: Does School Composition Matter?

The following three maps focus on Baltimore City and show Kindergarten readiness and proficiency in 8th grade as measured by state tests in reading and math. The outcomes in reading and math are similar, with proficiency very low in West Baltimore and highest in North and Central Baltimore.

**Figure IV-14.
Percentage of 8th
Grade Students who
Met or Exceeded
PARCC Reading,
2015-2016**

Note:

Map created by BNIA-JFI, 2019.

Source:

Baltimore Neighborhood Indicators
Alliance (bniajfi.org) and Baltimore
City Public School System.

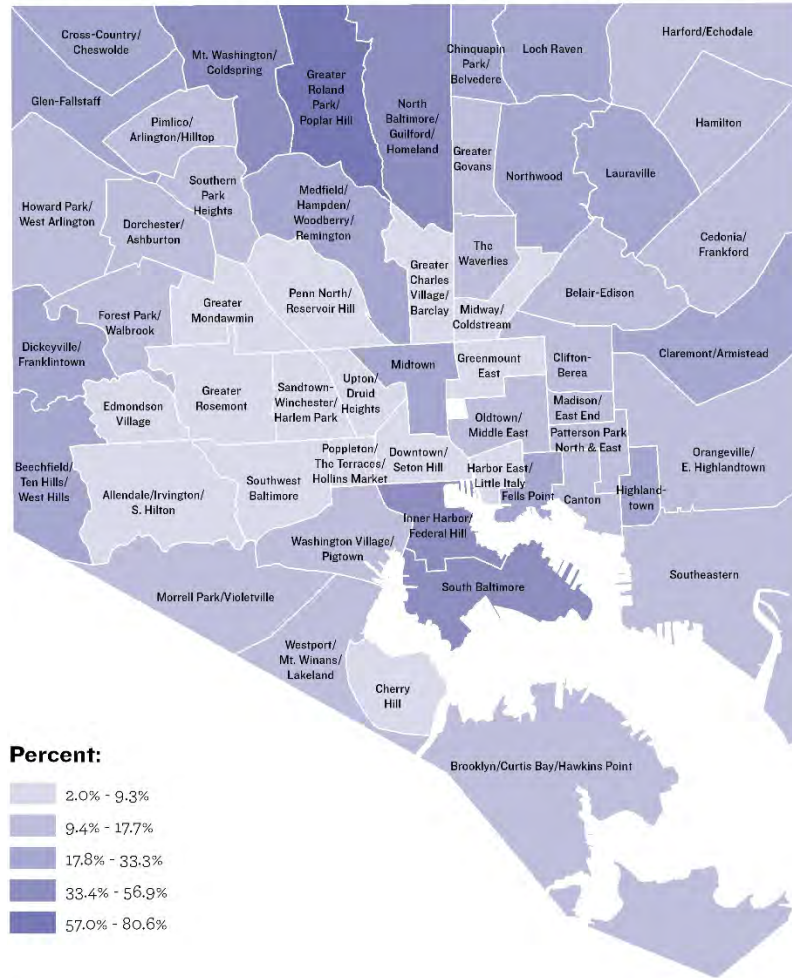


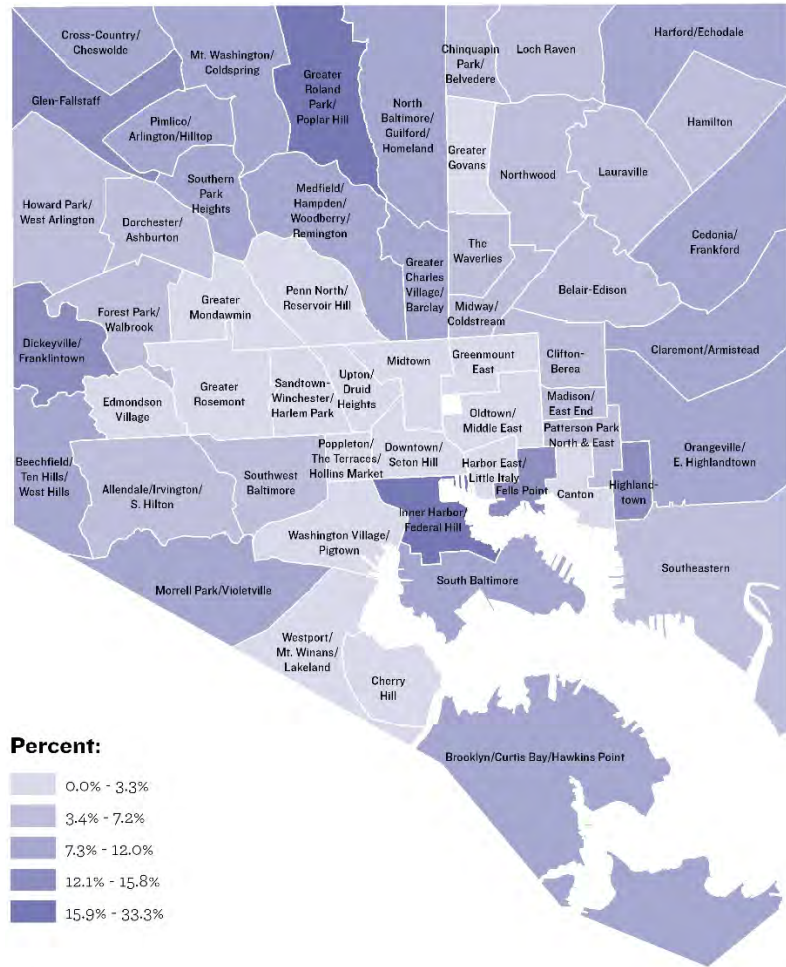
Figure IV-15.
Percentage of 8th
Grade Students who
Met or Exceeded
PARCC Math, 2015-
2016

Note:

Map created by BNIA-JFI, 2019.

Source:

Baltimore Neighborhood Indicators
 Alliance (bniajfi.org) and Baltimore
 City Public School System.

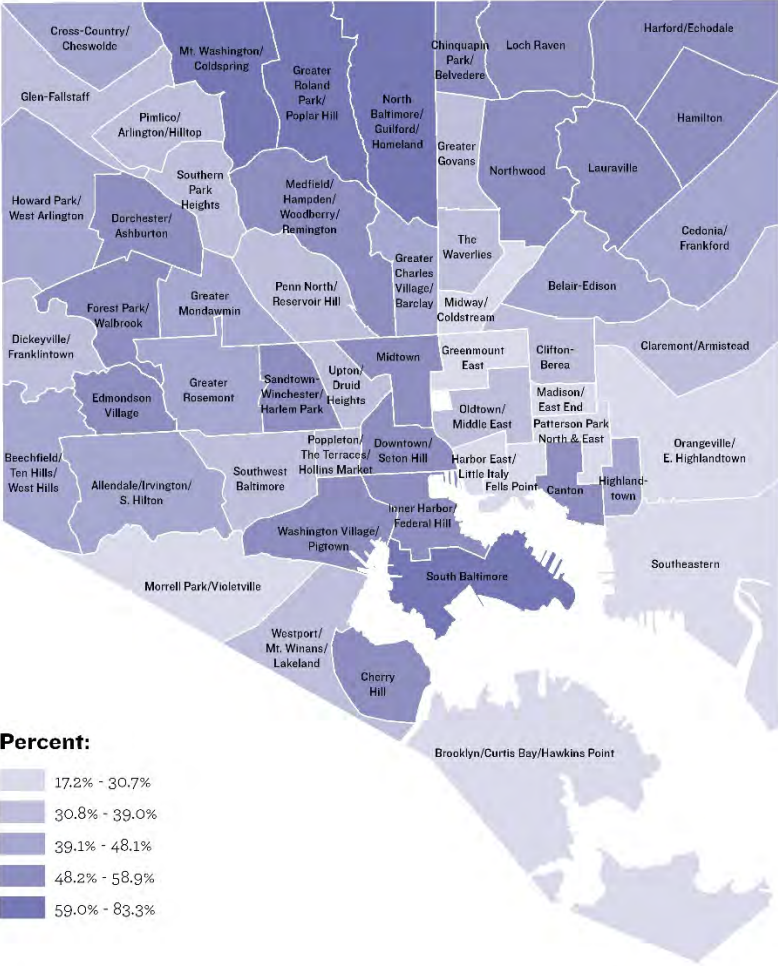


More striking, however, is the comparison between the maps above the and Kindergarten Readiness map below: Kindergarten readiness is moderate in many neighborhoods—e.g., Sandtown, Downtown, Edmonson Village—that have extremely low proficiency math and ready scores in 8th grade. Preventing these school-ready Kindergarteners from experiencing an academic slide as they age is imperative for furthering opportunity.

Figure IV-16.
Kindergarten
Readiness, 2015-2016

Note:
Map created by BNIA-JFI, 2019.

Source:
Baltimore Neighborhood Indicators Alliance (bniajfi.org) and Baltimore City Public School System.



Despite the differences in school proficiency, graduation rates among African American students are on par with White students. Hispanic students, however, have lower graduation rates than students of other races, particularly in Baltimore City.

Figure IV-17.
Graduation Rates

	All Students	Asian	Black	Hispanic	White
Anne Arundel County	89%	93%	88%	76%	91%
Baltimore City	71%	84%	72%	52%	70%
Baltimore County	89%	96%	90%	77%	89%
Harford County	89%	100%	83%	80%	91%
Howard County	92%	96%	90%	76%	96%

Source: State of Maryland Dept of Education 2017 Report Card data; Four-Year Adjusted Cohort Graduation Rate.

A recent study by Stefanie DeLuca, Associate Professor of Sociology at Johns Hopkins University, and Peter Rosenblatt, a Postdoctoral Research Fellow also at Johns Hopkins, found that families who moved to mixed-race, low poverty communities from the City of Baltimore through the Baltimore Mobility Program “greatly increased” the quality of schools attended, as measured by academic performance and teacher qualifications. The researchers concluded that [access to] “middle class schools can positively influence student achievement.”

As discussed below, school funding is also a factor in school success, yet has been more challenging to address.

Technology and access. Schools and students are increasingly dependent on access to computers and the Internet to complete homework assignments. Children without access to a computer or the Internet at home typically rely on public libraries, whose hours are not always convenient for working families. Figure IV-18 shows where access is lacking on Baltimore City based on the percentage of families with Internet access at home. In areas of West and East Baltimore, more than one-third of families have no home Internet access.

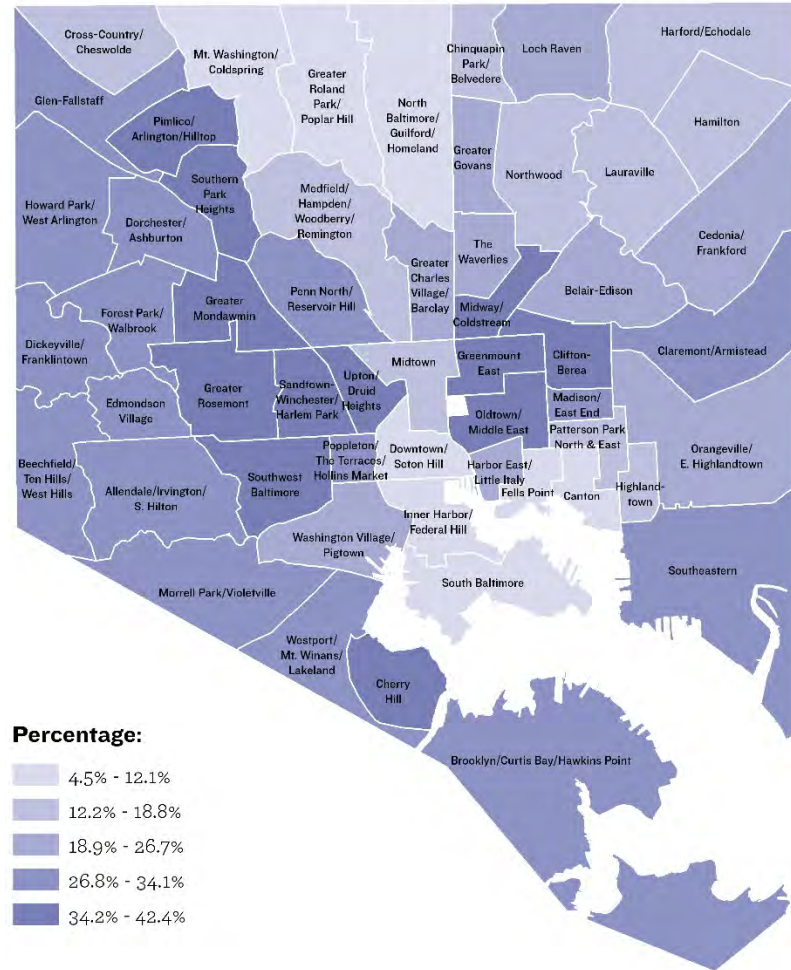
Figure IV-18.
Percent of
Households with No
Internet at Home,
2013-2017

Note:

Map created by BNIA-JFI, 2019.

Source:

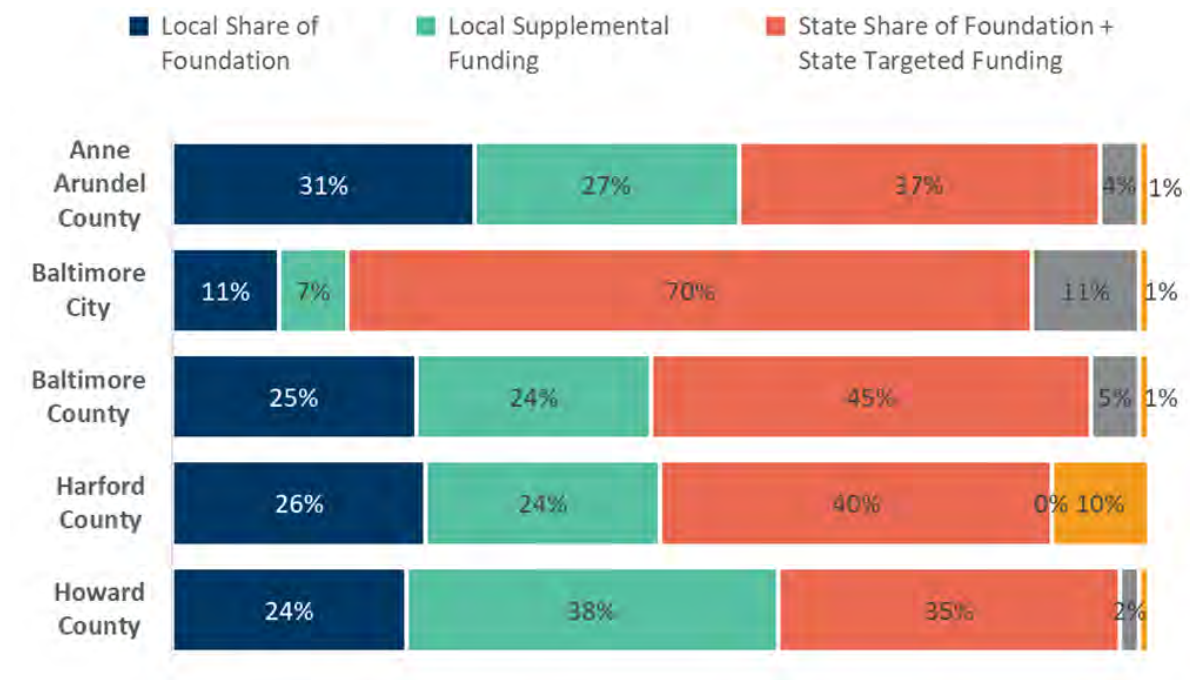
Baltimore Neighborhood Indicators
Alliance (bniajfi.org) and American
Community Survey.



School funding. Changes in school finance—many prompted by lawsuits—over the past forty years have attempted to improve schools through equalization of funding across districts. The region’s current funding based on “adequacy models” is shown in Figure IV-19. Baltimore City schools are the most dependent on State funding. Howard County is exceptional for its relatively large share of supplemental, locally-generated funding.

At the time this section was prepared, a state commission—the Kirwan Commission—had issued a preliminary report about addressing the challenges in Maryland’s schools.

Figure IV-19.
Adequacy Model Funding



Note: Changes pending based on implementation of Kirwan Commission recommendations.

Source: Maryland Equity Project, Policy Brief: Funding Formulas and Revenue Streams..

The Kirwan Commission recommendations for equalizing school quality included:

1. Expanding access to high-quality, full day pre-Kindergarten that is free for low and moderate income families (income up to \$75,000 for a family of four).
2. Increasing teacher pay and raising qualifications standards for teachers.
3. Expanding educational attainment through a College and Career Readiness program and a redesigned Career and Technical Education pathway.
4. Revising funding models to provide more resources for special education students, ESL students, and schools with high concentrations of student poverty.

Employment Disparities

Figure IV-21 below shows the dramatic disparities in unemployment rates in the Baltimore region. The regional unemployment rate of Black residents is more than twice as high as that for White and Asian residents. In Baltimore City, African American unemployment is nearly 16 percent, more than three times the 5 percent rate for Non-Hispanic White residents and 3.8 percent for Asian residents. Unemployment for Hispanic residents falls in the middle at 7.3 percent. Unemployment rates are highest for Black residents in every jurisdiction in the region except for in Baltimore County, where the rate for Hispanic residents is higher.

Overall, Black unemployment is lowest in Baltimore County and Hispanic unemployment is lowest in Annapolis.

**Figure IV-21.
Unemployment
by Race/Ethnicity,
2015**

Source:
Bureau of Labor Statistics.

	White, non-Hispanic	Black	Asian	Hispanic
Total Region	4.9%	11.4%	4.4%	6.4%
Annapolis	3.2%	12.1%	4.1%	4.2%
Anne Arundel County	5.1%	8.1%	4.6%	4.9%
Baltimore City	5.0%	15.9%	3.8%	7.3%
Baltimore County	5.1%	7.6%	4.8%	7.9%
Harford County	5.4%	9.4%	7.3%	4.8%
Howard County	3.3%	8.6%	3.8%	6.5%

Figure IV-22 shows the location of unemployed residents in Baltimore City. Unemployment rates are high in many parts of East and West Baltimore.

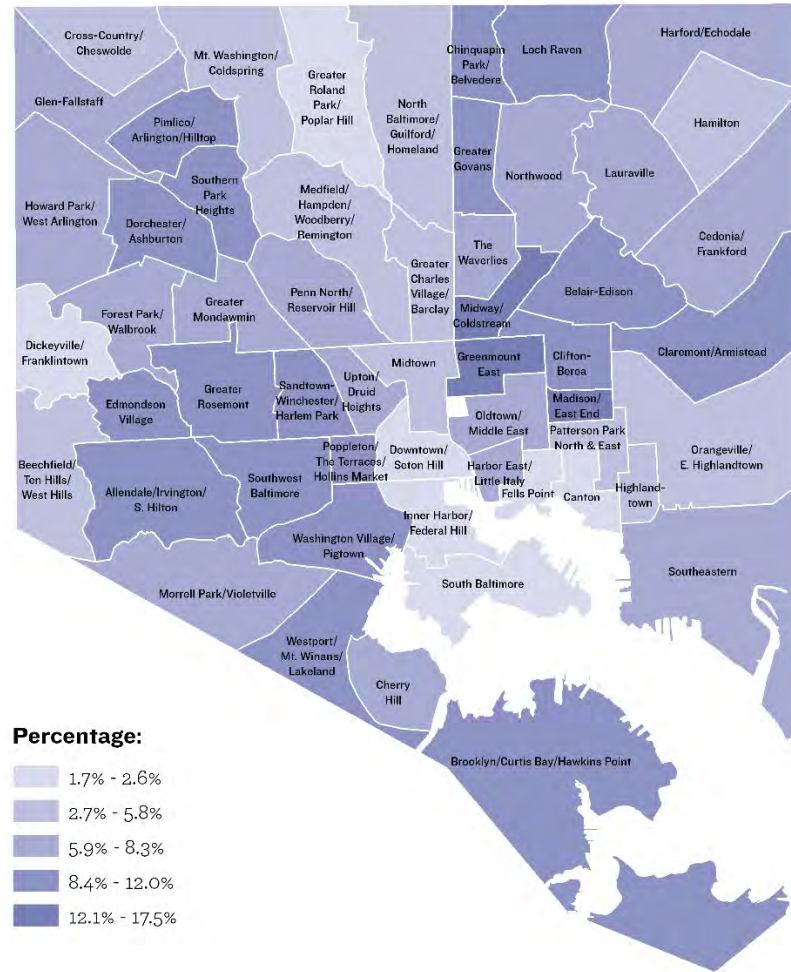
**Figure IV-22.
Percent Population
Ages 16-64 Who are
Unemployed, 2013-
2017**

Note:

Map created by BNIA-JFI, 2019.

Source:

Baltimore Neighborhood Indicators
Alliance (bniajfi.org) and American
Community Survey.



Some of the employment disparity is related to differences in educational attainment. However, as shown in the following graphic, Hispanic residents have lower educational attainment than Black residents, as measured by the proportion who have graduated from high school. Yet Black unemployment is much higher than Hispanic unemployment, suggesting that discrimination in the market, differences in skill sets, and differences in eligibility factors (e.g., criminal record) create disparities in job access for Black residents.

**Figure IV-23.
Educational
Attainment by
Race/Ethnicity,
Baltimore
Region**

Source:
2016 5-year ACS.

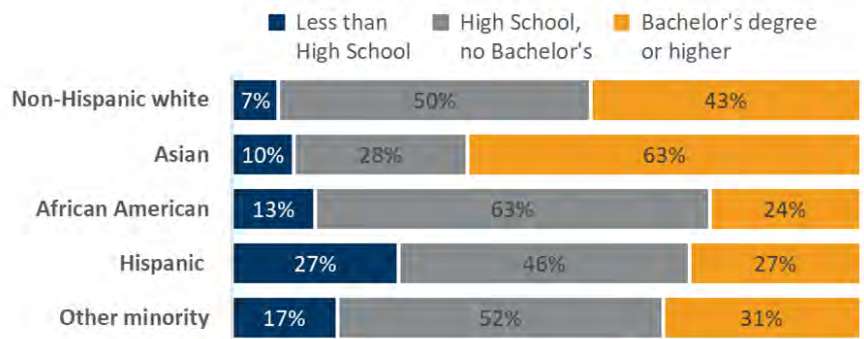
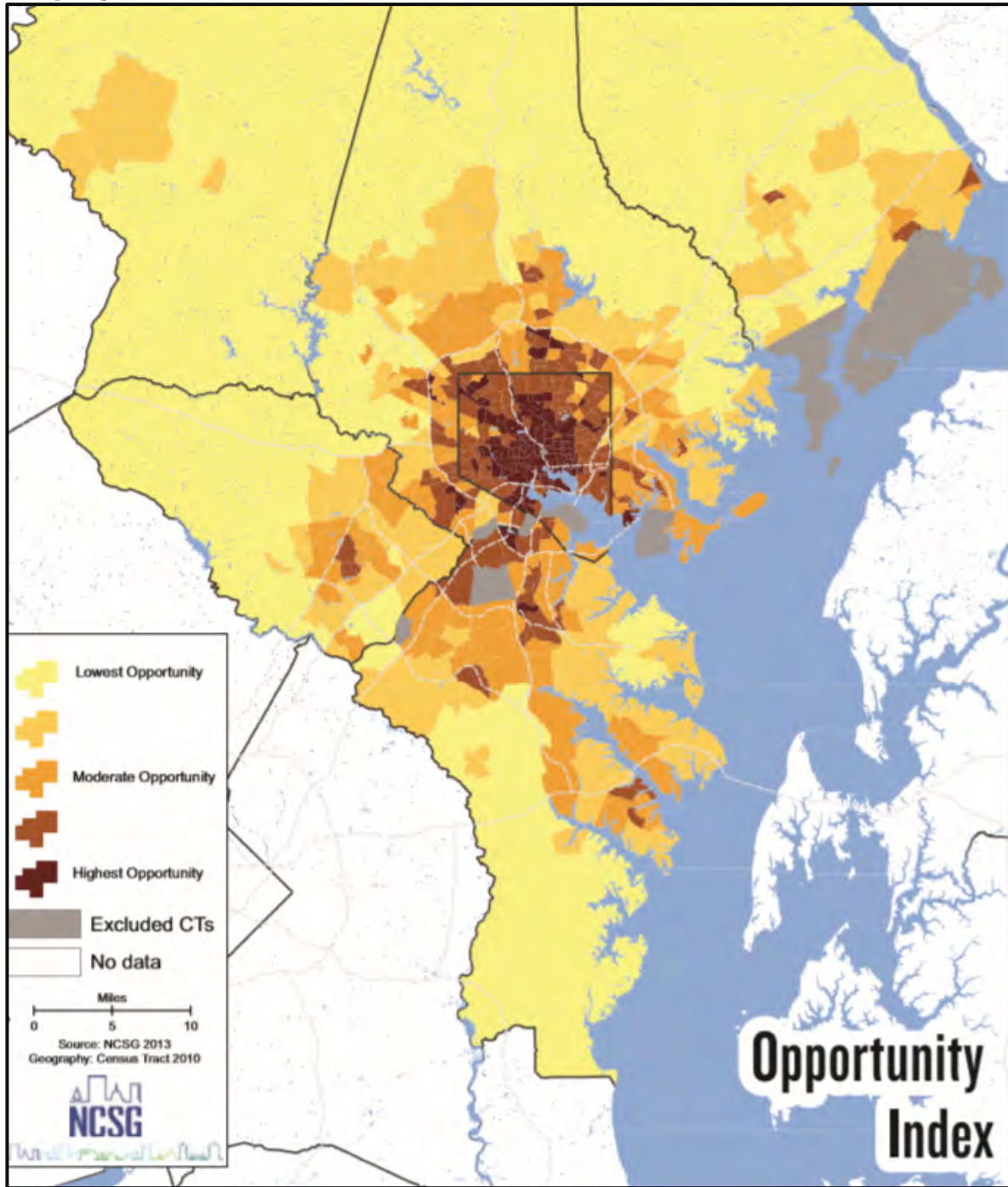


Figure IV-24 below is from *Strong Communities, Strong Region: The Baltimore Regional Housing Plan and Fair Housing Equity Assessment*, published in 2014. That plan included the development of a set of opportunity indicators customized to the Baltimore region, chosen and refined by a group of public and private stakeholders (the Opportunity Mapping Advisory Panel, or OMAP). Those stakeholders worked through a BMC-sponsored HUD-funded Sustainable Communities initiative known as the Opportunity Collaborative and led by the University of Maryland National Center for Smart Growth

Access to employment is one of the six groupings of indicators that comprise the composite opportunity map discussed later in this chapter. As Figure IV-24 demonstrates, geographic proximity to employment, unlike most of the other indicators in the OMAP, is strongest in Baltimore City, which remains the regional jobs center.

Figure IV-24.
Employment and Workforce Index



Source: NCSG 2013.

The HUD indices in Figures IV-25a and 25b show, however, that this spatial proximity to job density does not result in higher labor force participation for Baltimore City residents who are Black and Hispanic. In fact, the HUD indices show a very different result from Figure IV-24—that African American and Hispanic residents have lower access to employment. This may well be because the HUD index weighs *competition* for the jobs in addition to the number of jobs. While there are more *jobs* in Baltimore City, the city's significantly higher unemployment rate means that there are many more *job seekers* as well. Factoring in that demand for jobs, the proximity advantage appears to go to White and Asian residents of Baltimore City.

Labor market engagement index. With respect to labor market engagement, Howard County residents have the highest index scores with modest differences by race or ethnicity, and these high scores persist among residents in poverty. In Annapolis, Hispanic residents have the lowest labor market engagement scores, but this shifts to Asian residents when the analysis is limited to residents in poverty. Hispanic, African American, and Native American residents of the remaining communities have lower labor market engagement scores than Asian and Non-Hispanic White residents, and these disparities increase significantly in Baltimore City and Harford County among residents in poverty. Like residents of Howard County, Anne Arundel County residents' labor market engagement scores cluster together, both overall and among residents in poverty, with smaller disparities between the highest and lowest scores. In Baltimore County, much of the racial and ethnic disparity in labor market engagement goes away among residents in poverty.

Figure IV-25a.
Labor Market Engagement Index, Total Population

Note:

Higher index scores suggest residents are more engaged in the labor market.

Source:

Root Policy Research from the HUD AFFH-T Table 12, Opportunity Indicators by Race and Ethnicity, Labor Market Engagement Index

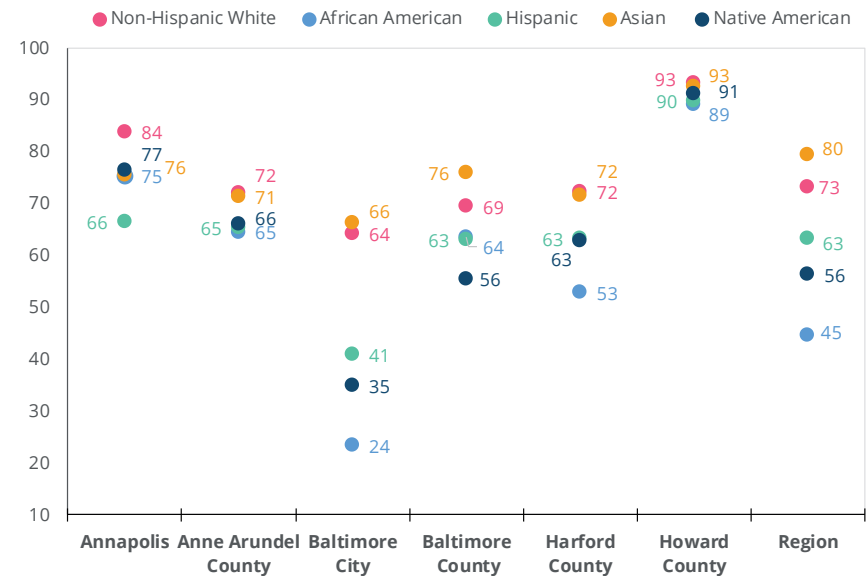


Figure IV-25b.
Labor Market Engagement Index, Population Below the Poverty Line

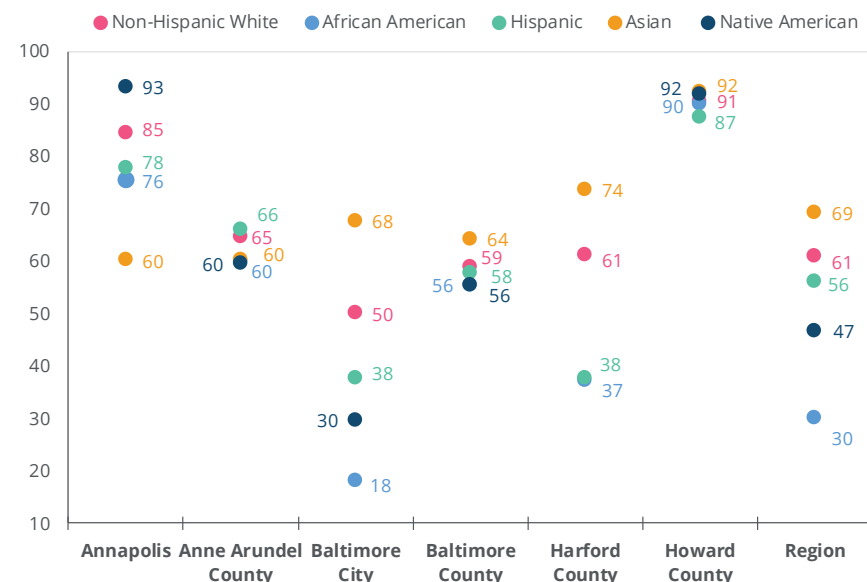
Note:

Higher index scores suggest residents are more engaged in the labor market.

Insufficient data to report for Native American residents of Harford County in poverty.

Source:

Root Policy Research from the HUD AFFH-T Table 12, Opportunity Indicators by Race and Ethnicity, Labor Market Engagement Index



Job proximity index.

Residents of Howard County, Harford County, and to a lesser extent Baltimore County and Anne Arundel County, have similar access to major employment centers, regardless of their race or ethnicity. In Annapolis, Non-Hispanic White and Native American residents are more likely than others to have access to employment centers. In Baltimore City, Non-Hispanic White are more likely than African American residents to have access to employment centers, and this disparity remains even among residents in poverty.

As shown in Figure IV-26b, differences in access to employment centers by race or ethnicity increase among residents in poverty in all of the participating jurisdictions. In some cases, residents in poverty have better access than the population overall (see Howard County, Non-Hispanic Whites in Harford County, Native Americans in Baltimore County, Anne Arundel County, and Native American, Hispanic, and African American residents of Annapolis).

Figure IV-26a.
Job Proximity Index, Total Population

Note:

The higher the index, the greater the access to nearby employment centers for residents in the area.

Source:

Root Policy Research from the HUD AFFH-T Table 12, Opportunity Indicators by Race and Ethnicity, Job Proximity Index.

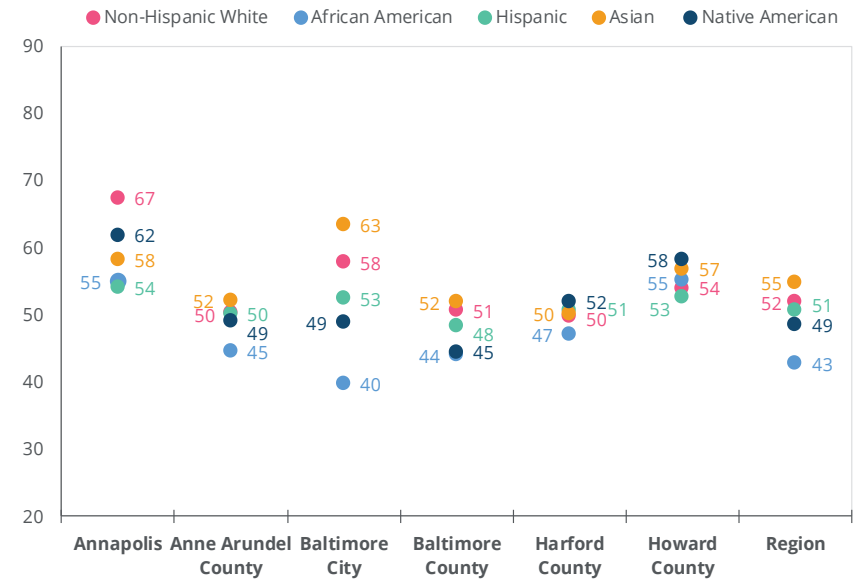


Figure IV-26b.
Job Proximity Index, Population Below the Poverty Line

Note:

The higher the index, the greater the access to nearby employment centers for residents in the area.

Insufficient data to report for Native American residents of Harford County in poverty.

Source:

Root Policy Research from the HUD AFFH-T Table 12, Opportunity Indicators by Race and Ethnicity, Job Proximity Index.

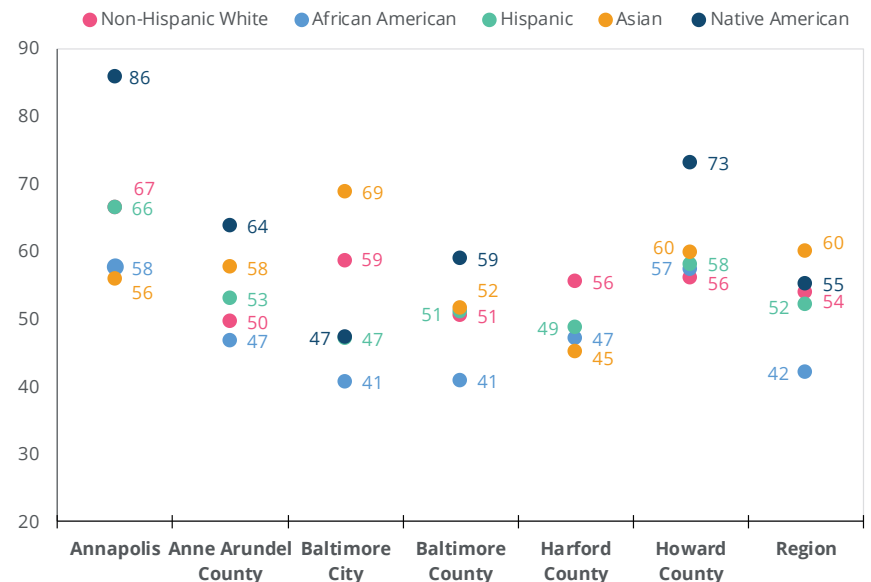
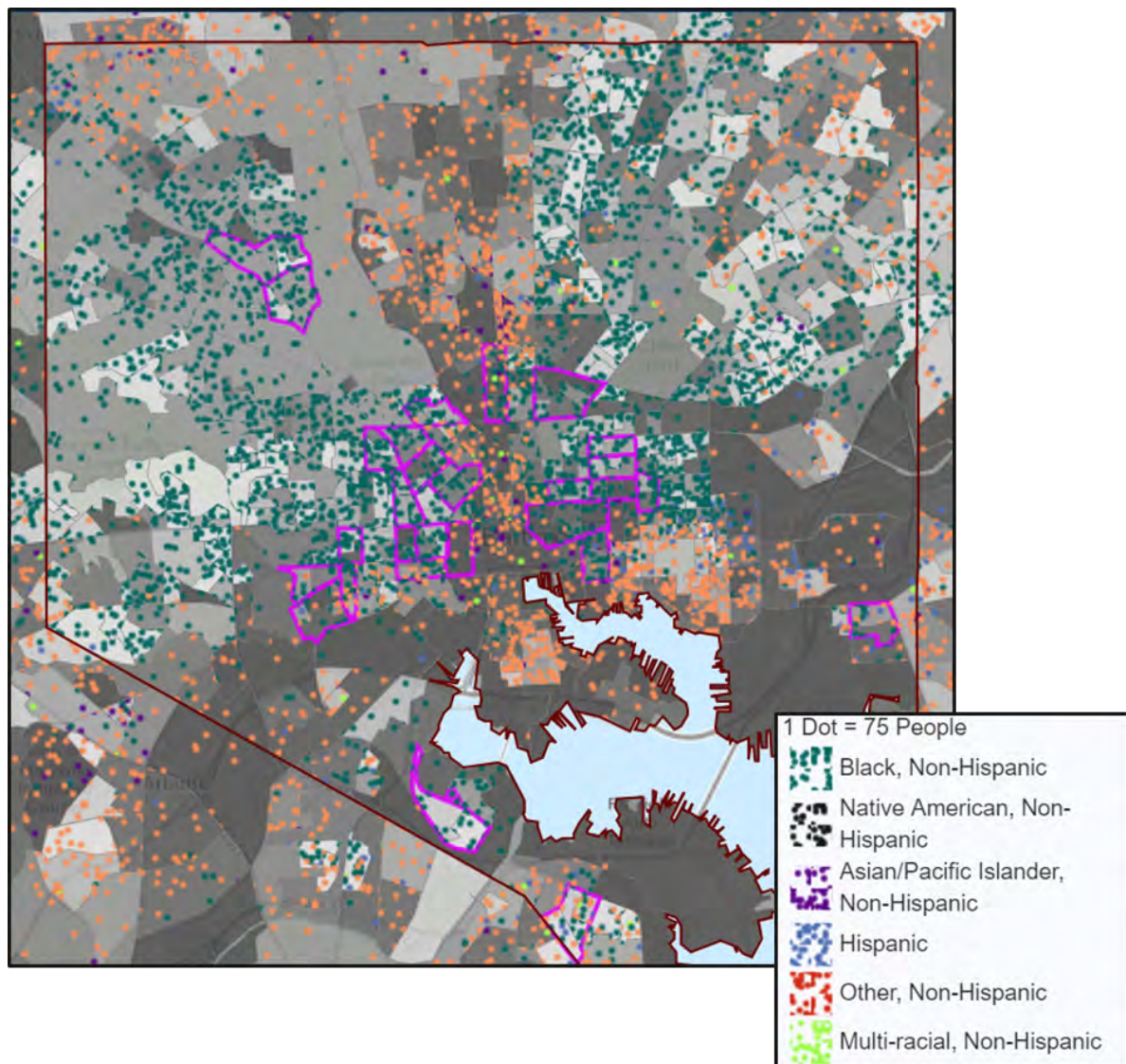


Figure IV-27 illustrates the job proximity disparity spatially for Baltimore City. Darker shaded areas have a higher concentration of jobs relative to the number of residents competing for those jobs, and lighter shaded areas have lower concentration of jobs *relative to the demand for those jobs*. As the map demonstrates, Non-Hispanic White residents—indicated by the orange dots—have the closest proximity to jobs, although the differences in access to major employment centers is not large—in some cases, a few neighborhoods. This is also true for the African Americans living in the central city but less true for those living in northwest and northeast Baltimore, where jobs are lacking. Citywide, the job proximity index suggests that White and Asian residents have a significant advantage in accessing jobs in demand, according to this index.

Figure IV-27.
Job Proximity, Baltimore City



Source: HUD AFFH Data and Mapping Tool.

Another challenge with job access is finding a job that pays well enough to support a household—particularly for workers without a bachelor’s degree. As shown in Figure IV-24, the majority of residents of all races and ethnicities—Asians excepted—do not have a college degree.

Figure IV-28 shows the number of current and expected jobs in the region that are “family supporting”—i.e., that pay a living wage and do not require a college degree. Currently, most family supporting jobs are located in Baltimore County and Baltimore City. The growth in new, family supporting jobs, however, is likely to be strongest in Anne Arundel County, at nearly 9,000 new jobs. A one-earner household seeking one of these new jobs in Anne Arundel County would earn about 50 percent of the Area Median Income and need some level of publicly-supported housing to live near their place of work.

Figure IV-28.
Total Jobs and Family-Supporting Jobs (More than \$22.28/hour without Requiring Bachelor’s Degree)



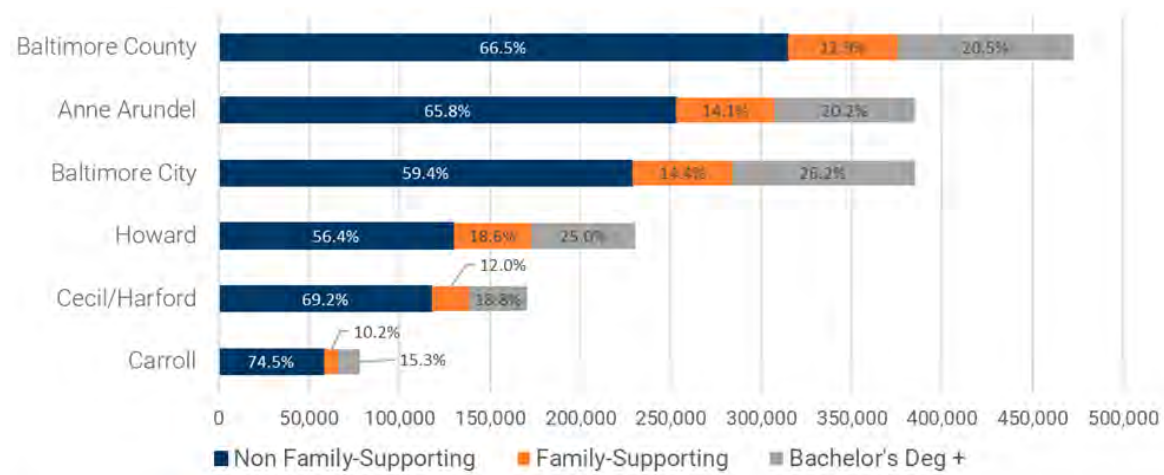
27C Summary of Jobs and Total Demand in the Baltimore Region by Local Area: Family-Supporting Jobs

Local Area	2016 Jobs	2026 Jobs	New Jobs	% New Job Growth (2016–2026)	Hiring from Separations	Total Demand
Anne Arundel	44,478	53,700	9,222	20.7%	44,962	54,184
Baltimore City	57,987	61,096	3,109	5.4%	52,448	55,557
Baltimore County	57,170	63,186	6,016	10.5%	55,034	61,050
Cecil/Harford	17,386	20,556	3,169	18.2%	17,341	20,510
Carroll	7,035	8,065	1,030	14.6%	6,903	7,933
Howard	34,580	41,241	6,661	19.3%	36,153	42,814

Source: BMC Family-Supporting Jobs Report, July 2018.

Figure IV-29 shows the distribution of jobs in the region by those that require a college degree and those which will have high enough wages to support a family—as well as those that will not. Similar to current employment conditions, in 2026, the majority of jobs in the region will *not be* “family supporting”; they will pay less than \$22.28 per hour. Most will not require a college degree. Affordable housing will become a more critical economic development issue as the region continues to grow jobs where workers earn less than 50 percent of the area median income.

Figure IV-29.
Distribution of Total Demand for Jobs by Type and Local Area, 2016-2026



Source: BMC Family-Supporting Jobs Report, July 2018.

Disparities in Transportation Access

Like employment, a variety of indicators are available to measure access to transportation including availability and physical access to public transit, cost of public transit, cost of commute (vehicle maintenance and personal time), and accessibility to job centers. These are examined in this section.

Transit index. With a few exceptions, most residents of each community have the same transit index scores (measure of access), regardless of race or ethnicity. The greatest differences in transit index scores within a community are in Anne Arundel, Harford, and Howard counties.

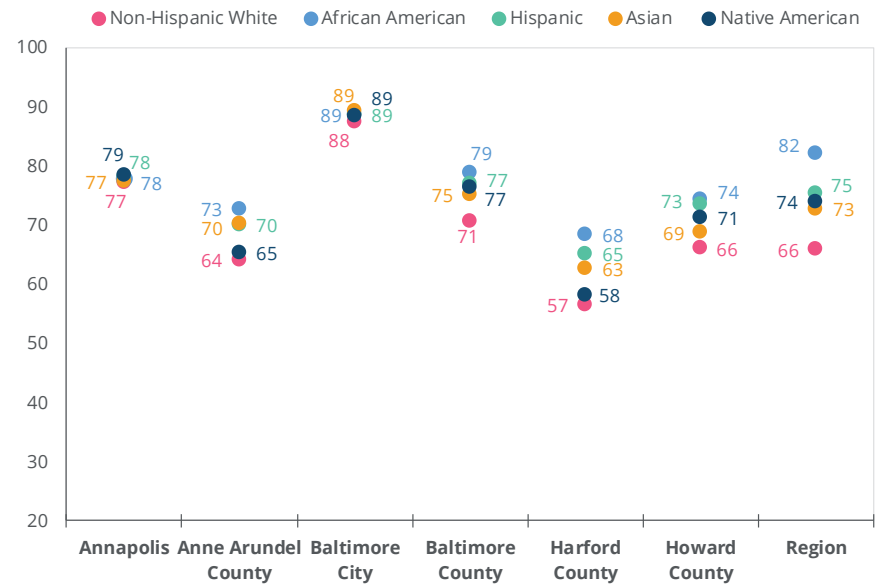
Residents in poverty have higher transit index scores in each community, suggesting that residents of low income neighborhoods are more likely to frequently use public transit. Baltimore City residents are more likely to be frequent transit users than residents of other jurisdictions, and this increases among residents in poverty.

With respect to differences by race or ethnicity among residents in poverty, low income Asian and non-Hispanic White residents of Harford County, non-Hispanic White and Native American residents of Baltimore County, and non-Hispanic White residents of Anne Arundel County have the lowest transit access index scores.

**Figure IV-30a.
Transit Index,
Total Population**

Note:
The higher the index, the more likely that residents in the area are frequent users of public transportation.

Source:
Root Policy Research from the HUD AFFH-T Table 12, Opportunity Indicators by Race and Ethnicity, Transit Index.

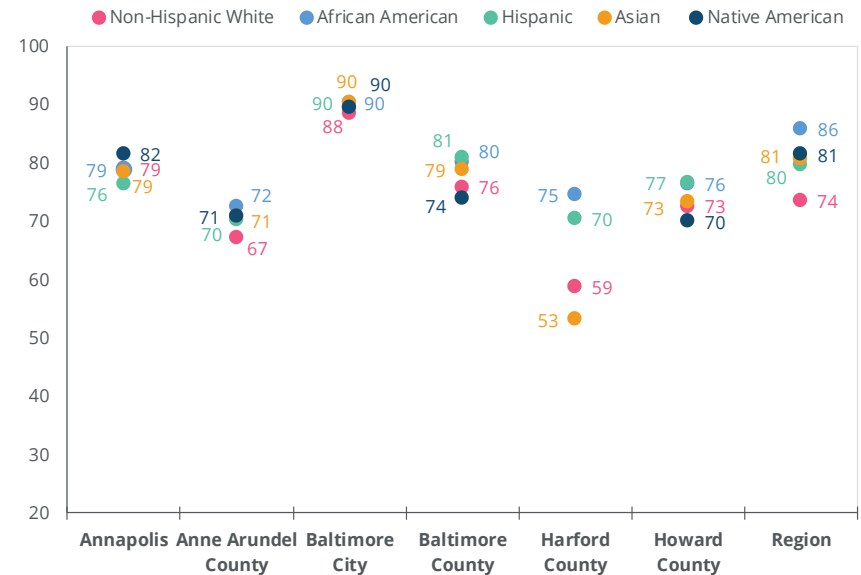


**Figure IV-30b.
Transit Index,
Population Below
the Poverty Line**

Note:
The higher the index, the more likely that residents in the area are frequent users of public transportation.

Insufficient data to report for Native American residents of Harford County in poverty.

Source:
Root Policy Research from the HUD AFFH-T Table 12, Opportunity Indicators by Race and Ethnicity, Transit Index.



Low cost transportation index. In many ways, the low cost transportation index moves with the transit access index. Communities with more robust transit systems tend to have lower transportation costs to the individual resident. Residents of Baltimore City are most likely to have affordable transportation, and affordability scores do not materially change when the data are restricted to residents in poverty.

In Harford County, transportation costs are higher for Asian and non-Hispanic White residents living in poverty (lower index values), but all residents in poverty in the County have more affordable transportation (higher scores) than the total population in the County.

Figure IV-31a.
Low Cost Transportation Index, Total Population

Note:
Higher index values suggest more affordable transportation.

Source:
Root Policy Research from the HUD AFFH-T Table 12, Opportunity Indicators by Race and Ethnicity, Low Cost Transportation Index.

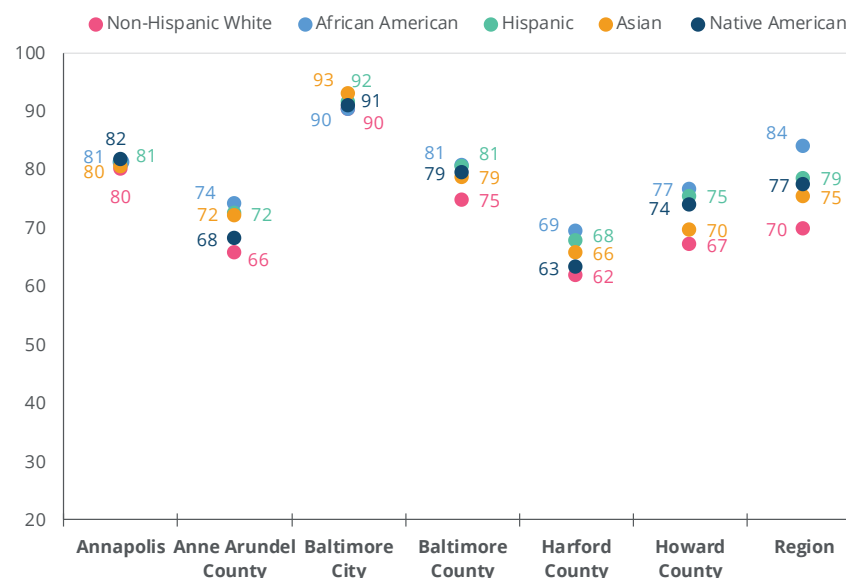
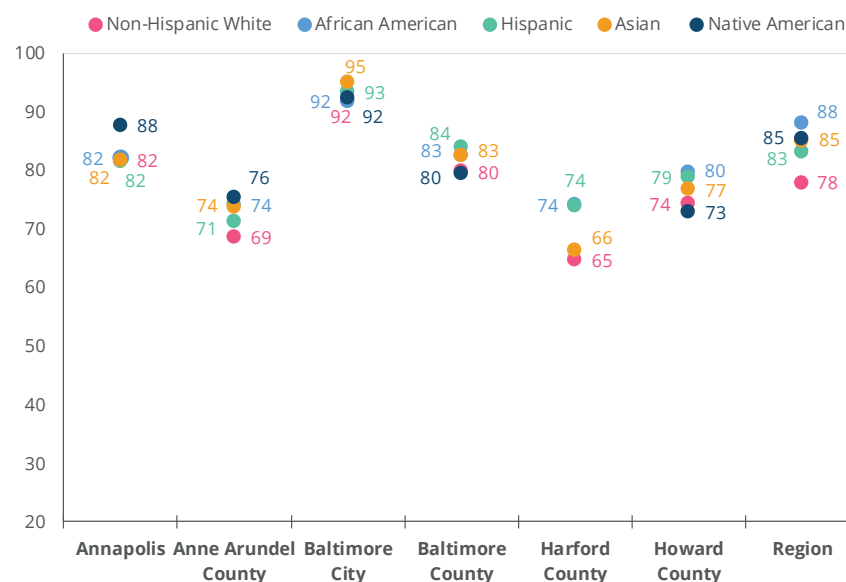


Figure IV-31b.
Low Cost Transportation Index, Population Below the Poverty Line

Note:
Higher index values suggest more affordable transportation.
Insufficient data to report for Native American residents of Harford County in poverty.

Source:
Root Policy Research from the HUD AFFH-T Table 12, Opportunity Indicators by Race and Ethnicity, Low Cost Transportation Index.

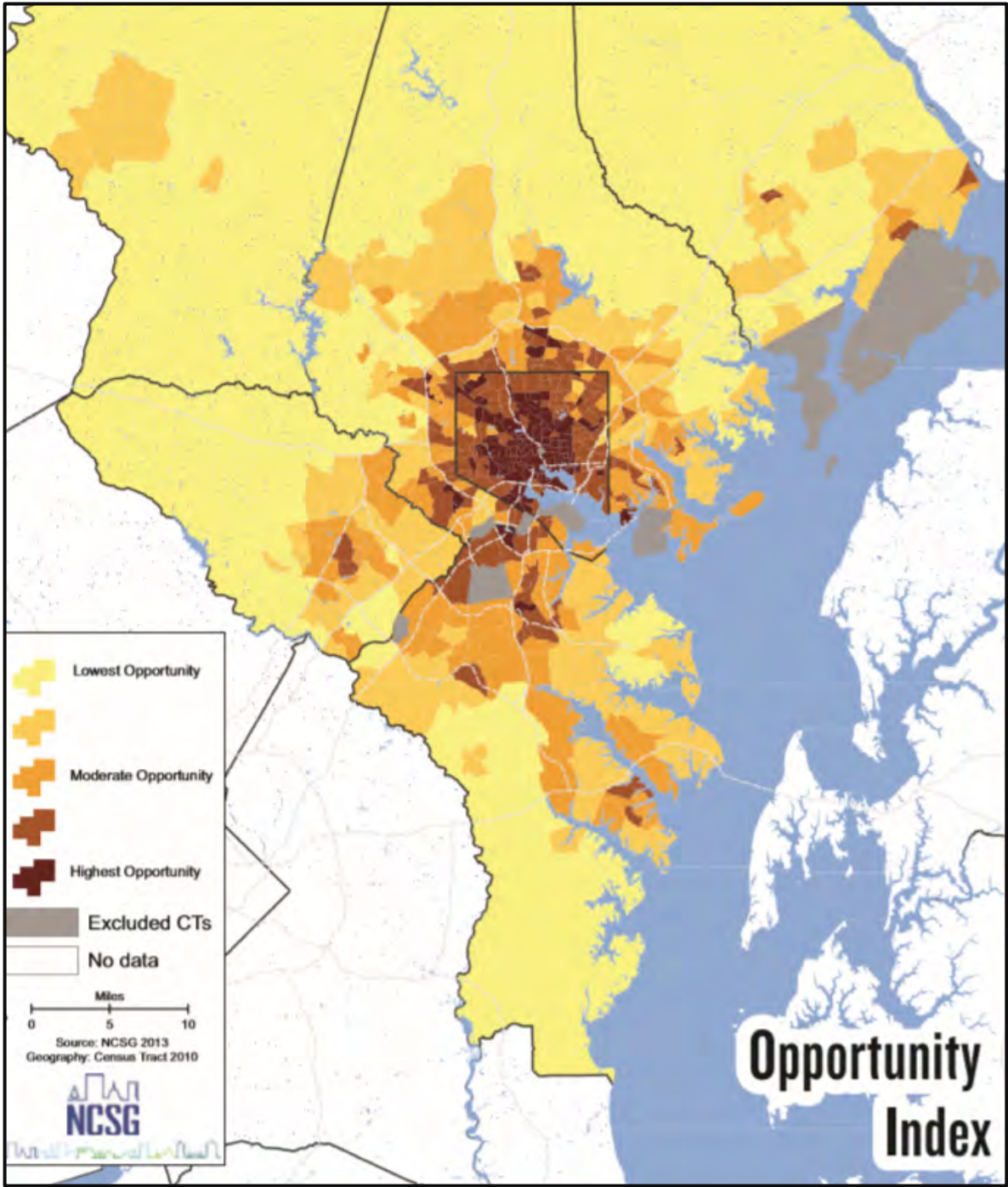


Federal transportation policy has long focused on accommodating automobiles rather than serving inner-city communities. Expansion of the interstate highway system focused on moving suburbanites to and from areas of employment in the city, which divided neighborhoods, mostly those that were low income and minority-concentrated. While many of these highways proposed for Baltimore were defeated by strong popular opposition, probably the most obvious example of this division is the Rt. 40 “trench,” or “Highway to Nowhere” in west Baltimore, which displaced hundreds of African American residents in the early 1970s while not actually connecting to other highways. These residents were then often denied access to the suburbs through discrimination in lending and high housing prices.

The opportunity indices that measure transportation access focus on access to transportation systems—public transit, as well as roads. And, as the OMAP transportation access map below shows (another one of the component maps to the overall composite opportunity map discussed later in this section), the best access to transportation systems and mobility is in the City of Baltimore and, secondarily, Baltimore County and parts of Anne Arundel County.

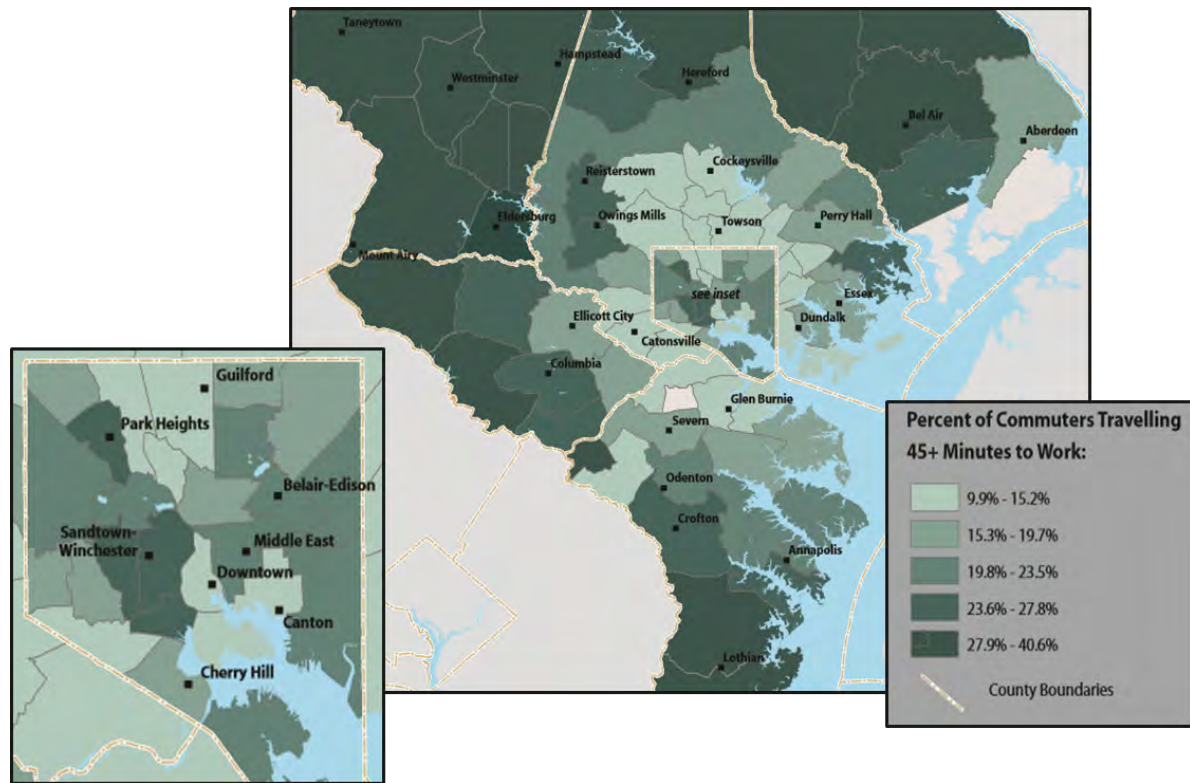
Figure IV-33 shows the share of workers commuting more than 45 minutes to work. Differences between the OMAP and the commute map—where the OMAP shows strong access and the commute map shows a long commute—indicate neighborhoods where residents are transit dependent and thus may lack quick access to employment opportunities. For example, residents without a high school or college degree may need to travel to major retail or food service establishments (generally found in large shopping centers, many in suburban jurisdictions) for employment.

Figure IV-32.
Transportation and Mobility Index



Source: NCSG 2013.

Figure IV-33.
Share of Workers with Commutes More than 45 Minutes



Note: Overall average = 20.9%.

Source: Baltimore Metropolitan Council.

Figure IV-34 shows which workers in the region rely on public transit to access their jobs. Dependency on transit is highest for renters in Baltimore City, particularly for African American renter households. In the region overall, renters and African American workers are most likely to use transit. Overall, however, the proportion of workers using transit in the region is low at just 7 percent of households.

Figure IV-34.
Who Takes Transit to Work?

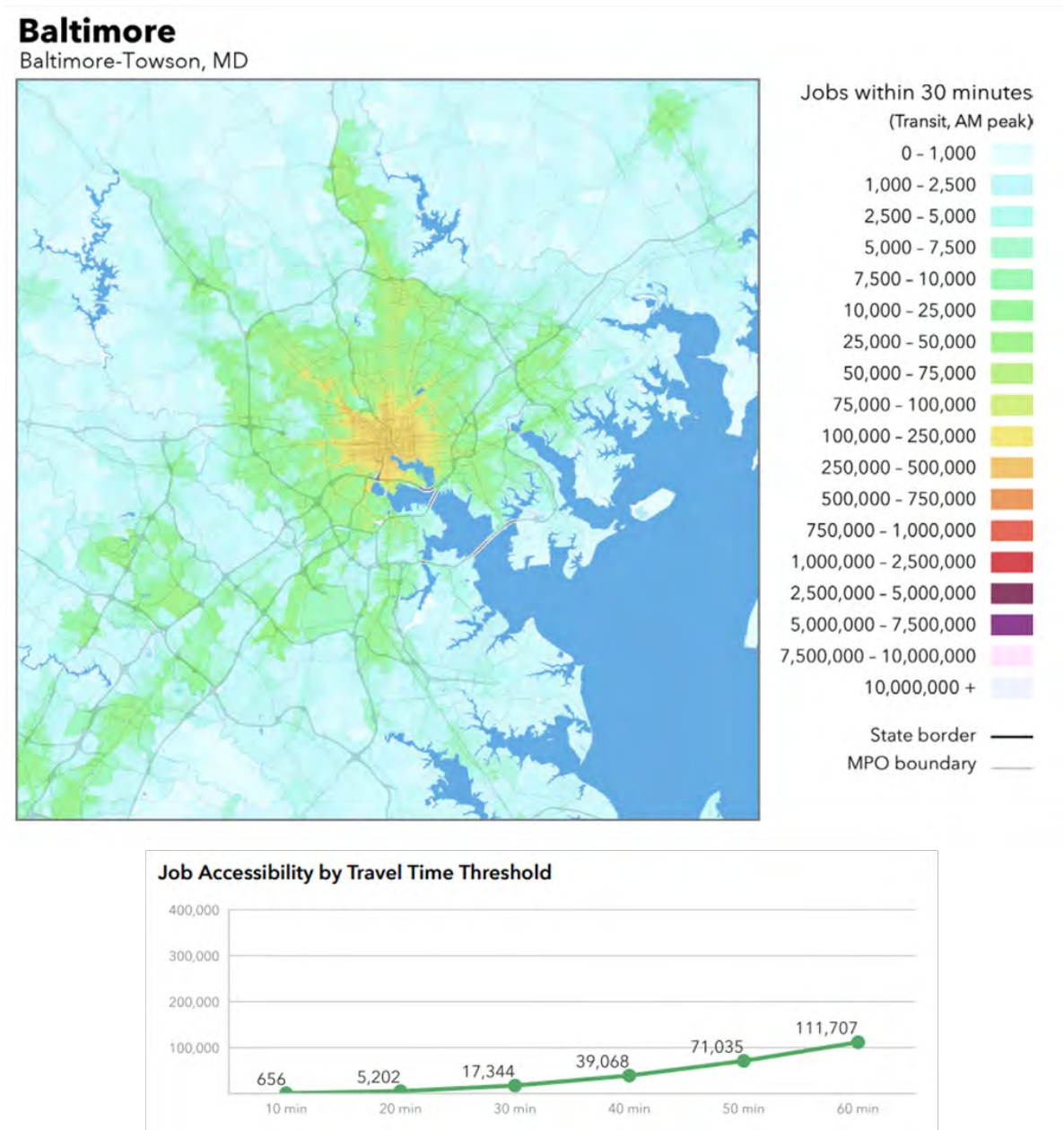
	All Households	Renter-Occupied	Owner-Occupied
Total Region	7%	12%	4%
Annapolis	7%	8%	6%
Anne Arundel County	4%	5%	3%
Baltimore City	18%	26%	12%
Baltimore County	5%	8%	3%
Harford County	2%	3%	1%
Howard County	4%	4%	3%

	White, non-Hispanic	Black	Asian	Hispanic
Total Region	3%	16%	6%	8%
Annapolis	3%	12%	30%	12%
Anne Arundel County	3%	8%	4%	6%
Baltimore City	8%	25%	19%	18%
Baltimore County	2%	10%	4%	8%
Harford County	1%	5%	2%	2%
Howard County	3%	7%	4%	3%

Source: 2012-2016 5-year ACS.

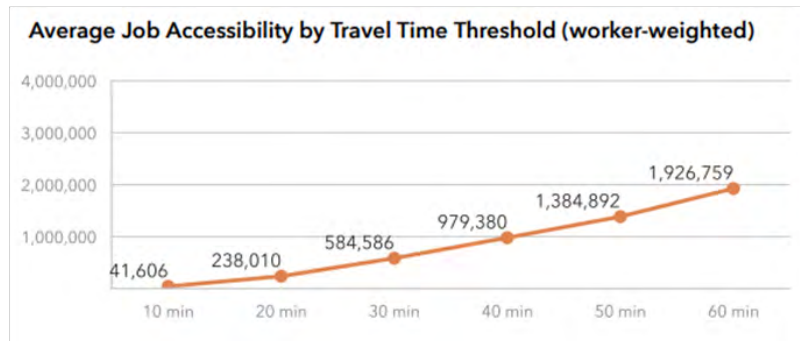
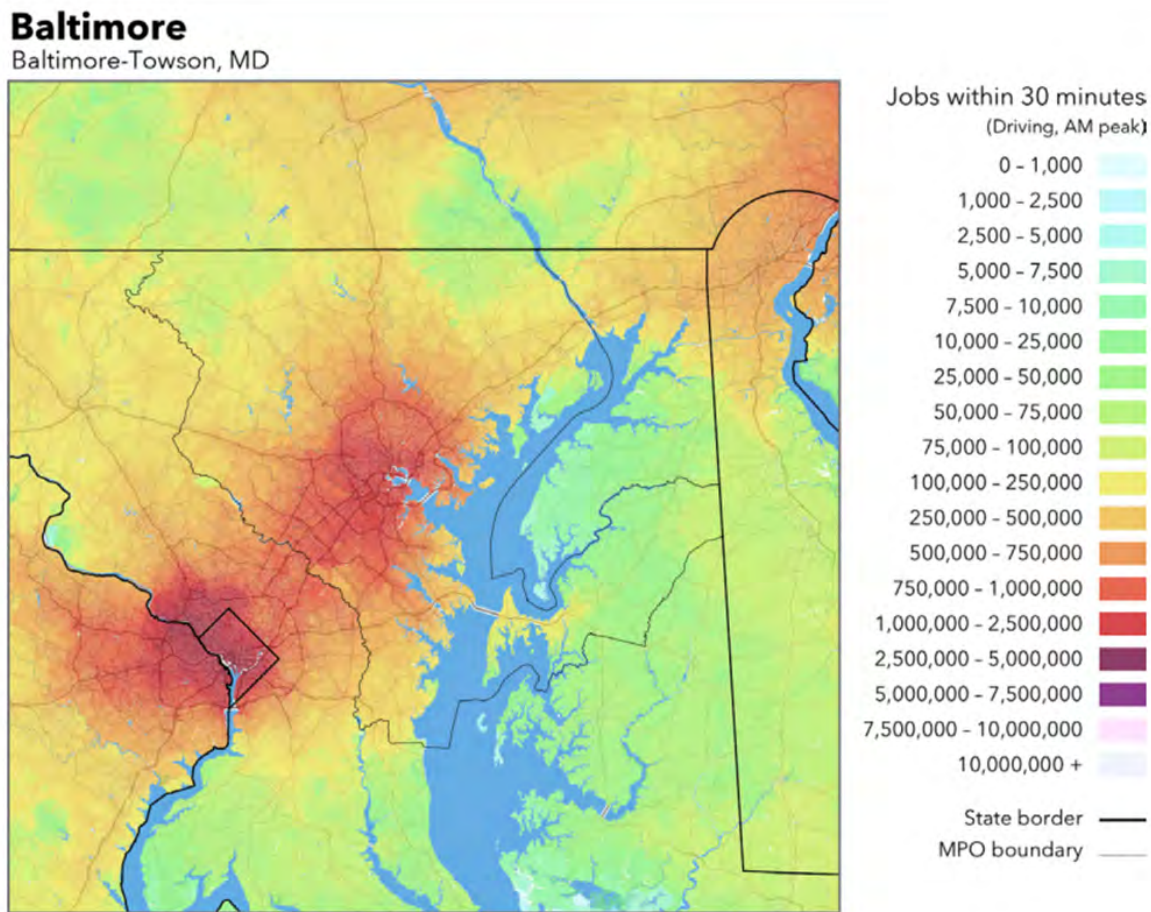
Although the direct cost of transit may be more affordable than the costs of owning and operating a car, the opportunity cost for employment is much higher. Households who are dependent on transit have access to far fewer jobs than if they had a car. As shown in the following maps, a worker in the region taking transit could access 17,344 jobs through a 30 minute ride compared to 584,586 jobs by car.

Figure IV-35.
Transit Access to Jobs within 30 Minutes



Source: University of Minnesota Center for Transportation Studies, "Access Across America 2017".

Figure IV-36.
Auto Access to Jobs within 30 Minutes



Source: University of Minnesota Center for Transportation Studies, "Access Across America 2017".

The most significant transit resources in the Baltimore region are allocated by the State of Maryland. There are exceptions to this – the Charm City Circulator is funded by the City of Baltimore – but generally Maryland’s governor and the General Assembly allocate the lion’s share of transit resources serving our metropolitan area. This is even true for most of the Locally Operated Transit Services in the region, such as Annapolis Transit, Harford Transit, and the Regional Transit Agency, which serves Howard and Anne Arundel Counties.

Figure IV-37 below describes the annual cycle of transportation funding in Maryland, which includes funding for public transportation. The chart shows that the State consults with local government leaders through the process, and state legislators who represent portions of those cities and counties must approve the budget each year, but they cannot add to the budget. Everything funded in the State’s rolling six-year Consolidated Transportation Program must be proposed by Maryland’s governor.

Figure IV-37.
Yearly State
Transportation
Funding Schedule:
Consolidated
Transportation
Program (CTP)

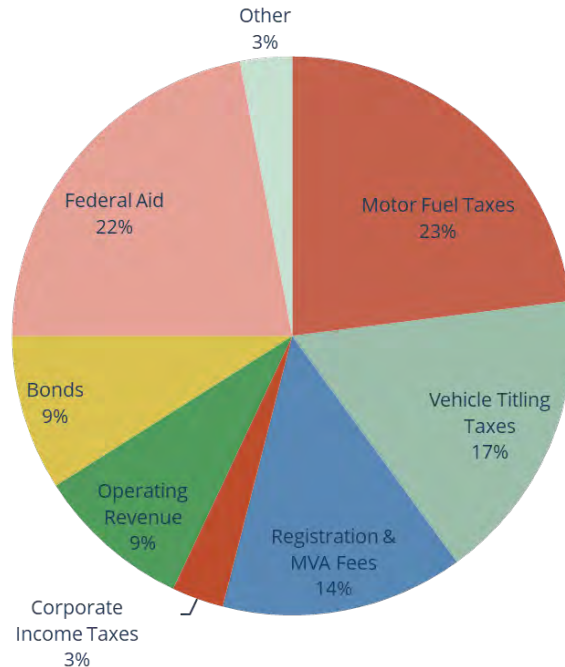
Source:
Baltimore Metropolitan Council.

Month	State Budgeting Schedule
January	Final CTP proposed by governor
February	Hearings and CTP approved by General Assembly (could be cut)
March	
April	Local jurisdictions send priority letters to Maryland Department of Transportation (MDOT)
May	
June	MDOT prepares draft CTP
July	
August	Draft CTP to local governments
September	Draft CTP released; “fall tour” of public meetings in each jurisdiction for MDOT to receive feedback.
October	
November	
December	MDOT prepares final CTP.

Figure IV-38 below shows where the funding for Maryland’s transportation program comes from. Notably, only 22 percent of it comes from the federal government. Maryland taxes and fees, including transit fares, comprise the vast majority of the revenues.

Figure IV-38.
Transportation Trust Fund
Sources, FY2018-FY2023 CTP

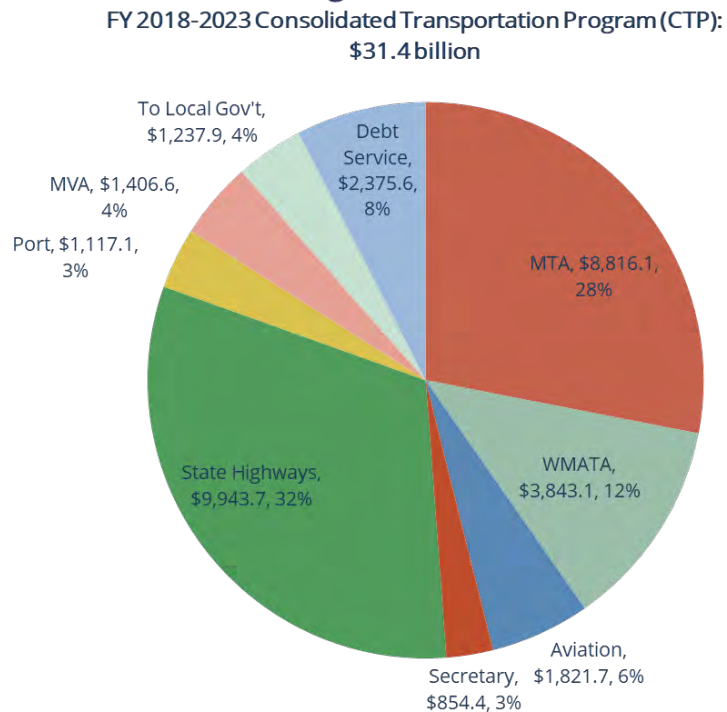
Source:
Baltimore Metropolitan Council.



The figure below shows how those revenues are spent, for capital and operating expenses combined. Largely because of the cost to operate public transportation, Maryland spends significant resources for MTA in the Baltimore area and statewide and for Maryland's contribution to the Washington Metropolitan Area Transit Authority (WMATA) in the DC area. The State Highways share is somewhat smaller than MTA and WMATA combined and weighted toward capital expenses. Of course, transit does help drivers and the broader economy by reducing single-occupancy vehicle travel—thus reducing traffic pressure on roads—and helping people without access to a car get to work and other activities.

**Figure IV-39.
MDOT Six-Year
Capital and Operating
Budget (in Millions),
FY2018-FY2023 CTP**

Source:
Baltimore Metropolitan Council.



The Central Maryland Regional Transit Plan, required by legislation passed by the 2018 Maryland General Assembly and currently in draft form, will be an opportunity to engage in issues of the level of State resources dedicated to transit in the Baltimore region and how those resources are allocated. The jurisdictions covered by the Regional Transit Plan are the same jurisdictions participating in this fair housing analysis. Even after the Transit Plan is finalized later in 2020, many implementation decisions will remain undecided and thus open to additional discussion. More information is at <https://rtp.mta.maryland.gov>.

Disparities in Community Health

Disparities in health by protected class is a topic that has been researched and analyzed extensively in the region. Community health can include a wide range of metrics: food security; proximity to medical and mental health services; air quality; life expectancy; child mortality; access to parks, recreation, open space; and lead exposure in housing.

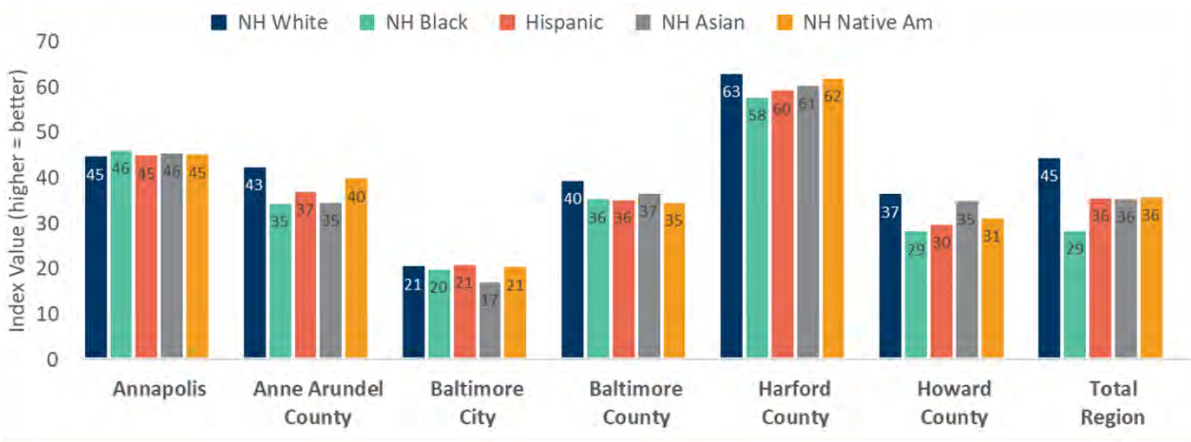
The American Public Health Association also includes police violence, as well as other forms of violence, as a public health issue.

Community health is important not only as a public health concern, but also as an economic development concern: Children who miss school often due to health care challenges may have difficulty keeping up in school, score lower on tests, and have lower economic outcomes.

Asthma—a leading cause of loss of productivity and absenteeism in schools—is related to air quality and, as shown in Figure IV-40, air quality is particularly poor for all racial groups

in Baltimore City.¹ Except for in Harford County, air quality is low to moderate in most parts of the region.

Figure IV-40.
Air Quality Environmental Health Index (All Residents)

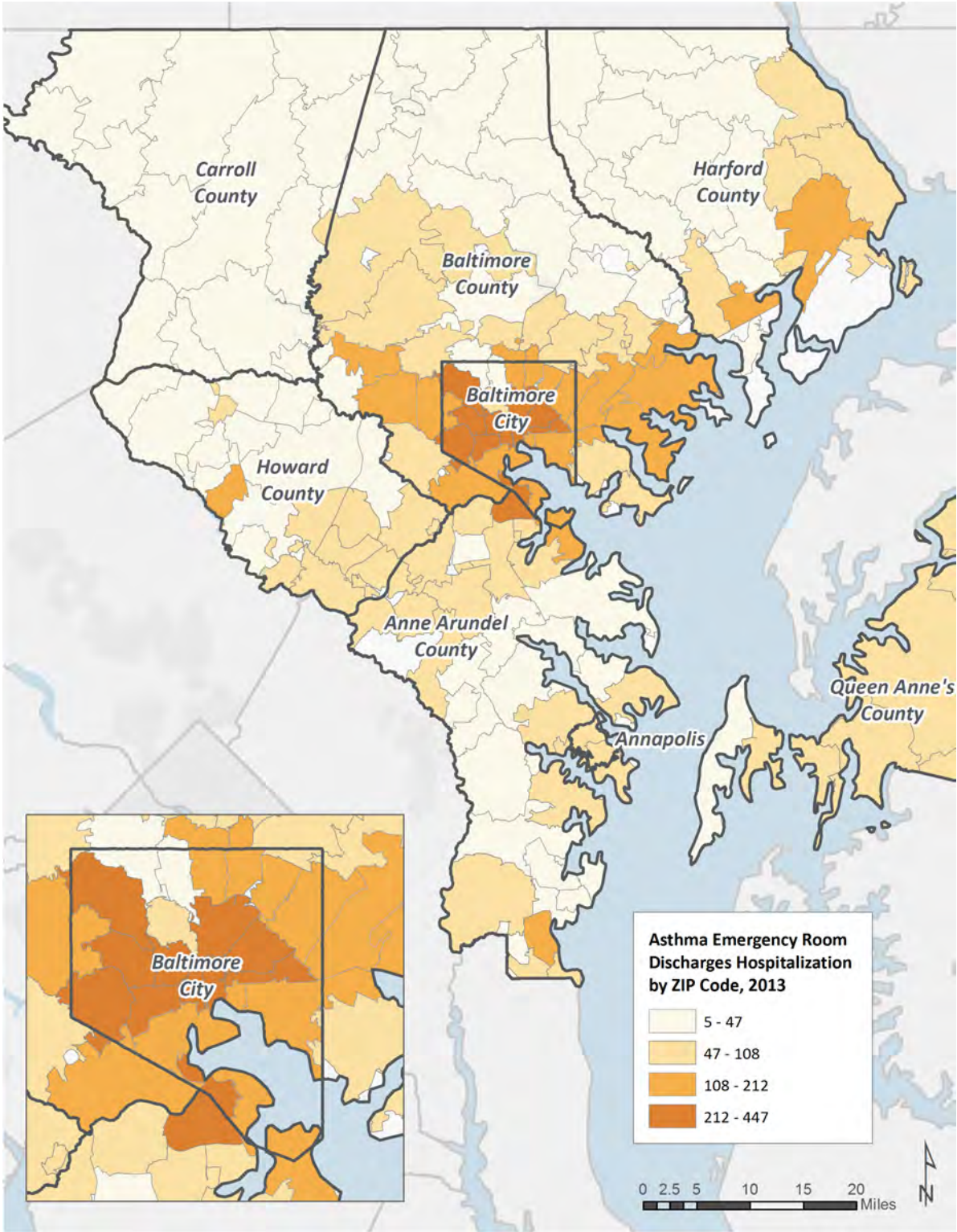


Source: HUD AFFHT.

Figure IV-41 maps asthma emergency room discharges by zip code. Emergency room visits for asthma are very high in Baltimore City and many parts of Baltimore County.

¹ <https://health.baltimorecity.gov/node/454>

Figure IV-41.
Asthma Emergency Room Discharges



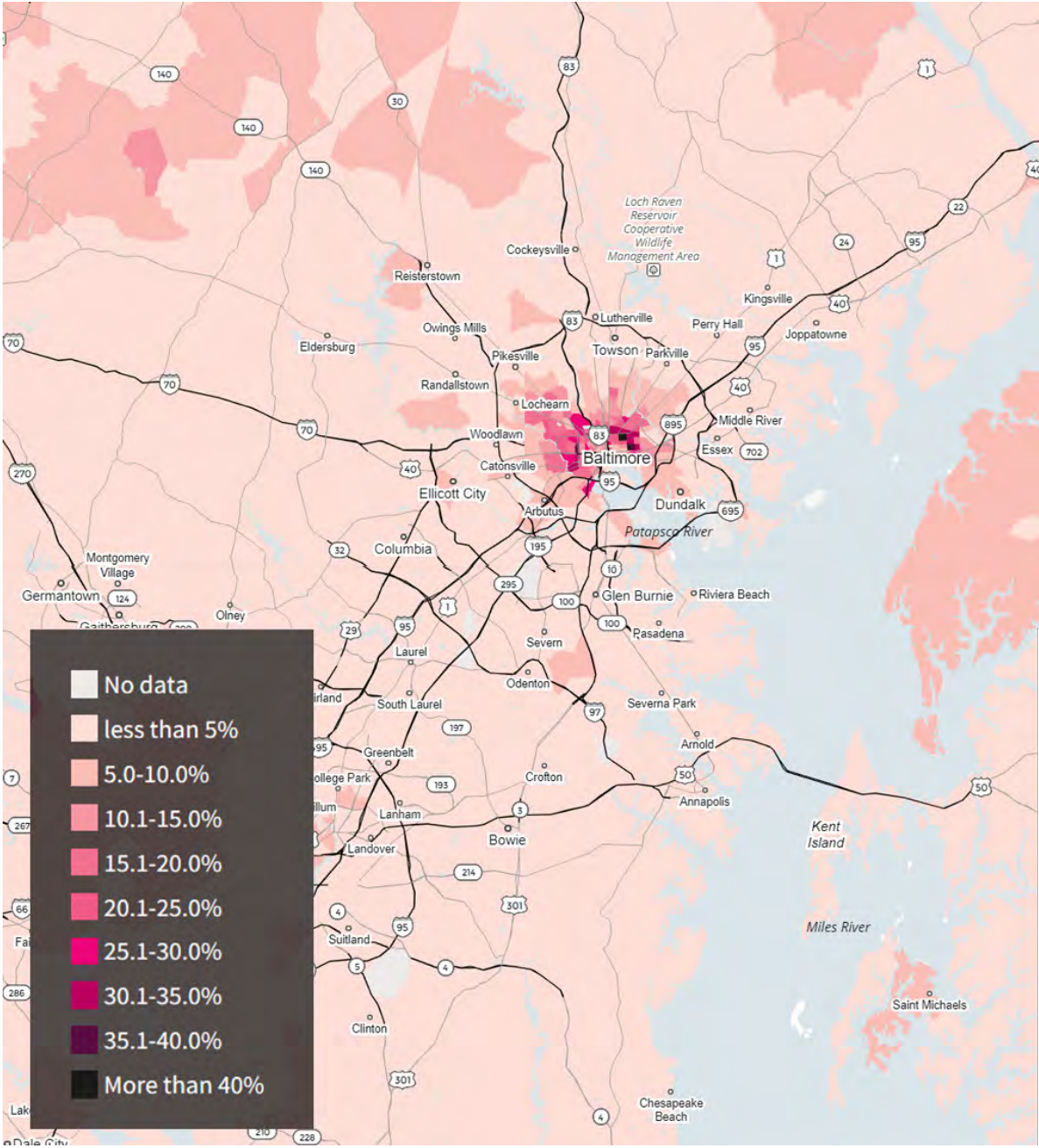
Source: Maryland DHMH Environmental Health Data Resources.

Asthma is also linked to housing condition, age, and maintenance, as well as neighborhood condition. Homes that are in disrepair—often the most affordable and the only option for renters with criminal backgrounds, who are undocumented, and/or simply very poor—are more likely to have environmental conditions that trigger asthma such as dust, poor venting systems, cracks and holes that can let in mice and roaches.

According to Johns Hopkins researcher Dr. Elizabeth Matsui, mice are the leading cause of asthma in Baltimore. Her 2005 study found mouse allergen in the air and settled dust in 85 to 90 percent of air samples in children’s bedrooms. Other studies have found that children with the same health backgrounds and condition are more likely to have asthma if they live in zip codes with African American concentrations, because of the poorer housing quality in those neighborhoods.

Exposure to lead is another environmental hazard that can significantly compromise child learning and outcomes and is linked to older and poor quality housing. As show in Figure IV-42, lead hazards are very high in parts of Baltimore City, where the housing stock is oldest and, in some neighborhoods, in disrepair.

Figure IV-42.
Lead Exposure



Safety is another major concern for both child and adult health outcomes and an area of disparity by race and ethnicity. The Baltimore Neighborhood Indicators Alliance (BNIA) has mapped a variety of indicators of neighborhood safety for the City of Baltimore. These appear below in Figures IV-43, IV-44, and IV-45.

Violent crime is high in many areas of the city, with Downtown, West and East Central Baltimore, and neighborhoods south of the bay, having the highest risk. These areas also have some of the highest rates of gun violence, although the highest risk areas are more concentrated in a handful of areas directly west and east of midtown. Property crime patterns differ slightly and are more concentrated in commercial areas and less in residential areas, which is typical of cities.

The areas with the highest risk of crime are somewhat—but not completely—aligned with where African American residents are concentrated. They are more closely aligned with where the region’s racially and ethnically concentrated areas of poverty (R/ECAPs) are located (see Figure III-24 in the Demographic Context section).

Figure IV-43.
Violent Crime Rate
per 1,000 Residents,
2017

Note:

Map created by BNIA-JFI, 2019.

Source:

Baltimore Neighborhood Indicators Alliance (bniajfi.org) and Baltimore Police Department.

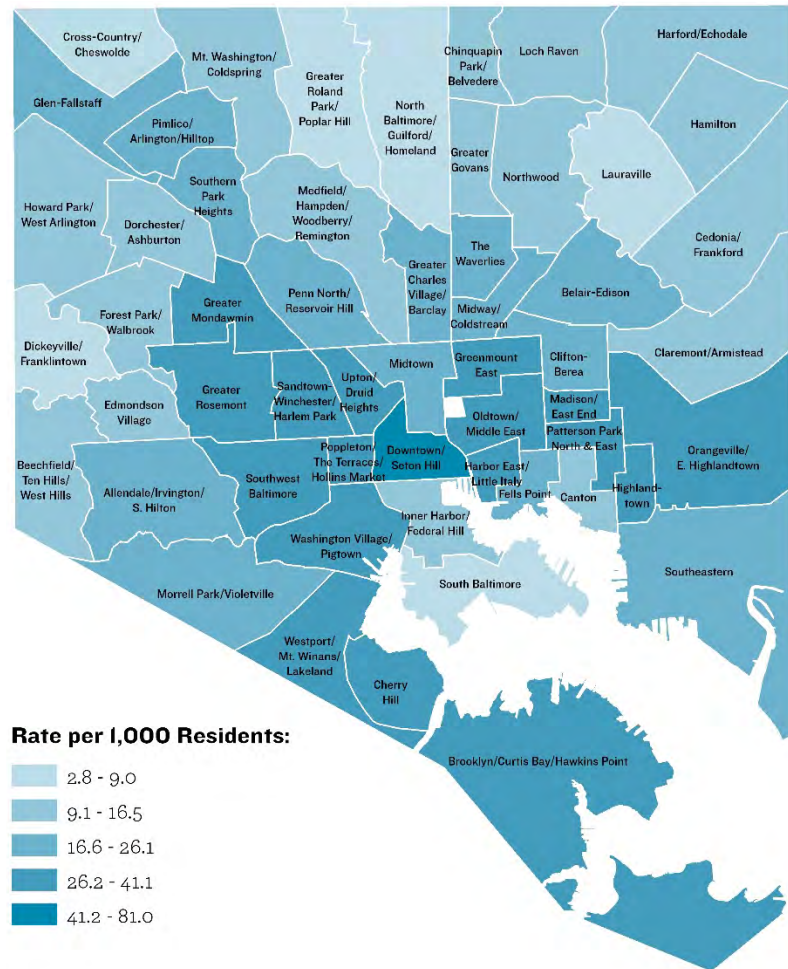
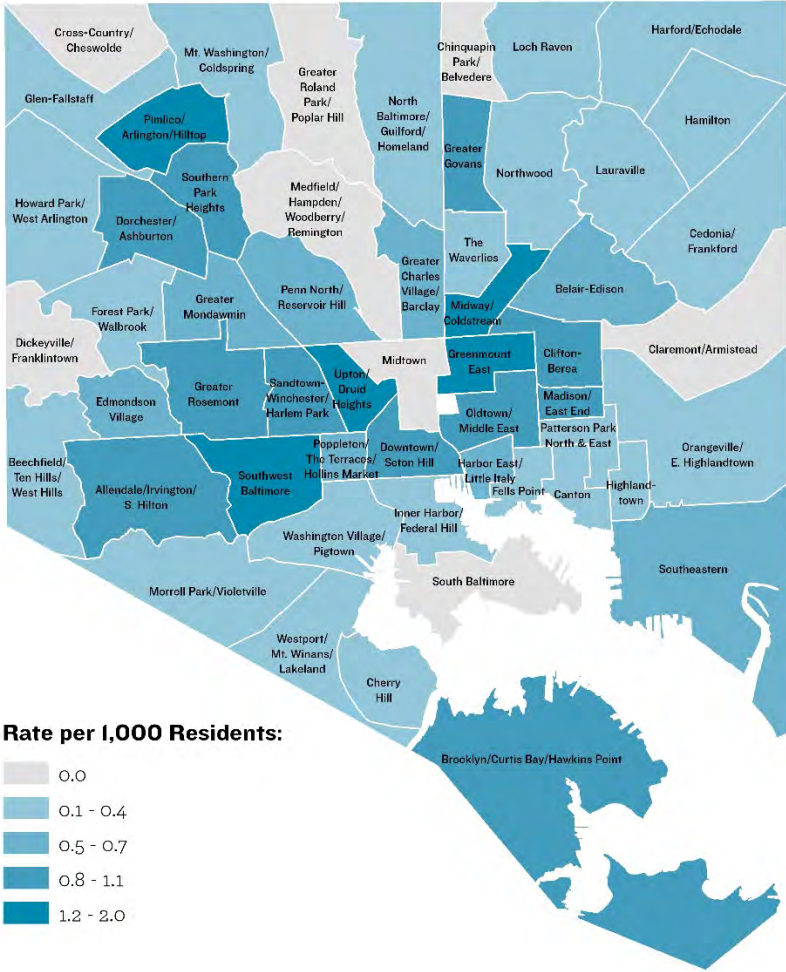


Figure IV-44.
Rate of Gun-Related
Homicides per 1,000
Residents, 2017

Note:
 Map created by BNIA-JFI, 2019.

Source:
 Baltimore Neighborhood Indicators
 Alliance (bniajfi.org) and Baltimore
 Police Department.



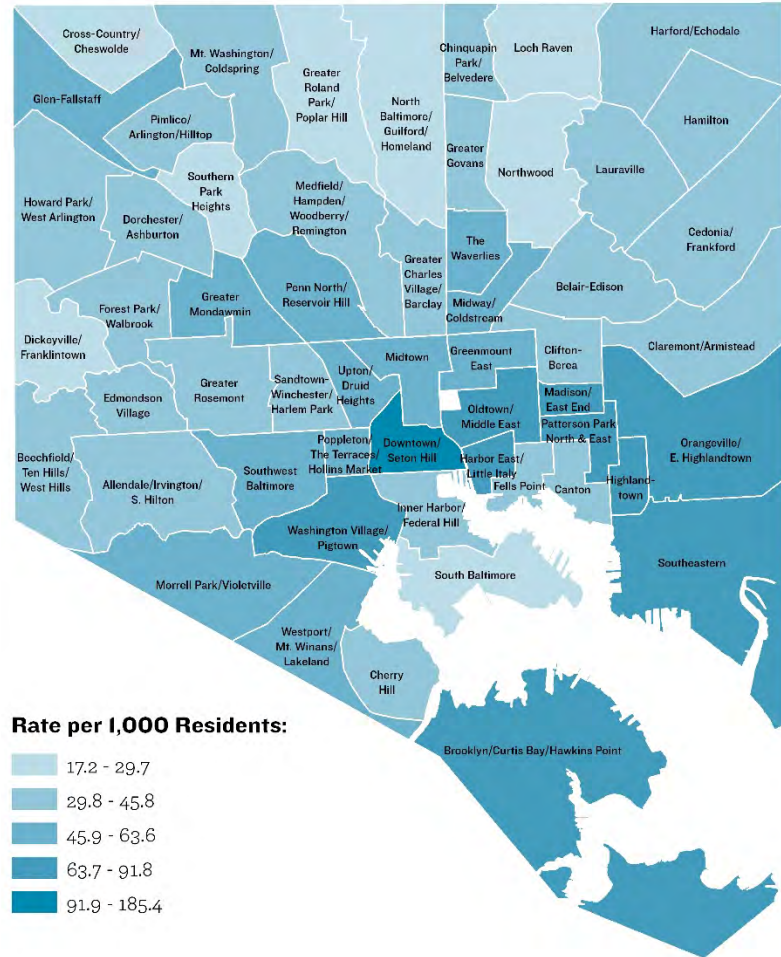
**Figure IV-45.
Property Crime Rate
per 1,000 Residents,
2017**

Note:

Map created by BNIA-JFI, 2019.

Source:

Baltimore Neighborhood Indicators
Alliance (bniajfi.org) and Baltimore
Police Department.



All of the factors discussed above contribute to different health disparities among residents depending on where they live and their race and ethnicity.² As shown in the figure below, African Americans face lower life expectancies in the state overall, in every county in the region, and especially in Baltimore City, when compared to White residents and all residents. They also have lower life expectancies. In the Baltimore region, the gaps are much lower in the suburban counties than in the city.

**Figure IV-46.
Life Expectancy by
Race/Ethnicity**

Source:
Maryland Health Department 2017
Annual Report.

	All Races	White	Black
Maryland	79.2	79.9	76.9
Anne Arundel County	79.5	79.5	78.3
Baltimore City	72.8	76.1	70.9
Baltimore County	78.3	78.4	77.3
Harford County	79.0	79.3	76.8
Howard County	83.5	83.1	82.0

Resident Perspectives on Access to Opportunity

Participants in the resident survey indicated their level of agreement with a series of statements about healthy neighborhoods. These healthy neighborhood indicators measured in the resident survey include the relative quality of parks and recreation facilities among neighborhoods, convenient access to grocery stores and health care facilities, having a supportive network of friends or family, neighborhood housing condition, and crime. Residents also rated the extent to which they agree with statements about the ease of finding housing they can afford in their neighborhood, the quality of neighborhood public schools and indicators of transportation and employment access.

Healthy neighborhood indicators. As shown in Figure IV-46, residents' degree of agreement with healthy neighborhood indicators varies widely by jurisdiction, with Baltimore City residents consistently less likely to agree that a particular indicator is true for their neighborhood. Residents of Howard County, and those with housing vouchers, are most likely to agree that a quality indicator represents their neighborhood.

Unlike others, the supportive network indicator is remarkably similar, with nearly all types of residents reporting average degrees of support within their family and community, regardless of geographic location, income, or subsidy.

² https://www.hopkinsmedicine.org/the_johns_hopkins_hospital/about/in_the_community/_docs/2018-community-health-needs-assessment.pdf

Figure IV-47 considers the healthy neighborhood indicators for members of protected classes and by household size. As shown, there are no meaningful variations on the basis of protected class or household size on these measures.

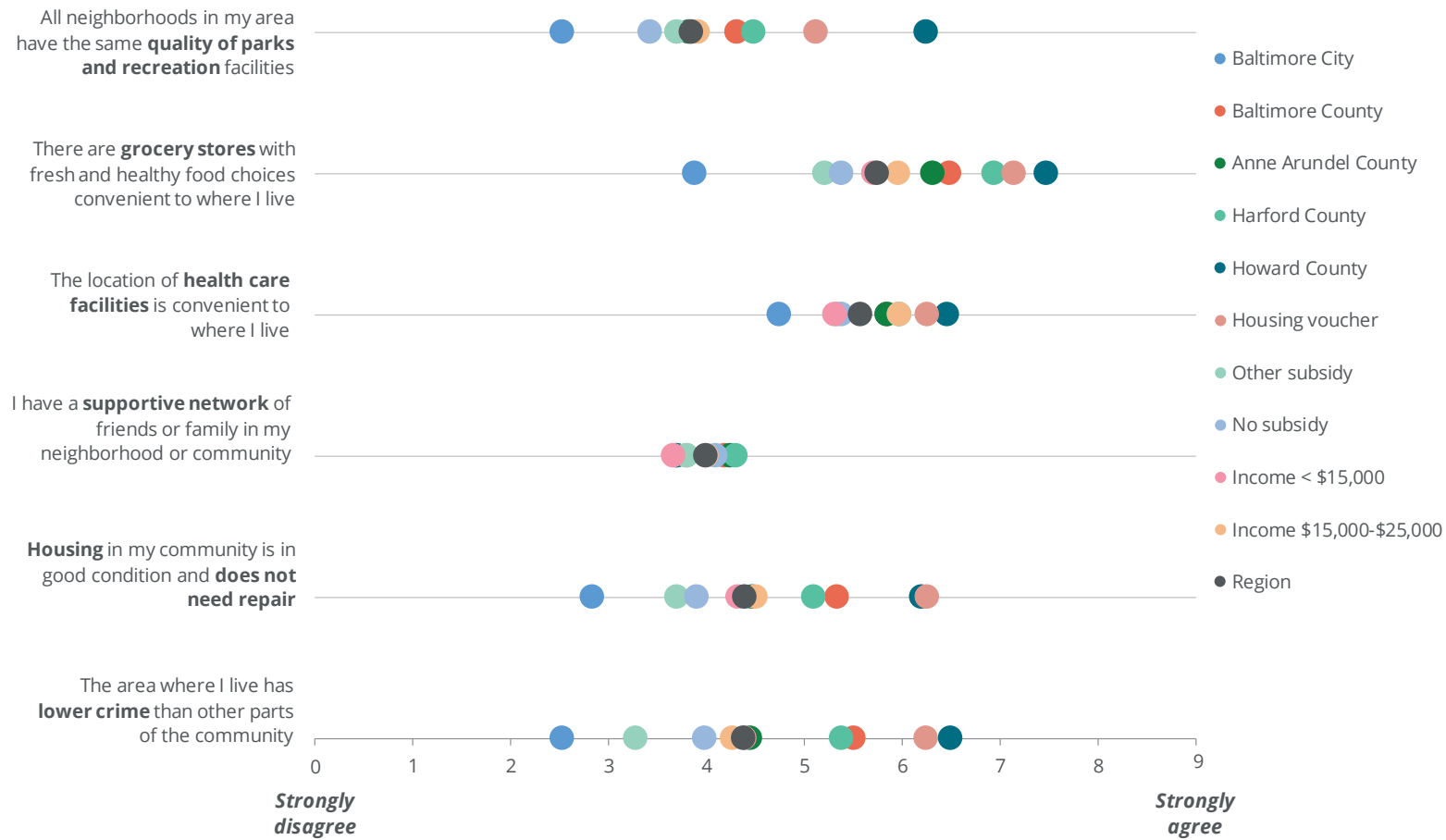
Economic opportunity indicators. Figure IV-48 presents residents' agreement with indicators of ease of securing housing they can afford, access to quality public schools, access to transportation, and employment opportunities.

On average, regardless of where they live, survey respondents disagree with the statement that "in the part of the community where I live, it is easy to find housing people can afford." Similarly, but on the other end of the spectrum, residents somewhat agree that "I can easily get to the places I want to go using my preferred transportation option." It is important to note that in a separate question, residents who most often drive a personal vehicle are satisfied with their transportation situation, while those who rely on public transit are, on average, much less satisfied.

Variation in access to economic opportunity based on where respondents live is most evident in their assessment of neighborhood public school quality. Howard County residents and voucher holders are most likely to agree that "children in this neighborhood go to a good quality public school", while Baltimore City residents are most likely to disagree with this indicator.

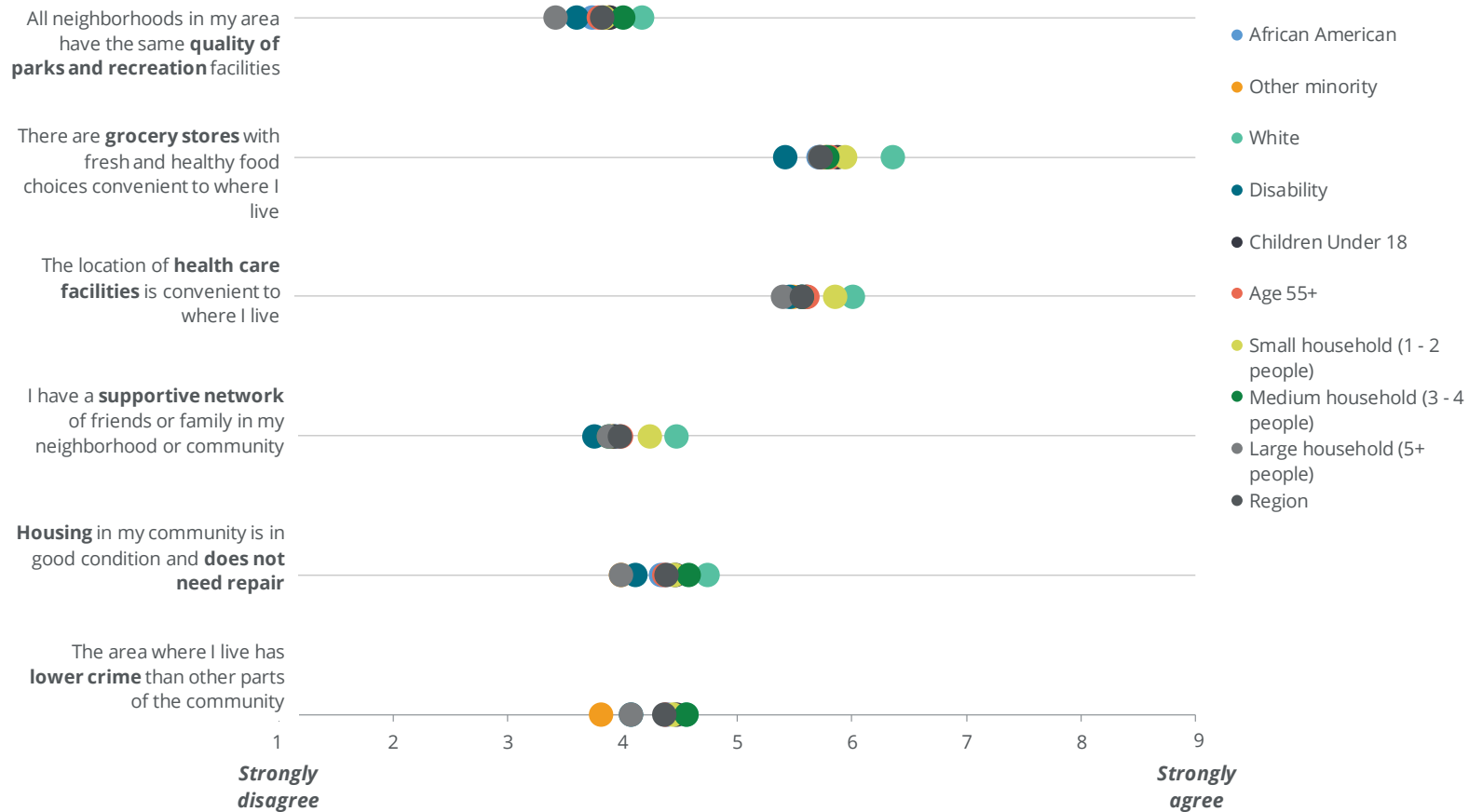
As with healthy neighborhood indicators, there are not meaningful differences on average by protected class or household size in respondents' perceptions of access to economic opportunity in their neighborhood (Figure IV-49). Average ratings by protected class and household size hew closely to the regional average.

Figure IV-46.
Resident Perspectives on Healthy Neighborhood Indicators, by Jurisdiction, Housing Subsidy, and Income



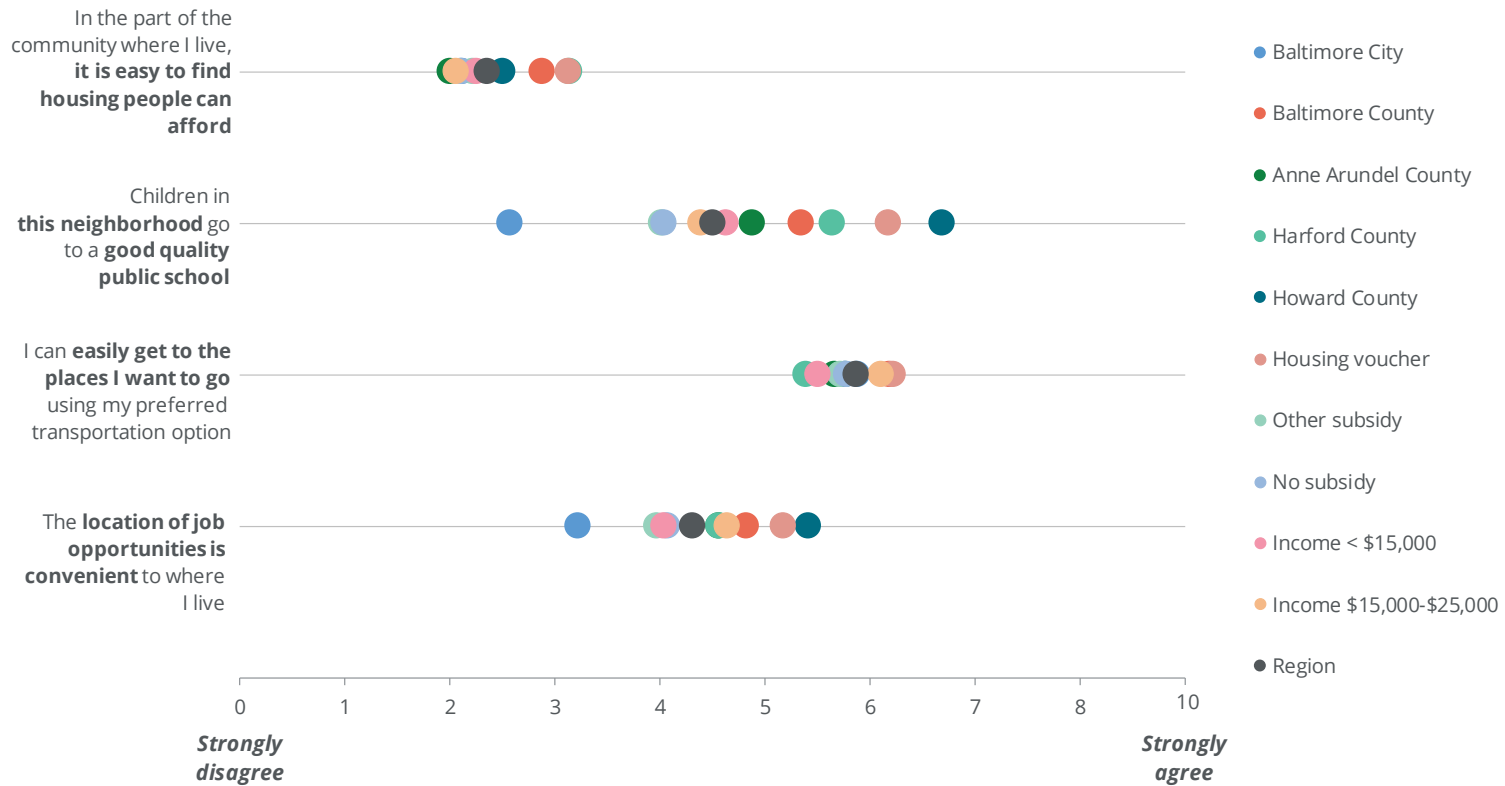
Source: Root Policy Research from the 2019 Baltimore Regional Fair Housing Resident Survey.

Figure IV-47.
Resident Perspectives on Healthy Neighborhood Indicators, by Protected Class, Household Size



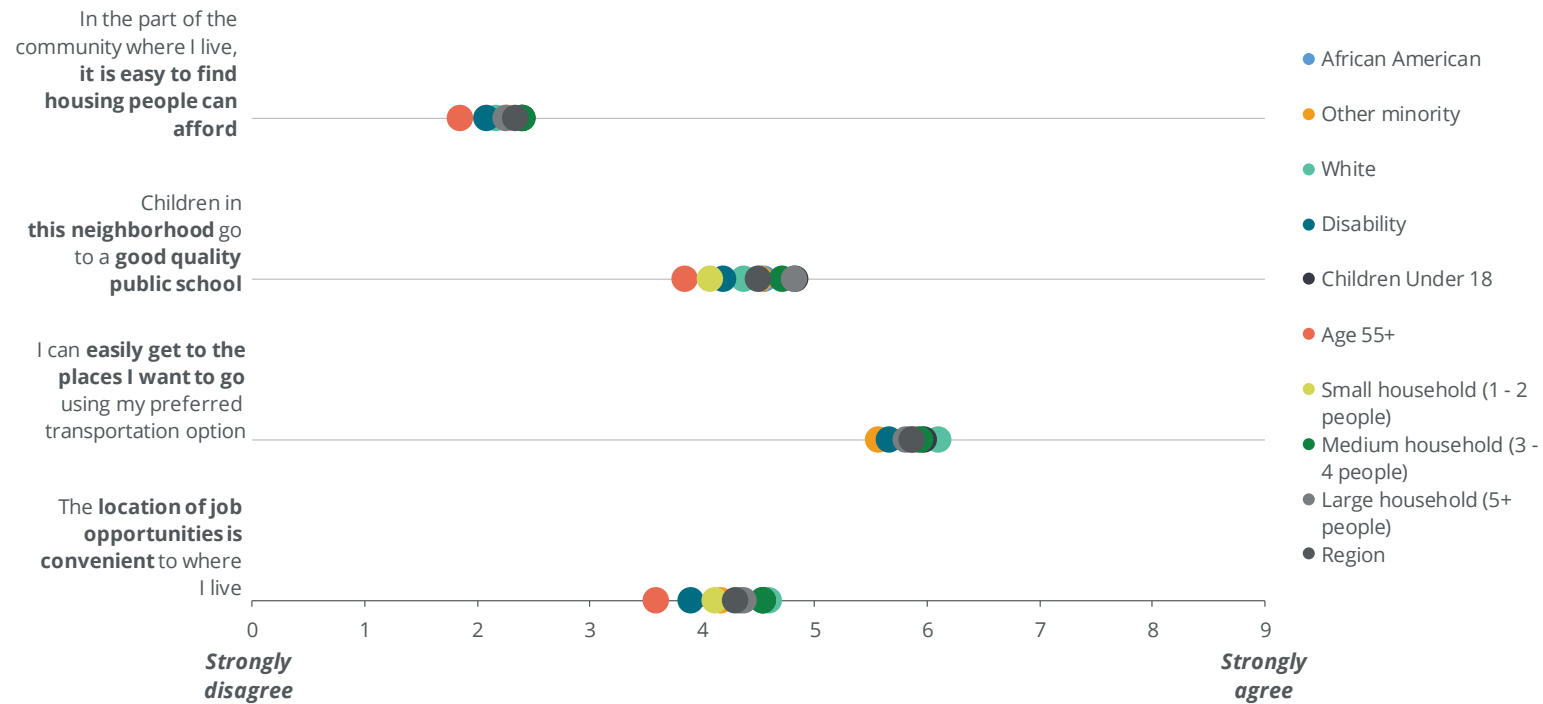
Source: Root Policy Research from the 2019 Baltimore Regional Fair Housing Resident Survey.

Figure IV-48.
Resident Perspectives on Economic Opportunity Indicators, by Jurisdiction, Housing Subsidy, and Income



Source: Root Policy Research from the 2019 Baltimore Regional Fair Housing Resident Survey.

Figure IV-49.
Resident Perspectives on Economic Opportunity Indicators, by Protected Class, Household Size



Source: Root Policy Research from the 2019 Baltimore Regional Fair Housing Resident Survey.

Personal health. When asked to rate their personal health from poor to excellent, one in four (23%) respondents considered their health to be “fair” or “poor”. The share of participants rating their health fair/poor varied somewhat by place of residence and demographic characteristics, particularly age and disability, a not unexpected result. For example:

- Respondents whose household includes a member with a disability were most likely to rate their health fair/poor (42%) compared to 10 percent of respondents whose household does not include a member with a disability. Similarly, older respondents are more likely to be in fair/poor health compared to younger respondents (37% of those ages 55 and older v. 27% of those ages 35 to 54 and 14% of those under age 35).
- As household income rises, the likelihood respondents consider themselves to be in fair/poor health falls (29% of those with household incomes less than \$15,000 v. 8% of those with household incomes of \$50,000 or more). Embedded in the income differentials are both age and disability, where households relying on social security or disability benefits are clustered in the lowest household income category.
- Residents of Harford and Howard counties consider themselves to be in better health than residents of surrounding communities (16% and 14% in fair/poor health in Harford and Howard respectively, compared to 24% in Baltimore City, 23% in Baltimore County, and 26% in Anne Arundel County).

Respondents who identified as being in poor or fair health had the opportunity to describe changes to their home or area where they live, if any, that would improve their health. Figure IV-50 is a word cloud depiction of responses to the question. In general, several themes relevant to housing and neighborhood that respondents believe would improve their health emerge:

- Improvements in housing condition—eradicating mold, rodents, removing carpets or installing new carpets that would reduce asthma symptoms and offer other health benefits;
- Accessibility improvements—living in first floor units, housing without stairs, and accessibility in general;
- Reduced crime and increased personal safety, facilitating outdoor exercise activities and play as well as reducing physical and mental stress;
- Having their own home—a significant proportion of survey respondents overall live with friends or family, signaling couch surfing or doubling up; it is not surprising that the benefits of having their own home or bedroom would reduce stress, and increase well-being; and
- Improvements in neighborhood level economic opportunities, including access to shopping, transportation, and health care.

What, if anything, would you change about your home or the area where you live that you think would improve your health? Most Frequently Mentioned Words



Source: Root Policy Research from the 2019 Baltimore Regional Fair Housing Resident Survey.

Composite Opportunity Maps in the Baltimore Region

As mentioned above, the 2014 Regional Housing Plan included the development of a set of opportunity indicators customized to the Baltimore region. The group of public and private stakeholders (the Opportunity Mapping Advisory Panel, or OMAP) who chose and refined the variables that would make up those indicators organized them into six areas, several of which are discussed above:

- Education
- Housing/Neighborhood
- Social Capital
- Public Health & Safety
- Employment & Workforce (component map included earlier in this section)

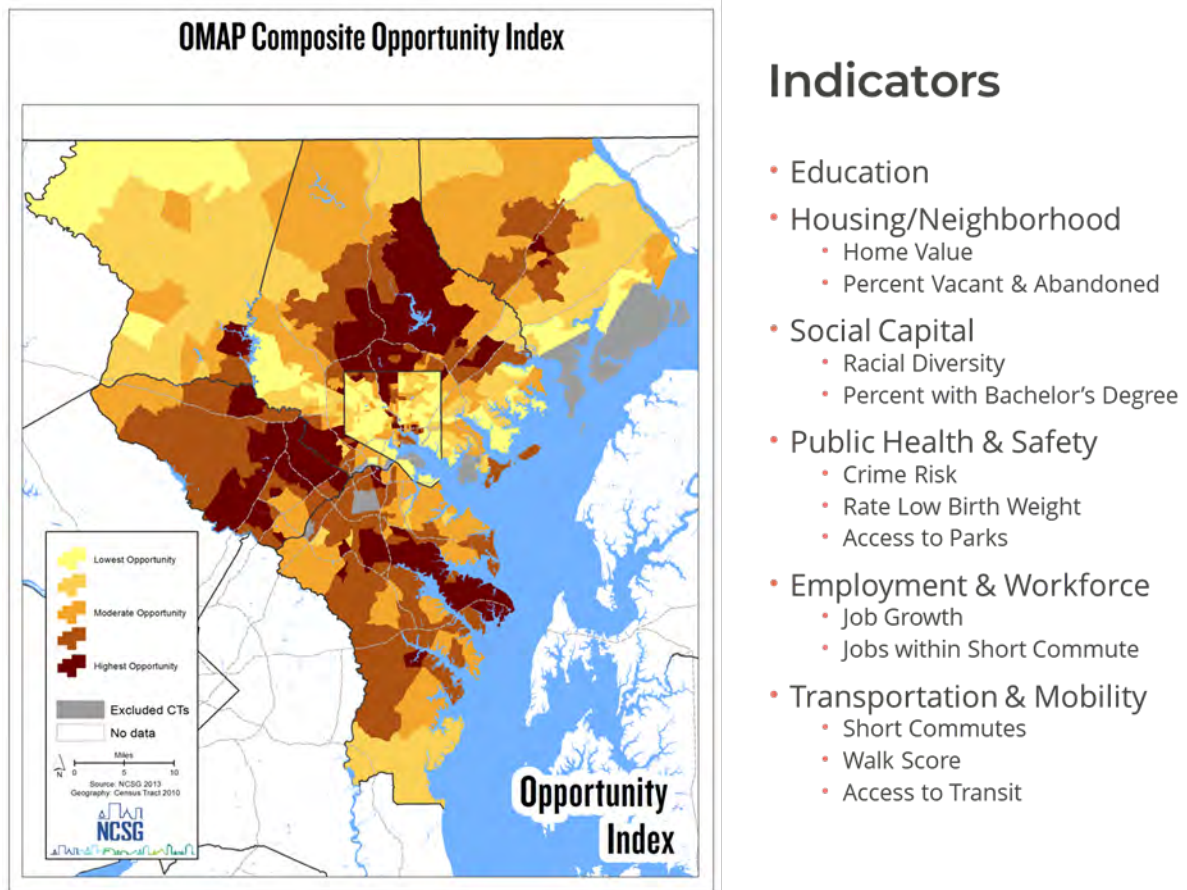
- Transportation & Mobility (component map included earlier in this section)

Combining these component indicators and maps results in the Figure IV-51 composite map below. The Opportunity Collaborative 2014 Regional Housing Plan considers the two darkest shades of brown—the two highest opportunity quintiles on the map—to high opportunity areas. The middle shade or quintile is moderate opportunity, and then the two lightest shades or quintiles, are low opportunity. This AI uses those three groupings of quintiles on this map—low, moderate, and high opportunity—in its analysis of publicly supported housing. The chart below of overall population in the region also uses those groupings.

According to the composite index, Howard County, much of Anne Arundel County, and central Baltimore County offer the best access to overall opportunity in the region. Opportunity access is much more varied for Harford County and Baltimore City. In Harford County, as demonstrated in Section III, opportunities for multifamily development are almost exclusively in the southeastern portion of the county, which is mostly a lower opportunity area on this opportunity map. In Baltimore City, the highest opportunity neighborhoods—located in the north central portion of the city—are also those from which racial minorities were historically excluded through restrictive covenants.

This map has the most compact high opportunity area of any of the three opportunity maps described in this section, excluding many exurban and rural areas. That is likely because of the weight given to factors like racial diversity, short commutes, access to transit, and walk score, none of which score well in exurban and rural areas of the Baltimore metropolitan area.

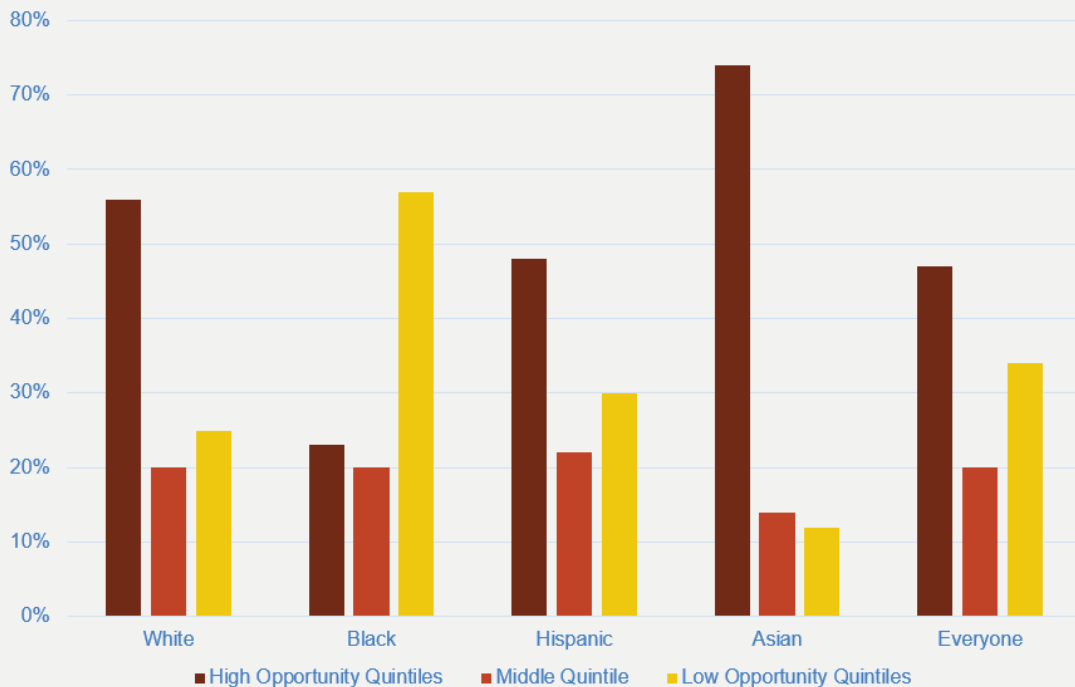
Figure IV-51.
OMAP Composite Opportunity Index Indicators



Source: Baltimore Metropolitan Council (BMC) and the 2014 Regional Housing Plan.

Below is a chart of where residents of the Baltimore region generally live, both overall and by race and ethnicity, relative to the three groupings of opportunity quintiles cited above.

Residence by Opportunity Quintile



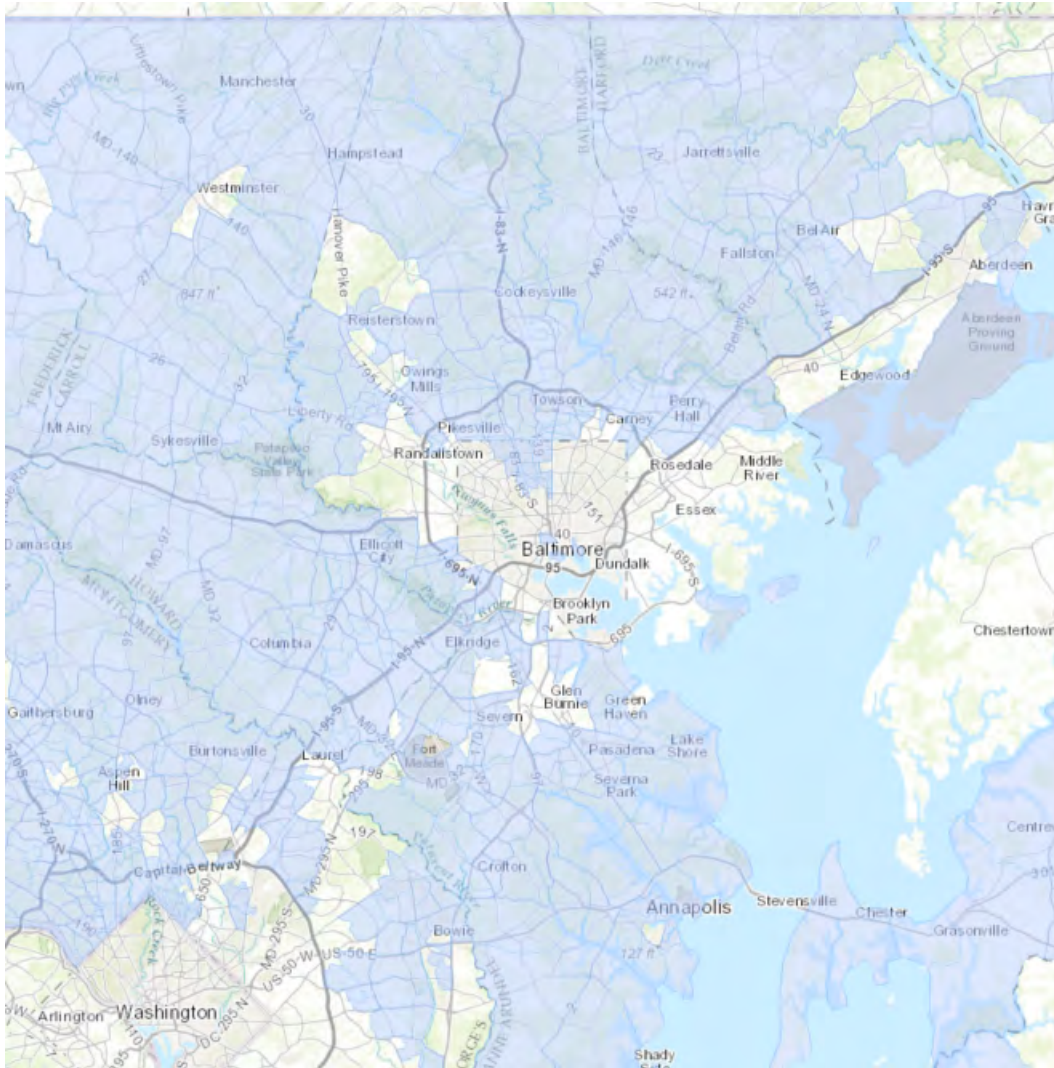
One can see from the chart above that the population of the Baltimore region (“Everyone”) disproportionately lives in high opportunity areas, rather than low opportunity areas. The Hispanic population generally reflect this regional pattern, and white and Asian residents live even more disproportionately in high opportunity areas. The African American population is alone as the racial group that is more than twice as likely to live in a low opportunity area as in a high opportunity one.

The Maryland Department of Housing and Community Development (DHCD) has created its own statewide opportunity map to use with its rental housing programs, particularly its awards of Low Income Housing Tax Credits. DHCD selects 11 indicators in three areas:

- Community Health (e.g. vacancy rate, population growth, poverty rate)
- Economic Opportunity (unemployment rate, commute time), and
- Education Opportunity (test scores, percent with bachelor’s degree, percent without high school diploma).

Using these indicators statewide, DHCD identifies Communities of Opportunity—those shaded blue in the map below—that can result in additional incentive points for owners applying for competitive nine percent Low income Housing Tax Credits.

Figure IV-52.
Maryland Department of Housing and Community Development
Opportunity Map



Source: <https://portal.dhcd.state.md.us/GIS/multifamily/index.html>. Click on the layers icon at upper left, then “Maryland Housing Designated Areas” and “Communities of Opportunity.”

The largest housing mobility program for the Baltimore region, operated by the Baltimore Regional Housing Partnership (BRHP), has created its own opportunity map. This program was created through a 1996 partial consent decree for the 1995 *Thompson v. HUD* fair housing lawsuit and finalized in the suit’s 2012 settlement, after the court found HUD liable (and the Housing Authority of Baltimore City not liable) in 2005.

The BRHP map factors in both maps above and supplements that information with finer-grained school quality and attendance zone data and data on concentration of publicly assisted housing. The result is the map below, in which green areas are opportunity areas.

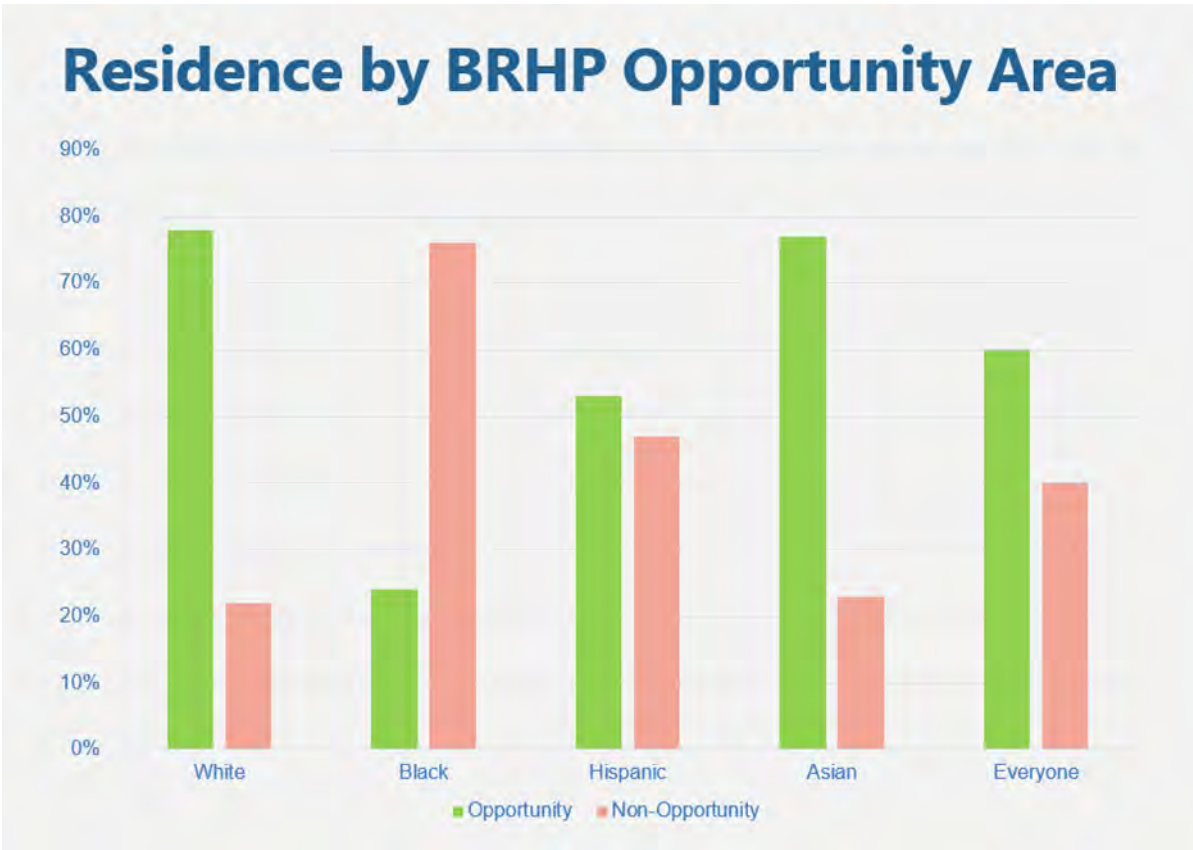
This map has perhaps the most opportunity areas of any opportunity map, including portions of southwestern Harford County that are considered low opportunity on the Opportunity Collaborative map and are not considered Communities of Opportunity by DHCD. (DHCD does, however, recognize the BRHP map as a legitimate way to designate an opportunity area in competing for its rental housing resources.) This opportunity map is also a layer in the Maryland DHCD online mapping tool at <https://portal.dhcd.state.md.us/GIS/multifamily/index.html>.

Because of this map's fine-grained look at opportunity, the Baltimore Regional Project-Based Voucher Program, a cooperative effort of six area public housing authorities, BRHP, and BMC, uses this BRHP opportunity map in scoring applications.

Figure IV-53.
Baltimore Regional Mobility Program Opportunity Map



Below is a chart of where residents of the Baltimore region generally live, both overall and by race and ethnicity, relative to these BRHP opportunity areas.



Similar to the 2014 Opportunity Collaborative map, most of the population of the region (“Everyone”) lives in high opportunity areas, and the region’s Hispanic population most closely approximates that pattern. White and Asian residents are more than three times as likely to live in BRHP opportunity areas as non-opportunity areas. And, similar to the 2014 map, African Americans are alone as the racial group that is more than three times as likely to live in a non-BRHP-opportunity area as in an opportunity area.

SECTION V.

DISPROPORTIONATE HOUSING NEEDS

SECTION V.

Disproportionate Housing Needs

The primary purpose of a disproportionate housing needs analysis is to determine how access to the housing market and housing choice differ for members of protected classes. Disproportionate needs analyses can also identify where gaps in housing markets exist for all residents and facilitate goal-setting and strategic housing planning.

To that end, this section:

- 1) Analyzes rental housing needs and gaps in attaining homeownership, by jurisdiction and compared to the region overall;
- 2) Identifies where needs differ by protected class;
- 3) Assesses how these differences affect housing choice. This includes geographic choice as well as differences in public and private housing options; and
- 4) Identifies where gaps in housing choice are related to actions by the public or private sector that could have a disparate impact on classes protected by the Fair Housing Act. This gap identification is also achieved in the Zoning and Land Use and Fair Housing Impediments and Action Items sections. A disparate impact exists when a government policy with a legitimate, non-discriminatory goal, regardless of intent, has a harmful effect on a class protected by the Fair Housing Act, and another policy that has less of that effect is available.

This section follows the HUD-prescribed outline from the Disproportionate Housing Needs section from Assessment of Fair Housing Tool for Local Governments (AFH Tool). That template poses the following questions:¹

- a) Which protected class groups (by race/ethnicity and familial status) experience higher rates of housing problems when compared to other groups for the jurisdiction and region?*
- b) Which areas in the jurisdiction and region experience the greatest housing burdens? Which of these areas align with segregated areas, integrated areas, or R/ECAPs and what are the predominant race/ethnicity or national origin groups in such areas?*

¹ This section contains additional analyses, beyond what is required by the AFFH template, and also addresses the subset of these questions from the AFFH template. We include only the top level AFFH prompts here to manage the section length.

- c) *Compare the needs of families with children for housing units with two, and three or more bedrooms with the available existing housing stock for the jurisdiction and the region.*
- d) *Describe differences in rates of renter and owner occupied housing by race/ethnicity in the jurisdiction and region.*

Primary Findings

- African American individuals and families make up the vast majority of residents who are homeless in the region and in all jurisdictions, according to HUD Continuum of Care equity data. The region's African American residents are much more vulnerable to homelessness than rates of poverty would suggest, especially African American families. There are many factors that could be contributing to a higher than expected incidence of homelessness among African Americans: housing discrimination; employment discrimination; limited ability of extended families to provide support; and punitive rental policies associated with past evictions and criminal histories.
- Although the supply of affordable housing in the counties has improved since 2010, Baltimore City continues to provide a much larger share of affordable rental housing, including publicly supported housing, than its share of all rental units. As shown in this section, based on American Community Survey data, Baltimore City provides 67 percent of deeply affordable rentals compared to 38 percent of the region's renter households (compared to 70% and 39% in 2010). Baltimore City also has the only areas of Racial/Ethnic and Poverty Concentration (R/ECAP) in the region and the largest number of Census tracts that are low opportunity areas. The current geographic disparity in affordable housing provision correlates to historical discriminatory actions (racial zoning, restrictive covenants, HUD allocation of affordable housing resources); limited housing product types that facilitate affordable housing in high opportunity areas; zoning that favors higher priced units; lack of dedicated resources to develop affordable housing; development moratoria due to mechanisms such as adequate public facilities ordinances; and neighborhood resistance to development, particularly multifamily development.
- Publicly supported housing is disproportionately occupied by African American households in the region: African American households make up 48 percent of the region's extremely low income households yet occupy 93 percent of public housing units and are 82 percent of Housing Choice Voucher (HCV) holders. The over-representation of the region's African American residents in publicly supported housing is, in part, a consequence of historical restrictions on housing choice, denial of education and employment opportunities, and limited investment of public and private resources.
- African American and Hispanic residents in the region have significantly lower rates of ownership than Non-Hispanic White and Asian households—and this holds true even

after adjusting for income. These differences are due to a number of factors including decades of discrimination preventing the wealth building necessary to afford a downpayment and establish a credit history; historically lower levels of employment; discrimination in loan pricing; and geographic bias in property valuations.

Housing Needs

HUD defines “housing problems” as cost burden, severe cost burden, overcrowding, and substandard condition units. This section begins with the analysis of housing problems and supplements HUD’s housing problems data by examining disparities in homelessness.

Differences in cost burden. A starting point for housing needs is the measure of “cost burden.” Cost burden exists when households pay more than 30 percent of their gross household income in housing costs. Housing costs include the rent or mortgage payment, utilities, renter or homeowner insurance, and property taxes.

Severe cost burden—paying more than 50 percent of monthly gross income on a household rent or mortgage—is an indicator of critical housing needs. Severe cost is also linked to a high risk of eviction or foreclosure, and homelessness.



The number of households in the region who experience severe cost burdened is close to 150,000, with large differences among jurisdictions:

- In Baltimore City, 52,000 households are severely cost burdened;
- In Annapolis, 3,000 households are severely cost burdened;
- Anne Arundel County has more than 25,000 households who are severely cost burdened;
- Baltimore County has 46,000;
- Harford and Howard Counties each have more than 11,000 households who are severely cost burdened.

Why policymakers should care about cost burden. From an economic perspective, the region and jurisdictions will want to mitigate cost burden to allow households to invest in the local economy—through direct spending on goods and services, as well as investments in education, health, and well-being of their families. These investments bolster local revenues, increase job readiness, help renters become homeowners, lower

the public costs of eviction and foreclosure, and, most importantly, increase the economic opportunity for children.

Cost burden by race and familial status. The following figure compares the proportion of households experiencing severe cost burden, based on data from HUD's Affirmatively Furthering Fair Housing (AFFH) Table 10 and the Comprehensive Housing Affordability Strategy (CHAS) data. The figure shows severe cost burden by race, ethnicity, and family status, for each jurisdiction in the study area.

Figure V-1.

Share of Households Experiencing Severe Cost Burden (HUD Table 10) by Household Characteristics

	White, Non- Hispanic	Black, Non- Hispanic	Hispanic	Asian or Pacific Islander, Non- Hispanic	All Residents	Families with < 5 People	Families with > 5 People (Large)	Non-related and Single Households
Region	12%	21%	20%	16%	15%	12%	12%	22%
Anne Arundel	12%	18%	22%	19%	14%	11%	10%	20%
Annapolis	14%	23%	34%	28%	18%	15%	16%	21%
Baltimore City	16%	25%	20%	20%	21%	19%	18%	25%
Baltimore County	13%	18%	20%	15%	15%	11%	10%	22%
Harford County	11%	20%	17%	14%	12%	9%	12%	19%
Howard County	9%	16%	15%	13%	11%	9%	11%	17%

Note: Severe housing cost burden is defined as housing costs that are greater than 50 percent of income.

Source: HUD CHAS dataset using ACS 2011-2015. Refer to the Data Documentation for details

(www.hudexchange.info/resource/4848/affh-data-documentation).

Regionwide, severe cost burden is highest for:

- Single occupant households (22% are severely cost burdened),
- Black Non-Hispanic households (21%), and
- Hispanic households (20%).

Severe cost burden is nearly twice as high for these households as for White Non-Hispanic households.

By jurisdiction,

- Severe cost burden is highest in Annapolis and Baltimore City, despite their high supply of publicly assisted housing, because of the even more disproportionately high rates of poverty in those jurisdictions. Most notable is Annapolis' very high rate of severe cost burden for Hispanic residents at 34 percent and Asian residents at 28 percent.

- Severe cost burden is lowest in Howard County, followed by Harford County. Because cost burden is related to income levels and Howard County is a relatively affluent county, Howard County has the lowest severe cost burden for every racial, ethnic, and household group except for large families, where Anne Arundel County and Baltimore County are lower.

Cost burden by age. Figure V-2 supplements the HUD tables with severe cost burden by age range. It shows the proportion of households who experience cost burden 35 percent and greater (“moderate to severe” cost burden), rather than 50 percent and greater, due to data limitations. As the table demonstrates, moderate to severe cost burden is highest for the youngest and oldest households in the region.

It is important to put the higher level of cost burden among seniors in context: Higher cost burden is generally easier for seniors to manage because other household expenses are lower than those of other age cohorts, especially households with young children (e.g., seniors receive health care subsidies, do not have child care costs). (This, of course, is not as true for seniors raising grandchildren, especially if they are still in the workforce.) In addition, the cost burden measure does not account for personal assets and wealth, which some seniors have access to through retirement and pension funds. As such, in housing policy, senior cost burden is generally less of a concern than for younger households, especially households with children, where cost burden can serve as a long term barrier to economic opportunity.

Figure V-2.
Moderate to Severe Cost
Burden by Age, 2017

Note:

This table shows cost burden of 35% and greater, rather than 50% and greater. These data are pulled from the Census, which does not provide a 50% measure.

Source:

2013-2017 5-year ACS.

	Age 15-24	Age 25-34	Age 35-64	Age 65+
Region	53%	37%	38%	52%
Anne Arundel	53%	36%	32%	51%
Annapolis	37%	32%	38%	47%
Baltimore City	59%	40%	44%	46%
Baltimore County	52%	36%	36%	58%
Harford County	42%	42%	39%	48%
Howard County	42%	29%	34%	58%

Geography variation in cost burden. The maps appended to this section show the proportion of residents experiencing cost burden, by primary races and ethnicities, and by jurisdiction. Geographically, there is a pattern of moderate to high cost burden in areas where African American residents live throughout the region.

Figure V-3 compares the share of cost burdened households in each jurisdiction to the overall share of households in the region. That comparison demonstrates that the City of Baltimore absorbs more of the region’s severely cost burdened households than its share of households, while surrounding counties absorb less. This is related, in part, to the larger presence of lower income households in Baltimore City: Severe cost burden afflicts very

low income households more than moderate and high income households because of the shortage of affordable housing. Low income households are more likely than moderate and certainly high income households to “rent up” in price because they have no other choice.²

Figure V-3.

Share of Severely Cost Burdened Households v. All Households, by Jurisdiction

	Baltimore City	Anne Arundel County	Baltimore County	Harford County	Howard County
Share of region's cost burdened households	36%	17%	32%	8%	8%
Total households (all)	239,791	205,395	312,859	92,895	111,337
Share of all households in the region	25%	21%	33%	10%	12%
<i>Difference</i>	11%	-4%	-1%	-2%	-3%

Source: 1-year ACS, 2017

Disparities in the experience of homelessness. The most severe consequence of severe cost burden is homelessness, and, in the Baltimore region, the risk of homelessness is unequal among racial and ethnic groups, even after adjusting for poverty. In the region overall, 67 percent of individuals experiencing homelessness are African American; 29 percent are White; 4 percent are other races; and 4 percent are Hispanic. This compares to 54 percent of the region’s residents living below the poverty line who are African American; 36 percent who are White, 10 percent other races; and 14 percent Hispanic.³

In sum, African Americans are overrepresented among homeless individuals, even after accounting for poverty. All other races and ethnicities are underrepresented.

Except for Baltimore City, African Americans are much more likely to experience homelessness than what would be expected given their representation among persons living in poverty. The difference is particularly large in Baltimore County and Howard County:

- In Baltimore County, African Americans make up 36 percent of persons living in poverty v. 61 percent of persons experiencing homelessness;

² Moderate and high income households may “rent up” or “buy up” to live in a particular neighborhood, as an investment strategy, because they receive parental support, etc.

³ CofC Racial Equity Analysis Tool developed by HUD, 2018.

- In Howard County, African Americans make up 33 percent of persons living in poverty v. 58 percent of persons experiencing homelessness.

Relative to poverty, Asian residents are highly under-represented in homelessness in Howard County and White residents are highly under-represented in Baltimore County, Harford County, and Anne Arundel County.

Equally concerning is the disproportionate share of African Americans among homeless families with children. This disparity appears in all jurisdictions and is more significant than for individuals:

- In the region overall, African American families make up 54 percent of families living in poverty but 78 percent of homeless families;
- In Anne Arundel County, 27 percent of African American families live in poverty v. 58 percent in homelessness;
- In Baltimore County, 36 percent of African American families live in poverty v. 83 percent in homelessness);
- In Harford County, 26 percent of African American families live in poverty v. 75 percent in homelessness;
- In Howard County 33 percent of African American families live in poverty v. 63 percent in homelessness.

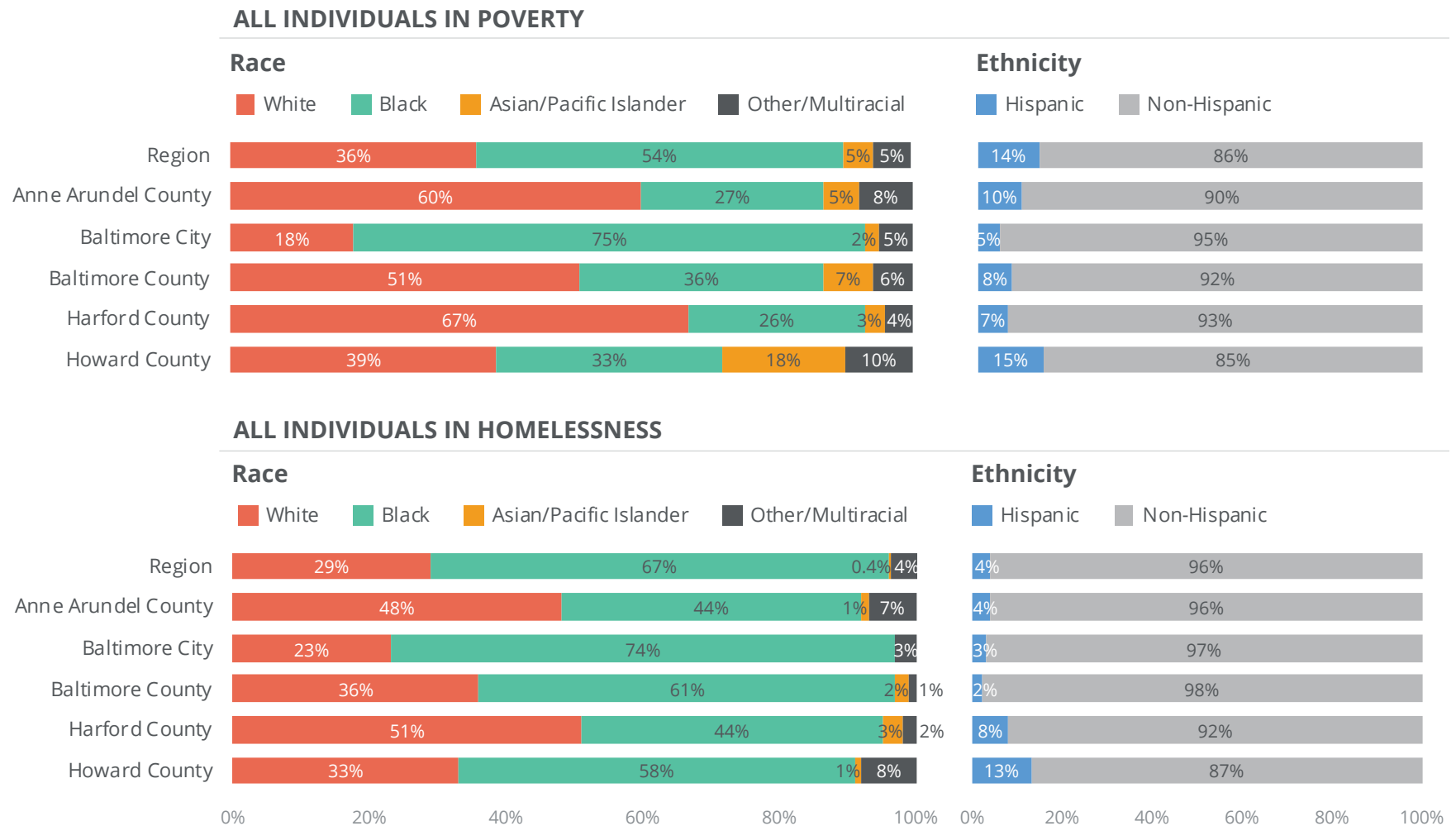
The difference is small for Baltimore City.

The figures below summarize these disparities, first for homeless individuals followed by homeless families.⁴

⁴ Data in the tool is based on homelessness and poverty counts at the local level. The data shown draw on the 2017 Point-in-Time (PIT) count data and the Annual Homeless Assessment Report (AHAR) for the U.S. Congress. The data use the definitions of homelessness of:

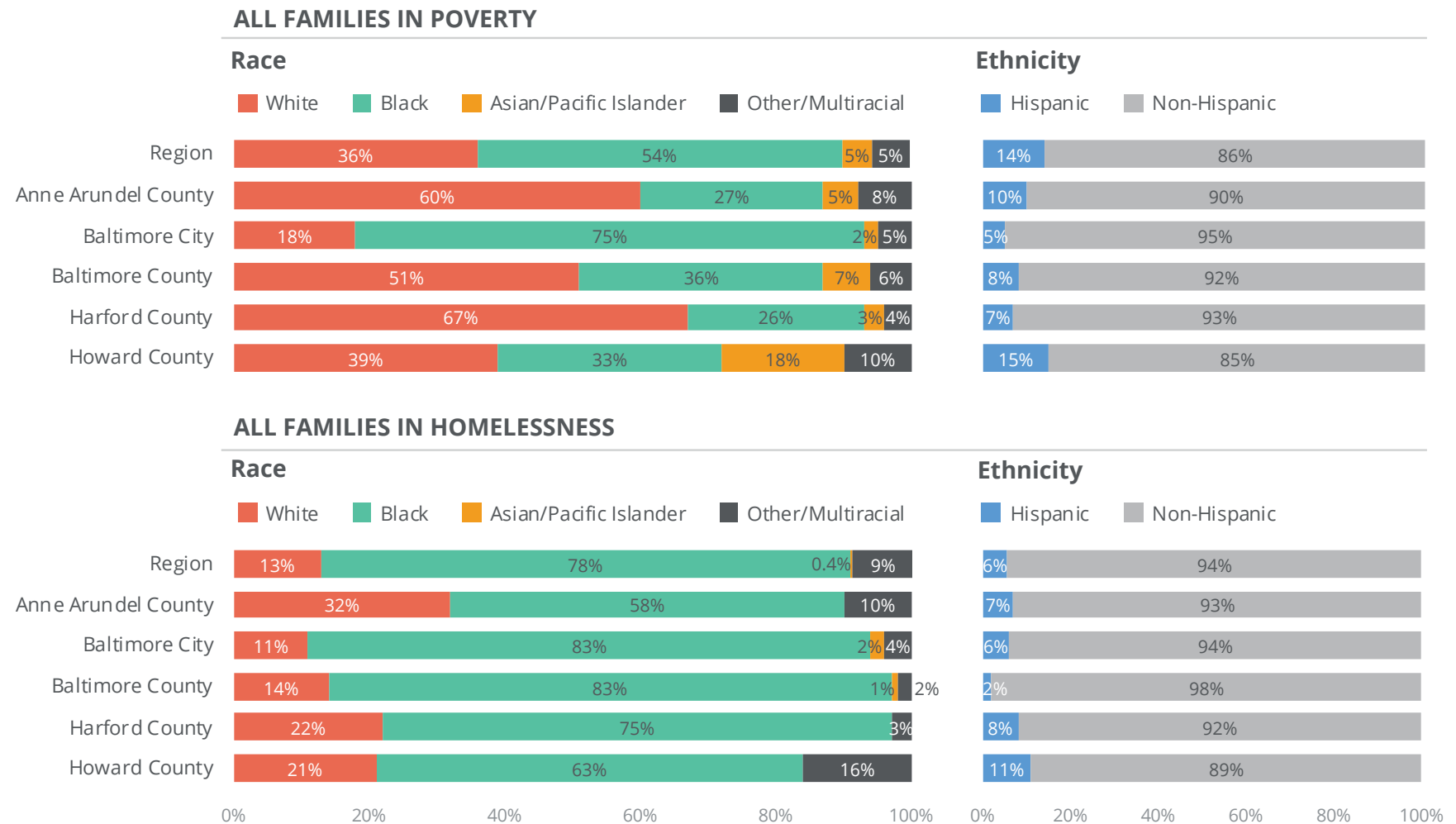
- People experiencing sheltered homelessness are defined as “an individual or family living in a supervised publicly or privately operated shelter designed to provide temporary living arrangement”—including congregate shelters, transitional housing, hotels and motels paid for by charitable organizations.
- People experiencing unsheltered homelessness are defined as “an individual or family with a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including a car, park, abandoned building, bus or train station, airport, or camping ground.”

Figure V-4.
Race and Ethnicity of Individuals in Poverty v. in Homelessness, 2015



Source: American Community Survey (ACS) 2011-2015 5-yr estimates; Veteran CoC data from the ACS 2015 1-yr estimates; Total youth in the American Community Survey is a rollup of race estimates of all persons under 25.

Figure V-5.
Race and Ethnicity of Families in Poverty v. in Homelessness, 2015



Source: American Community Survey (ACS) 2011-2015 5-yr estimates; Veteran CoC data comes from the ACS 2015 1-yr estimates; Total youth in the American Community Survey is a rollup of race estimates of all persons under 25.

Gaps in Rental Housing Supply

Housing needs are inextricably related to housing supply. This section examines how the lack of supply has a disproportionate impact on protected classes. It begins by examining rental housing shortages by income level and jurisdiction and concludes with fair share analysis of affordable housing supply.

Overall rental gaps. A housing gaps analysis compares the supply of units at various affordability levels with the number of households who need units, based on their household income. Gaps analyses are the most commonly used exercise for determining rental housing needs and to establish goals for addressing needs.

The Maryland Department of Housing and Community Development (DHCD) released an analysis of the state's rental housing shortage (or "rental gap") in early 2019, with the analysis based on HUD data covering the 2011-2015 period.⁵ That study compared the number of renter households by HUD median family income (MFI) to the number of affordable rental units for the state and for each county. It found a statewide shortage of deeply subsidized rental units of 121,667, a significant increase (8.8%) from the last study that was based on 2009-2013 data. The analysis also revealed a shortage of moderately subsidized rental units of 136,670, up 5.9 percent.

By "shortage," the gaps analysis means that households in existing units are paying more than they can afford. These households are not without housing. Their needs can be met through rental subsidies (housing choice vouchers), new construction of affordable rentals in markets where vacancy rates are low, and rehabilitation of vacant and underutilized property and land.

Of the statewide shortage, half is attributable to affordable rental shortages in the Baltimore region—the same as the region's share of the state's 0-30 percent MFI population.

Figure V-6 presents the gaps analysis for the jurisdictions represented in this study. Altogether in the region:

- The state found a shortage of 58,000 rental subsidies for households earning 30 percent and less of the median family income (roughly \$25,000 for a 2-person household and \$30,000 for a 4-person household in today's dollars)—this is up from 55,000 from 2009-2013.

⁵ *Rental Housing Shortage in Maryland, 2011-2015*; Maryland Department of Housing and Community Development, Housing Economic Research Office, January 2019.

- When considering renters up to 50 percent MFI, the gap widens to 63,000 (households at this level earn \$40,000 for a 2-person household and \$50,000 for a 4-person household). This is the same as in 2009-2013; and
- The gap decreases significantly at the 80 percent MFI level, as affordable units become more plentiful. At this level, the region is short 21,700 rental subsidies, which is a slight decrease from the 22,500 identified in 2009-2013.⁶

By jurisdiction, Baltimore City and Baltimore County have the largest needs for 0-30 percent and 0-50 percent MFI units. Anne Arundel County, Baltimore County, and Howard County have the largest needs for 0-80 percent MFI units.

Figure V-6.
Affordable Rental Unit Shortage by Jurisdiction, 2011-2015

Source:

Rental Housing Shortage in Maryland, Maryland Department of Housing and Community Development, January 2019.

	Shortage of Affordable Rentals		
	0-30% MFI Renters	0-50% MFI Renters	0-80% MFI Renters
Anne Arundel County	-4,928	-8,792	-7,263
Baltimore County	-17,959	-23,926	-6,783
Harford County	-3,374	-3,602	-738
Howard County	-3,626	-5,923	-5,806
Baltimore City	-28,684	-20,960	-1,126
Region	-58,571	-63,203	-21,716

The state also conducted separate gaps analyses for elderly and housing for persons with disabilities. As shown in the figure below, the gaps for elderly rental subsidies is about one-quarter of the total gap.

Figure V-7.
Elderly Affordable Rental Unit Shortage by Jurisdiction, 2011-2015

Source:

Rental Housing Shortage in Maryland, Maryland Department of Housing and Community Development, January 2019.

	Shortage of Affordable Rentals: Elderly Households Only		
	0-30% MFI Renters	0-50% MFI Renters	0-80% MFI Renters
Anne Arundel County	-1,470	-2,365	-1,463
Baltimore County	-5,325	-6,895	-1,686
Harford County	-1,087	-1,032	-180
Howard County	-933	-1,441	-1,217
Baltimore City	-6,849	-4,693	-228
Region	-15,664	-16,426	-4,774

⁶ Households at this MFI earn \$60,000 for a 2-person household and \$75,000 for a 4-person household.

The gaps analysis to measure rental subsidies needed for persons with disabilities, by disability type, is shown in Figure V-8. Regionwide, units and subsidies to accommodate residents with ambulatory disabilities is most needed.

Figure V-8.
Affordable Rental Unit Shortage for Persons with Disabilities by Jurisdiction, 2011-2015

	Shortage of Affordable Rentals: Persons with Disabilities			
	Hearing/ Vision	Ambulatory Limitation	Cognitive Limitation	Independent Living Limitation
0-30% MFI Renters				
Anne Arundel County	-572	-1,174	-880	-715
Baltimore County	-2,099	-3,769	-2,503	-3,042
Harford County	-461	-572	-564	-520
Howard County	-400	-578	-498	-613
Baltimore City	-3,863	-7,321	-5,460	-5,476
Region	-7,395	-13,414	-9,905	-10,366
0-50% MFI Renters				
Anne Arundel County	-947	-1,693	-1,397	-1,183
Baltimore County	-2,628	-4,428	-3,022	-3,509
Harford County	-421	-567	-525	-478
Howard County	-595	-853	-741	-894
Baltimore City	-2,752	-4,920	-3,610	-3,567
Region	-7,343	-12,461	-9,295	-9,631
0-80% MFI Renters				
Anne Arundel County	-716	-1,114	-976	-746
Baltimore County	-709	-1,104	-748	-786
Harford County	-74	-104	-95	-78
Howard County	-511	-729	-634	-729
Baltimore City	-137	-235	-176	-164
Region	-2,147	-3,286	-2,629	-2,503

Source: Rental Housing Shortage in Maryland, Maryland Department of Housing and Community Development, January 2019.

Figure V-9 shows the numbers of households on wait lists maintained by public housing authorities in the region as of April 2019. The total is not a precise measurement of need. On the one hand, it is common for households to apply for assistance at multiple housing authorities to maximize their chances for obtaining assistance. On the other hand, all voucher waiting lists except Harford County and Anne Arundel County are closed, with many having been closed for years. When the Housing Authority of Baltimore City (HABC) last opened their waiting list in 2014, 75,000 households signed up in nine days, which HABC immediately reduced via lottery to 25,000. So, whether the wait list data might not

state the need with pinpoint accuracy, they do confirm the significant shortage of deeply subsidized rental homes in the region.

**Figure V-9.
Waiting Lists
in Region**

Note:

*Includes all demographic categories, including people with disabilities.

Source:

BMC.

Jurisdiction	Md. Dept. of Disabilities Waiting List - Need Accessible Housing	Public Housing Authority Waiting Lists (approximate)*
Anne Arundel County	1,150	24,000
Baltimore City	1,306	40,800
Baltimore County	1,657	28,000
Harford County	451	2,500
Howard County	860	2,500
Regional Mobility Program		14,000
Totals	5,424	107,000

In sum, the Baltimore region has a very significant need for affordable rental housing at the 0-30 percent MFI level, as demonstrated by the cost burden analysis, the state's housing gaps analysis, the updated gaps analysis by unit size, and in wait lists for publicly supported housing. The primary need is for deeply affordable units serving both single person- and family households living below the poverty level.

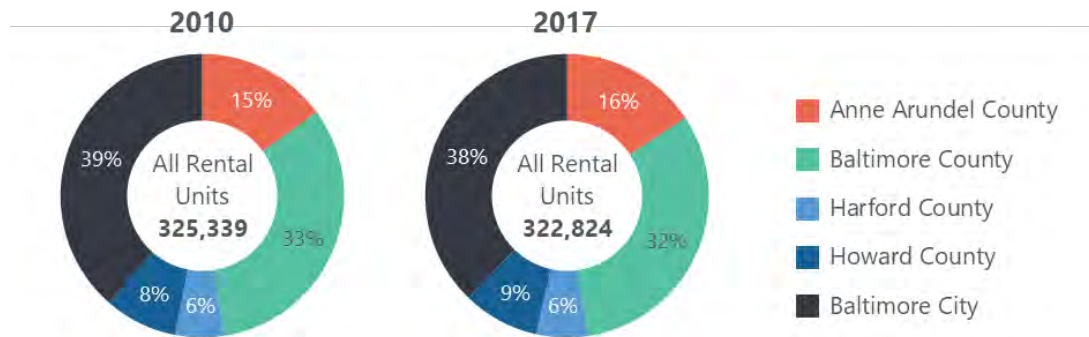
The region is expected to add 30,800 households between 2020 and 2025, for an average annual growth rate of 3 percent, according to the state Department of Planning. Of these, about one-third is expected to be renter households—10,000 new renters—with about 40 percent of those renter households, or 4,000, being low income households. If 10 percent of the new units built to accommodate household growth were affordable (a common proportion in inclusionary housing programs, both mandatory and voluntary), these would fall short of meeting the affordability need for new renters. Therefore, additional resources are critical to avoid widening the existing affordability gap and meet new growth demands.

Jurisdictional share of affordable rental supply. Regionwide, there are approximately 323,000 rental units. As shown in the figure below, Baltimore City provides the largest share of rental units of all prices at 38 percent, followed by Baltimore County at 32 percent. Harford County has the smallest share of the region's rental units at 6 percent.

The rental unit distribution differs significantly, however, for deeply affordable units renting at less than \$500 per month and serving the region's renters earning less than \$20,000 per year. At this level, Baltimore City provides the vast majority of affordable rentals—67 percent, compared to 32 percent of all units. The distribution improves for units renting between \$500 to \$750 (accommodating incomes between \$20,000 and \$30,000 per year), although Baltimore City continues to provide more than its overall share and surrounding jurisdictions provide less, except for Harford County.

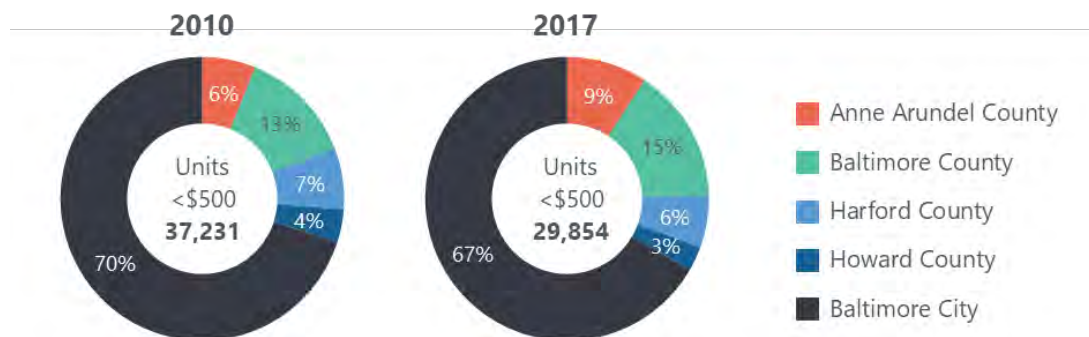
The figures also show the same distributions of rental units for 2010, to examine if the balance has shifted. The graphics demonstrate improvement in the share of affordable rental housing provided by the counties: their share of units has increased slightly relative to their overall share of all rental units—although, even with this shift, Baltimore City continues to provide a far greater share of affordable rentals.

Figure V-10.
County/City Share of Rental Units, 2010 and 2017



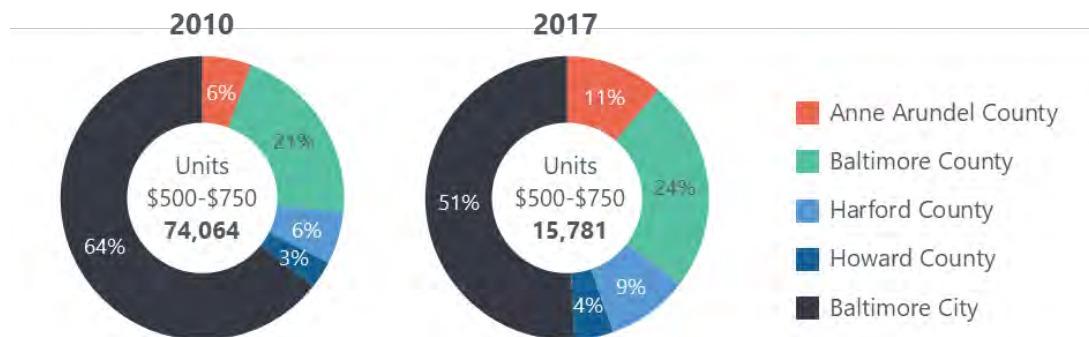
Source: 2010 Census and 1-year ACS, 2017.

Figure V-11.
County/City Share of Deeply Affordable Rental Units (< \$500/month), 2010 and 2017



Source: 2010 Census and 1-year ACS, 2017.

Figure V-12.
County/City Share of Deeply Affordable Rental Units (\$500-\$750/month), 2010 and 2017



Source: 2010 Census and 1-year ACS, 2017.

The figure below presents the data behind the above pie charts. It also highlights where deeply affordable rentals are over- (positive percentages) and under- (negative percentages) supplied relative to all rental units.

As shown in the figure, Baltimore City provides 67 percent of the region's deeply affordable rentals—which is well above the city's share of rental households overall of 38 percent (29 percentage points more). The city also provides half of the region's rental units priced between \$500 and \$750 per month, affordable to households earning between \$20,000 and \$30,000 per year.

Figure V-13.
Share of All Rental Units and Affordable Rental Units, 2017

	All Rental Units	% of All Rental Units	Units renting for less than \$500	% of less than \$500 units	Over/Under Supply	Units renting from \$500 to \$750	% of \$500 to \$750 units	Over/Under Supply
Anne Arundel County	50,906	16%	2,756	9%	-7%	1,764	11%	-5%
Baltimore County	102,925	32%	4,599	15%	-16%	3,824	24%	-8%
Harford County	18,817	6%	1,768	6%	0%	1,473	9%	4%
Howard County	28,263	9%	832	3%	-6%	697	4%	-4%
Baltimore City	121,913	38%	19,899	67%	29%	8,023	51%	13%
Region	322,824	100%	29,854	100%		15,781	100%	

Note: Table does not include rental units without cash rent (e.g., renter does not pay rent and instead provides household assistance).

Source: 1-year ACS, 2017.

In contrast, the surrounding counties are undersupplying affordable rental units relative to their supply of all rental units. This difference is most pronounced for units renting for less than \$500 per month in Baltimore County (16 percentage point difference). Of all surrounding counties, Harford does the best in supplying affordable rentals, compared to its share of all rental units.

Figure V-14 adjusts the regional rental gaps identified in Figure V-6 above to be in proportion to each jurisdiction's share of the region's total rental housing. Using this mechanism to establish affordability goals mitigates somewhat the continued concentration of deeply affordable rentals by meeting the affordability need in proportion to a jurisdiction's share of overall rental housing. For example, under the original gaps, Howard County may set a goal to lower its gap at the 50 percent MFI level (shortage of 4,799

units). Under the adjusted gap the county's goal would be larger (addressing a gap of 5,534 units) because the county would be helping to meet the region's need for that level of affordability in proportion to the county's overall share of the region's rental housing. For Baltimore City, the gap widens at the 80 percent MFI level because the City contains a lower share of rental units at this level of affordability than its share of the region's rental housing overall.

Figure V-14.
Adjusted Rental Unit Shortage by Jurisdiction

	Shortage of Affordable Rentals						Shortage Adjusted to Overall Rental Distribution					
	0-30% MFI Renters		0-50% MFI Renters		0-80% MFI Renters		0-30% MFI Renters		0-50% MFI Renters		0-80% MFI Renters	
Anne Arundel County	-4,939	9%	-8,885	14%	-7,693	34%	-8,647	16%	-9,967	16%	-3,548	16%
Baltimore County	-16,637	30%	-22,954	36%	-7,859	35%	-17,482	32%	-20,152	32%	-7,174	32%
Harford County	-2,681	5%	-3,141	5%	-8	0%	-3,196	6%	-3,684	6%	-1,312	6%
Howard County	-2,796	5%	-4,799	8%	-5,146	23%	-4,801	9%	-5,534	9%	-1,970	9%
Baltimore City	-27,780	51%	-23,429	37%	-1,796	8%	-20,707	38%	-23,870	38%	-8,498	38%
Region	-54,833	100%	-63,208	100%	-22,502	100%	-54,833	100%	-63,208	100%	-22,502	100%

Source: Root Policy Research.

Gaps in Attaining Homeownership

For the majority of households in the U.S., owning a home is the single most important factor in wealth-building. Homeownership is also thought to have broader public benefits, which has justified decades of public subsidies to support ownership. The federal government has subsidized homeownership in various forms for nearly 100 years—yet the subsidies and wealth-building benefits of ownership have been realized by a narrow segment of households.

A recent examination of the commonalities of cities with high rates of African American ownership found two important factors: 1) High levels of advocacy, organizing, and testing that guards against discriminatory practices and treatment; and 2) Inner-ring suburbs that provide attractive alternatives to city living due to good schools, welcoming leadership, and affordability.⁷

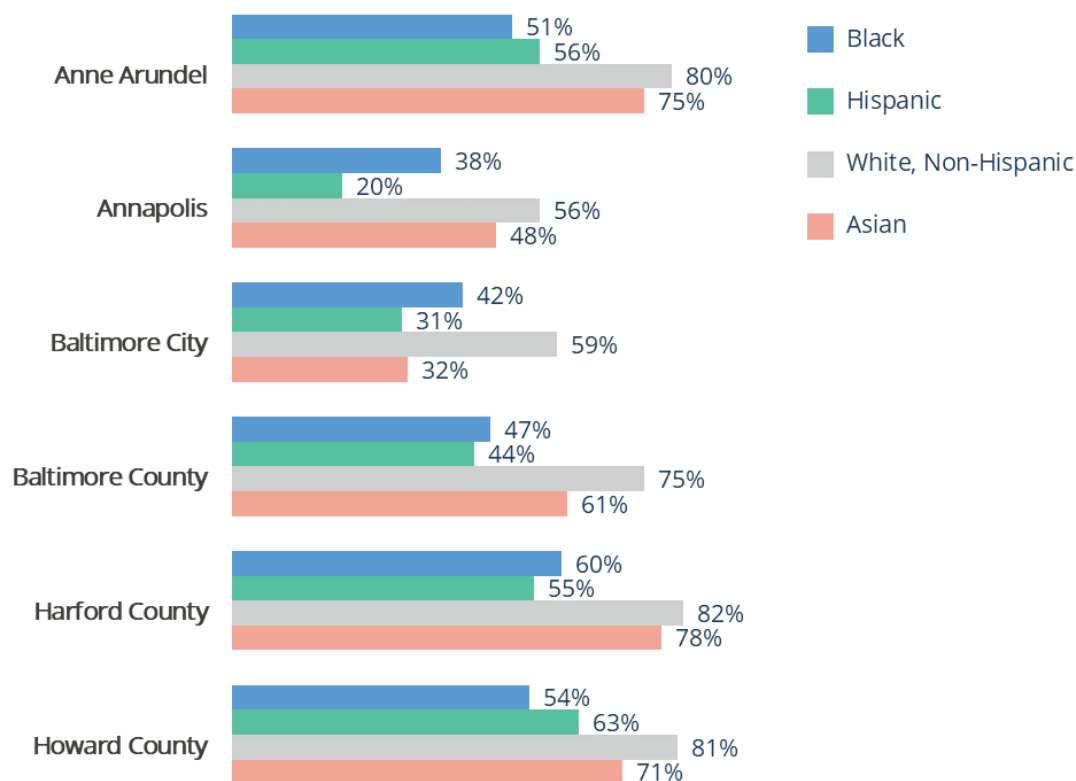
⁷ <http://www.governing.com/topics/transportation-infrastructure/sl-black-homeownership-norm-in-these-cities.html>

In the Baltimore region, homeownership for African American and Hispanic households is significantly lower than for Non-Hispanic White and Asian households, as shown below. The African American and White disparity is largest in Anne Arundel County, Baltimore County, and Howard County (27-29 percentage point disparity) and smallest in Annapolis and Baltimore City, both of which have relatively low homeownership rates overall.

The Hispanic and White homeownership disparity is larger in most jurisdictions, particularly in Annapolis (36 percentage point difference) and Baltimore County (31 percentage point).

These differences are unchanged from 2000, according to data in the 2012 AI: The homeownership rate among African American households was 54 percent in 2000, and Hispanic households, 50 percent, compared to 81 percent for White households.

Figure V-15.
Homeownership by Race and Ethnicity, 2017



Source: American Community Survey, 2013-2017.

According to a recent analysis of national ownership trends, African American homeownership has fallen during past 30 years, while Hispanic and, especially, Asian rates

have increased.⁸ In 2015, African American households with a college degree were less likely to own a home than White households *without a high school degree*.⁹

Differences in access to credit. The federal Home Mortgage Disclosure Act (HMDA) data are used to detect differences in mortgage loan originations by the protected classes reported in the data. The HMDA data analyzed in this section reflect loans applied for by residents in 2017, the latest year for which HMDA were publicly available at the time this document was prepared.

The following figure shows the proportion of mortgage loans that were applied for and denied, by race and ethnicity. For the region overall, African American loan applicants were denied mortgage loans twice as often as Non-Hispanic White applicants (26% v. 13%). The denial rate for Hispanic applicants was 19 percent. The denial rate for Asian applicants was 15 percent, close to the rate for Non-Hispanic White applicants.

By jurisdiction:

- The City of Annapolis has the highest rate of denials for African Americans, at a very high 43 percent;
- Baltimore City also has a relatively high rate of denials for African Americans at 33 percent;
- Baltimore City also has the highest denial rate for Hispanic applicants;
- There is less variation in the Hispanic denial rate among jurisdictions; and
- The African American denial rate is higher than the Hispanic denial rate in all jurisdictions.

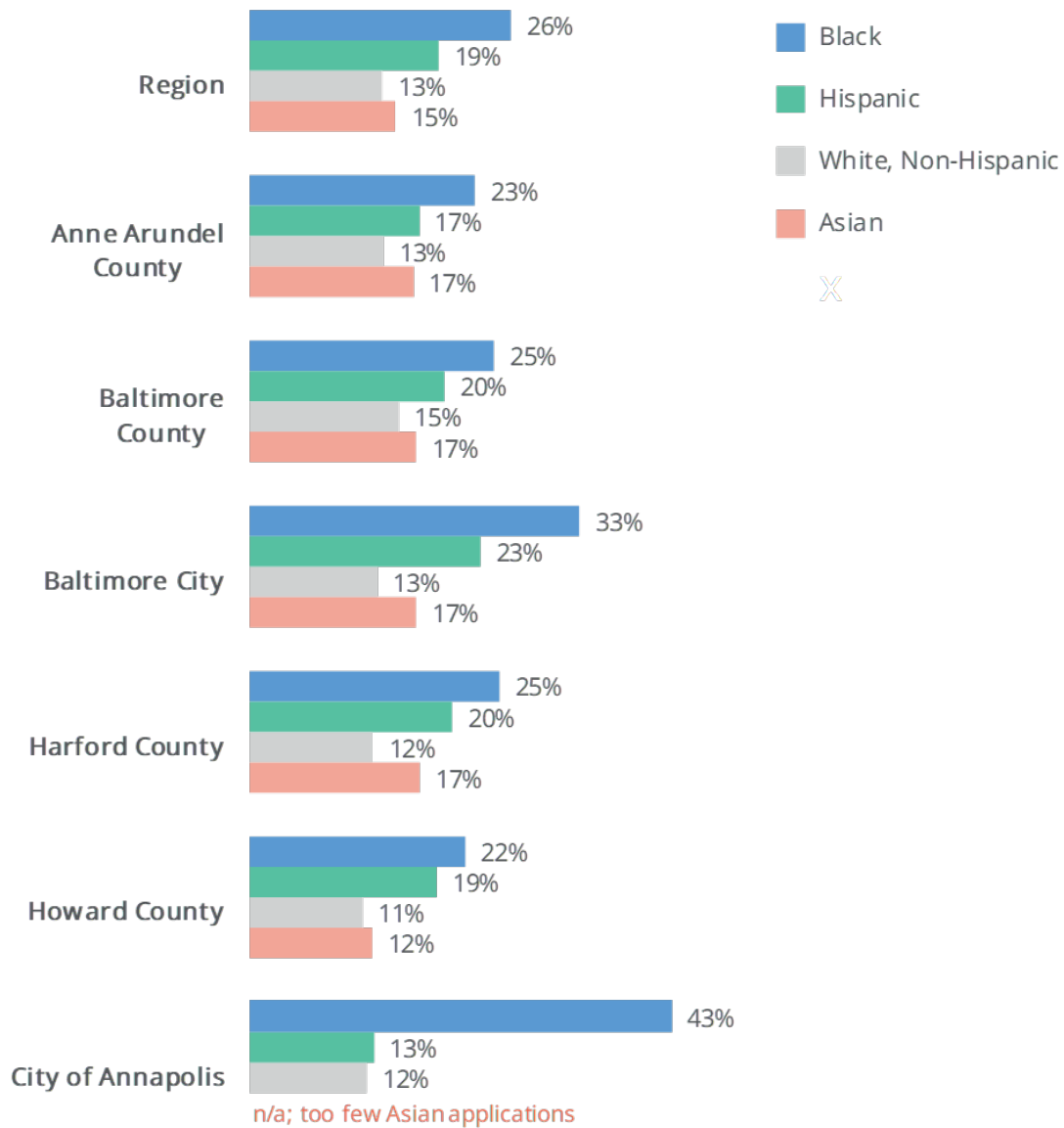
The next figure shows denials by Census tract; it is based on 2015-2017 data to provide a better representation of denials by Census tract. High denial areas are heavily concentrated in west and east Baltimore City.

As demonstrated by the map on African American concentrations from Section I, high denial areas in Baltimore City and Baltimore County are some of the same areas with African American concentrations. The pattern is less pronounced in the other counties.

⁸ White ownership has declined slightly, by .8 percent.

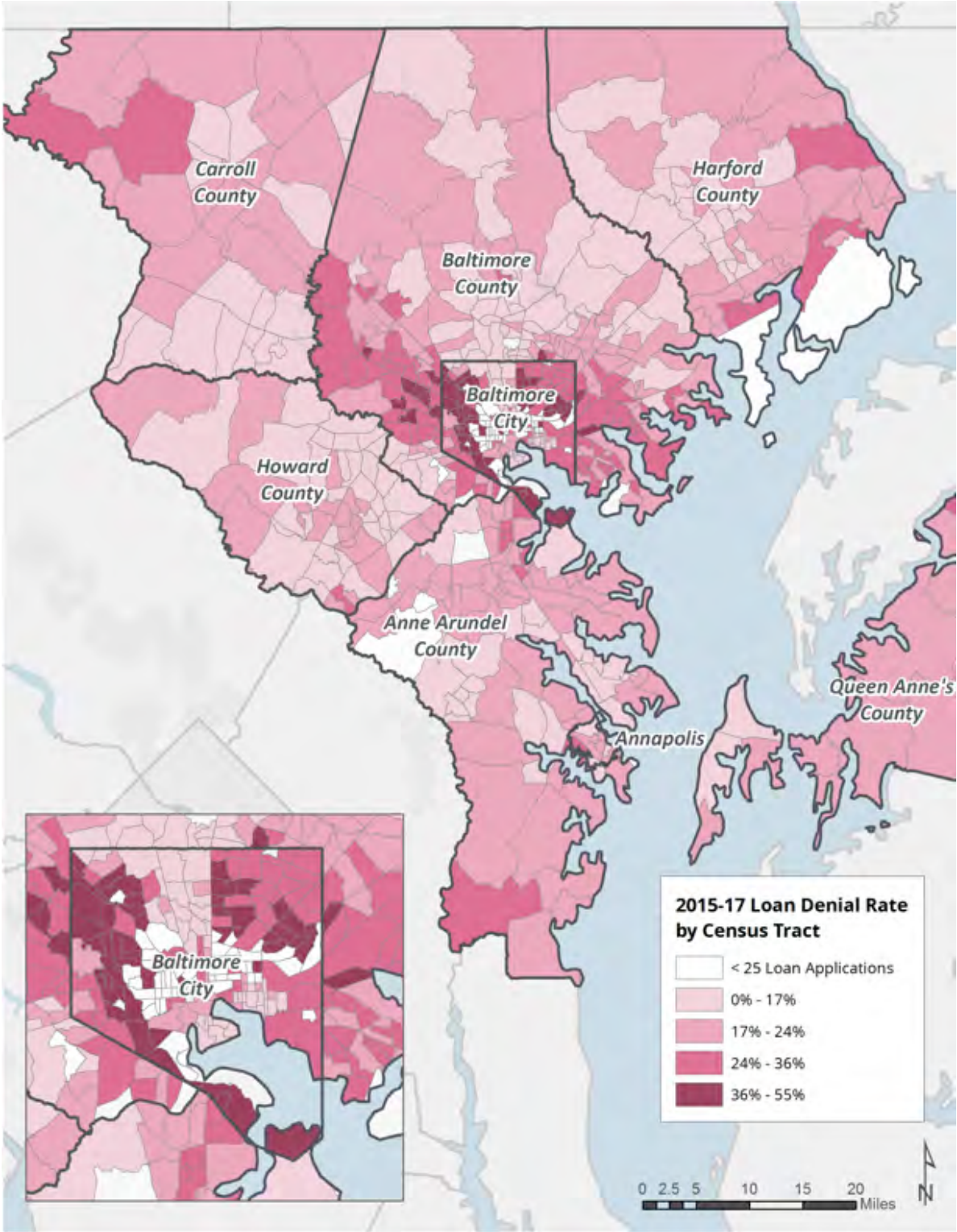
⁹ https://www.urban.org/sites/default/files/publication/96221/homeownership_and_the_american_dream_0.pdf

Figure V-16.
Mortgage Loan Denial Rates by Race and Ethnicity



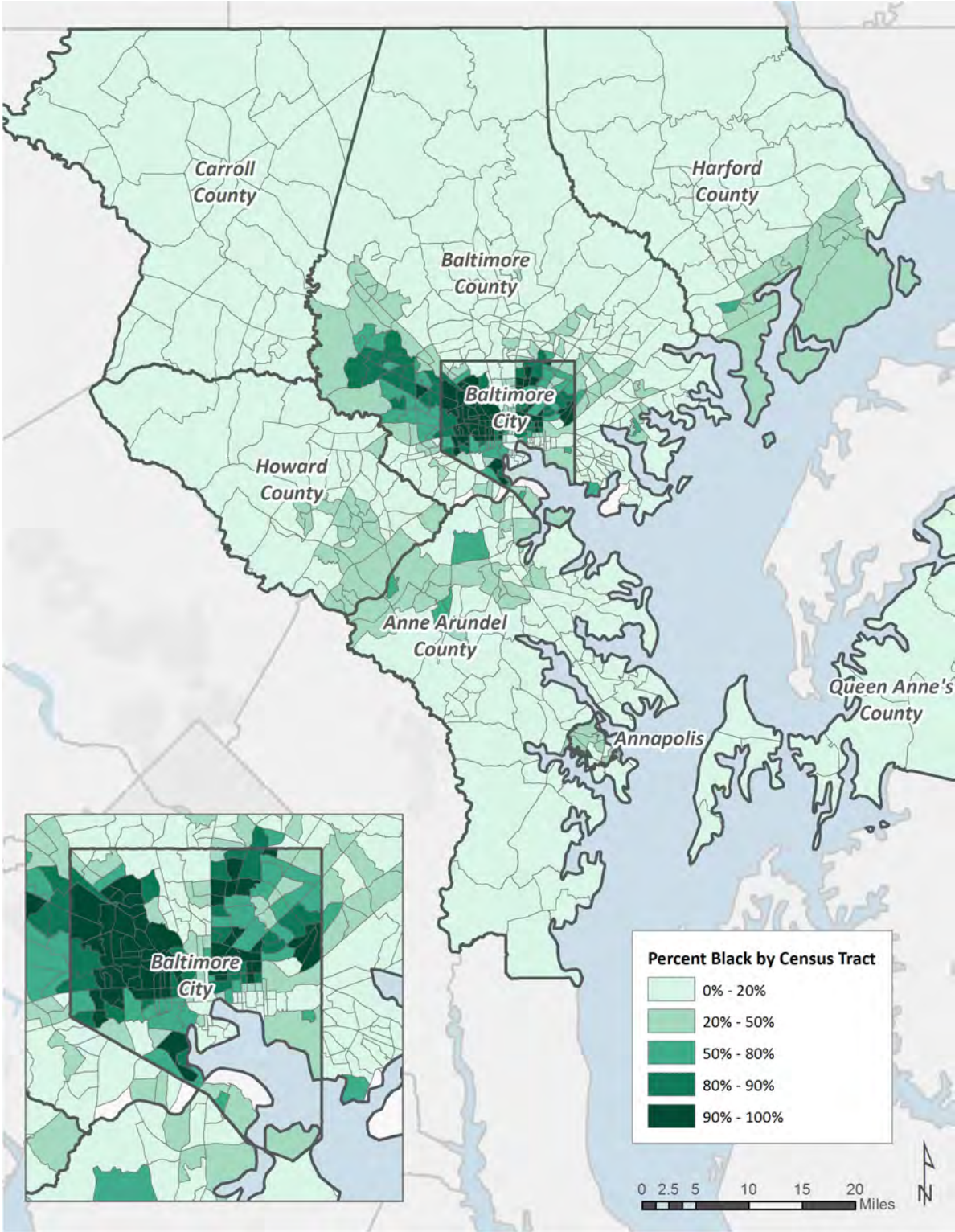
Source: HMDA.

Figure V-17.
Residential Property Loan Denials, 2017



Source: 2017 Home Mortgage Disclosure Act (HMDA).

Figure V-18.
Percent African American by Census Tract, 2016¹⁰



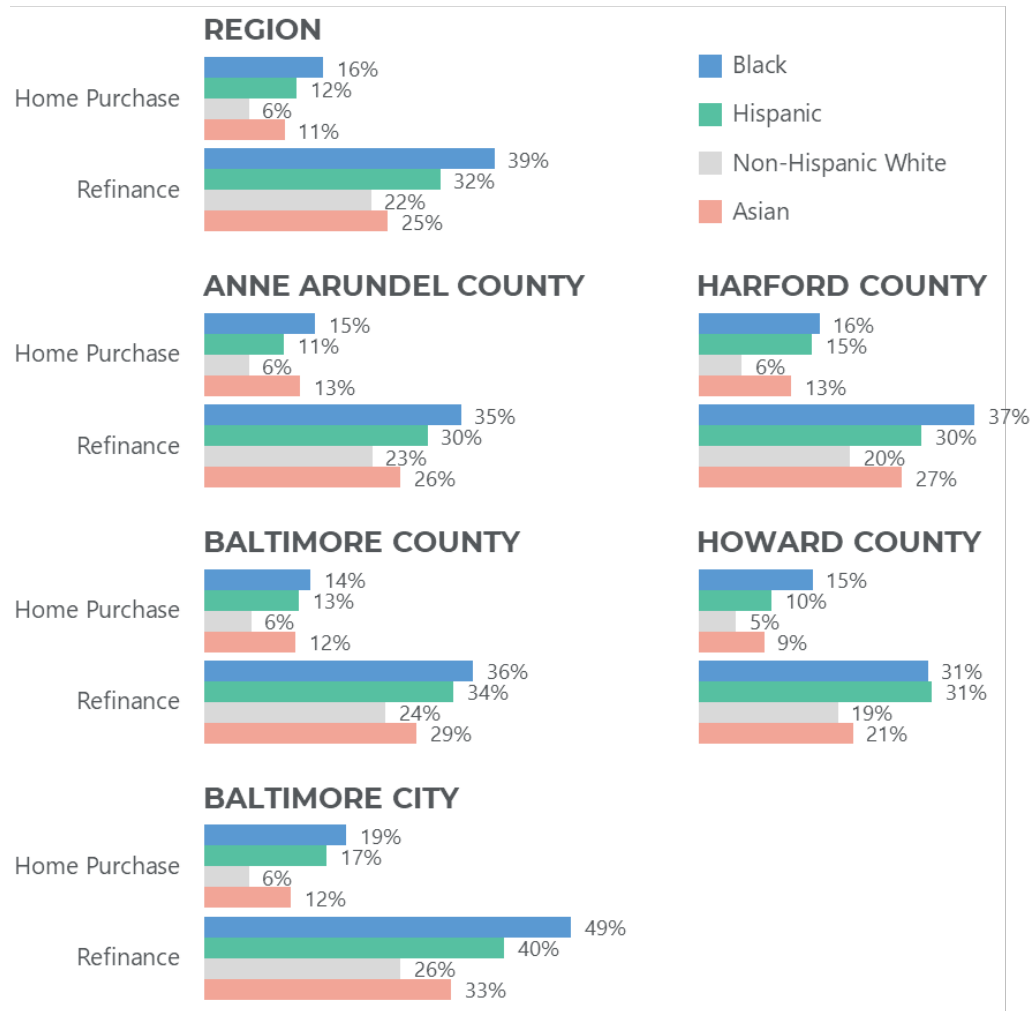
Source: 2016 5-year ACS.

Loan denial rates can also vary by race and ethnicity based on the type of loans applied for by applicants, as shown in Figure V-19. Denial rates are typically highest for home improvement loans, often because the additional debt will raise the loan to value ratios above the levels allowed by a financial institution. The gaps in home improvement loans are very significant in most areas of the region, with the largest gap of 17 percentage points in Harford County (African American/White gap).

Figure V-20 shows denial rates by race, ethnicity, and income. Although income is not a factor in credit scores, it can be used as a proxy to norm the qualifications of applicants. A narrowing of the disparities in loan approvals should occur when income is considered. This is not the case in the Baltimore region, however: Non-Hispanic White applicants with incomes at less than 80 percent AMI have lower denial rates African American applicants at 120 percent and more AMI. Across jurisdictions, the gaps exist regardless of income level.

¹⁰ The areas without shading in the map lack enough loan data for analysis. These areas have no or very few loan applications. Of the 672 Census tracts examined in the analysis, 23 had fewer than 25 mortgage loan applications between 2015 and 2017. Of those tracts with too few loan apps in the current map, 17 are in Baltimore City, one is in Harford County, two are in Baltimore County, and three are in Anne Arundel County. On average, the 23 tracts with too few loan applications to report are 80 percent rental.

Figure V-19.
Reasons for Denial by Race/Ethnicity and Loan Type, 2017



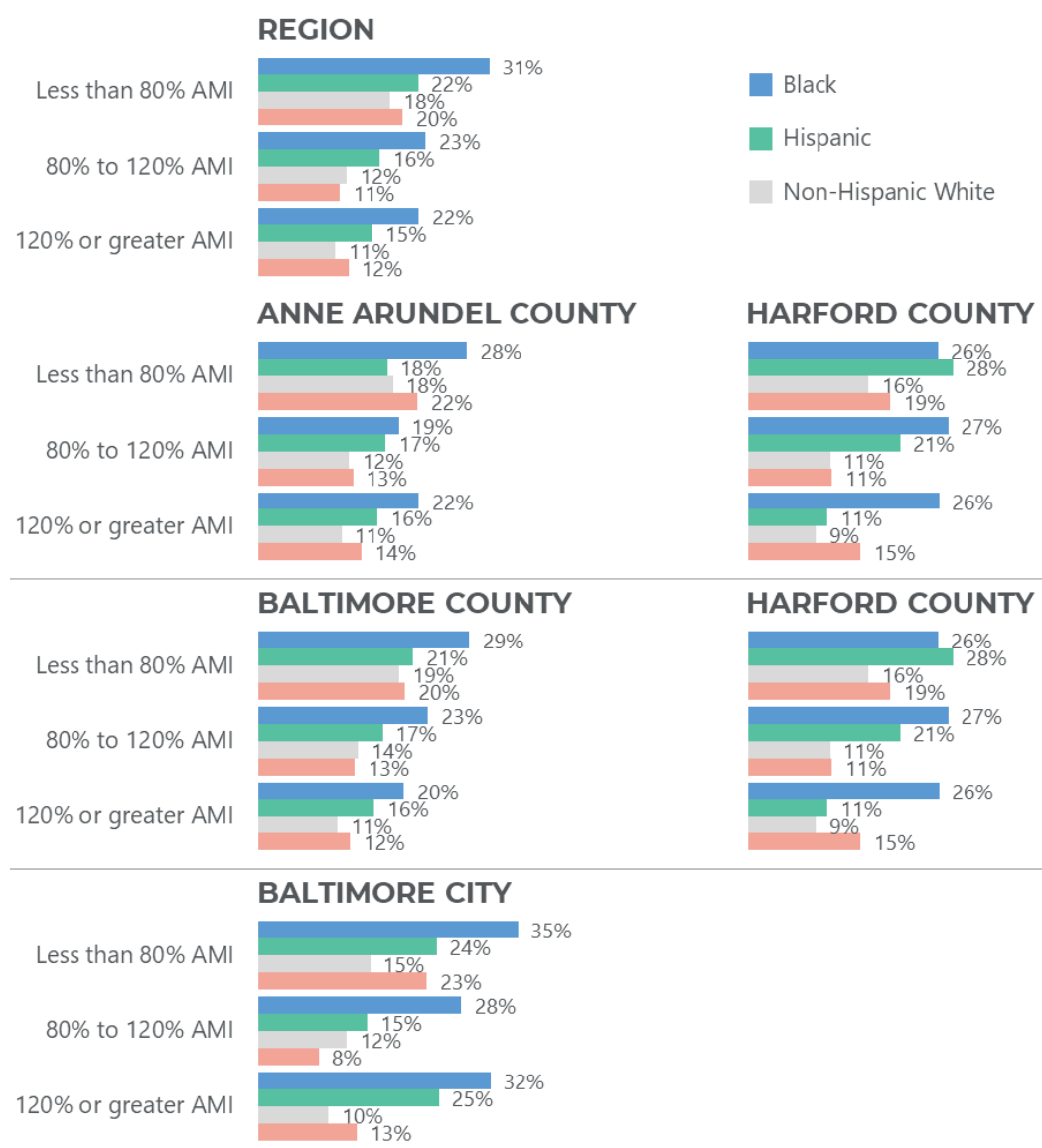
Note: Does not include loans for multifamily properties or non-owner occupants.

Too few loan applications in Annapolis to show data.

Too few home improvement loans to analyze by jurisdiction.

Source: FFIEC HMDA Raw Data, 2017 and Root Policy Research.

Figure V-20.
Denial Rate by Race/Ethnicity and Applicant Income, 2017



Note: Does not include loans for multifamily properties or non-owner occupants. Denial Rate is the number of denied loan applications divided by the total number of applications, excluding withdrawn applications and application files closed for incompleteness.

Too few loan applications in Annapolis to show data.

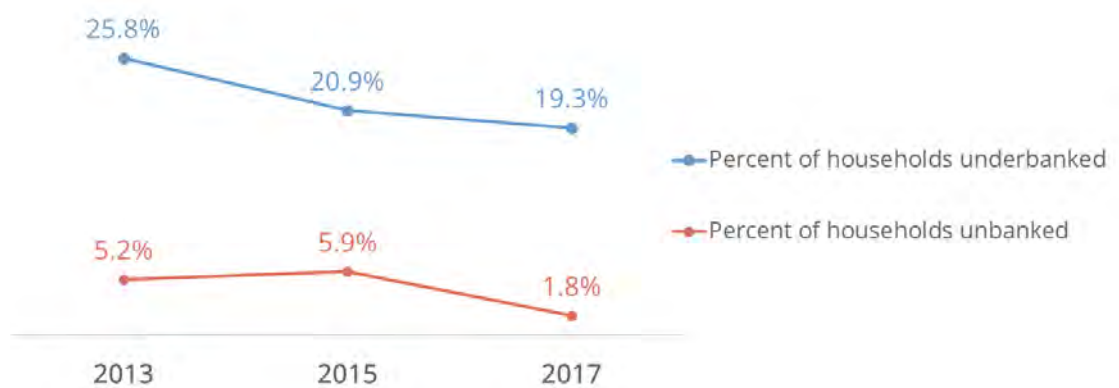
Source: FFIEC HMDA Raw Data, 2017 and Root Policy Research.

A fall 2018 analysis of lending disparities by the Baltimore Business Journal examined the denial rates of the largest lenders in the Baltimore region. Those financial institutions, with a combined market share of 80 percent, denied African Americans mortgage loans at 1.5 times the rate of loans to Non-Hispanic White applicants. Although still a disparity, this rate is lower than for all financial institutions in the region (1.9). Except for two banks—M&T and First Mariner, which had very high denial gaps in 2012—the banks' denial gaps had not changed significantly since 2012.

The Federal Deposit Insurance Corporation’s (FDIC) monitors the prevalence of unbanked and underbanked households in the U.S.. “Unbanked” households are those in which no one in the household has a checking or savings account “Underbanked” households are those who have an account in an insured institution but also use services that are likely to charge high or very high rates. These services include check cashing institutions, payday loans, “tax refund anticipation” loans, rent-to-own services, pawn shop loans, and/or auto title loans.

The latest FDIC survey found that 19 percent of the region’s households are “underbanked” and less than 2 percent are “unbanked.” This compares to 20 percent of households nationwide that are underbanked and 6.5 percent who are unbanked.

Figure V-21.
Unbanked and Underbanked Households, FDIC-defined Region, 2009 – 2017



Note: Underbanked definition is based on the following AFS: check cashing, money order, remittance, payday loan, rent-to-own service, pawn shop loan, refund anticipation loan, and auto title loan.

Source: Multiyear FDIC National Survey of Unbanked and Underbanked Households.

Finally, the FDIC collects data on why households are unbanked or underbanked, which are also only available for the state. Not having enough money to open an account and lack of trust of the financial industry were the two most common, known, reasons why households did not participate in the traditional banking sector.

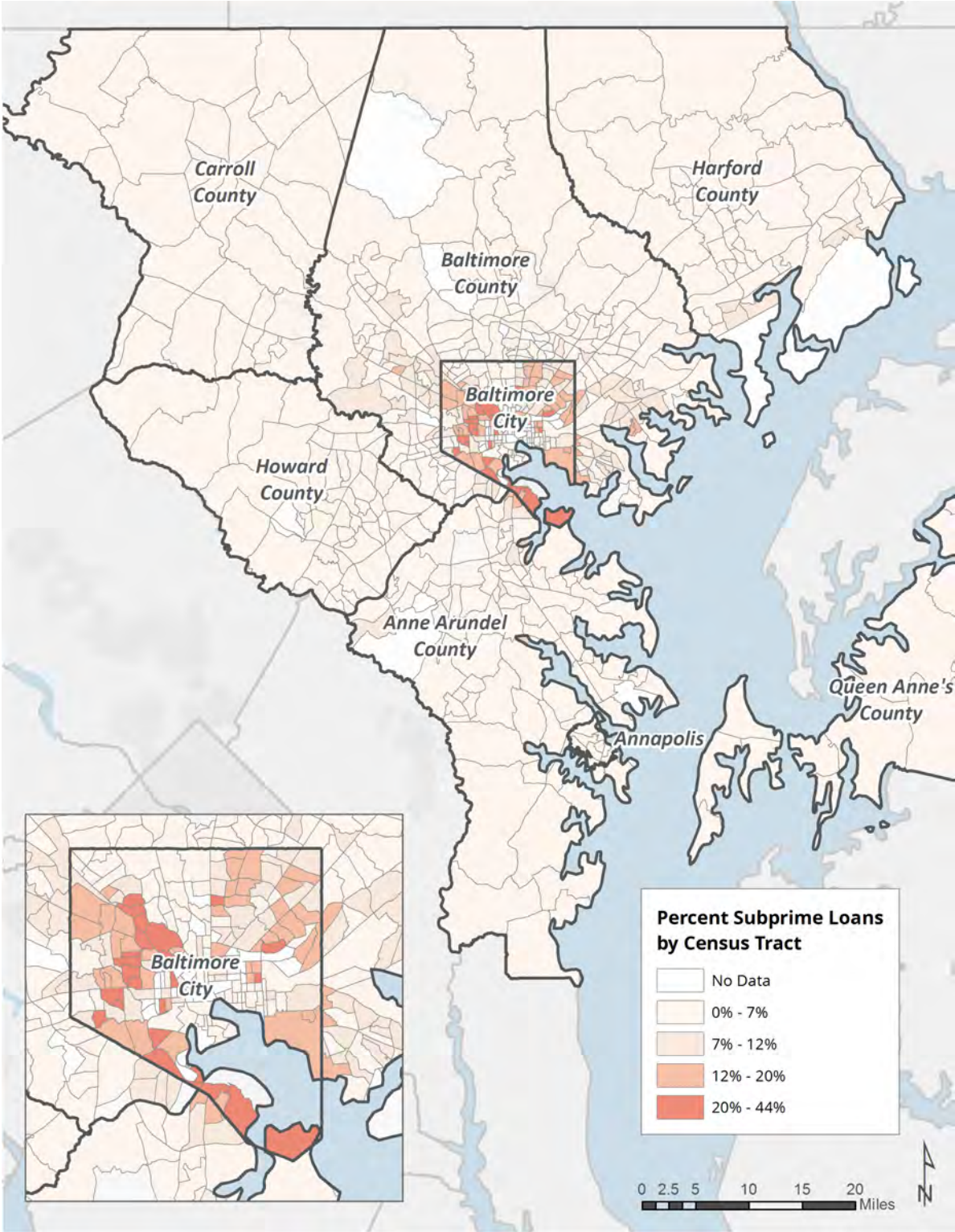
Subprime lending. Nationally, in 2017, about 4 percent of conventional home purchases and 2 percent of refinance loans were subprime—down from 25 percent in 2006. The figure below shows the proportion of loans that are subprime in the region. The highest

concentrations of subprime loans—ranging from 20 to 44 percent of loans—are in Baltimore City and also overlap with African American concentrations.^{11,12}

¹¹ For the purposes of this section, “subprime” is defined as a loan with an APR of more than three percentage points above comparable Treasuries. This is consistent with the intent of the Federal Reserve in defining “subprime” in the HMDA data.

¹² https://s3.amazonaws.com/files.consumerfinance.gov/f/documents/bcfc_hmda_2017-mortgage-market-activity-trends_report.pdf

Figure V-22.
Mortgage Loan Subprime Rates by Census Tract



Source: HMDA.

Lender and real estate agent observations. Discussions with lenders and real estate agents during the development of the AI emphasized:

- The need for financial literacy—beginning as early as high school,
- Availability of “middle market” homes that can be appraised at the purchase price offered by the buyer,
- A commitment to increasing middle market product as important to reducing barriers to housing choice, especially barriers faced by African American and Hispanic buyers, and
- The availability of relatively small mortgages that homeowners would need to purchase lower-cost homes in revitalizing neighborhoods.

Homes in the \$150,000 to \$175,000 range are critical for retaining region’s core workforce, and many of homes at this price point exist in Baltimore City. Yet buyers have challenges buying the homes due to appraisals, which come in under the sales price due to lack of comparable units and negative adjustments associated with neighborhood conditions.

Effects of redlining on values. A recent study, conducted by researchers at UC Berkeley, suggests that past redlining practices, which depressed home values in neighborhoods with minority residents, continues to have a negative effect in those neighborhoods. The computer algorithms used to determine mortgage pricing could treat some of these areas as higher risk.

The study found that, nationally, Latinx and African American borrowers paid between 5.6 and 8.6 basis points more for mortgage loans made between 2008 and 2015 regardless of the type (computer or human) of lender. This is equivalent to 11 to 17 percent of lender profit on the average loan, meaning that lenders earn significantly more from loans made to Latinx and African American homebuyers.¹³

There was little difference in the rate charged by computer or human, suggesting that the higher rate charged to minority borrowers is a factor of other variables, which are built into risk pricing and could be geographically related. The research also speculated that timing (urgency of getting a loan to buy a home once found) and lower frequency of comparison shopping among persons of color could also explain the interest rate differences.

¹³ The time period covered in that study includes the period when subprime loans were common; subprime loans are a much smaller part of the market today. Several lawsuits and challenges have demonstrated that minority borrowers received subprime loans that were not risk-justified.

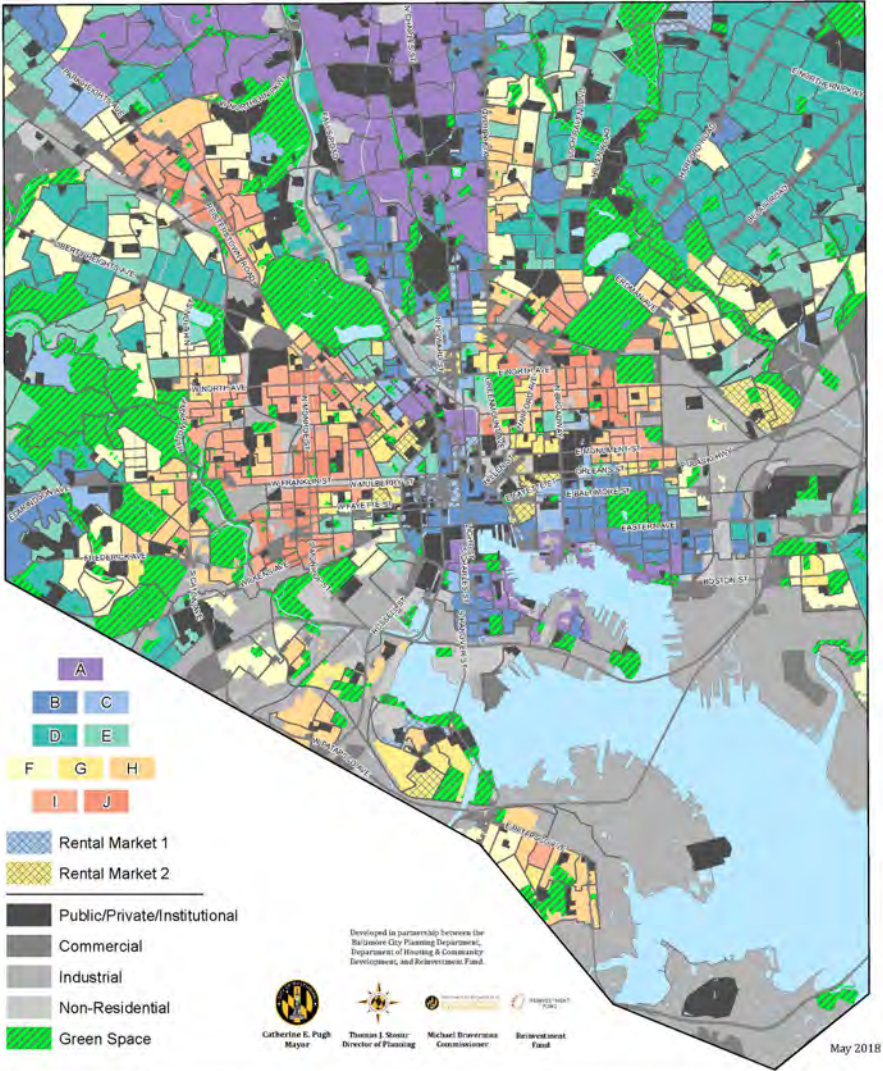
There was, however, a difference in the denial rate for mortgage loans: humans rejected loans to these borrowers 4 percent more often than a computer did. Computer rejections did not discriminate on the basis of race and ethnicity at all.

These effects are apparent in the “housing typology” map created by Baltimore City to help the city “strategically match available public resources to neighborhood housing market conditions.” The typology, shown in the map below, is used by the Department of Housing’s Vacants to Value program and to help guide code enforcement and market interventions so they recognize and ideally leverage the power of the private market. The areas in orange—with the lowest prices and highest vacancies—correlate with the areas without active lending, shown in the Residential Loan Property Denials map, “lending deserts”. These are also areas with high subprime loan rates and, where there is lending, high denials, supporting the findings of the Berkeley study.

These areas should be targeted for value-building (i.e., clustered rehabilitation to normalize appraisals) and financial literacy activities to ensure that residents are not targeted for high-cost loans and that barriers to home purchases (loan amounts not matching appraisals) are mitigated.

Figure V-23.
Baltimore City's
2017 Housing
Market Typology

Source:
 City of Baltimore.



Market	Number of BG	Median Sales Price	Sales Price Variance	Foreclosures as % of Sales	% of Land either Vacant Building or Vacant Land	% Owner Occupied	% Residential Properties >\$10k Permits	Housing Units per Acre
A	42	\$ 403,995	0.53	7.7%	0.3%	61.5%	5.0%	8.2
B	78	\$ 223,970	0.48	10.3%	1.0%	55.9%	4.8%	33.4
C	23	\$ 191,953	0.56	14.2%	5.8%	21.2%	5.2%	32.1
D	92	\$ 102,989	0.53	26.9%	1.4%	78.1%	3.5%	10.0
E	57	\$ 89,397	0.64	25.2%	3.8%	32.2%	3.6%	23.2
F	85	\$ 52,015	0.71	30.3%	4.2%	55.8%	2.6%	18.5
G	26	\$ 34,827	0.97	24.5%	9.1%	20.1%	2.5%	32.9
H	74	\$ 31,332	0.82	25.6%	7.0%	51.4%	1.9%	26.5
I	82	\$ 16,508	1.10	20.4%	15.9%	42.5%	1.1%	33.8
J	46	\$ 9,249	1.16	15.8%	21.1%	33.4%	0.7%	38.5
Split	10	\$ 124,461	0.54	20%	5%	49%	4%	27.0
Other	38	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Private Barriers to Housing Choice

Private barriers to housing choice were discussed with stakeholders during the development of the AI, as a supplement to the analysis in this section. Stakeholders identified the top barriers to expanding choice for low income renter households as:

- Very high application fees (renter can spend \$250-300 to find a unit) without transparency about standards (minimum income and credit) for renters. Landlords knowingly accept fees from unqualified renters.
- Landlords unwillingness to accept or even consider Housing Choice Vouchers.
- Little accountability for onsite management to keep units up to code. Renters do not understand their rights; need access to information, a landlord-tenant hotline. Jurisdiction responses to 311 calls produces a ticket for the property manager but no follow up to see if problem was addressed. Immigrants, in particular, are afraid to report condition issues for fear of deportation and/or retaliation.
- Significant resistance against multifamily and affordable multifamily housing from neighbors in moderate and high income areas of the region. This resistance can take the form of opposition to density and new development of any type, and especially affordable rental housing.

Private barriers were also identified through the resident survey conducted for this AI and are discussed in Appendix D. The primary barriers identified by residents include:

- Lack of supply of affordable rental housing in all areas of the region;
- Difficulty using Housing Choice Vouchers due to landlord refusal to accept vouchers;
- Non-affordable security deposits;
- Discrimination against African American renters and families with children—mostly, refusal to rent.

SECTION VI.

PUBLICLY SUPPORTED HOUSING ANALYSIS

SECTION VI.

Publicly Supported Housing Analysis

This review of local jurisdiction and Public Housing Authority (PHA) policies and practices follows the Assessment of Fair Housing Template, Section C., Publicly Supported Housing Analysis. This section addresses the questions of:

- 1) *Are certain racial/ethnic groups more likely to be residing in one program category of publicly supported housing than other program categories (public housing, project-based Section 8, Other Multifamily Assisted developments, and Housing Choice Voucher (HCV))?*
- 2) *How do these demographics differ from the region? Is there a higher or lower proportion based on protected class?*
- 3) *Where is publicly-supported housing and voucher holders located relative to segregated areas and Racially and/or Ethnically Concentrated Areas of Poverty R/ECAPs?¹ For families, elderly persons, and persons with disabilities?*
- 4) *How does the demographic composition of occupants of publicly supported housing in R/ECAPS compare to the demographic composition of occupants of publicly supported housing outside of R/ECAPs in the jurisdiction and region?*
- 5) *Are there disparities in opportunity for residents of publicly supported housing in the jurisdiction and region?*

Primary Findings

- Although the supply of affordable housing in the counties has improved since 2010, Baltimore City continues to provide a much larger share of affordable rental housing, including publicly supported housing, than its share of all rental units. According to 2017 ACS data, the city provides 67 percent of deeply affordable rentals compared to 38 percent of the region's renter households (this is down, slightly, from 70% and 39% in 2010). This geographic disparity in affordable housing provision is related to historical discriminatory actions (racial zoning, restrictive covenants); limited housing product types that facilitate affordable housing in high opportunity areas; zoning that

¹ For this analysis, the opportunity areas that were established in the 2014 Regional Housing Plan were used. An R/ECAP analysis would be specific to Baltimore City only.

favors higher priced units; lack of dedicated resources to develop affordable housing; slow growth mechanisms; and neighborhood resistance to development.

- Baltimore City is the only jurisdiction in the region with Racially or Ethnically Concentrated Areas of Poverty (R/ECAPs); the city also has the largest number of Census tracts that are low opportunity areas.
- Publicly supported housing is disproportionately occupied by African American households in the region: African American households make up 48 percent of the region's extremely low income households yet occupy 93 percent of public housing units and are 82 percent of Housing Choice Voucher (HCV) holders. The over-representation the region's African American residents in publicly supported housing is a consequence of historical restrictions on housing choice, denial of education and employment opportunities, and limited investment of public and private resources.

Who occupies publicly supported housing relative to Racially or Ethnically Concentrated Areas of Poverty (R/ECAPs)?

Baltimore City is the only jurisdiction in the region to have Racially/Ethnically Concentrated Areas of Poverty, or R/ECAPs, which correlate strongly with the areas where the Homeowners Loan Corporation discouraged mortgage lending in their 1937 "redlining" map. HUD's Table 7 below examines occupants of publicly supported housing by R/ECAP designation within only Baltimore City:

Racial and ethnic composition varies by jurisdiction:

- Annapolis reflects the regional composition for public housing and for the HCVs. Project-based Section 8 developments are more likely to be occupied by African American households than in the region.
- African American households in Baltimore City are the predominant occupants of all categories of publicly assisted housing.
- Beneficiaries of publicly supported housing in Anne Arundel County are more likely to be Non-Hispanic White than in most other jurisdictions and the region.
- Baltimore County generally reflects the regional composition for other multifamily housing and HCVs. Project-based Section 8 occupants are more likely to be Non-Hispanic White.
- Harford County beneficiaries of publicly supported housing are more likely to be Non-Hispanic White than in the region overall. This is also true for Howard County, except for HCVs.
- Howard County has a uniquely large population of Asian residents in its Project-Based Section 8 homes.

**Figure VI-1.
Table 6 - Publicly
Supported
Households by
Race/Ethnicity**

Note:
The "Other Multifamily" category includes properties funded through the Section 202 Supportive Housing for the Elderly Program (with both capital advance grants and Project Rental Assistance Contracts) and the Section 811 Supportive Housing for Persons with Disabilities Program.

Source:
HUD.

	White	Black	Hispanic	Asian or Pacific
Region				
Public Housing	6%	93%	1%	1%
Project-Based Section 8	23%	72%	1%	4%
Other Multifamily	49%	47%	0%	3%
HCV Program	16%	82%	1%	0%
Annapolis				
Public Housing	4%	94%	2%	0%
Project-Based Section 8	5%	93%	2%	0%
Other Multifamily	N/A	0%	N/A	N/A
HCV Program	13%	87%	0%	0%
Baltimore City				
Public Housing	2%	97%	0%	1%
Project-Based Section 8	14%	84%	1%	1%
Other Multifamily	28%	71%	0%	1%
HCV Program	5%	95%	1%	0%
Anne Arundel County				
Public Housing	38%	58%	0%	4%
Project-Based Section 8	66%	31%	1%	1%
Other Multifamily	73%	21%	0%	6%
HCV Program	24%	71%	2%	2%
Baltimore County				
Public Housing	N/A	N/A	N/A	N/A
Project-Based Section 8	47%	47%	1%	5%
Other Multifamily	54%	41%	1%	5%
HCV Program	24%	75%	1%	0%
Harford County				
Public Housing	22%	64%	12%	2%
Project-Based Section 8	46%	48%	3%	1%
Other Multifamily	83%	15%	0%	1%
HCV Program	48%	48%	3%	1%
Howard County				
Public Housing	N/A	N/A	N/A	N/A
Project-Based Section 8	17%	48%	3%	32%
Other Multifamily	60%	38%	0%	2%
HCV Program	12%	85%	1%	1%

Figure VI-2 takes a closer look at occupancy of White and African American households—the primary occupants of publicly supported housing. The figure compares the share of White and African American beneficiaries of public housing with the share of White and African American households earning 0-30 percent and 0-50 percent of the median family income (MFI). The data show that African Americans are over-represented in public housing and HCVs in all jurisdictions. In Baltimore City and Anne Arundel County, Project-based Section 8 developments more closely represent that jurisdiction’s potential beneficiaries than public housing and HCVs, which are weighted toward African Americans.

The one exception is other multifamily developments, which are 88 percent occupied by senior citizens in this region, and 16 percent persons with disabilities. Occupants of this “other multifamily” housing best represent the racial composition of potential beneficiaries, based on income, including more white residents than any other type of publicly supported housing.

**Figure VI-2.
Beneficiary
Comparison**

Source:
HUD.

	Publicly Supported Housing Beneficiaries		0-30% Households		0-50% Households	
	White	Black	White	Black	White	Black
Region			43%	48%	39%	44%
Public Housing	6%	93%				
Project-Based Section 8	23%	72%				
Other Multifamily	49%	47%				
HCV Program	16%	82%				
Annapolis			37%	51%	30%	47%
Public Housing	4%	94%				
Project-Based Section 8	5%	93%				
Other Multifamily	N/A	0%				
HCV Program	13%	87%				
Baltimore City			21%	72%	20%	71%
Public Housing	2%	97%				
Project-Based Section 8	14%	84%				
Other Multifamily	28%	71%				
HCV Program	5%	95%				
Anne Arundel County			69%	20%	53%	19%
Public Housing	38%	58%				
Project-Based Section 8	66%	31%				
Other Multifamily	73%	21%				
HCV Program	24%	71%				
Baltimore County			60%	29%	51%	28%
Public Housing	N/A	0%				
Project-Based Section 8	47%	47%				
Other Multifamily	54%	41%				
HCV Program	24%	75%				
Harford County			74%	17%	60%	16%
Public Housing	22%	64%				
Project-Based Section 8	46%	48%				
Other Multifamily	83%	15%				
HCV Program	48%	48%				
Howard County			45%	31%	37%	29%
Public Housing	N/A	0%				
Project-Based Section 8	17%	48%				
Other Multifamily	60%	38%				
HCV Program	12%	85%				

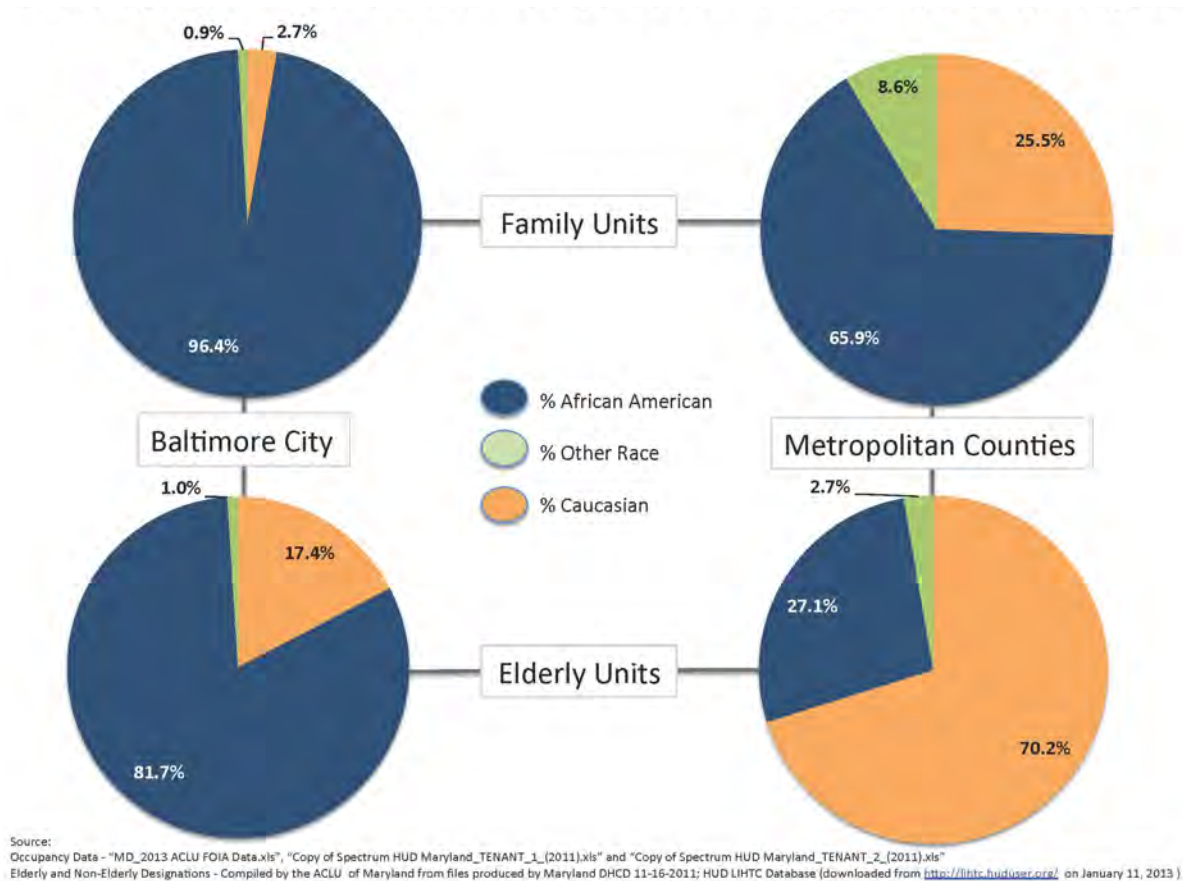
In 2013, the ACLU examined the composition of occupants of Low Income Housing Tax Credit (LIHTC) units by race and family and elderly status using data obtained through a public records request to the Maryland Department of Housing and Community Development and HUD.² A 2019 request to DHCD for more up-to-date data for this analysis revealed that, while tracked by DHCD by law, obtaining such data requires a Public Information Act request each time.

As shown below, similar to the composition of HUD-supported multifamily development units in the above table, as of 2011, LIHTC units in the region open to families were disproportionately likely to be occupied by African American residents, even after adjusting for income.

Also similar to the Other Multifamily category (predominantly comprised of senior-restricted Section 202 properties) from the HUD-supported data above, as of 2011, senior developments in the counties were more likely to be occupied by Non-Hispanic White households.

² More recent data do not appear to be readily available.

Figure VI-3.
Racial Occupancy of LIHTC Units in Baltimore City and the Surrounding Metropolitan Counties, 2011



HUD data with more detail on the composition of residents of by publicly subsidized development and jurisdiction are found in Appendix A.

Publicly supported housing occupancy and R/ECAPs. Baltimore City is the only jurisdiction in the region to have Racially/Ethnically Concentrated Areas of Poverty, or R/ECAPs. HUD's Table 7 below examines occupants of publicly supported housing by R/ECAP designation in Baltimore City:

- For **public housing**: The racial and ethnic composition of public housing residents in Baltimore City is similar, regardless of whether or not they live in R/ECAPs. Yet families with children living in Baltimore City public housing have a slightly higher representation in R/ECAPs. Persons with disabilities have a lower representation.
- **Project-based Section 8** and **other multifamily** differ, with Non-Hispanic White residents more likely to occupy units in non-R/ECAPs and African Americans occupying units in R/ECAPs. In contrast to public housing, project-based Section 8 and multifamily units are more likely to be located in non-R/ECAP areas.

- **Housing Choice Voucher** holders in Baltimore City are equally represented racially in R/ECAPs and non-R/ECAPs. Families with children who are voucher holders are slightly under-represented in R/ECAPs. The vast majority of units occupied by voucher holders are located in non-R/ECAP areas.

Figure VI-4.

Table 7 – R/ECAP and Non-R/ECAP Demographics in Baltimore City by Publicly Supported Housing Program Category

(Baltimore, MD CDBG, HOME, ESG) Jurisdiction	Total Units (Occupied)	% White	% Black	% Hispanic	% Asian or Pacific Islander	% Families with Children	% Elderly	% with a Disability
Public Housing								
R/ECAP tracts	5,898	1.95%	96.83%	0.50%	0.67%	44.29%	19.06%	31.44%
Non-R/ECAP tracts	1,885	1.75%	97.04%	0.43%	0.70%	39.05%	21.89%	41.47%
Project-based Section 8								
R/ECAP tracts	2,233	6.28%	92.61%	0.88%	0.04%	30.66%	39.42%	29.74%
Non-R/ECAP tracts	5,535	17.38%	79.83%	0.79%	1.75%	13.04%	59.55%	38.63%
Other Multifamily								
R/ECAP tracts	82	3.61%	93.98%	1.20%	0.00%	N/A	76.74%	36.05%
Non-R/ECAP tracts	819	30.35%	68.41%	0.37%	0.75%	0.34%	80.84%	18.93%
HCV Program								
R/ECAP tracts	1,601	2.94%	95.79%	0.80%	0.27%	34.05%	19.66%	35.81%
Non-R/ECAP tracts	12,402	4.79%	94.32%	0.62%	0.19%	42.48%	18.65%	33.05%

Note: Disability information is often reported for heads of household or spouse/co-head only. Here, the data reflect information on all members of the household.

Data Sources: APSH

Refer to the Data Documentation for details (www.hudexchange.info/resource/4848/affh-data-documentation).

Table 8 in Figure VI-5 below widens the lens to look at publicly supported housing in all of the region's HUD entitlement jurisdictions. Compared to the Baltimore City table, broadening the focus of publicly supported housing to the region shows:

- Much higher rates of occupancy of Non-Hispanic White residents in Non-R/ECAPs for all types of publicly supported housing, along with much lower rates for African Americans, leading to a far greater inside/outside R/ECAPs disparity for both racial groups for each type of publicly assisted housing.
- As in Baltimore City alone, both public housing and project-based Section 8 homes are more likely to be occupied by families with children inside R/ECAPs, rather than outside.
- 62 percent of public housing in the entire metropolitan area is located in R/ECAPs in Baltimore City.
- Unlike public housing, only 33 percent of Other Multifamily housing is located in R/ECAPs. Other Multifamily is heavily weighted toward elderly-restricted housing and far more likely to be occupied by White residents.

Figure VI-5.

Table 8 – R/ECAP and Non-R/ECAP Demographics in all HUD Entitlement Jurisdictions in the Region by Publicly Supported Housing Program Category

All Regional AI Participants	Total # units (occupied)	% White	% Black	% Hispanic	% Asian or Pacific Islander	% Families with children	% Elderly	% with a disability
Public Housing								
R/ECAP tracts	5,898	1.95%	96.83%	0.50%	0.67%	44.29%	19.06%	31.44%
Non R/ECAP tracts	3,678	11.36%	86.19%	0.89%	1.32%	38.38%	25.24%	39.80%
Project-based Section 8								
R/ECAP tracts	2,233	6.28%	92.61%	0.88%	0.04%	30.66%	39.42%	29.74%
Non R/ECAP tracts	10,464	27.01%	66.55%	1.39%	4.67%	24.24%	50.22%	28.71%
Other Multifamily								
R/ECAP tracts	82	3.61%	93.98%	1.20%	0.00%	N/a	76.74%	36.05%
Non R/ECAP tracts	2,682	50.19%	45.91%	0.46%	3.33%	0.14%	88.62%	15.47%
HCV Program								
R/ECAP tracts	1,601	2.94%	95.79%	0.80%	0.27%	34.05%	19.66%	35.81%
Non R/ECAP tracts	24,161	14.19%	84.18%	1.07%	0.45%	45.08%	21.03%	30.31%

Note: Disability information is often reported for heads of household or spouse/co-head only. Here, the data reflect information on all members of the household.

Data Sources: APSH

Refer to the Data Documentation for details (www.hudexchange.info/resource/4848/affh-data-documentation).

Public-Sector Strategies for Addressing R/ECAPs: Baltimore City's Framework for Community Development

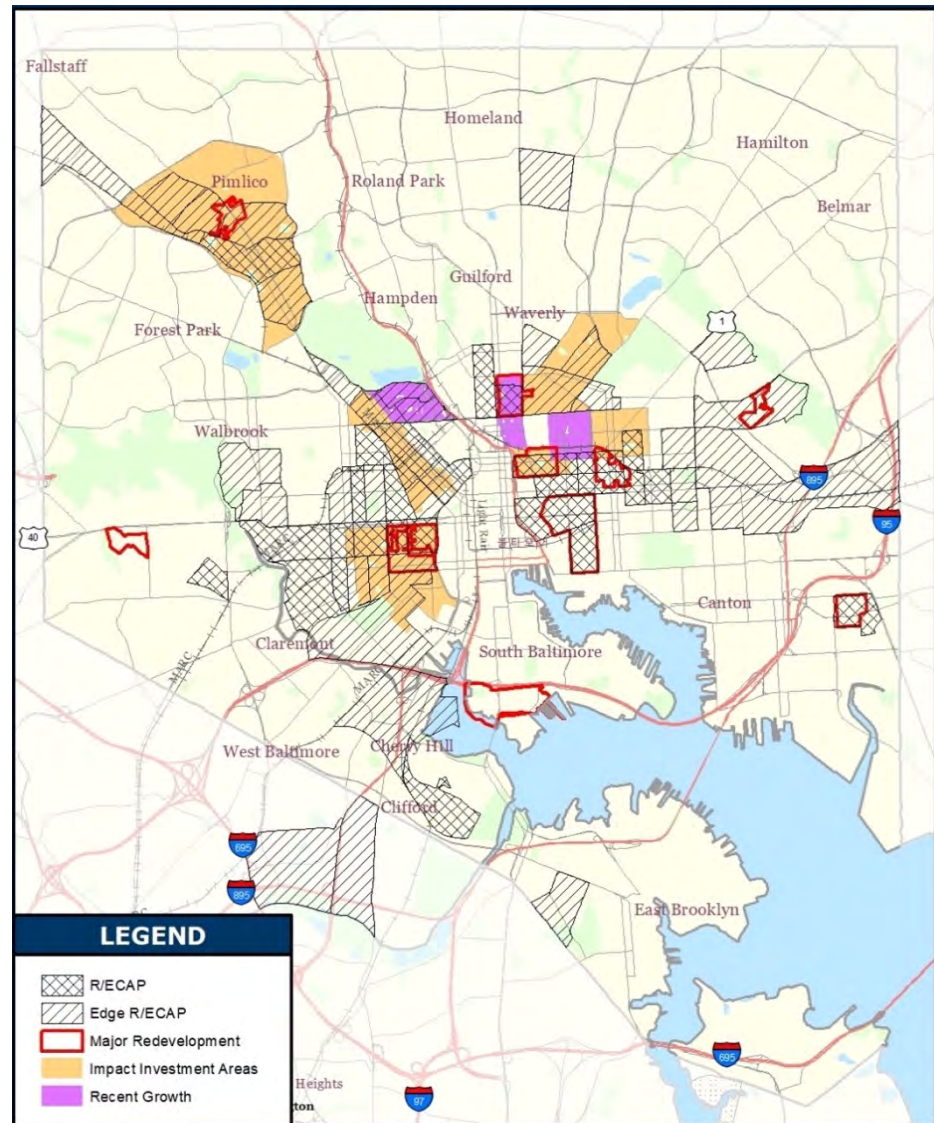
Recognizing, as Section III of this analysis does, that 20th century redlining correlates significantly with current R/ECAPs in Baltimore, it is appropriate here to explore how 21st century public policy could address these areas of continued concentrated poverty. All of the 20th century redlined areas and all of the 21st century R/ECAPs are located in Baltimore City, and Baltimore City has understandably put the most effort into addressing them. Major forces in creating our region's R/ECAPs, however (e.g. federal housing policy, jurisdictional boundaries, State annexation policy), reach well beyond Baltimore City government's control, and resources well beyond Baltimore City will be needed to address them.

In February 2019, the Baltimore City Department of Housing and Community Development (DHCD) released a new Framework for Community Development – the City's strategy for addressing areas of the City with chronic housing vacancy and concentrated poverty.³ Figure VI-6 shows how the City's Impact Investment and Major Redevelopment Areas compare with R/ECAPs and Edge R/ECAPs.

³ Available at <https://dhcd.baltimorecity.gov/m/community-development-framework>

**Figure VI-6.
Baltimore City
Impact
Investment
Areas Overlaid
with Racially/
Ethnically
Concentrated
Areas of
Poverty
(R/ECAPs)**

Source:
HUD, Baltimore City Dept.
of Housing and
Community Development.



The Framework acknowledges the widely varying market strength of different parts of Baltimore City shown in the City's 2017 Housing Market Typology (Figure V-30 in the previous section) and the historical roots of those disparities in articulating "equitable community development that benefits all Baltimoreans."

This approach requires that we as a community understand and commit to redress the long-standing income- and race-based barriers that have devastated neighborhoods and disadvantaged the people living in them. It also requires that the communities themselves are central to shaping neighborhood visions and plans. (p. 4)

The Framework then goes on to articulate how the City proposes to apply its various community development strategies and development initiatives to tackle several of these areas of disadvantage that are generally also R/ECAPs or Edge R/ECAPs. In general, these strategies seek to build from nearby stronger-market areas while preserving affordability to counter displacement.

Redevelopment of Perkins and Somerset Homes. Just east of Downtown Baltimore, the upside-down “L”-shaped Major Redevelopment represents an ambitious plan that the Housing Authority of Baltimore City (HABC) is implementing to redevelop and deconcentrate its Perkins Homes and Somerset Homes sites. Located in an R/ECAP, but also near areas of opportunity in Harbor East, Fells Point, and Butchers Hill, this site has received a Choice Neighborhoods grant from HUD and City Tax Increment Financing (TIF) from the City. The redeveloped project will include new deeply subsidized housing to replace Perkins Homes, additional subsidized homes for somewhat higher income residents, and new market-rate housing. It will also include a new state-of-the art City Springs Elementary/Middle School and onsite case management through the University of Baltimore.

Southwest Impact Investment Area. In this area, Baltimore City is working to leverage ongoing City-sponsored redevelopment in the Poppleton neighborhood, a HUD planning grant to redevelop Poe Homes, and the Southwest Partnership anchor/neighborhood revitalization collaboration to rejuvenate that Edge R/ECAP and R/ECAP area.

West Impact Investment Area. To the north of the Southwest area, the City is working to build from the market strength of neighborhoods to the east—including the recent growth in Reservoir Hill, the successful Heritage Crossing HOPE VI site to the south, and the new Pennsylvania Avenue Arts and Entertainment District to breathe new life into that largely R/ECAP corridor and surrounding neighborhoods.

Park Heights Impact Investment Area. Moving to the northwest, the City is working from the 2008 Master Plan and the opportunity of the Pimlico Race Course site to bring investment to that R/ECAP area.

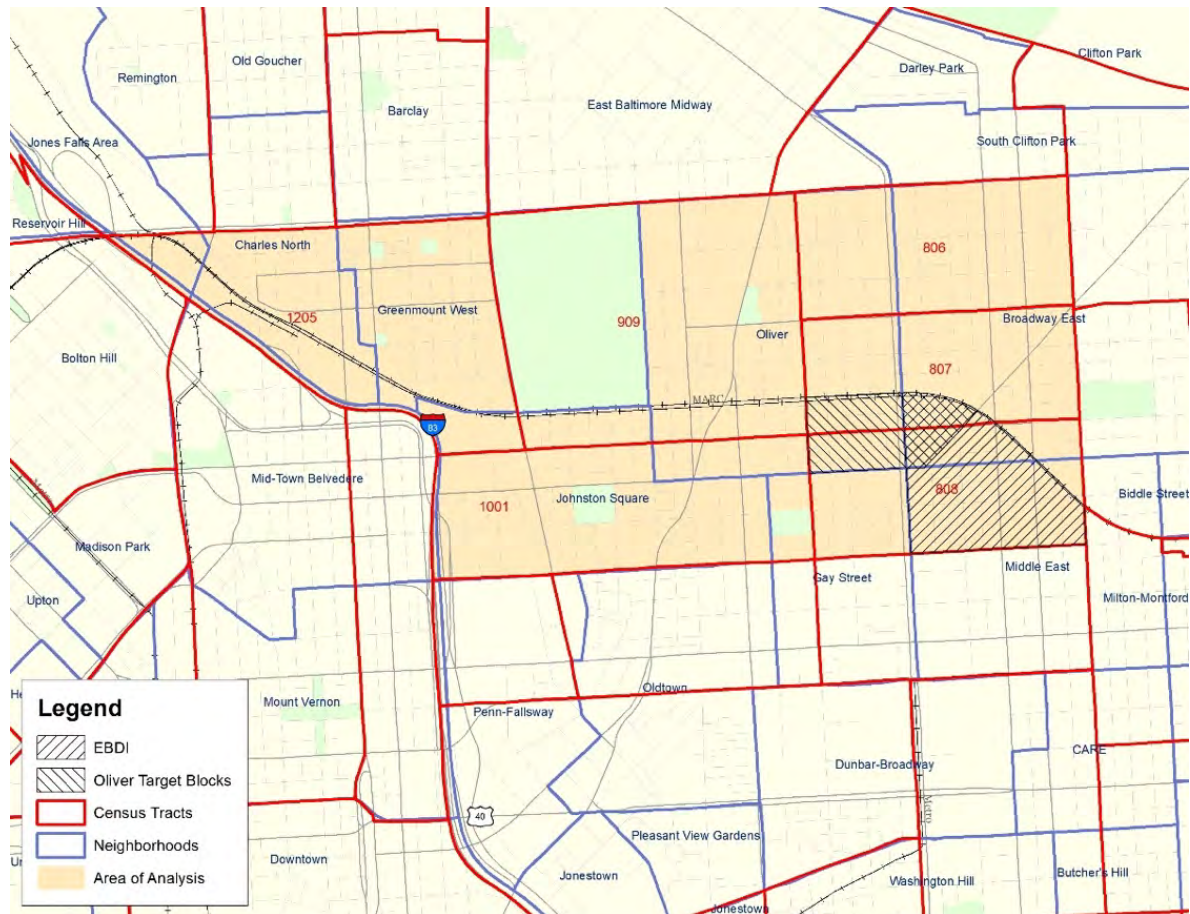
East Impact Investment Area. This final area seeks to build from the strength of Johns Hopkins Hospital, Penn Station, and recent growth in Barclay, Greenmount West, and Oliver to boost the nearby neighborhoods of Johnston Square, Broadway East, East Baltimore Midway, and Coldstream-Homestead-Montebello.

Changes in R/ECAP Status near Baltimore’s East Impact Investment Area

Looking more closely at and around Baltimore City’s East Impact Investment Area, six of the Census tracts in that area represent shifts in R/ECAP status since 2000. Five of them—Station North (1205), three Oliver and Broadway East tracts (909, 806, and 807), and the tract centered on the work of East Baltimore Development, Inc. (808)—qualified as Racially Concentrated Areas of Poverty in 2000 but not by the 2013-2017 American Community Survey (ACS) Census data. Instead, the sixth tract, Johnston Square (1001), newly qualified as an RCAP by 2013-2017. What happened?

While there are limits on the clarity of answers that Census data can provide to this question, this analysis does provide some insight into population changes in Census tracts over the past 20 years, both in areas with substantial intervention by Baltimore City government and in areas without it. The analysis also offers context for current revitalization efforts underway in Baltimore City as well as initiatives envisioned in the City's new Framework for Community Development.

Figure VI-7.
Area of RCAP Case Study Analysis



Source: BMC, Baltimore City Dept. of Housing and Community Development.

Figure VI-7 above shows the Census tracts in this analysis shaded in gold. Census tract numbers and boundaries are depicted in red, and neighborhood names and boundaries are in blue. These Census tracts included a number of revitalization efforts supported by the City of Baltimore between 2000 and 2017: the Station North Arts and Entertainment District, which Baltimore City created in 2002 and covers much of Census tract 1205, concerted Greenmount West investments beginning about 2010 in the same tract, the East Baltimore Development Initiative (EBDI) redevelopment effort of the 2000s, and a newer effort focused on “target blocks” primarily in the Oliver neighborhood that gathered momentum around 2010.

Summary Results. Two main themes emerge from this analysis:

1. Concentrated poverty and substantial housing vacancy alone appear to be significant destabilizing forces in a community. This analysis covers the time period and much of the land area of Baltimore City's large-scale East Baltimore Development, Inc. redevelopment effort. In the first decade of the 2000s, the EBDI initiative demolished 88 acres of mostly vacant housing, and relocated 700 households from the homes that were still occupied. Other population shifts around this effort, however, greatly exceeded that impact, often making an even more dramatic change in a Census tract's RCAP status:

- The EBDI-focused Census tract (808) **lost 1200 residents in the 2000s, including more than 700 people with incomes below the poverty level**, bringing that tract's poverty level from 48.1 percent down just below the 38.5 percent RCAP threshold by the 2008-2012 ACS Census data.
- Stunningly, however, four other tracts (806, 807, 909, and 1001), most with no EBDI activity at all, **lost more than 3200 people total during the same period** – virtually all African American and more than 1500 with incomes below the poverty level. Thus, **astonishingly dramatic population change seems to happen in tracts with concentrated poverty even without significant government intervention.**
- In the case of the **northern Oliver/Broadway East tract (806)**, that population loss **alone** – more than 1100 African American residents, nearly 800 below poverty, and none associated with significant government-sponsored relocation – **plunged its poverty level from 39.9 percent to 25.8 percent, causing it to lose its RCAP status.** Needless to say, substantial housing vacancy and concentrated poverty remained. This was not displacement by gentrification.
- The other **Oliver/Broadway East tract (807) lost its RCAP status in the 2010s amidst continued population loss**, including a substantial decline in population in poverty.
- The Oliver (909) and Johnston Square (1001) Census tracts, with no large-scale government intervention, **swapped RCAP status in the 2010s with wild swings in the number of residents in poverty, according to ACS data:**
 - The Oliver tract (909), with a newly steady overall population level in the 2010s, nevertheless experienced a **net decrease of 452 residents in poverty**, plunging its poverty rate from 44 percent to 25 percent, well under RCAP status.
 - Meanwhile, the Johnston Square tract (1001) experienced the opposite – a **net increase of 438 residents with incomes below the poverty line** amidst a newly stable overall population level, dramatically *raising* its

poverty rate from 26.9 percent to 46.8 percent and putting into RCAP status for the first time.

2. Baltimore City’s “Vacants to Value” experience in the 2010s points the way to equitable revitalization, reducing the vacancy that plagues RCAP communities, providing new homes – both market rate and publicly assisted – and attracting new residents to neighborhoods that then gain a wider mix of incomes.

- The Station North tract (1205) lost its RCAP status in the 2000s, gaining white population and experiencing a net loss of 278 African American residents and 352 people in poverty. More than one quarter of the homes in the Greenmount West neighborhood in this tract, however, remained vacant in 2010, potentially contributing to the loss of African American and low-income residents in the 2000s in a way similar to many of the other tracts in this analysis.
- After Baltimore City and its community and development partners tackled Greenmount West’s vacancy in earnest starting in 2010, however, including creating a total of 200 publicly assisted units, the tract gained population of all races, including an increase in residents below the poverty line. This is not the pattern of gentrification-driven displacement.
- The EBDI and Oliver Target Block work of Baltimore City and ReBUILD Metro in tracts 807 and 808 in the 2010s appear to have contributed to a net gain in residents with incomes above the poverty line in both tracts, although neither tract showed overall signs of gentrification:
 - After the EBDI displacement of the 2000s, the EBDI-focused tract (808) gained significant numbers of residents with incomes both above and below the poverty level.
 - The Oliver/Broadway East tract just north (807) gained residents with incomes above the poverty line amidst overall continued population loss.
- **This experience holds promise for Baltimore City’s RCAP areas,** including this East Impact Investment Area. Robust implementation of this strategy could attract additional residents to these areas while using public affordable housing resources to counter displacement. In particular, **this area’s newest RCAP, Johnston Square, now has a plan** that includes reducing vacancy, expanding publicly assisted housing, and attracting new residents of all incomes. **The key will be to have the resources to carry out this type of plan in Johnston Square and elsewhere.**

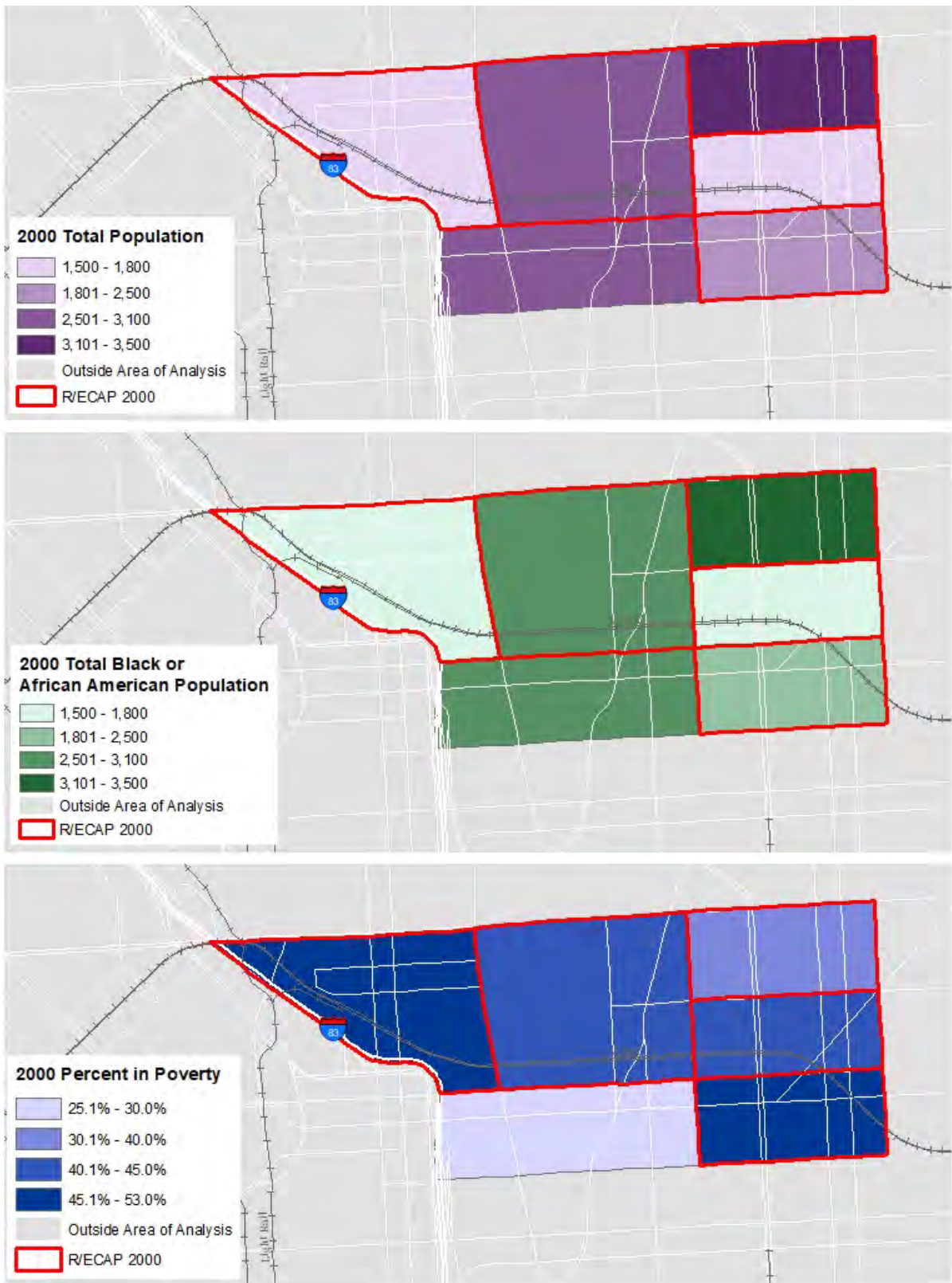
A More Detailed Look: Figure VI-8 below shows the status of these six Census tracts in 2000. Five of them were racially concentrated areas of poverty (RCAPs). They were all more than 90 percent African American and more than 38.5 percent poor. The Johnston Square Census tract adjacent to the southwest (1001) was 98 percent African American, but not quite as poor. With only 25 percent living below the poverty line, it was the only one of these six tracts not to qualify as an RCAP in 2000.

Figure VI-8.
Case Study Racially Concentrated Area of Poverty (RCAP) Status in 2000

Neighborhoods	2010 Census Tract	2000 Census Data			RCAP?
		Total Population	Black Population	Poverty Rate	
Broadway East/Oliver (North)	806	3,428	3,343	39.9%	Yes
Broadway East/Oliver (South)	807	1,746	1,703	43.2%	Yes
EBDI	808	2,210	2,154	48.1%	Yes
Oliver	909	3,042	2,985	43.6%	Yes
Johnston Square	1001	2,931	2,874	25.4%	No
Station North	1205	1,668	1,504	52.5%	Yes
Six Tract Totals		15,025	14,563		

Figure VI-9 below shows these figures in three maps of the area of analysis for this case study. Note that the Station North and EBDI tracts (1205 and 808, respectively) had the highest levels of concentrated poverty—each about 50 percent—and relatively modest population levels. Portions of the EBDI redevelopment area in 2000 had housing vacancy levels as high as 70 percent. Again, most of this entire area had been redlined by the federal Home Owner Loan Corporation in 1937, warning banks and other lenders not to invest there except under the most stringent conditions and highest interest rates.

Figure VI-9.
Case Study 2000 Census Data and RCAP Status



The story of these Census tracts from 2000 to 2017 may have some useful insights for current strategies in historically redlined Baltimore City neighborhoods with continued concentrated poverty. Outside of the well-known EBDI relocation and redevelopment story, these tracts appear to show the destabilizing effects of concentrated poverty – itself displacing people in poverty – and also how Baltimore City’s post-EBDI Vacants to Value strategy of building from strength can counteract that destabilization in an equitable way.

Depopulation in the 2000s. The 2000s were a period of significant population loss in this area of analysis except for the one Census tract that was experiencing significant revitalization: Charles North/Greenmount West (1205). The population loss of the other tracts would be most expected in the Middle East/Oliver/Broadway East tract (808), since this was the site of much of the property condemnation and resident relocation that began the East Baltimore Development Inc. (EBDI) redevelopment initiative in the early 2000s. That tract experienced a net loss of more than 1200 residents—overwhelmingly African American, two-thirds in poverty, and more than half of the tract’s 2000 total population.

Nevertheless, the Oliver/Broadway East Census tract directly north (807), with only a sliver of the EBDI relocation, still lost more than 800 residents – nearly half its 2000 population. And the tract north of that (806), with no EBDI activity at all, lost more than 1,100 people – one-third of those living there in 2000. Similarly, the Oliver/Johnston Square tract to the west (909) lost about 600 residents. In total, these five tracts lost more than 4,500 African American residents, nearly half in poverty, with only a fraction of that loss coming from EBDI-related condemnation and relocation. These moves may have been voluntary or involuntary—perhaps due to evictions—but they show that concentrated poverty can lead to significant net losses in population, including large net losses of people in poverty, without gentrification or government-sponsored redevelopment.

Sometimes this population loss had implications for the tract’s RCAP status. The northern Oliver/Broadway East tract (806) lost nearly twice as many people in poverty (787) as people not in poverty (388), lowering its poverty rate sharply to 26 percent and dropping it out of RCAP status. Still, this was not gentrification—the tract was hemorrhaging population. Similarly, the Middle East/Oliver/EBDI tract (808) lost more people in poverty (715) than not in poverty (549), dropping its poverty rate to 37 percent, just barely below RCAP status and into what this fair housing analysis calls “edge RCAP” (30-38.5 percent poverty) status.

Table VI-10 below shows the changes in overall population, African American population, and population with incomes below poverty between the 2000 decennial Census and the 2008-2012 ACS Census data. Those change are then also depicted geographically in Figure VI-10

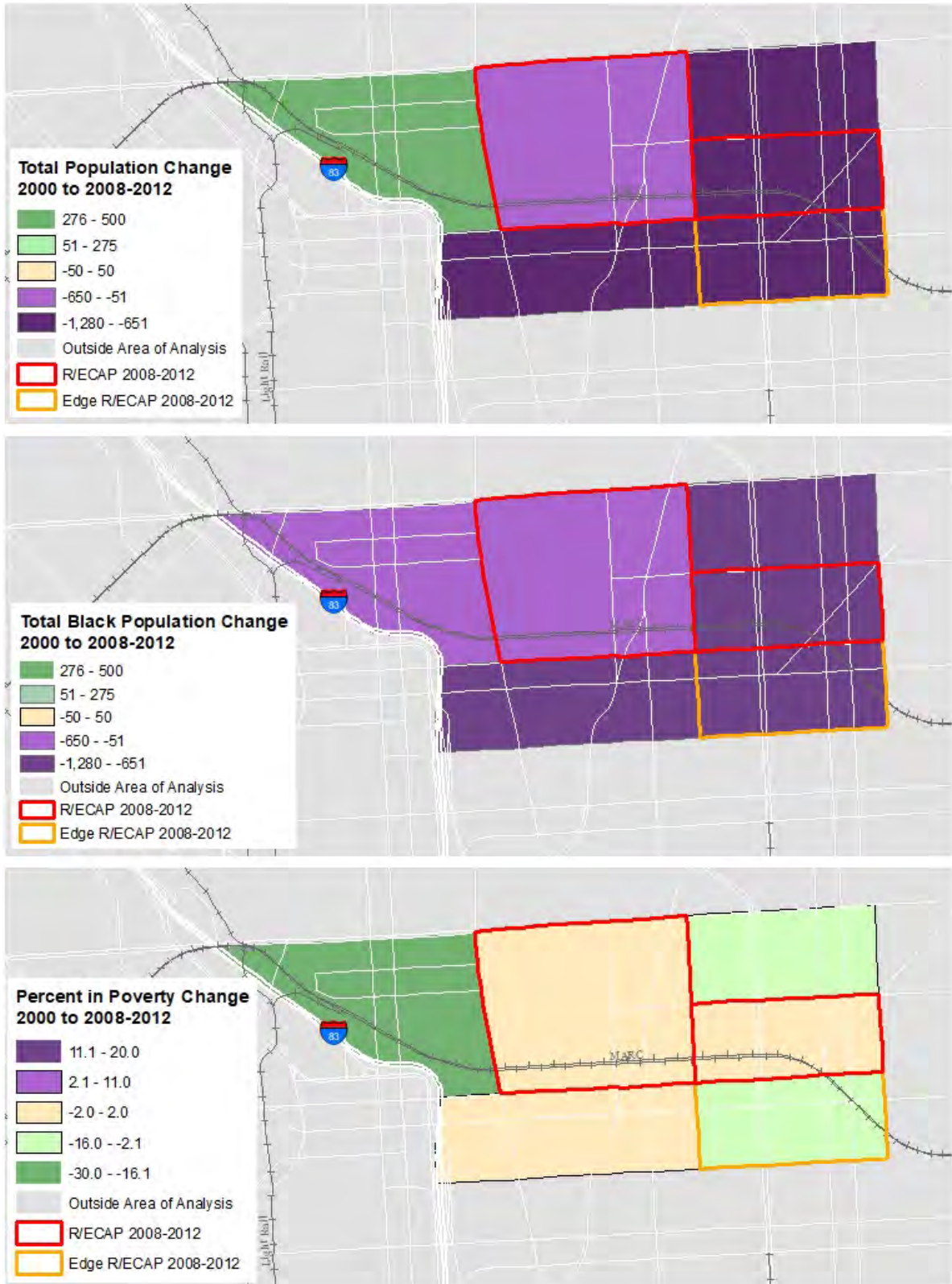
Table VI-10.

Change between 2000 Decennial Census and 2008-2012 American Community Survey (ACS) Census Data

Neighborhoods	2010 Census Tract	Change from 2000 to 2008-2012				2008-2012 Census Data (ACS)			
		Total Population	Black Population	People in Poverty	Poverty Rate Points	Total Population	Black Population	Poverty Rate	RCAP?
Broadway East/Oliver (North)	806	-1,151	-1,101	-787	-14.1	2,277	2,242	25.8%	No
Broadway East/Oliver (South)	807	-843	-832	-336	-0.9	903	871	42.2%	Yes
EBDI	808	-1,220	-1,268	-715	-10.8	990	886	37.4%	Edge
Oliver	909	-858	-609	-245	0.6	2,457	2,376	44.1%	Yes
Johnston Square	1001	-684	-745	-160	1.6	2,247	2,129	26.9%	No
Station North	1205	427	-278	-352	-27.3	2,095	1,226	25.1%	No
Six Tract Totals		-4,056	-4,833	-2,595		10,969	9,730		

Source: U.S. Census Bureau.

Figure VI-10. Maps of Change between 2000 Decennial Census to 2008-2012 American Community Survey (ACS) Census Data



Source: BMC and U.S. Census Bureau.

Revitalization in Station North. The one of these six tracts that gained overall population in the 2000s was the Charles North/Greenmount West tract (1205) to the west, and its more detailed story may be useful to future revitalization efforts.

The Station North Arts and Entertainment District had been created in 2002, attracting investment and residents, particularly in the Charles North area. It was anchored by a revitalizing Charles Street, with the Charles and Everyman Theatres, Tapas Teatro, Metro Gallery, and other attractions. Even in 2010, however, more than one-third of the roughly 450 homes in the Greenmount West portion of this Census tract remained vacant.

The Charles North/Greenmount West tract did lose 278 African American residents in the 2000s—the lowest black population loss of the six tracts. At the same time the tract gained 502 non-Hispanic white residents⁴ and about 200 multiracial and Asian residents for an overall population increase of 427. The influx of new, non-poor residents (752), combined with a decrease of residents in poverty (352) plunged the poverty rate in the Census tract from 52 percent in 2000 to 27 percent in the 2008-2012 period—still high, but no longer an RCAP by HUD’s definition.

Unlike the northern Oliver/Broadway East tract (806), this tract did not exclusively shed its RCAP status through loss of people in poverty but also through the influx of investment and non-poor residents—a dynamic commonly referred to as gentrification. With the Greenmount West portion of this Census tract remaining plagued with vacancy in 2010, however, some of the loss of black population and people in poverty could have been the result of a similar dynamic as tract 806 and other non-redeveloped, high-vacancy tracts.

Coordinated revitalization and affordability preservation in Greenmount West. What followed, however, shows the impact of a coordinated revitalization and affordability preservation strategy. Beginning around 2010, the Baltimore City Department of Housing and Community Development (DHCD) worked with the Greenmount West Community Association and nonprofit partners like the Central Baltimore Partnership to deploy its new Vacants to Value program.

Building from the new real estate market strength in Charles North to the west, Baltimore City DHCD put 42 vacant properties that it owned in Greenmount West back into the market in service of goals from the community’s plan, such as increased homeownership. The City also pressed its new code enforcement capabilities into service for blighted privately owned properties, issuing code violation citations (somewhat like parking tickets) in the target blocks. Many owners responded, rehabilitating and either selling or renting their homes. If they did not respond, however, the City put its receivership ordinance in motion, and the nonprofit receiver auctioned the property to a new owner who would take

⁴ In some cases this could have been the Census “discovering” populations that already existed. The Census block containing the Copycat Building, for example, in Greenmount West, showed only 3 residents in 2000, but 155 in 2008-2012, including 142 non-Hispanic white residents. Far more than 3 residents lived in this building in 2000.

action. That tool helped move 74 privately owned vacant properties onto the market. The result has been a 75 percent decline in vacant properties in the Greenmount West neighborhood since 2010.

In the meantime, Baltimore City DHCD and the Housing Authority of Baltimore City (HABC) helped ensure that about 200 of Greenmount West's 500 units of housing would remain affordable. Partnering with ReBUILD Metro, Jubilee Baltimore, and Homes for America, the City Arts and City Arts 2 developments on Greenmount Avenue used Low Income Housing Tax Credits, HABC project-based vouchers, and other funding sources to build nearly 130 new units of affordable rental housing in the community. Additional townhomes and scattered rowhouses made possible by more City-controlled funds, along with HABC-owned units, brought the total of publicly-assisted homes up to 200.

The result, shown in the change from the 2008-2012 American Community Survey data to the 2013-2017 data, has been remarkable. The tract has gained 245 new residents—a 12 percent increase—including 125 white and 111 African American new residents. The tract has gained residents both in poverty and not in poverty, actually ticking the tract's poverty rate up a bit to 27 percent. A Census tract no longer suffering from rampant vacant housing is attracting residents of all races and incomes.

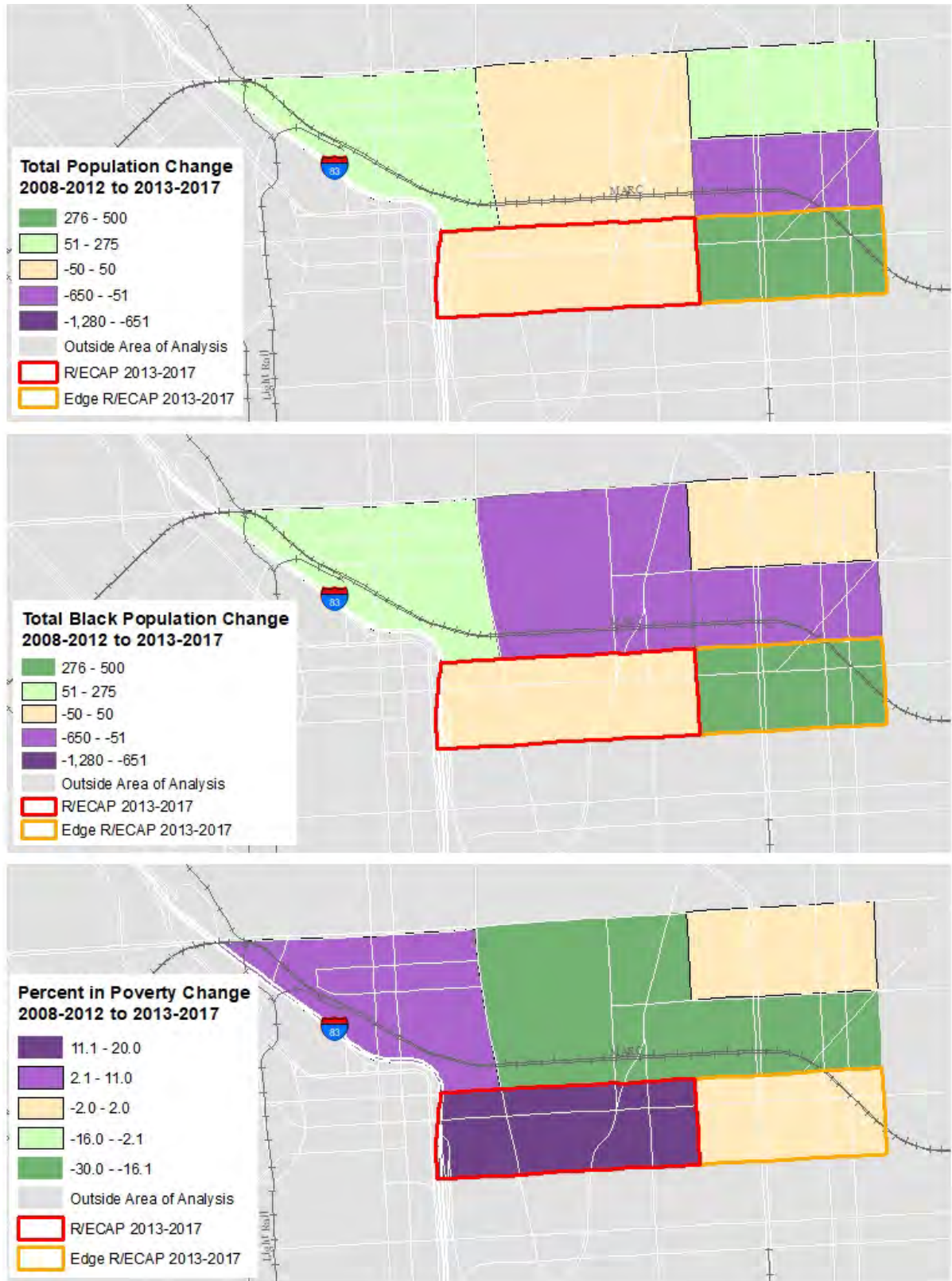
Table VI-11 below shows changes between the 2008-2012 ACS and the 2013-2017 ACS. Those changes are then also depicted geographically on Figure VI-11. By the 2013-2017 ACS, the only tract to have RCAP status is the one that did not have that status in the 2000 Census data.

Table VI-11.
Trends from 2008-2012 ACS Census Data to 2013-2017 ACS

Neighborhoods	2010 Census Tract	Change from 2008-2012 to 2013-2017				2013-2017 Census Data (ACS)			
		Total Population	Black Population	People in Poverty	Poverty Rate	Total Population	Black Population	Poverty Rate	RCAP?
Broadway East/Oliver (North)	806	141	24	68	1.2%	2,418	2,266	27.1%	No
Broadway East/Oliver (South)	807	-206	-178	-249	-25.3%	697	693	16.9%	No
EBDI	808	462	440	150	-1.6%	1,452	1,326	35.8%	Edge
Oliver	909	43	-132	-452	-19.1%	2,500	2,244	25.0%	No
Johnston Square	1001	-9	48	438	19.8%	2,238	2,177	46.8%	Yes
Station North	1205	45	111	114	2.3%	2,340	1,337	27.5%	No
Six Tract Totals		676	313	69		11,645	10,043		

Source: U.S. Census Bureau

Figure VI-11. Maps of Trends from 2008-2012 ACS Census Data to 2013-2017 ACS



Source: BMC and U.S. Census Bureau.

Coordinated revitalization and affordability preservation in Oliver and Broadway East.

While the results of this activity are hard to see at the Census tract-level, it has yielded significant new housing market activity at a smaller scale, and that experience can also be useful in planning future revitalization efforts.

ReBUILD Metro has played a key role with Baltimore City DHCD and other stakeholders in Greenmount West, but it has had an even more central role in the Oliver community to the east. ReBUILD Metro had been founded in the 2000s by the faith- and community-based Baltimoreans United in Leadership Development (BUILD), and the Philadelphia-based Reinvestment Fund in order to lead the home rehabilitation work that community leaders in Oliver wanted to see. Again ReBUILD Metro worked closely with Baltimore City DHCD, working to understand the real estate market there, build from nearby strength, and, without resident relocation, act at a scale and in a sequence that would nurture a new market for homeowner and other private investment.

The Oliver work drew from the strength of Johns Hopkins Hospital to the south and the new EBDI activity to the east and sought to strengthen the real estate market westward, working toward the new strength of Greenmount West, Penn Station, and the Station North Arts and Entertainment District. Working together, BUILD, Reinvestment Fund, and Baltimore DHCD analyzed the area and selected target blocks in a relatively small southeast corner of the Oliver neighborhood on which to focus. As the effort showed success, they extended a bit of overlap into the EBDI area in the Broadway East neighborhood to the east shown in the figure above.

In the Oliver target blocks, a number of private, small-scale developers saw the potential for a housing market boost in the area based on the investment in EBDI. These developers brought private capital to the renovation, marketing and resale of traditional rowhomes in the Oliver community. The combination of the public, private, and not-for-profit actors, similar to Greenmount West, created a critical mass of investment that reestablished a working, market driven real estate sector.

As in Greenmount West, Baltimore City DHCD moved the properties it owned into the hands of the credible private developers like ReBUILD Metro, Come Home Baltimore, and Blue Star Realty. Also as in Greenmount West, DHCD used its code enforcement and receivership tools in the target blocks. Unlike in Greenmount West, the vacancy in Oliver was so pervasive that, in some cases, targeted demolition of whole blocks was the only answer, replacing blight with temporary green space. Unlike the EBDI effort to the east, residents were not involuntarily displaced.

While improving the supply of housing on these blocks, City DHCD and ReBUILD Metro also worked with private partners like Johns Hopkins to boost demand. City homebuyer assistance of up to \$10,000 and Johns Hopkins support for employees of up to \$17,500 encouraged professionals to consider purchases of formerly vacant homes in the Oliver community, contributing an influx of residents not in poverty to the two tracts.

And the Oliver effort has gone well beyond housing, as efforts to bring opportunity to R/ECAPs generally must. The Department of Planning coordinated capital investments. The City Department of Transportation repaved roadways and repaired sidewalks and alleys. Recreation and Parks planted street trees and improved Madison Square Park to the south. And the Baltimore Police Department undertook a sustained effort to target and keep at bay the street-level drug dealing that has plagued the neighborhood.

Using this multi-pronged, coordinated public-private action, the targeted blocks in Oliver and Broadway East have more than 188 new and rehabilitated homes. With the demolition of 25 additional blighted and vacant homes, the vacancy rate has plummeted, allowing the kind of healthy housing market found in more opportunity-rich communities to take hold. Almost all of the new owner-occupied housing created has been sold to families below 120 percent of area median income (2018 median household income was \$94,900), while more than 20 homes have sold to new homeowners for more than \$200,000.

While this housing market strengthens, the City has also taken steps to preserve affordability. With subsidies from the City of Baltimore and State of Maryland, 30 rental homes are now affordable long-term for households at or below 60 percent of area median income (AMI) and 10 owner-occupied homes are similarly affordable.

Since this Oliver activity straddles small portions of two Census tracts, 807 and 808, its impact is less clear than the Charles North/Greenmount West change in the Census data between the 2008-2012 ACS and 2013-2017 ACS. Still, amid the very different overall population dynamics of the two tracts during this period, this effort contributed to a gain in non-poor population in both tracts.

The Middle East/Oliver/ Broadway East tract (808), containing much of the EBDI resident relocation and population loss of the 2000s, experienced substantial population growth between from 2008-2012 to 2013-2017. The tract gained 462 people, including 440 African American residents and 150 people in poverty. By gaining people both in and out of poverty, the poverty rate remained steady and kept the tract in “edge RCAP” status. The work in the Oliver target blocks contributed to this gain in population.

Unlike tract 808, the Oliver/Broadway East tract to the north (807) with just a sliver of EBDI and Oliver target block activity continued to lose residents of all races, primarily people in poverty. It lost more than 200 people by the 2013-2017 ACS, reducing its already relatively small population by almost a quarter. Despite fewer residents overall, however, by the 2013-2017 ACS it had 77 more residents above the poverty line, causing its poverty rate to plummet from 42 percent in 2008-2012 to 17 percent 2013-2017, taking it out of RCAP status. In this tract, despite the overall population loss we have seen in tracts plagued by concentrated poverty, it appears that the EBDI and Oliver work attracted new residents not in poverty, partially offsetting the overall population loss trend.

Continued challenges and new Initiatives: Oliver and Johnston Square. Even with the work cited above and the general reductions in RCAP status, poverty and lack of employment opportunities for residents continue to be major challenges for most of the Census tracts discussed here. Looking at the Oliver/Johnston Square Census tract (909), which does not contain the target blocks noted above, and the Johnston Square/Oliver tract (1001) south of it over the period from the 2008-2012 ACS to the 2013-2017 ACS shows more of the general population churn affecting high poverty areas.

Both tracts roughly held steady in terms of overall population, but they had opposite trends in terms of poverty. The Oliver/Johnston Square tract to the north (909) finished this period with about 450 fewer people in poverty. Demolition and voluntary relocation conducted by Baltimore City along Holbrook Street likely contributed to this shift, but cannot fully explain it. The overall dramatic reduction in people in poverty reduced the tract's poverty rate by 19 points, to 25 percent, and dropping the tract out of RCAP status. The Johnston Square/Oliver tract to the south (1001), however, experienced the opposite dynamic. It finished this period with about 450 more people in poverty, lifting its poverty rate by 20 points and putting it into RCAP status for the first time.

As represented in the figure above, Baltimore City is working to extend the success of the target blocks in Oliver and other nearby communities like Greenmount West. ReBUILD Metro and City DHCD are continuing their work in Oliver and are now beginning a new effort in Johnston Square, partnering with BUILD, ReBUILD Johnston Square Neighborhood Organization, the St. Frances Academy Catholic school in the neighborhood, and the Baltimore Arts Realty Corporation. The strategy will be similar to the revitalization work in Greenmount West and in the Oliver target blocks to the east. In addition to rehab and market-building activities, Johnston Square will see more than 125 units of new affordable housing development at Greenmount Avenue and Chase Street and at scattered sites throughout Johnston Square, which are intended to preserve rental affordability. The affordable development will be balanced with at least 100 market rate homes and other non-residential amenities, parks, and commercial space, as the partners work to strengthen the private housing market over the coming years.

Adequate resources will be key to carrying out this promising type of plan in Johnston Square and in other parts of Baltimore City that are experiencing this type of racially concentrated poverty. Given the roots of these challenges in broader 20th century public policies, broader resources than those controlled by Baltimore City will be needed to address them.

Regionwide: Geographic Distribution and Access to Opportunity

Shifting from a focus on the region's R/ECAPs to the region as a whole, the Baltimore Metropolitan Council (BMC) maintains a database of publicly supported housing by location and household type served.⁵ This database was used to conduct a spatial analysis of publicly assisted housing relative to areas of opportunity.

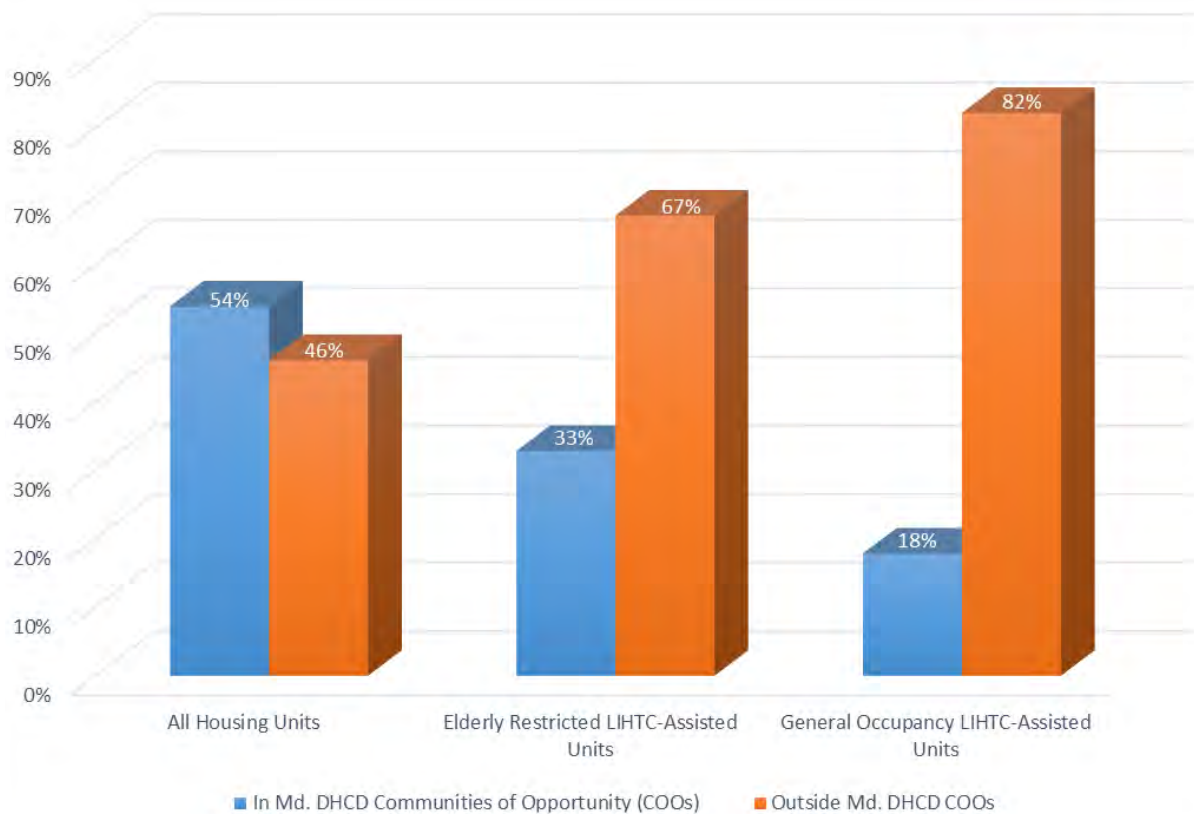
The analysis compares the location of publicly assisted housing with the three opportunity maps presented in Section IV. Each of these maps have now been used in the settlement of a Fair Housing Act enforcement action, making them useful barometers of analysis. Because of the racial disparities in the HUD and Maryland data between who is served by elderly restricted housing compared to general occupancy housing, this section often distinguishes between those types of assisted housing. It also often compares the distribution of various types of assisted housing with the distribution of all housing units in the metropolitan area.

Low Income Housing Tax Credits. Low Income Housing Tax Credits (LIHTC) are now the primary funding mechanism for new affordable housing and major rehabilitation and redevelopment of existing assisted housing. The location of LIHTC in the Baltimore region was the reason for the filing of a 2011 private fair housing complaint against the State of Maryland, which Maryland DHCD settled in 2017. Since the 2012 Regional AI, the jurisdictions in the Baltimore Regional Fair Housing Group have been focused on the distribution of LIHTC as a primary driver of the location of new publicly assisted housing units and thus a key element of affirmatively furthering fair housing.

Figure VI-12 below shows the distribution of all housing units and elderly restricted and general occupancy LIHTC-assisted units compared to Maryland DHCD's Communities of Opportunity (COOs). It shows that general occupancy LIHTC-assisted units are located in COOs at almost half the rate of LIHTC-assisted units that are restricted to senior citizens and at fully one-third the rate of all of the region's housing units.

⁵ This includes rental units with any type of public assistance—PHA developments, LIHTC developments, and units subsidized through specialized federal programs that assist low income elderly and persons with disabilities.

Figure VI-12.
Distribution of Housing Units Inside and Outside of Maryland DHCD
Opportunity Areas in the Baltimore Region in 2018

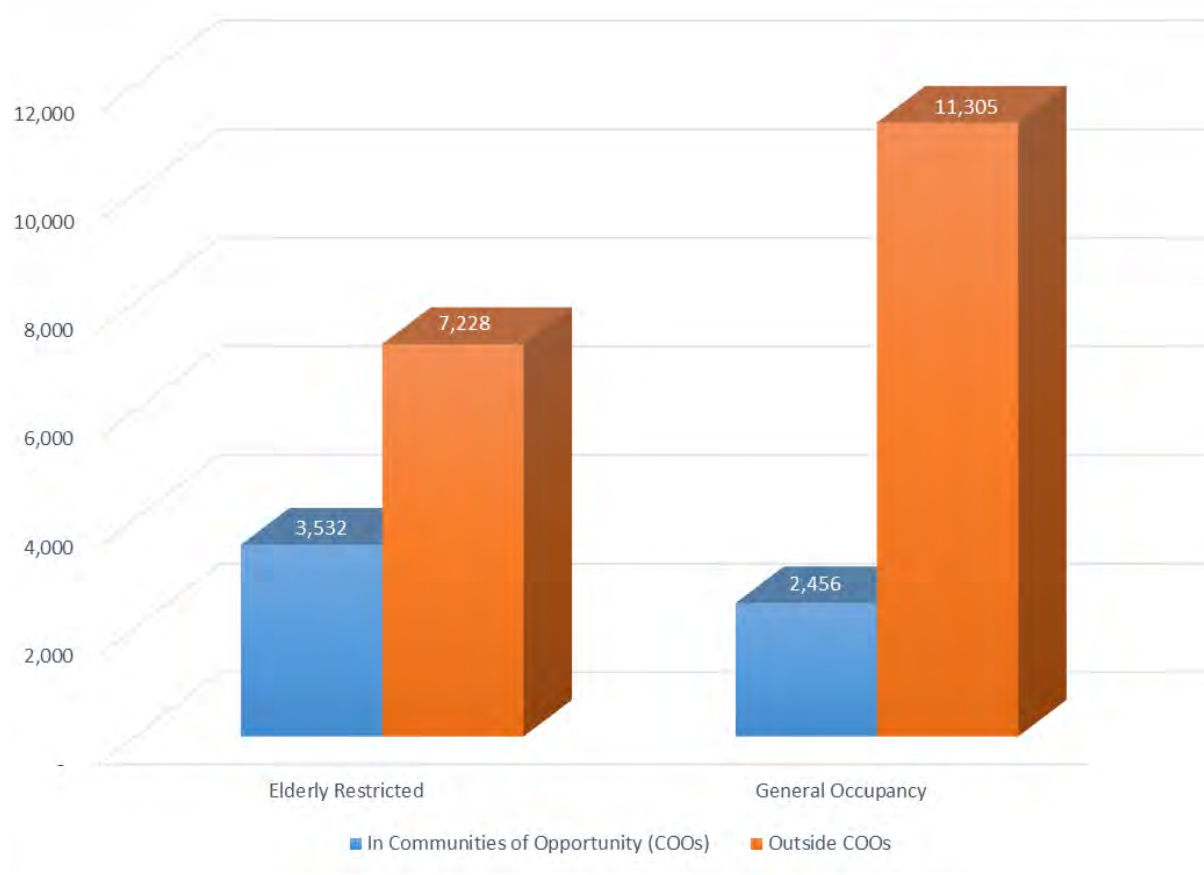


The chart below shows the distribution of actual numbers of LIHTC-assisted units in the Baltimore metropolitan area in 2018. In addition to the relative share of units, this chart shows that there are actually a higher number of elderly-restricted LIHTC-assisted units in Communities of Opportunity than general occupancy units.

In addition, 43 percent of all the LIHTC-assisted units represented in the chart below are restricted to senior citizens. This proportion compares to the Maryland DHCD statistic shared in Section V that the shortage of affordable housing for seniors is only about one-quarter of the overall shortage.

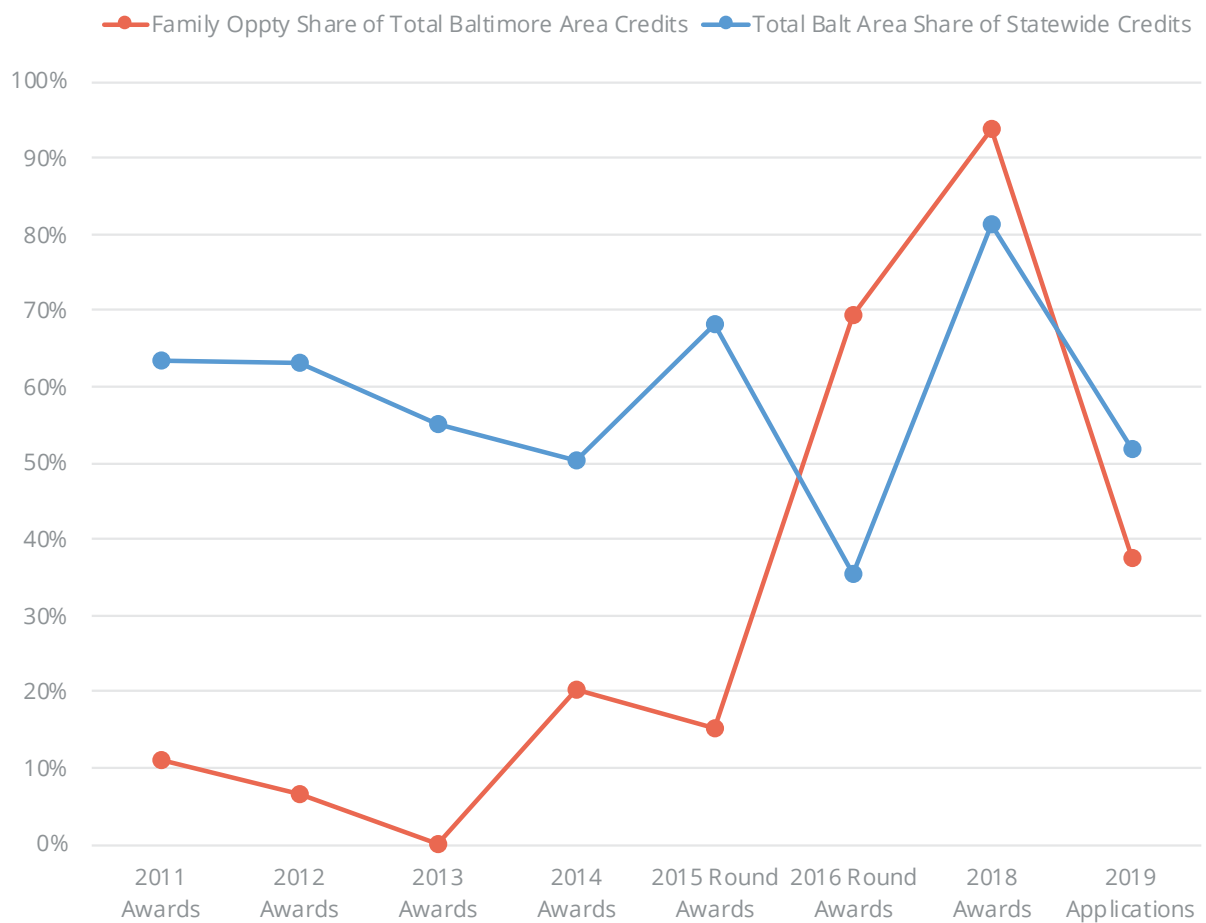
All of these statistics are especially notable because senior citizens can and do live in appropriately sized general occupancy units, whereas families with children cannot live in properties that are restricted to senior citizens. If families with children are going to have access to publicly assisted housing at all, especially in safe communities zoned to high quality public schools, more of an effort will need to be made to create LIHTC general occupancy homes in Communities of Opportunity.

Figure VI-13.
Distribution of LIHTC-Assisted Units In Baltimore Area in 2018



As noted above, since the 2012 Regional AI, HUD entitlement jurisdictions in the Baltimore region have been tracking the location of competitive LIHTC awards and seeking to influence them. Figure VI-14 below reflects the value of 9 percent LIHTC awarded by Maryland DHCD from 2011 through 2019. The blue line reflects the share of 9 percent LIHTC awarded in the Baltimore region (not including Queen Anne's County) represented by general occupancy developments in Communities of Opportunity. The blue line represents the share of total 9 percent credits awarded statewide that were awarded in the Baltimore metropolitan area.

Figure VI-14.
Maryland 9 Percent Low Income Housing Tax Credit Awards 2011-2019



These awards reflect the following trends:

- 2011-2013 awards reflect the conditions that led to the 2011 fair housing complaint against the State of Maryland. The Baltimore region generally received a larger share of credits than its 50 percent of low-income renters in the State, but those credits generally went to elderly-restricted housing or to general occupancy housing in portions of Baltimore City outside Communities of Opportunity (COOs).
- In 2013, with support from the Baltimore Regional Fair Housing Group, Maryland DHCD ended the local approval requirement for LIHTC awards. The 2014 General Assembly then formalized and extended that decision. This contributed to a slight rise in general occupancy awards in COOs in the Baltimore region.
- For the 2016 round, Maryland DHCD added significant incentives for general occupancy housing in Communities of Opportunity. This resulted in a significantly larger share of family housing in COOs, but more than half of those awards went to rural portions of the state. Those counties have lower land costs, since they are further

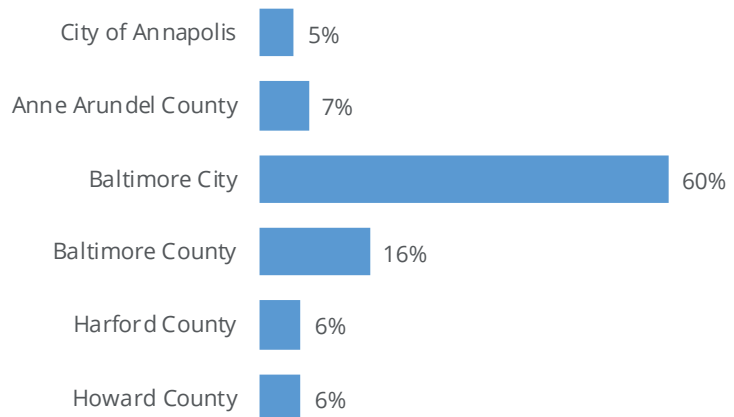
from job centers that bring economic opportunity, but they are also home to only 15 percent of Maryland's low income renter population. Total Baltimore region awards plunged to only 35 percent of statewide awards.

- In 2018, Maryland DHCD had just settled the 2011 complaint and instituted significant incentives for family housing in Communities of Opportunity in the Baltimore region. The result was striking – more than 80 percent of all statewide awards made in the Baltimore region and nearly all of those for family housing in COOs. Those 2018 awards included two COO awards in Baltimore City, along with two revitalization awards.
- Maryland DHCD's 2019 Qualified Allocation Plan dropped virtually all of the 2016-2018 COO incentives, and for the most part awards reverted to pre-2016 trends. As a result, the Regional Fair Housing Group urged Maryland DHCD to reinstitute COO incentives, but with a focus on the Baltimore and Washington metropolitan areas that are home to 80 percent of the State's low-income renting population. The Fair Housing Group urged Maryland DHCD also to incentivize revitalization awards in areas with broader and coordinated investments, such as the redevelopment of Perkins and Somerset Homes in Baltimore City.

Total publicly supported housing. As shown below, Baltimore City contains 60 percent of the region's publicly supported housing units. The next highest proportion is 16 percent, in Baltimore County.

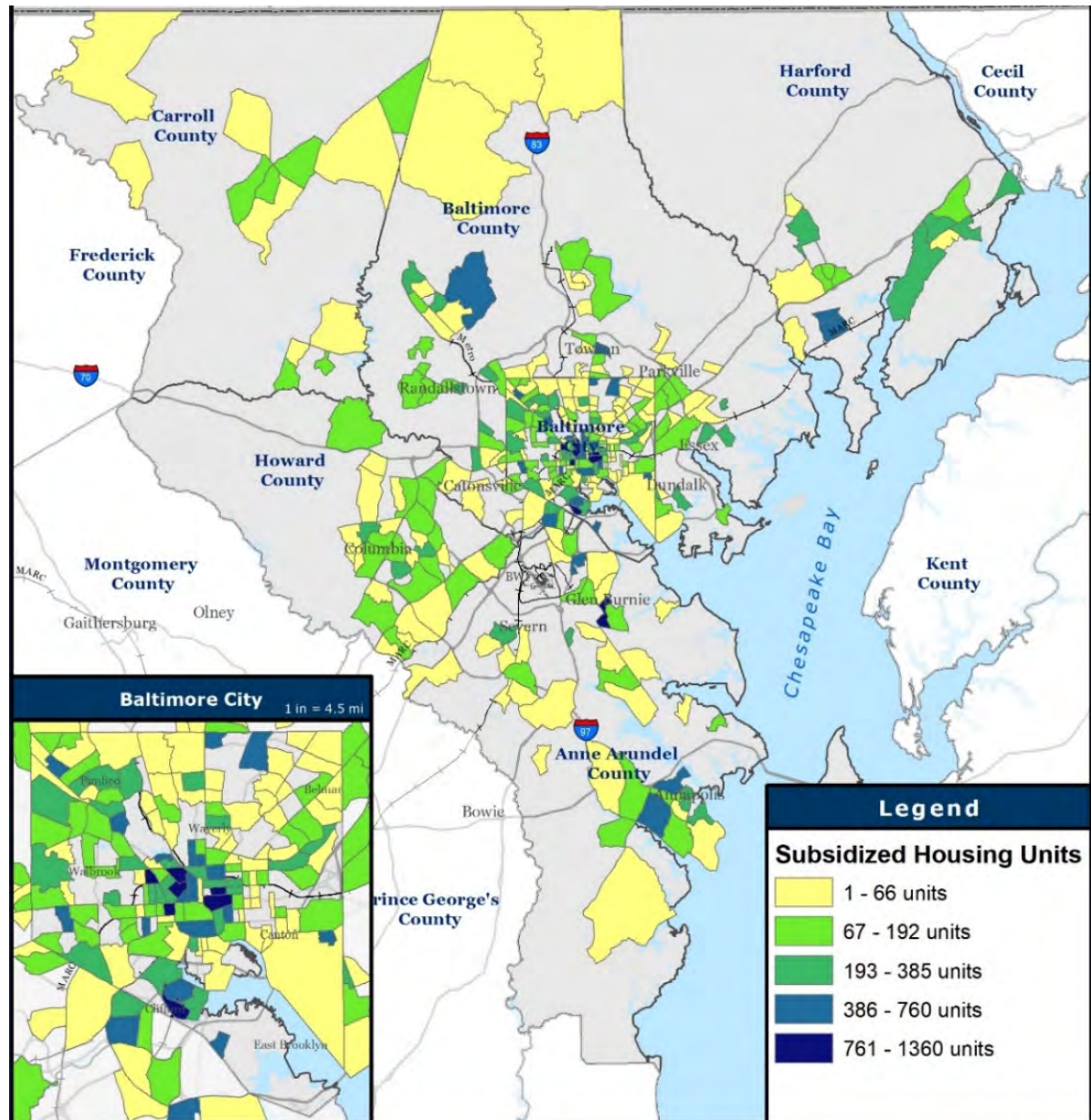
Figure VI-15.
Distribution of All Assisted
Units by Jurisdiction

Source:
BMC.



The map in the figure below shows the location of the region's publicly assisted housing. Baltimore City has the highest concentrations of publicly supported housing, in the central part of the City. These concentrations are closely aligned with areas historically redlined by the public and private sector, discussed in Section III. In the counties, there are very few concentrated Census tracts. Many Census tracts in the region have low to moderate numbers of units, and many have no publicly subsidized housing.

Figure VI-16.
Total Publicly Assisted Housing Units in the Baltimore Region

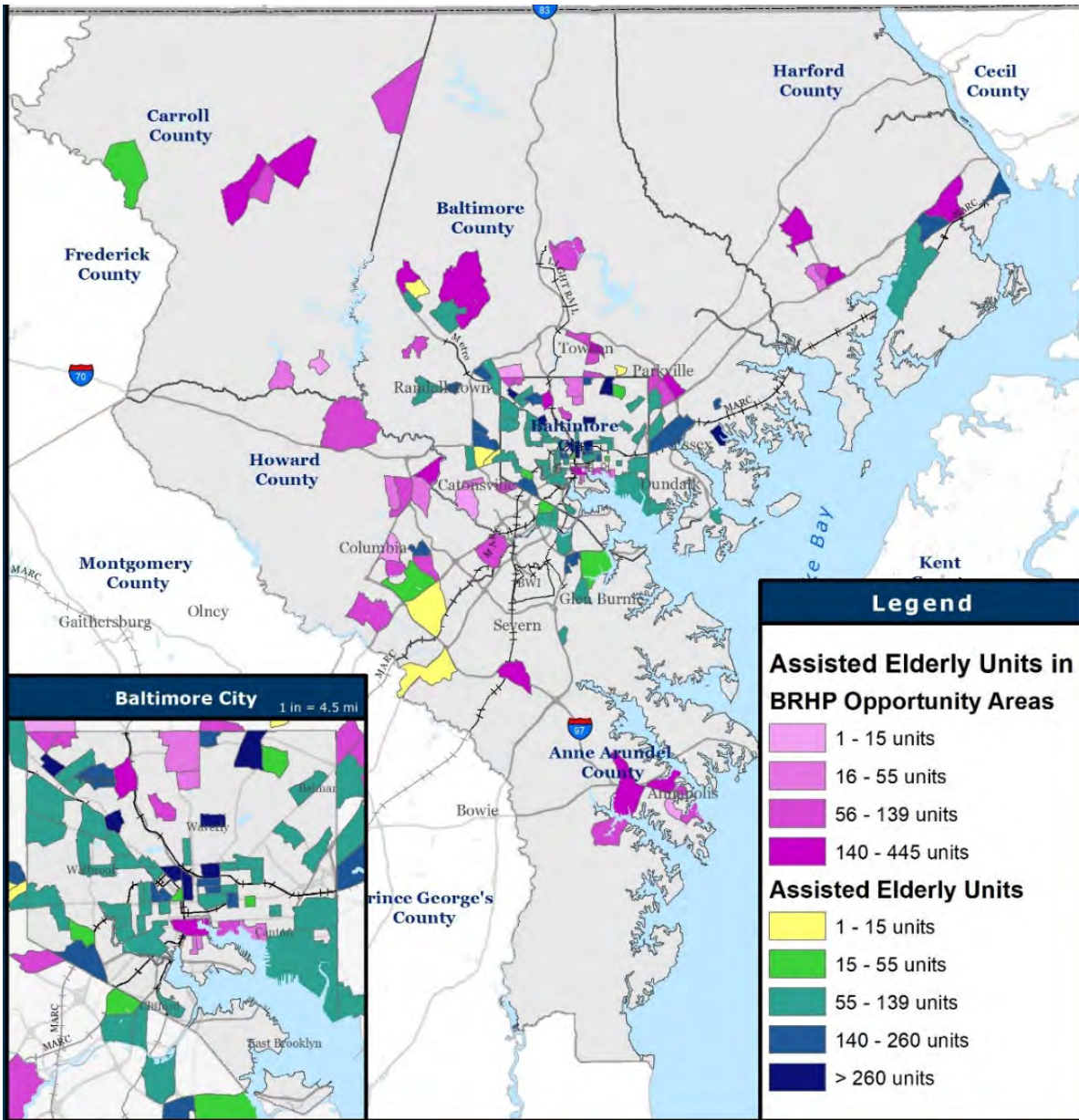


Source: BMC Preservation Database.

As in the LIHTC analysis, separating the assisted housing that is restricted to elderly residents and that which is open to families, and using an overlay of the Baltimore Regional Housing Partnership (BRHP) opportunity map from Section IV shows contrasting patterns.

Figure VI-17.

**Assisted Elderly Restricted Housing Units in the Baltimore Region,
Showing Units in BRHP Opportunity Areas**

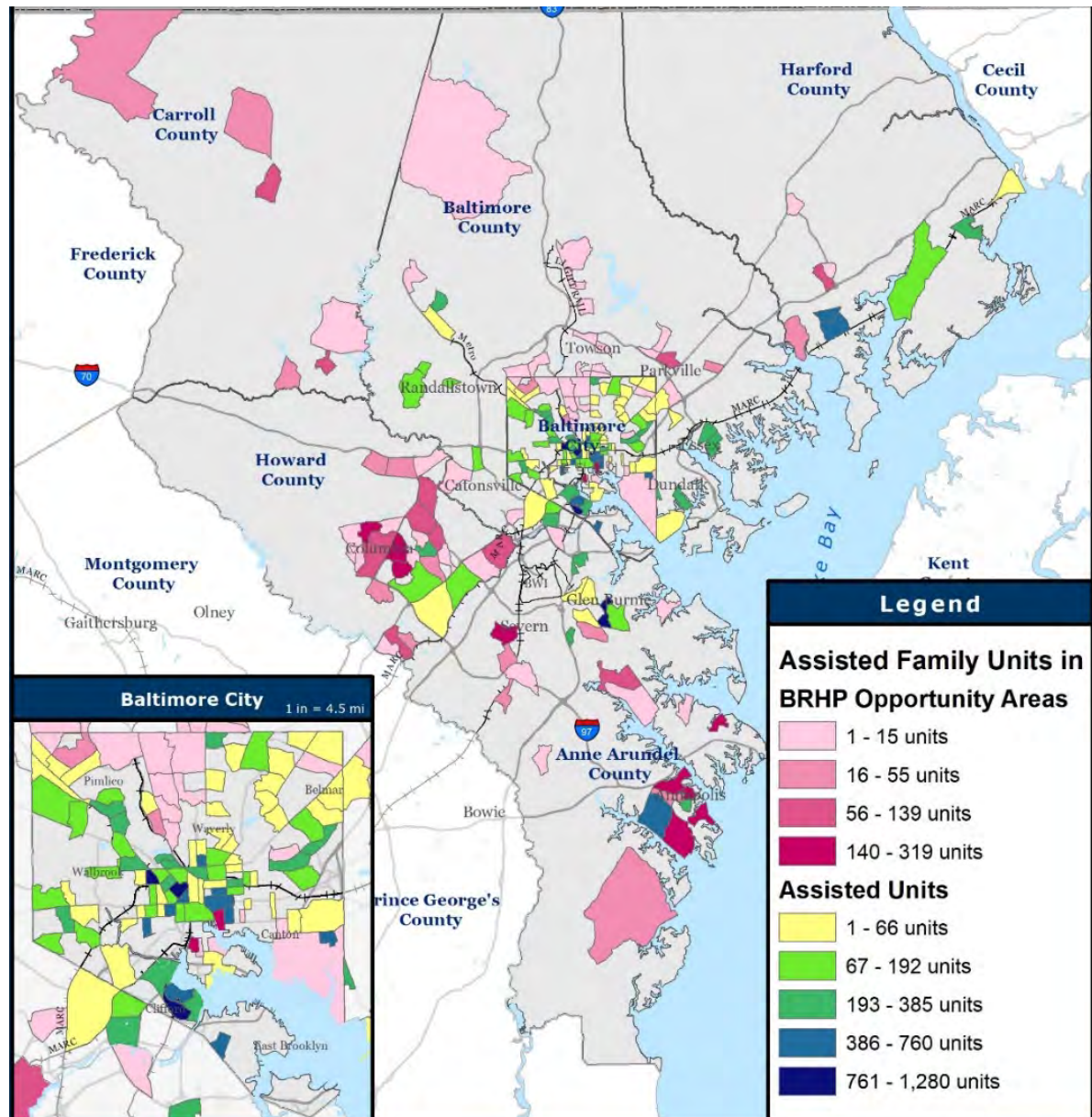


Source: BMC Preservation Database.

The map above of assisted housing restricted to elderly residents shows substantial concentrations of housing in both urban and suburban BRHP opportunity areas, in addition to concentrations outside opportunity areas.

Figure VI-18.

**Assisted Rental Housing Units in the Baltimore Region Open to Families,
Showing Units in BRHP Opportunity Areas**



Source: BMC Preservation Database.

The map above of assisted homes open to families, on the other hand, shows substantial concentrations of assisted housing in BRHP opportunity areas only around Columbia in Howard County and in and around Annapolis in Anne Arundel County. A few additional concentrations exist in selected areas of Baltimore City near the harbor and in other portions of Anne Arundel County. By contrast, this map shows many of the substantial concentrations of assisted housing outside BRHP opportunity areas seen in the map of total assisted housing.

The table below provides more detail on the distribution of both publicly subsidized rental homes by household type served compared to the distribution of total housing units in the region. Overall in the region, nearly 58 percent of market rate units are located in high opportunity areas. This compares to 32 percent of subsidized units for elderly and just 15 percent of subsidized units for families. As in the analysis of LIHTC-assisted rental units compared to Maryland DHCD Communities of Opportunity, there are more total assisted rental units restricted to elderly residents in BRHP opportunity areas than there are assisted units open to families. By jurisdiction:

- Howard County has the most equitable distribution of subsidized (both elderly and general occupancy) and market rate units across opportunity areas. This is partly due to the county being a high opportunity area county overall.
- Annapolis also has relatively high proportions of units in high opportunity areas, although general occupancy units are less likely to be located in such areas.
- Anne Arundel County has the third highest share of general occupancy publicly assisted units in opportunity areas; even so, market rate units are more than 50 percentage points more likely to be located in opportunity areas.
- Baltimore City has the smallest proportion of all types of units located in opportunity areas. Just 3.8 percent of publicly assisted general occupancy units—only 618 of those units—are found in opportunity neighborhoods.
- Baltimore County has the second smallest proportion of publicly assisted general occupancy units in opportunity areas, much lower than its share of elderly and market rate units in those areas. Baltimore County is also the only jurisdiction to have more total publicly assisted elderly units than family units.
- Harford County has the third highest share of publicly supported elderly units in opportunity areas after Howard County and Annapolis (59%). However, the proportion of publicly assisted units open to families in opportunity areas is significantly lower at 7.8%--the third lowest proportion of all jurisdictions and the lowest number of units in opportunity areas.

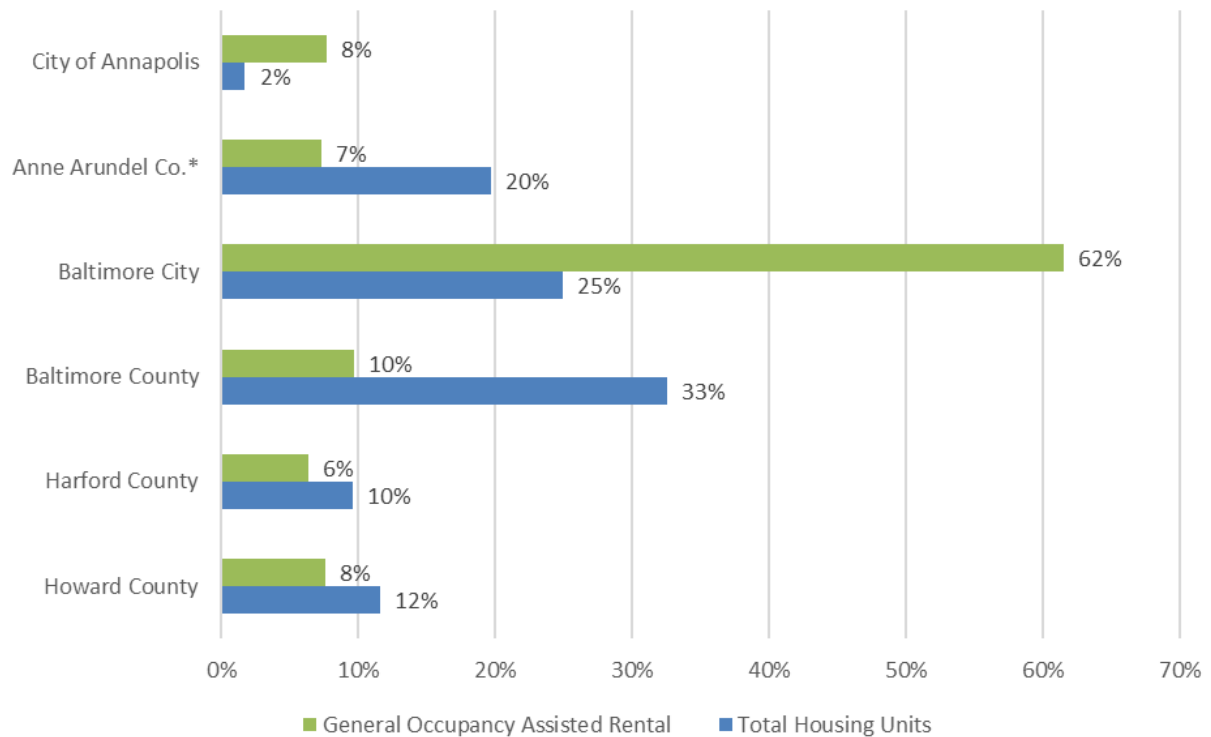
Figure VI-19.
Publicly Supported Rental Housing Compared to Total Housing Units

	Housing Units in BRHP Opportunity Areas			Total Housing Units			Share of Each Unit Type in BRHP Opportunity Areas		
	Elderly Assisted*	General Occupancy Assisted*	Total Housing Units	Elderly Assisted*	General Occupancy Assisted*	Total Housing Units	Elderly Assisted*	General Occupancy Assisted*	Total Housing Units
City of Annapolis	257	1,070	13,094	346	2,014	16,183	74.3%	53.1%	80.9%
Anne Arundel County (outside Annapolis)	539	547	156,880	1,079	1,909	189,212	50.0%	28.7%	82.9%
Baltimore City	1,219	618	48,955	8,994	16,164	239,791	13.6%	3.8%	20.4%
Baltimore County	2,060	132	160,896	4,697	2,549	312,859	43.9%	5.2%	51.4%
Harford County	662	129	71,868	1,122	1,658	92,075	59.0%	7.8%	78.1%
Howard County	811	1,529	103,586	1,017	1,987	111,337	79.7%	77.0%	93.0%
Totals	5,548	4,025	555,279	17,255	26,281	961,457	32.2%	15.3%	57.8%

Note: *Publicly assisted rental housing.

Source: BMC.

Figure VI-20.
Jurisdictions' Share of Region's General Occupancy Assisted Rental Homes
Compared to Share of Region's Total Housing Units



Note: *Outside the City of Annapolis.

Source: BMC.

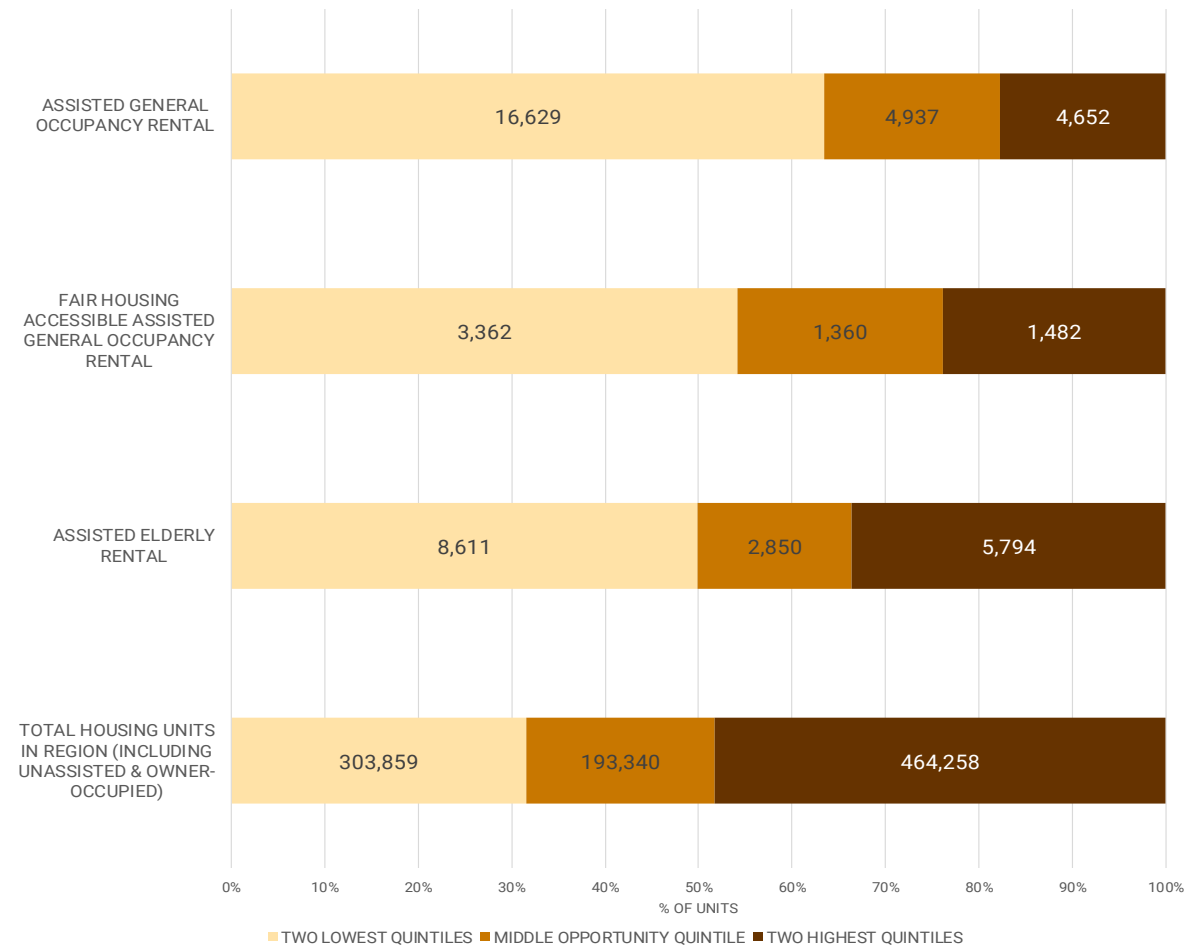
The table above shows the overall distribution of general occupancy publicly assisted rental housing among HUD entitlement jurisdictions of the Baltimore region. The Cities of Annapolis and Baltimore are the only jurisdictions with a higher share of the region's general-occupancy assisted rental housing than their share of the region's total housing units. Baltimore City's is 150 percent higher, while Annapolis' is four times higher. All of the rest of the region's HUD entitlement counties (with the City of Annapolis removed from Anne Arundel County statistics) have more of the region's housing than the region's general-occupancy assisted rental housing, with the gaps particularly large for Anne Arundel and Baltimore Counties. Overall, these statistics suggest that publicly supported housing that is open to families remains concentrated in the urban areas of the metropolitan area even as housing more generally has become more suburbanized.

In addition to looking at publicly supported housing and total housing units compared to BRHP opportunity areas, this fair housing analysis also compares this housing with the Opportunity Mapping Advisory Panel (OMAP) map quintiles from the 2014 Baltimore Regional Housing Plan that is presented in Section IV. In general, this analysis shows the same patterns, with total housing units having the highest likelihood of being located in high opportunity areas (48%), followed by publicly assisted housing restricted to elderly

residents (34%), and finally publicly assisted housing open to families (18%). As in the LIHTC-assisted analysis and the BRHP opportunity area analysis above, this analysis shows more total assisted elderly units in high opportunity areas than units open to families.

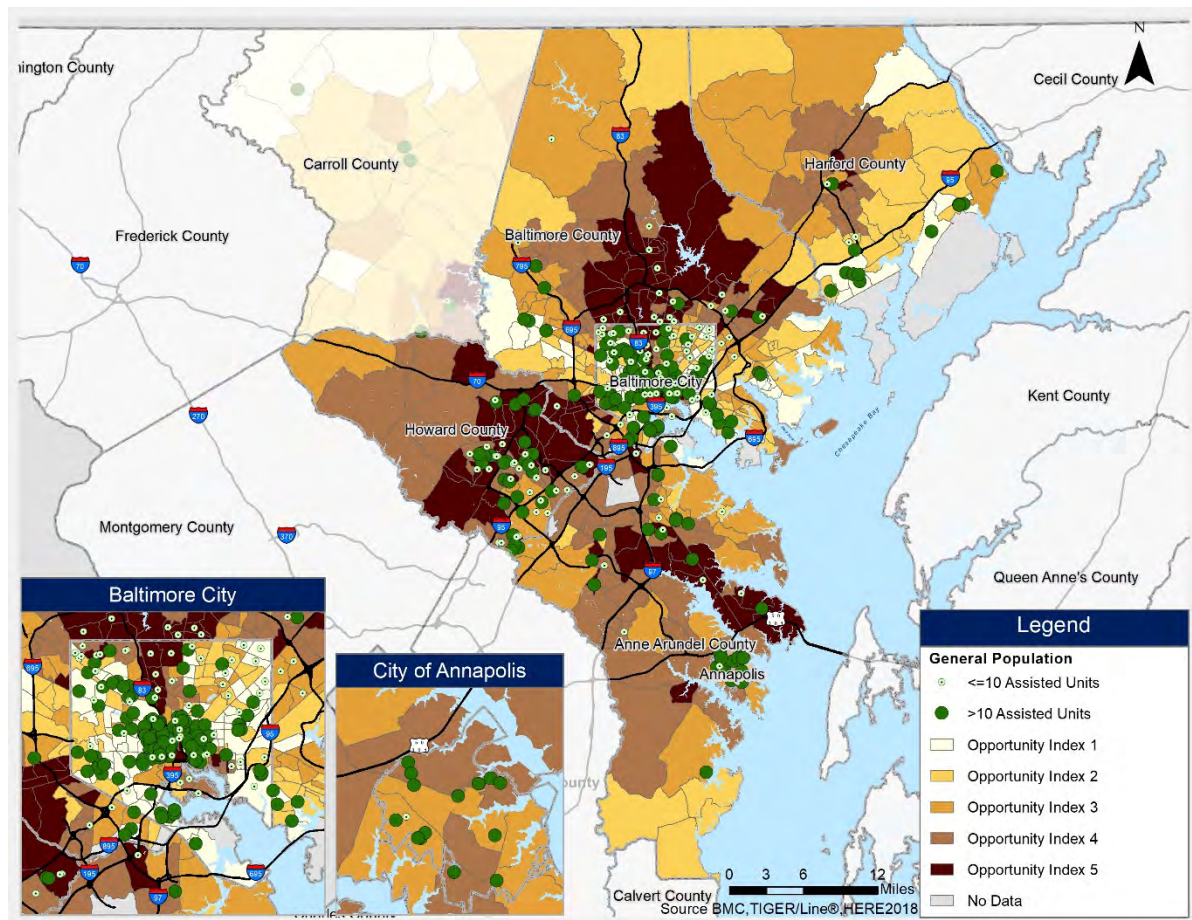
This analysis also included the subset of general-occupancy assisted housing that meets the Fair Housing Act standard for accessibility for people with an ambulatory disability. At the regional level, those units are slightly more likely to be in OMAP opportunity areas (24%) than the full universe of general occupancy assisted housing in the region.

Figure VI-21.
Regional Unit Comparison



Source: BMC.

Figure VI-22.
Distribution of General Occupancy Publicly Assisted Housing Compared to
2014 Housing Plan Opportunity Quintiles

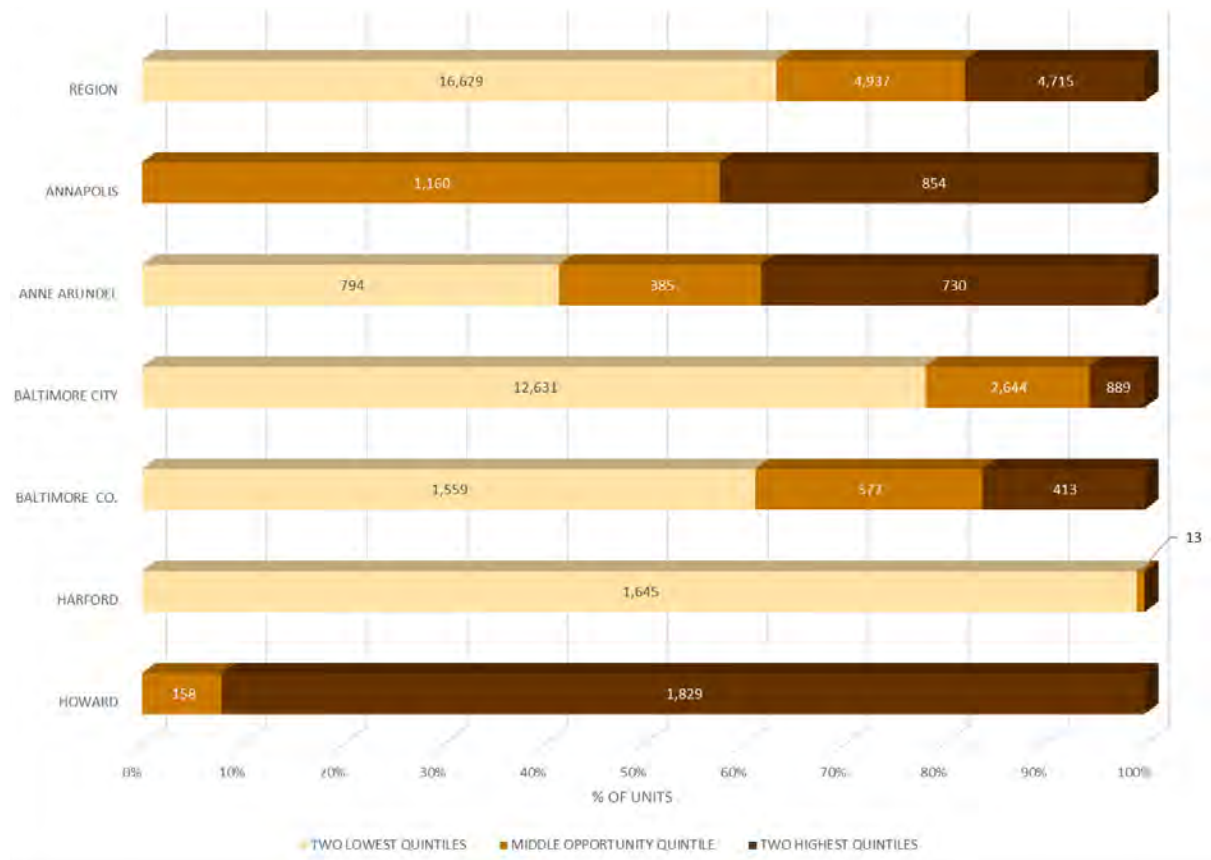


Note: In this analysis, Quintiles 4 and 5 are considered high opportunity areas of the metropolitan area.

Source: BMC.

The map above shows the distribution of assisted rental units open to general occupancy compared to the quintiles from the 2014 Regional Housing Plan opportunity map. In this analysis, quintiles 4 and 5 are considered high opportunity areas, quintiles 1 and 2 are considered low opportunity areas, and quintile 3 designates middle opportunity areas. This map also distinguishes between sites with more than 10 assisted units and sites or Census tracts with fewer than 10 assisted units – often scattered site homes.

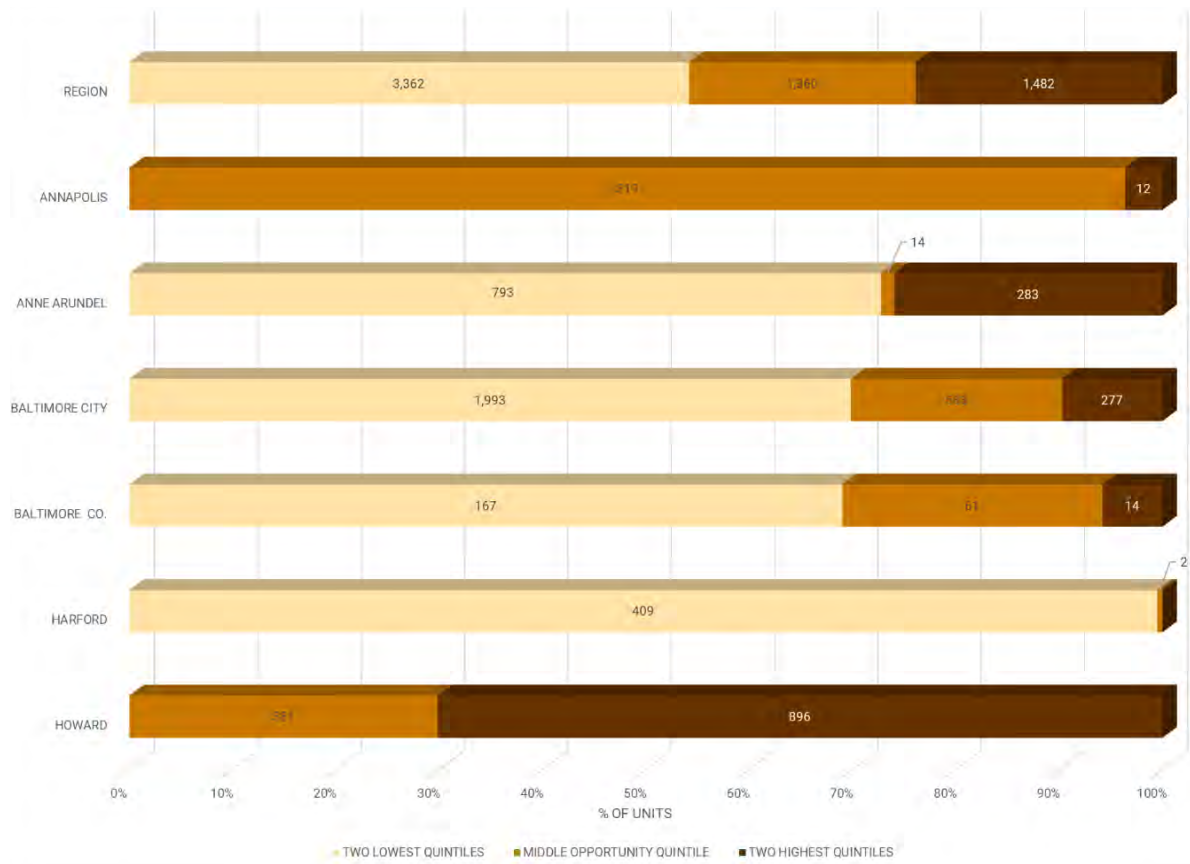
Figure VI-23.
Distribution of General Occupancy Publicly Assisted Housing by
Jurisdiction and Opportunity Quintile



Source: BMC.

The graph above shows the numeric and proportional distribution of general occupancy assisted rental units by jurisdiction. As a jurisdiction comprised of nearly all high opportunity areas (see map), Howard County has the largest proportion of assisted units in those high opportunity areas (92%). The City of Annapolis (42%) and Anne Arundel County (38%, not including the City of Annapolis) have the next highest proportions, followed by Baltimore County (16%), Baltimore City (5%), and Harford County (0%) with the lowest proportions. The regional rate of 18 percent in high opportunity areas is heavily influenced by the high number of units overall in Baltimore City and the low proportion there in high opportunity areas.

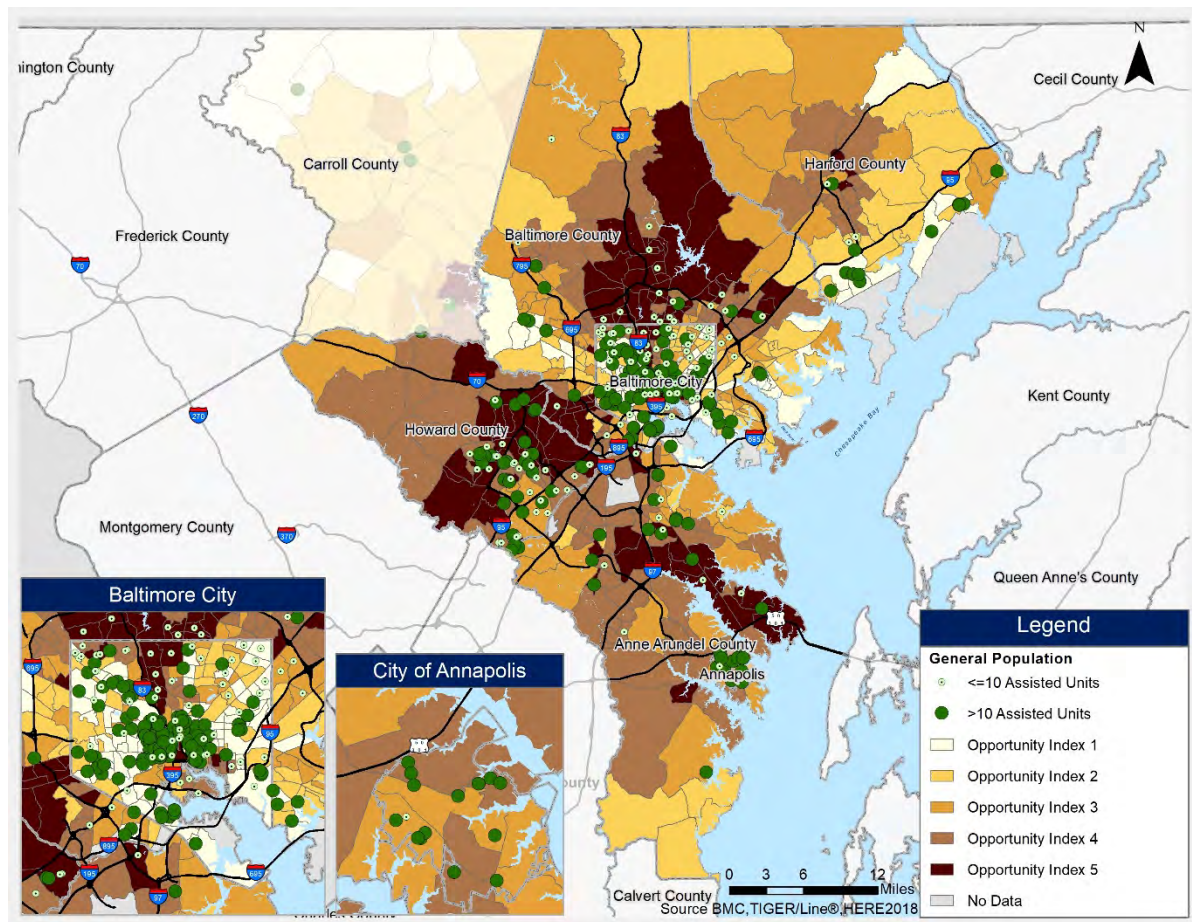
Figure VI-24.
Assisted General Occupancy Units Meeting Fair Housing Act Standard for
People with Ambulatory Disability



Source: BMC.

The figure above represents the subset of general occupancy assisted rental units that meet Fair Housing Act (FHA) standards for people with an ambulatory disability. Regionally 24 percent of these units are in high opportunity areas of the 2014 Housing Plan map, slightly higher than the general occupancy units as a whole. Taking a closer look, however, this is entirely due to the higher proportion of FHA accessible units in Baltimore City—10 percent—compared to only 5 percent of general occupancy units as a whole. Every other jurisdiction has a lower proportion of FHA accessible units in opportunity areas. Again, the large number of units overall in Baltimore City, including FHA accessible units, sways the regional figure.

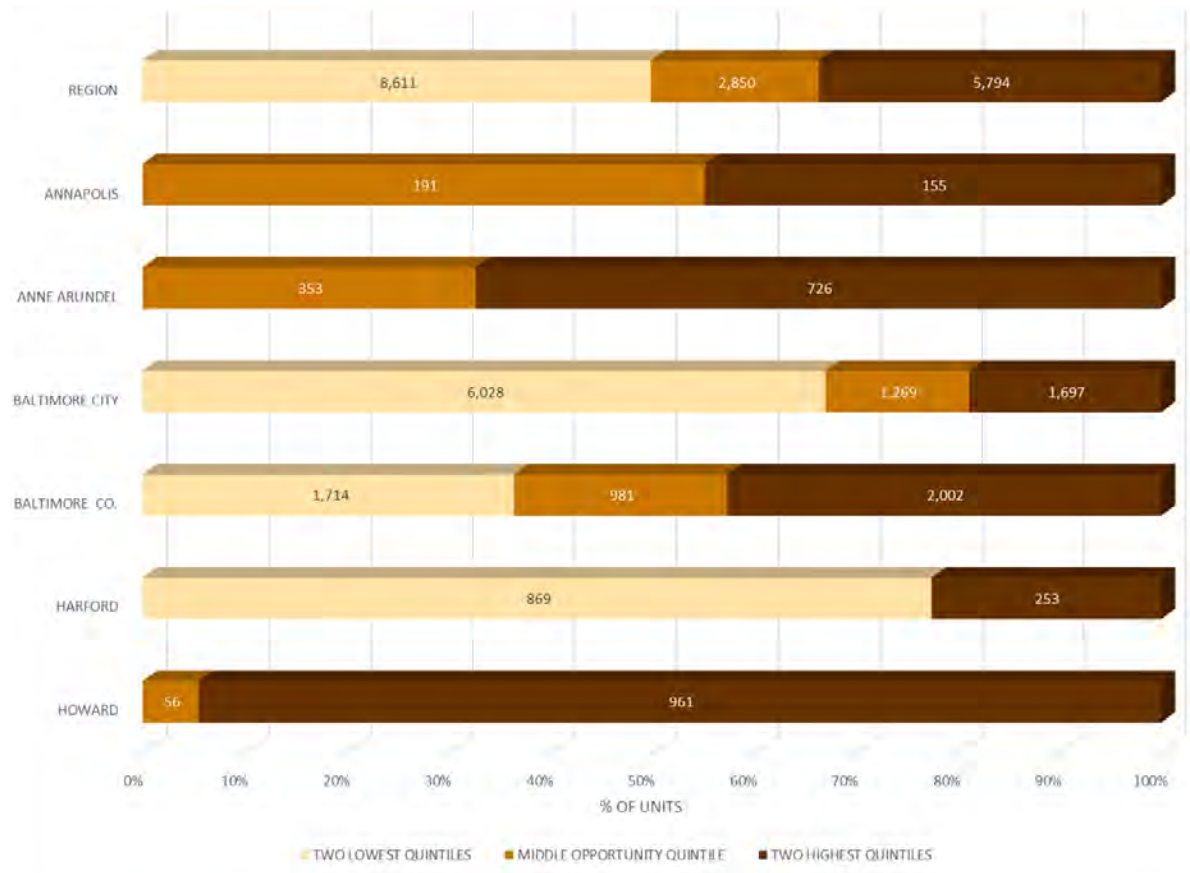
Figure VI-26.
Publicly Assisted Rental Homes Restricted to Senior Citizens Compared to
2014 Regional Housing Plan Opportunity Quintiles



Source: BMC.

The map above shows the distribution of publicly supported rental housing restricted to senior citizens compared to the 2014 Regional Housing Plan opportunity quintiles. Again, quintiles 4 and 5 are considered high opportunity areas, quintiles 1 and 2 are considered low opportunity areas, and quintile 3 designates middle opportunity areas.

Figure VI-27. Publicly Assisted Rental Homes Restricted to Senior Citizens by Jurisdiction



Source: BMC.

The chart above shows the units on the map in table form by jurisdiction. Unlike the Fair Housing Act Accessible unit figures, every jurisdiction in the metropolitan area has a higher share of assisted elderly units in high opportunity areas than general occupancy units. Again, Howard County is highest at 94 percent. For elderly units, Anne Arundel (not including the City of Annapolis) is next at 67 percent, higher than Annapolis at 45 percent. Baltimore County is slightly behind Annapolis, at 43 percent. In elderly assisted housing, Harford County has a higher share in opportunity areas (23%) than Baltimore City (19%). The regional average of 34 percent means that more than one-third of elderly assisted rental homes are in these high opportunity areas, compared to less than one-fifth of general occupancy homes.

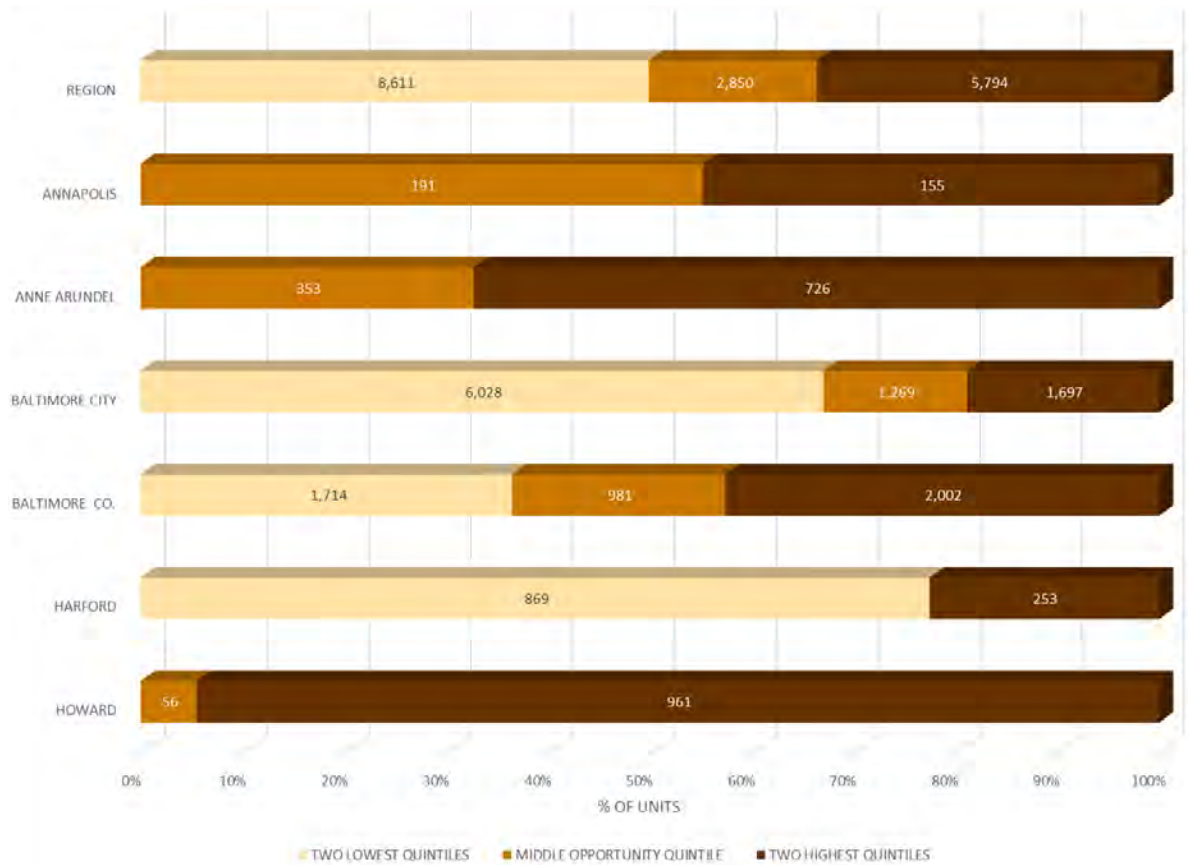
Housing Choice Vouchers (HCVs). When the Housing Choice Voucher Program was introduced as the new Section 8 program in the 1970s, the idea was that publicly assisted housing residents would no longer be restricted to impoverished public housing locations and could live in a wide variety of places. According to this analysis of the locations of voucher holders relative to the 2014 Regional Housing Plan opportunity

quintiles, however, this has not resulted in voucher holders having much greater success accessing higher opportunity portions of the region.

The figure below does show some progress from 2013 to 2018, with the share of voucher holders living in high opportunity quintiles moving from 21 percent to 25 percent. This period did coincide with a period when the Baltimore Regional Housing Partnership leased up about 2,400 families, finishing their tenant-based lease-up of nearly 4,400 families under the 2012 *Thompson v. HUD* fair housing lawsuit settlement. These families, locating for at least two years in high opportunity portions of the region, were clearly the major contributor to the increase of 2,859 households leasing in high opportunity quintiles between 2013 and 2018.

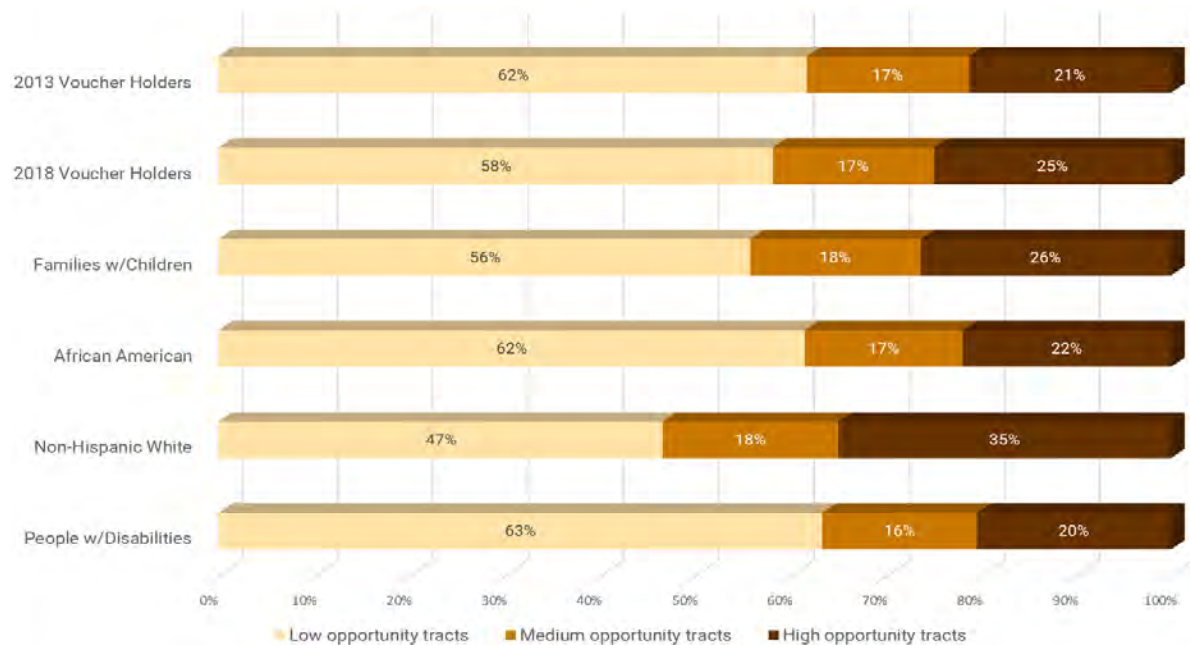
Similarly, the BRHP lease-up, with its preference for households with children, could be a significant reason that families with children are slightly more able than the average voucher holder to locate in a high opportunity area (3,535 families with children living in high opportunity quintiles in 2018). These areas are generally safe communities zoned to high quality public schools for the children in these households. African Americans and people with disabilities use their vouchers in high opportunity areas at the lowest rates (22% and 20% respectively), while non-Hispanic white voucher holders, while relatively small in number (3,850 total), live in high opportunity areas at the highest rate (35%).

Figure VI-27. Publicly Assisted Rental Homes Restricted to Senior Citizens by Jurisdiction



Source: BMC.

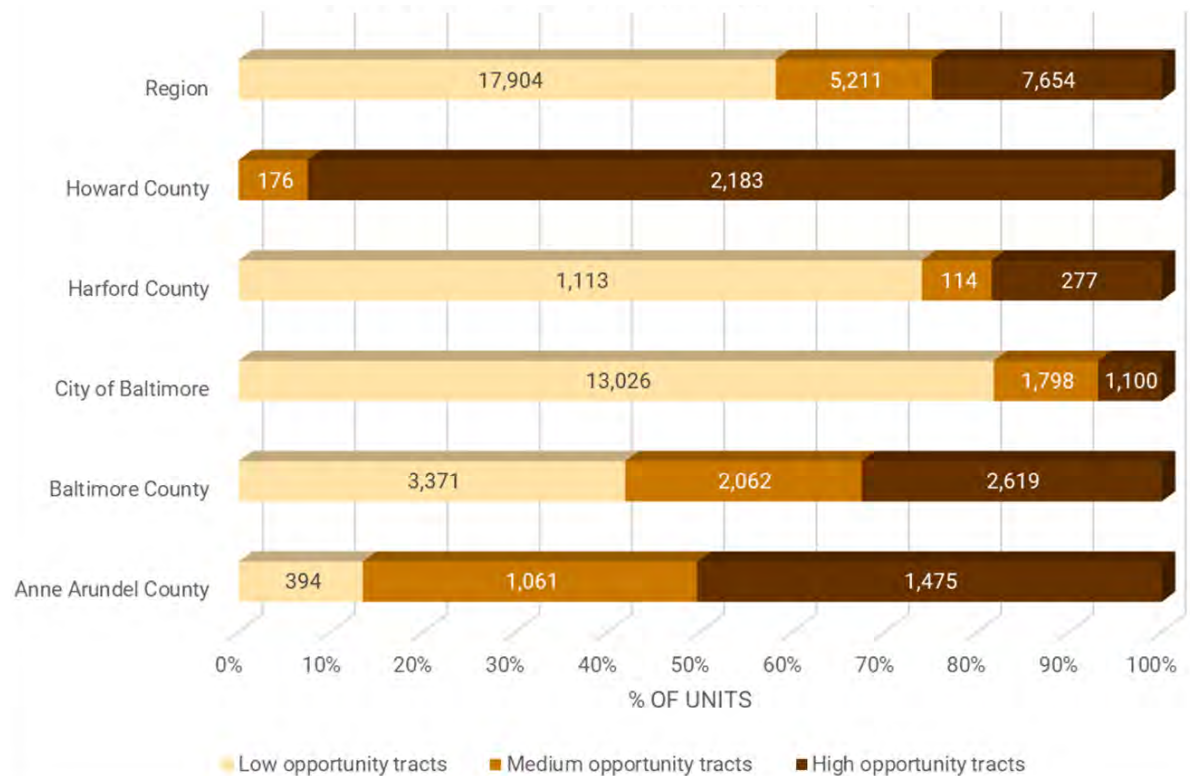
Figure VI-28.
Regional Voucher Holder Comparisons



Source: HUD (voucher data), BMC (opportunity quintiles).

The figure below breaks out total voucher usage by jurisdiction, although separate data for the City of Annapolis is not available. Like the figures for assisted housing units, voucher holders in generally high-opportunity Howard County live in high opportunity areas at the highest rate—93 percent. Next highest is Anne Arundel County (including Annapolis) at 50 percent, followed by Baltimore County at 33 percent. Lowest in this chart are Harford County at 18 percent and Baltimore City at 7 percent, although Baltimore City has nearly four times the number of voucher holders living in high opportunity areas as Harford County and almost as many as Anne Arundel County.

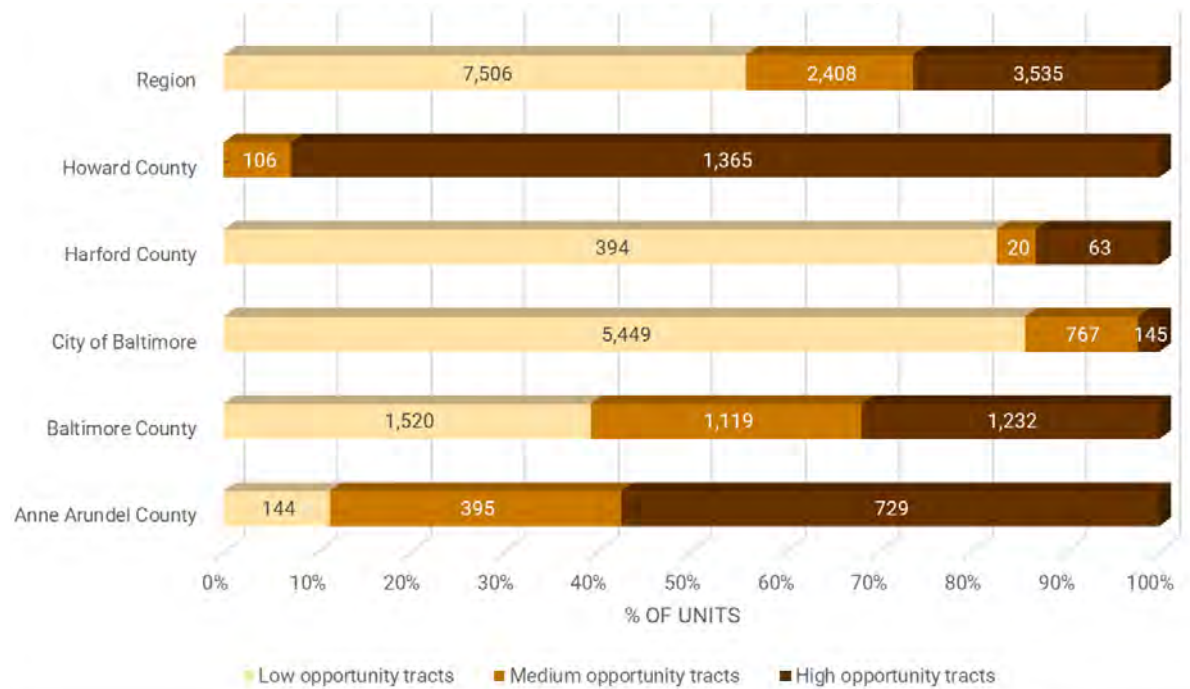
Figure VI-29.
Number of Voucher Holders Living in Opportunity Tracts, 2018



Source: HUD, BMC.

These jurisdictional patterns generally hold true for families with children in the figure below, with nearly half of all voucher holders in high opportunity areas in the region having children. More than half of all Howard County voucher holders in high opportunity areas have children. Nearly half of those in Anne Arundel and Baltimore County high opportunity areas do, and relatively small shares of voucher holders in high opportunity portions of Baltimore City and Harford County have children.

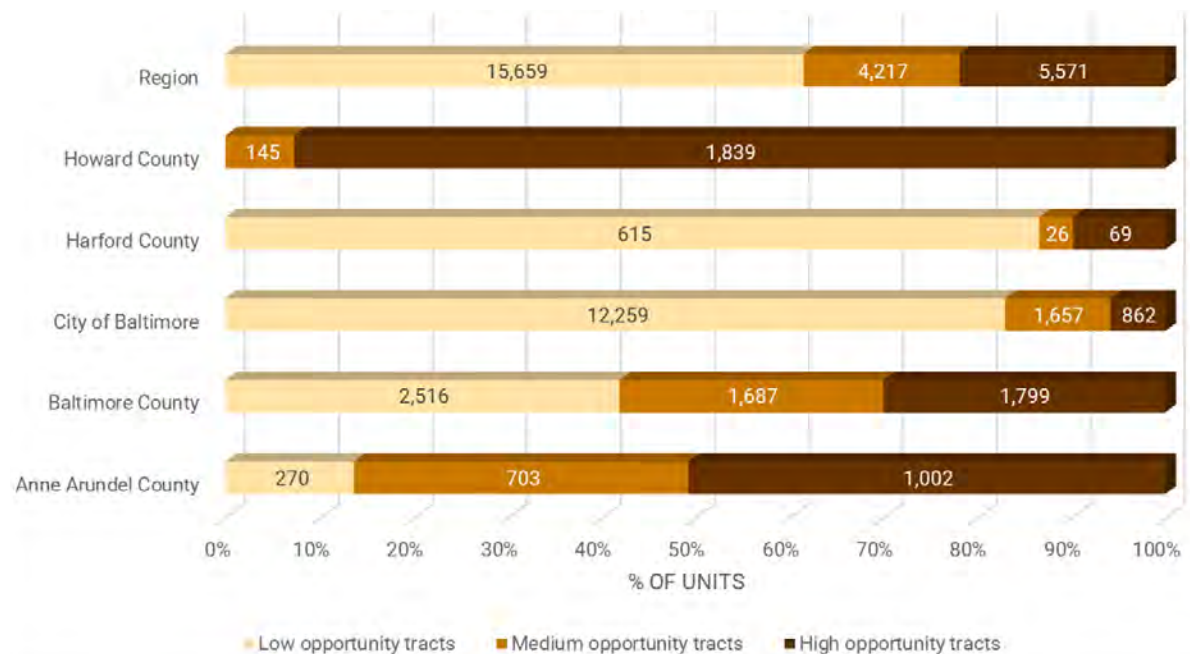
Figure VI-30.
Number of Voucher Holders with Children in Opportunity Tracts, 2018



Source: HUD, BMC.

The chart below shows that, in the jurisdictions with voucher holders in high opportunity areas at the highest rates, African Americans also live in opportunity areas at high rates. This is true for Anne Arundel County (51%) and Howard County (93%). It is the lower rates for African Americans in Baltimore County (30%), Harford County (10%), and Baltimore City (6%) that bring the regional share of African American voucher holders living in high opportunity areas (22%) down below the average for all voucher holders (25%).

Figure VI-31.
Number of Voucher Holders who are African American Living in Opportunity Tracts, 2018



Source: BMC.

The chart below shows the figures above in percentage form by jurisdiction, along with some additional data. These figures show that the regional higher rate for white voucher holders living in high opportunity areas stems from the higher rates in Baltimore City, Baltimore County, and Harford County. It also shows that voucher holders with disabilities live in high opportunity areas at the same or higher rates in Howard and Harford Counties, but the lower regional rate reflects the lower rates in Anne Arundel and Baltimore Counties. In Baltimore City younger voucher holders with disabilities live in high opportunity areas at a slightly higher rate than all voucher holders, but elderly voucher holders with disabilities live in high opportunity areas at a slightly lower rate.

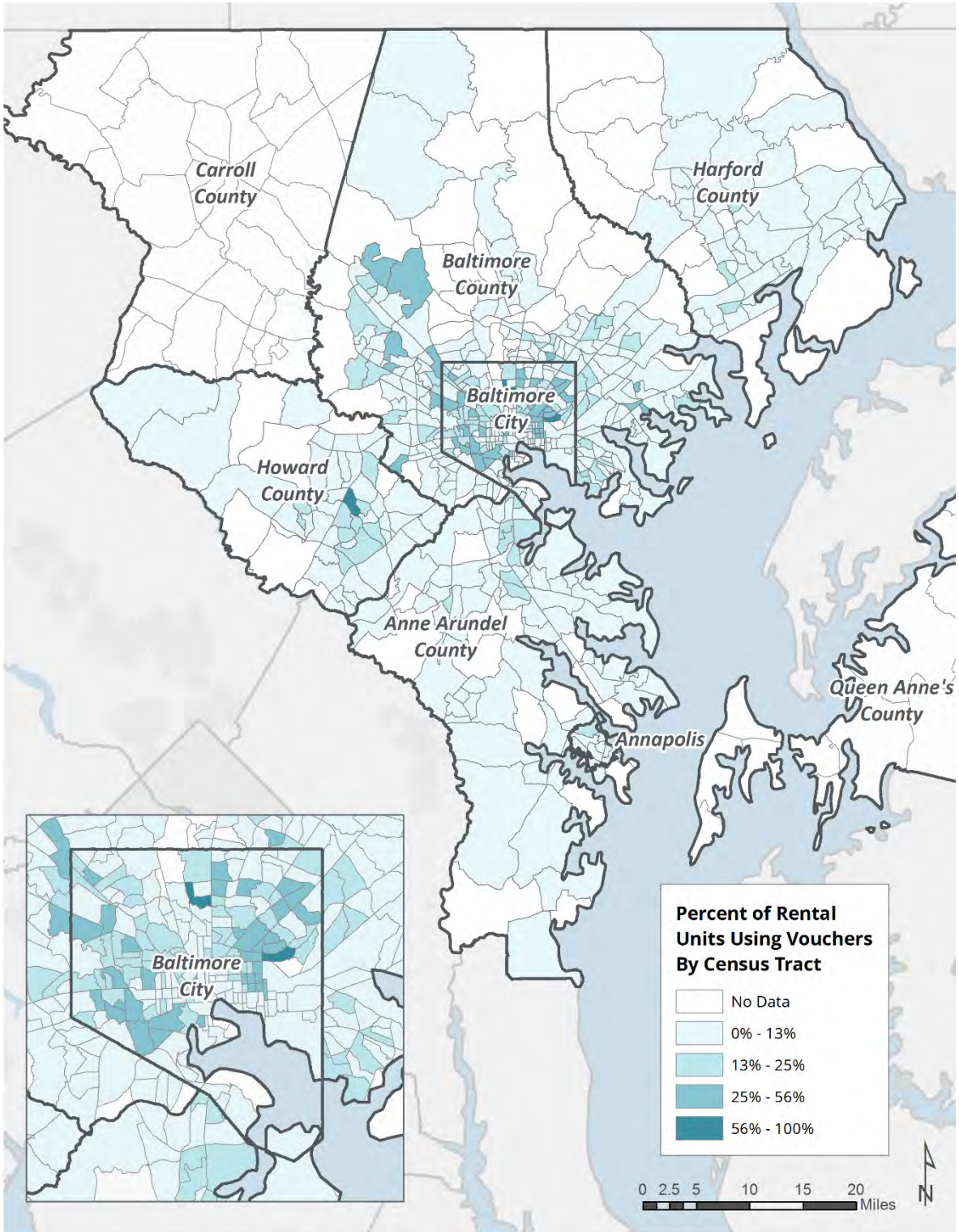
Figure VI-32.
Voucher Holders by Opportunity

	Anne Arundel County	Baltimore County	City of Baltimore	Harford County	Howard County	ALL
Percent voucher holders living in...						
Low opportunity tracts	13%	42%	82%	74%	0%	58%
Medium opportunity tracts	36%	26%	11%	8%	7%	17%
High opportunity tracts	50%	33%	7%	18%	93%	25%
Total tracts	100%	100%	100%	100%	100%	100%
Percent voucher holders who are Non-Hispanic White living in...						
Low opportunity tracts	17%	45%	71%	67%	0%	47%
Medium opportunity tracts	45%	17%	13%	7%	9%	18%
High opportunity tracts	38%	37%	17%	26%	91%	35%
Total tracts	100%	100%	100%	100%	100%	100%
Percent voucher holders who are African American living in...						
Low opportunity tracts	14%	42%	83%	87%	0%	62%
Medium opportunity tracts	36%	28%	11%	4%	7%	17%
High opportunity tracts	51%	30%	6%	10%	93%	22%
Total tracts	100%	100%	100%	100%	100%	100%
Percent voucher holders with disabilities <age 62...						
Low opportunity tracts	18%	50%	80%	73%	0%	65%
Medium opportunity tracts	43%	23%	11%	7%	6%	16%
High opportunity tracts	39%	26%	8%	20%	94%	19%
Total tracts	100%	100%	100%	100%	100%	100%
Percent voucher holders with disabilities >age 62...						
Low opportunity tracts	18%	45%	83%	76%	0%	62%
Medium opportunity tracts	38%	26%	11%	7%	7%	17%
High opportunity tracts	43%	29%	6%	20%	93%	21%
Total tracts	100%	100%	100%	100%	100%	100%
Percent voucher holders with children living in...						
Low opportunity tracts	11%	39%	86%	83%	0%	56%
Medium opportunity tracts	31%	29%	12%	4%	7%	18%
High opportunity tracts	57%	32%	2%	13%	93%	26%
Total tracts	100%	100%	100%	100%	100%	100%

Source: BMC.

The map below shows a regional view of voucher use compared to total rental units in each Census tract as of 2018. It shows the highest concentrations in portions of Baltimore City, northwest Baltimore County, and the eastern portions of Columbia in Howard County.

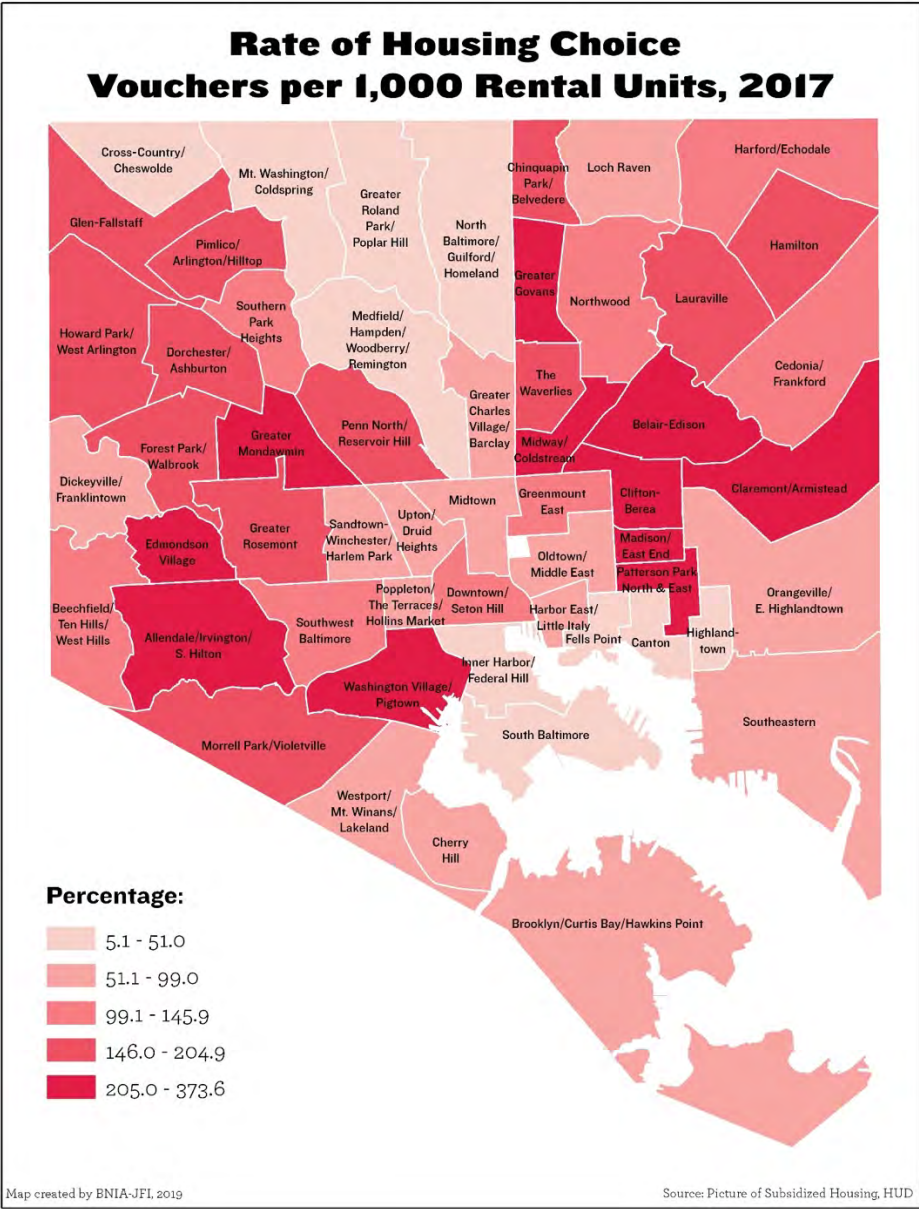
Figure VI-33.
Vouchers to Total Rental Units, 2018



Source: HUD Picture of Subsidized Households.

The following map from the Baltimore Neighborhood Indicators Alliance (BNIA) shows voucher use compared to number of rental units for each Community Statistical Area (CSA), or grouping of Census tracts. The higher concentrations of voucher use generally correlate with CSAs with higher proportions of African American residents and lower rents. In 2019 Baltimore City added housing choice vouchers to its prohibition on discrimination based on source of income, which may broaden the ability of voucher holders to rent in portions of the City that had not been home to many voucher holders in 2017 and 2018.

Figure VI-34.
Rate of
Housing
Choice
Vouchers per
1,000 Rental
Units, 2017



Where families with children use vouchers. The Center for Budget and Policy Priorities (CBPP) produced a report in January 2019⁶ examining where HCV holders who are families with children are mostly likely to live. The study concluded that, overall in the United States, few voucher holders live in low poverty neighborhoods (defined as poverty rates of less than 10%), despite the presence of affordable units.

Overall in the U.S., 14 percent of voucher families lived in low poverty environments compared to 25 percent of voucher-affordable units. Conversely, 33 percent of voucher families lived in high poverty environments compared to 22 percent of voucher-affordable rental units. The Baltimore region was better aligned than the U.S. overall and many metropolitan areas, with 32 percent of voucher holders living in low poverty environments relative to 34 percent of voucher-affordable units.

The CBPP also concluded that in the Baltimore region voucher-assisted families of color with children are less likely to live in minority concentrated areas (60%) than low income renter households of color overall (67%). This could be due at least in part to the housing mobility program created by the *Thompson v. HUD* fair housing lawsuit and administered by the Baltimore Regional Housing Partnership. Since its inception, this program has assisted nearly 4,400 voucher holders – predominantly African American families with children – find a rental home in non-minority-concentrated, high opportunity portions of the region.

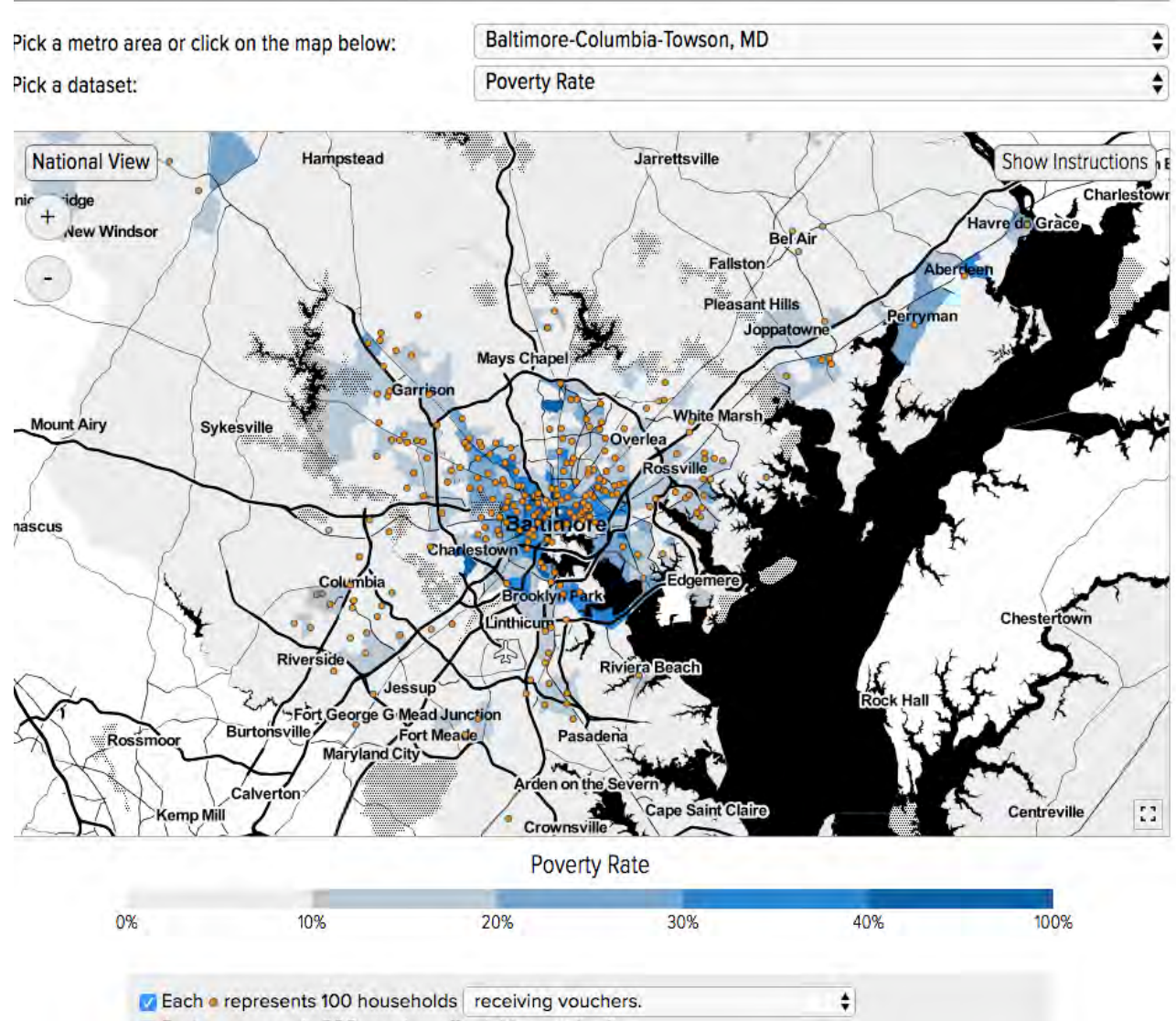
Where the gap exists in the Baltimore region, it is in the presence of families of color in low opportunity areas. Of families with color, 27 percent lived in low opportunity areas compared to 19 percent of rental units in low opportunity areas. These residents may be living in low opportunity areas because of limited supply of voucher-affordable rentals in high opportunity areas or because voucher holders without access to mobility counseling have a more difficult time connecting with those units that are available. Voucher holders of color in low opportunity areas may also have faced discrimination in seeking housing and/or have a criminal or eviction history that limits their opportunities for rental housing in more highly-desirable areas.

In sum, the CBPP analysis suggests that, in the Baltimore region, there is high demand for voucher-affordable units in low poverty areas, and the region's mobility programs appear to be effective. Expanding those opportunities for the households who are able to obtain a voucher and for families of color using vouchers in low opportunity areas is imperative for furthering choice.

⁶ <https://www.cbpp.org/research/housing/where-families-with-children-use-housing-vouchers>

Figure VI-35.
Distribution of Vouchers
and Poverty Rate

Source:
 Center on Budget and Policy Priorities.



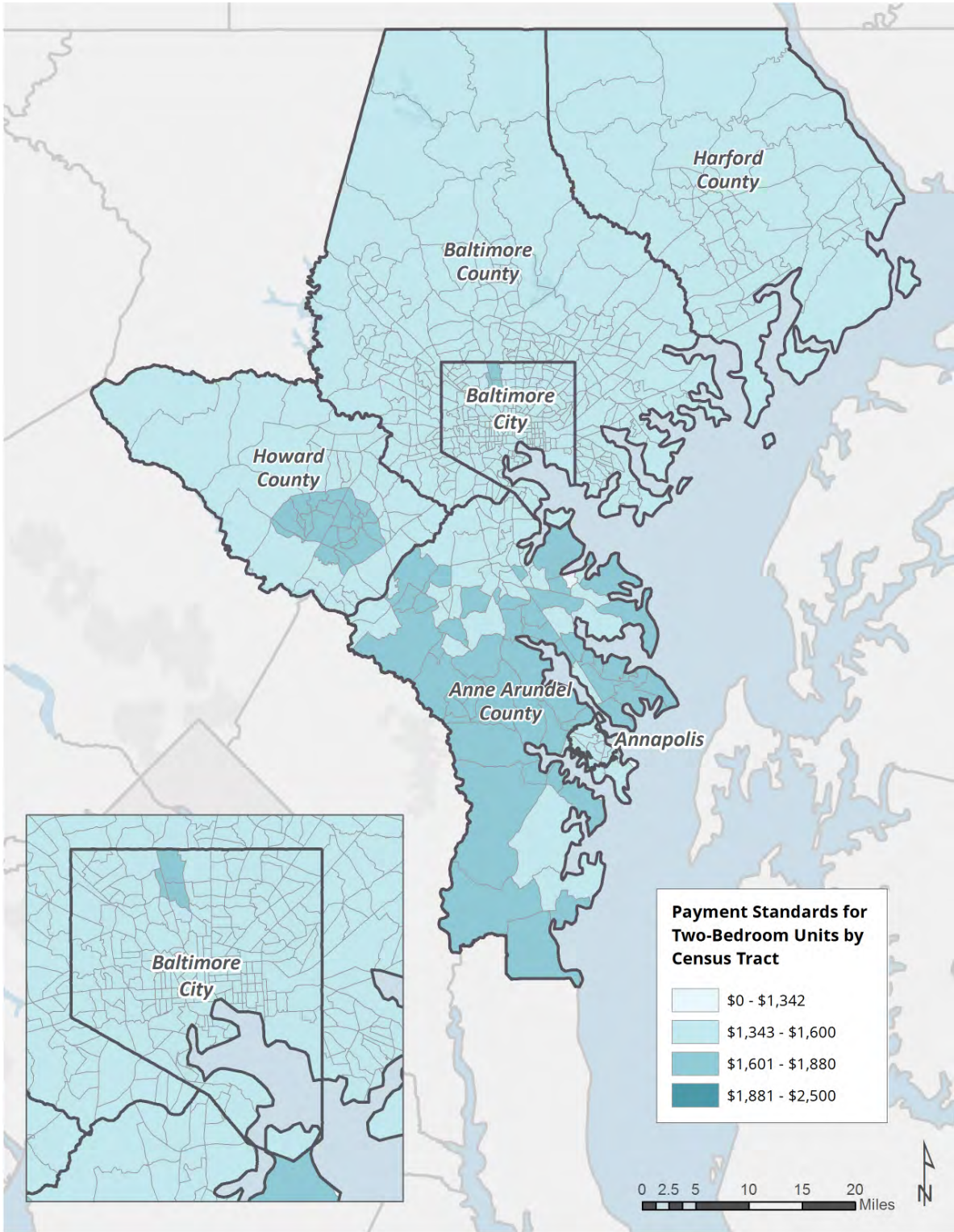
The impact of Fair Market Rents (FMRs) on voucher usage. Annually, HUD establishes “Fair Market Rents,” or FMRs, for metropolitan statistical areas. These determine how much HUD, through public housing authorities, will compensate households with Housing Choice, or Section 8, Vouchers.

In markets where rent prices vary considerably by neighborhood, regional FMRs can strongly influence where voucher holders live. This is because the regional FMR will be too low to allow voucher holders to relocate into higher priced (typically higher opportunity) neighborhoods, concentrating them in lower priced neighborhoods. Many advocates have argued that regional FMRs have led to the re-concentration of poverty and racial and ethnic segregation, as voucher holders are typically disproportionately people of color.

HUD does allow housing authorities to set or request from HUD “exception payment standards” both higher and lower than the metropolitan-wide FMR. In general, PHAs have authority themselves to set payment standards between 90 percent and 110 percent of FMR, with HUD regulations making approval of requests progressively the further above and below the FMR those requests are.

Baltimore-area housing authorities have used this flexibility to set payment standards between 105 percent and 132 percent of FMR, as shown in the map of 2019 payment standards below.

Figure VI-36.
2019 Baltimore-area PHA Payment Standards for Two-Bedroom Units

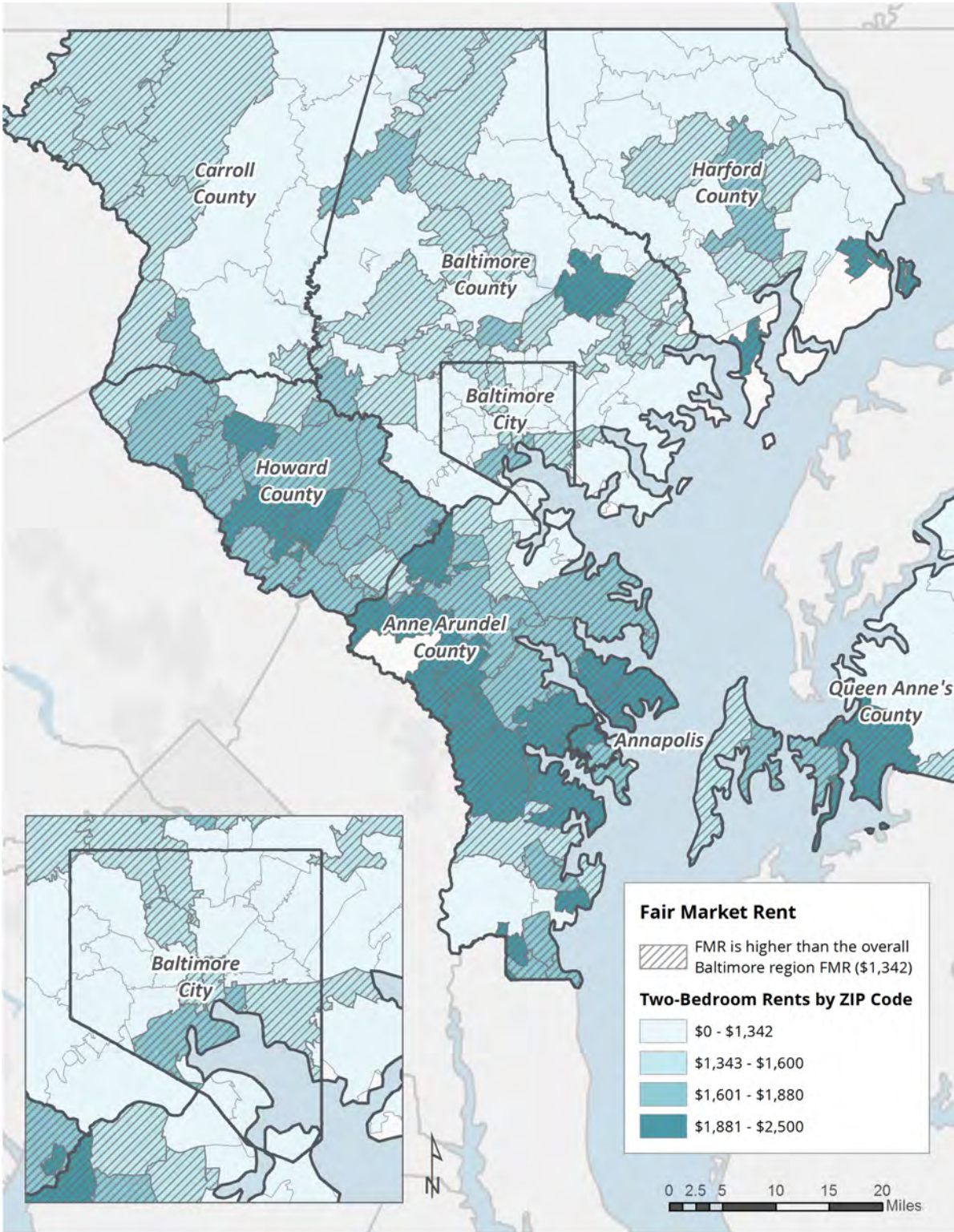


Source: BMC.

In 2016 HUD developed zip code area FMRs, which take into account the rental market within a zip code (not region) when determining the voucher subsidy. These “small area” FMRs are required in some metropolitan areas and optional in others, including the Baltimore area. The map on the following page compares the “small area,” or zip code, FMRs with the regional FMR of \$1,342 for a two-bedroom home. The crosshatch indicates neighborhoods where the small area FMR is higher than the regional FMR.

One can see that the zip-code-based small-area FMRs go both higher and lower than the 2019 housing authority voucher payment standards. They tend to go lower in many of the Baltimore City and adjacent zip codes where voucher holders are currently concentrated. Many of the tracts in the outlying areas of the county, while identified as lower rent areas based on the rent data, have very few or no multifamily units and are not options for voucher holders. The small-area FMRs go higher than current payment standards in higher rent portions of the region, particularly Howard and Anne Arundel Counties – two counties that are currently considering asking HUD to use the zip-code-based FMRs. The FMR map below suggest that adopting small-area FMRs would expand choice in the region.

Figure VI-37.
Small Area FMRs, 2019



Note: The crosshatch indicates a ZIP code where the zip code FMR is higher than metro wide FMR.

Source: www.huduser.org; Fair Market Rent database.

Source of income (SOI) protections, which Howard County, Annapolis, and – just in 2019 – Baltimore City and Anne Arundel and Baltimore Counties have adopted as part of their local fair housing ordinances, also help to expand choice for voucher holders. (In Anne Arundel County’s case, the fair housing ordinance as a whole was newly adopted in 2019.) A September 2018 pilot study, sponsored by HUD, examined the types and patterns of rental housing discrimination against voucher holders, and measured the prevalence and extent of voucher-related discrimination, including differences in discrimination against racial and ethnic minorities, and differences between low- and high-poverty neighborhoods.⁷

The study examined voucher acceptance in five markets—Fort Worth, Los Angeles, Newark, Philadelphia, and Washington, D.C. The study found that landlord rejections of vouchers was significantly lower in areas with SOI protections.⁸ In markets with SOI protections, the denial rate for voucher holders was 35 percent, compared to 77 percent in markets with non-SOI protections. Other research has shown that public housing agencies in jurisdictions with SOI protections had voucher utilization rates of 5 to 12 percentage points higher than jurisdictions without such protections.

SOI protections benefit many other types of renter households, in addition to voucher holders. Single parents relying on child support and alimony, and persons with disabilities who rely on social security and disability income (SSDI), have their rental unit options expanded with such protections.

Additional Input on Private Barriers to Housing Choice

Private barriers to housing choice were discussed with stakeholders during the development of the AI. Barriers identified in these discussions, which are not evident in secondary data, include:

- Very high application fees (renter can spend \$250-300 to find a unit) without transparency about standards (minimum income and credit) for renters.
- Landlords knowingly accepting fees from unqualified renters.
- Landlords unwillingness to accept or even consider accepting tenants with Housing Choice Vouchers in jurisdictions without source of income protections.
- Little accountability for onsite management to keep units up to code. Renters do not understand their rights; need access to information, a landlord-tenant hotline. Jurisdiction responses to 311 calls produces a ticket for the property manager but no

⁷ “A Pilot Study of Landlord Acceptance of Housing Choice Vouchers,” Urban Institute, September 2018.

⁸ Some areas have SOI protections that exclude vouchers. We equate SOI to protections that cover voucher holders, as well as other types of income such as social security and disability income, and child support and alimony payments.

follow up to see if problem was addressed. Immigrants, in particular, are afraid to report condition issues for fear of deportation and/or retaliation.

Private barriers were also identified through the resident survey conducted for this AI; a detailed analysis of the survey is contained in Appendix D . The primary barriers identified through the resident survey include:

- Lack of supply of affordable rental housing in all areas of the region;
- Difficulty using Housing Choice Vouchers due to landlord refusal to accept vouchers;
- Non-affordable security deposits;
- Discrimination against African American renters and families with children—mostly, refusal to rent.

SECTION VII.

DISABILITY AND ACCESS

SECTION VII.

Disability and Access

The AFH template requires an analysis of access to housing and economic opportunity for people with disabilities. That template recommends this framework, which is following in this section:

- *Describe how persons with disabilities are geographically dispersed or concentrated in the jurisdiction and region, including whether persons with disabilities reside in R/ECAPs and other segregated areas, and describe whether these geographic patterns vary for persons with each type of disability of persons with disabilities in different age ranges.*
- *Describe whether the jurisdiction and region have sufficient affordable, accessible housing in a range of unit sizes.*
- *Describe to what extent persons with disabilities in the jurisdiction and region reside in segregated or integrated settings.*
- *Describe the processes that exist in the jurisdiction and region for persons with disabilities to request and obtain reasonable accommodations and accessibility modifications to address any barriers faced in accessing government facilities, public infrastructure, transportation, proficient schools and educational programs, and jobs. This analysis is partially covered in this section and in the Fair Housing Enforcement section.*

Profile of Persons with Disabilities

There are approximately 300,000 residents with disabilities in the Baltimore region. Of these, most live in Baltimore City and Baltimore County. Baltimore City has the highest rate of disability at 15 percent; Howard County has the lowest at 8 percent.

According to the Maryland Department on Disabilities (MDOD), for about 75,000 residents in the state with a disability, their only source of income is Social Security Income (SSI), which pays \$733 per month. Those residents living in the Baltimore region would need to pay 150 percent of their SSI income monthly toward housing for the average 1-bedroom apartment. Deeply affordable housing is critical for these residents.

As shown in Figure VII-1, many of the residents in the region with disabilities are older and the largest number have ambulatory difficulties. The second most common disabilities are cognitive and independent living.

As shown in Figure VII-2, the age distribution for residents with disabilities is fairly consistent across jurisdictions.

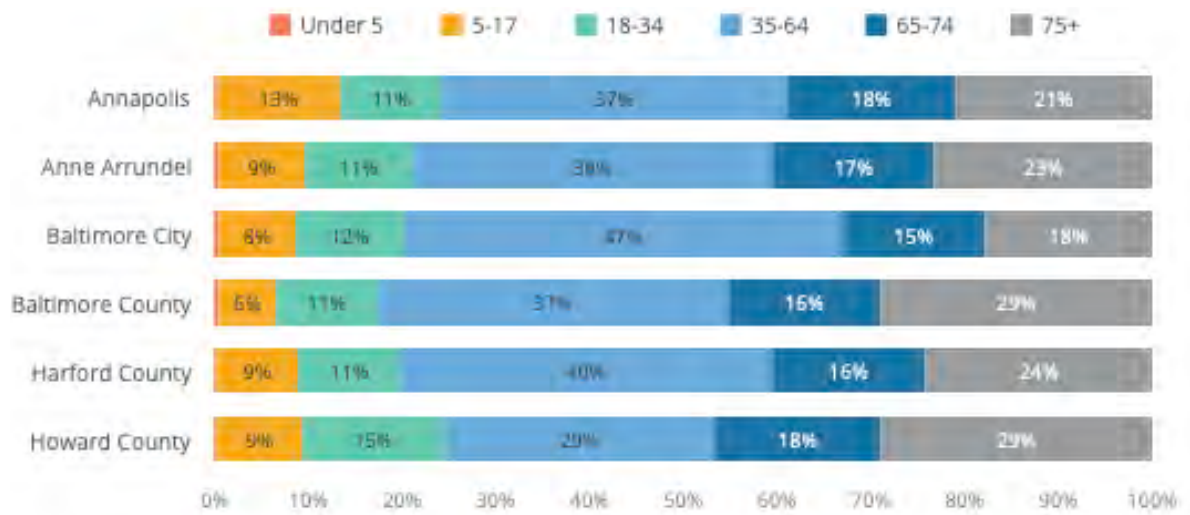
Figure VII-1.
Prevalence of Disability in the Region and by Jurisdiction

	Annapolis		Anne Arundel County		Baltimore City		Baltimore County		Harford County		Howard County		Region	
#/% of Residents with a Disability	4,845	12%	58,028	10%	93,354	15%	92,385	11%	28,456	11%	24,709	8%	296,932	11%
Under age 18	592	14%	5,451	9%	7,887	8%	6,027	6%	2,289	9%	2,141	9%	23,795	8%
Ages 18 to 64	2,080	47%	28,740	50%	54,246	58%	45,303	48%	13,605	51%	10,082	44%	151,976	52%
Ages 65+	1,711	39%	23,367	41%	30,920	33%	42,934	46%	10,982	41%	10,699	47%	118,902	40%
Type of disability among Residents with a Disability														
Vision difficulty	956	20%	10,196	18%	10,196	11%	14,496	16%	4,717	17%	3,985	16%	43,590	15%
Hearing difficulty	1,053	22%	14,764	25%	14,764	16%	21,361	23%	8,674	30%	5,864	24%	65,427	22%
Ambulatory difficulty	2,325	48%	27,753	48%	27,753	30%	49,867	54%	13,146	46%	11,712	47%	130,231	44%
Cognitive difficulty	1,829	38%	23,172	40%	23,172	25%	34,685	38%	11,416	40%	8,950	36%	101,395	34%
Self-care difficulty	938	19%	10,898	19%	10,898	12%	19,585	21%	5,927	21%	5,471	22%	52,779	18%
Independent living difficulty	1,867	39%	18,990	33%	18,990	20%	35,156	38%	10,226	36%	8,476	34%	91,838	31%

Note: The Anne Arundel County data include the City of Annapolis.

Source: 2017 5-year ACS.

Figure VII-2.
Prevalence of Disability in the Region, by Age Cohort

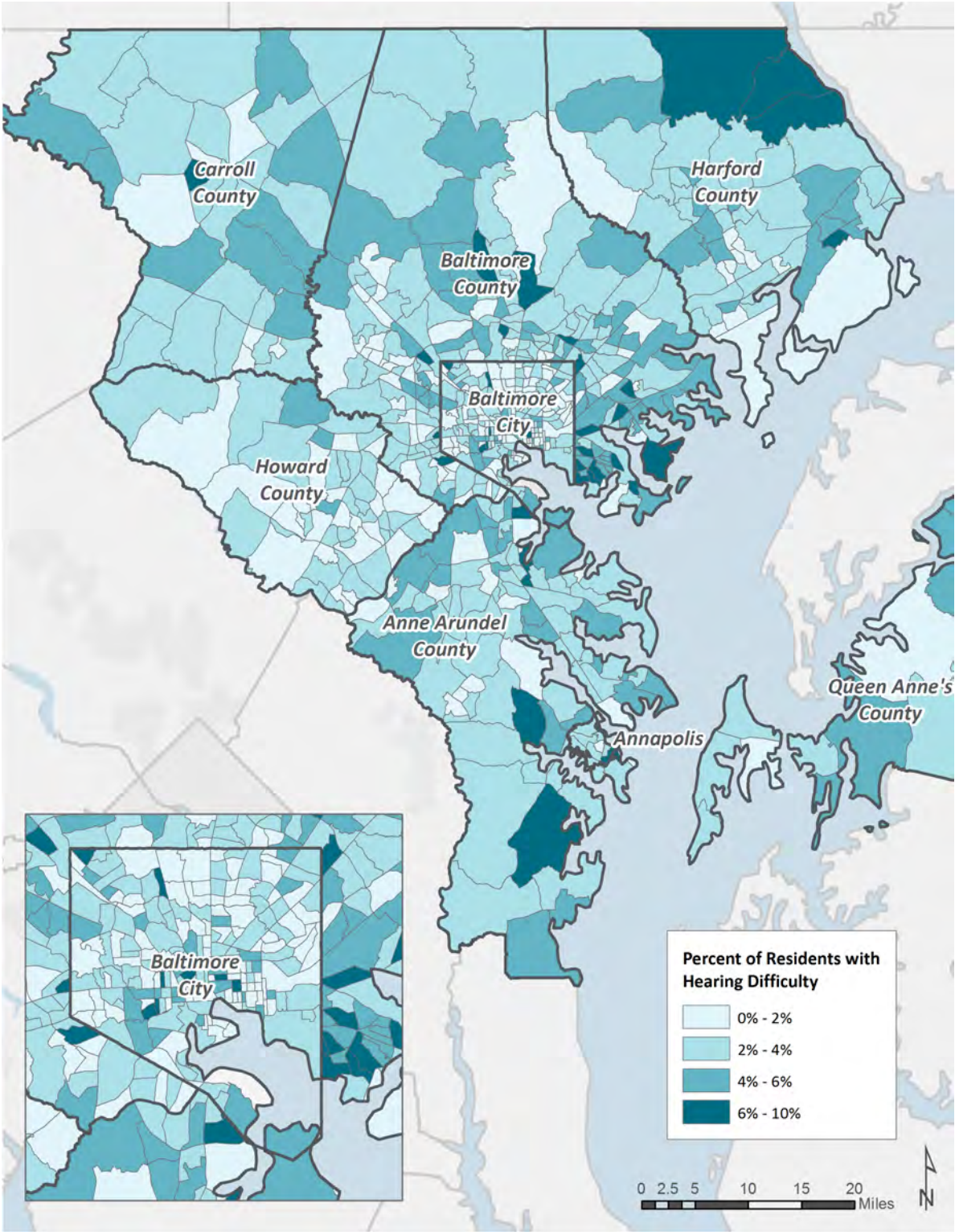


Source: 2017 5-year ACS.

Figures VII-3 through VII-8 show where residents with disabilities reside throughout the region.

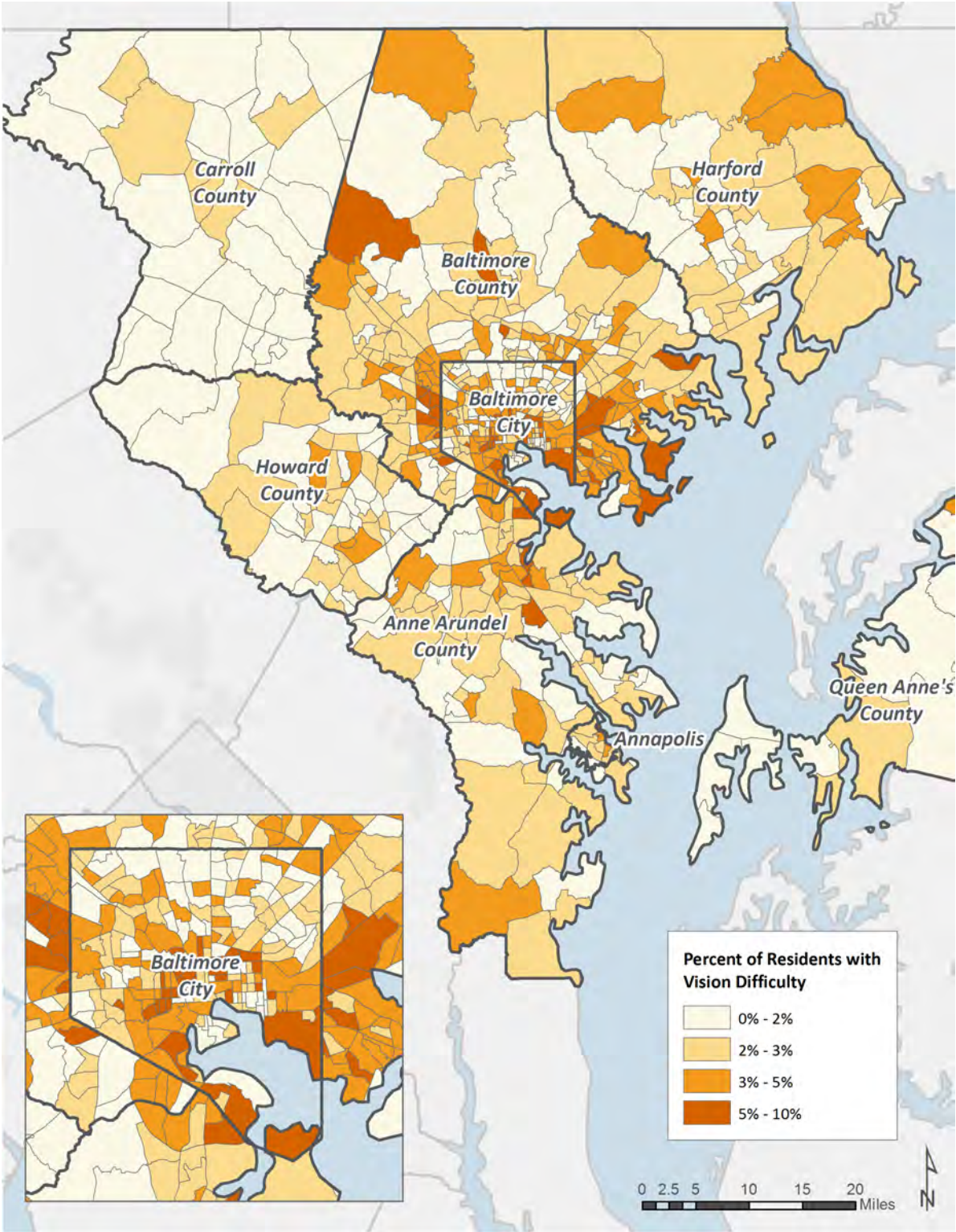
- Residents with vision difficulties live throughout the region with few distinct patterns of concentrations.
- Residents with cognitive difficulties are most concentrated in the western, southwestern, and central portions of Baltimore City.
- Residents with ambulatory difficulties are somewhat concentrated in Baltimore City and Baltimore County; their patterns are similar to residents with self care and independent living difficulties.

Figure VII-3.
Residents with Hearing Difficulties



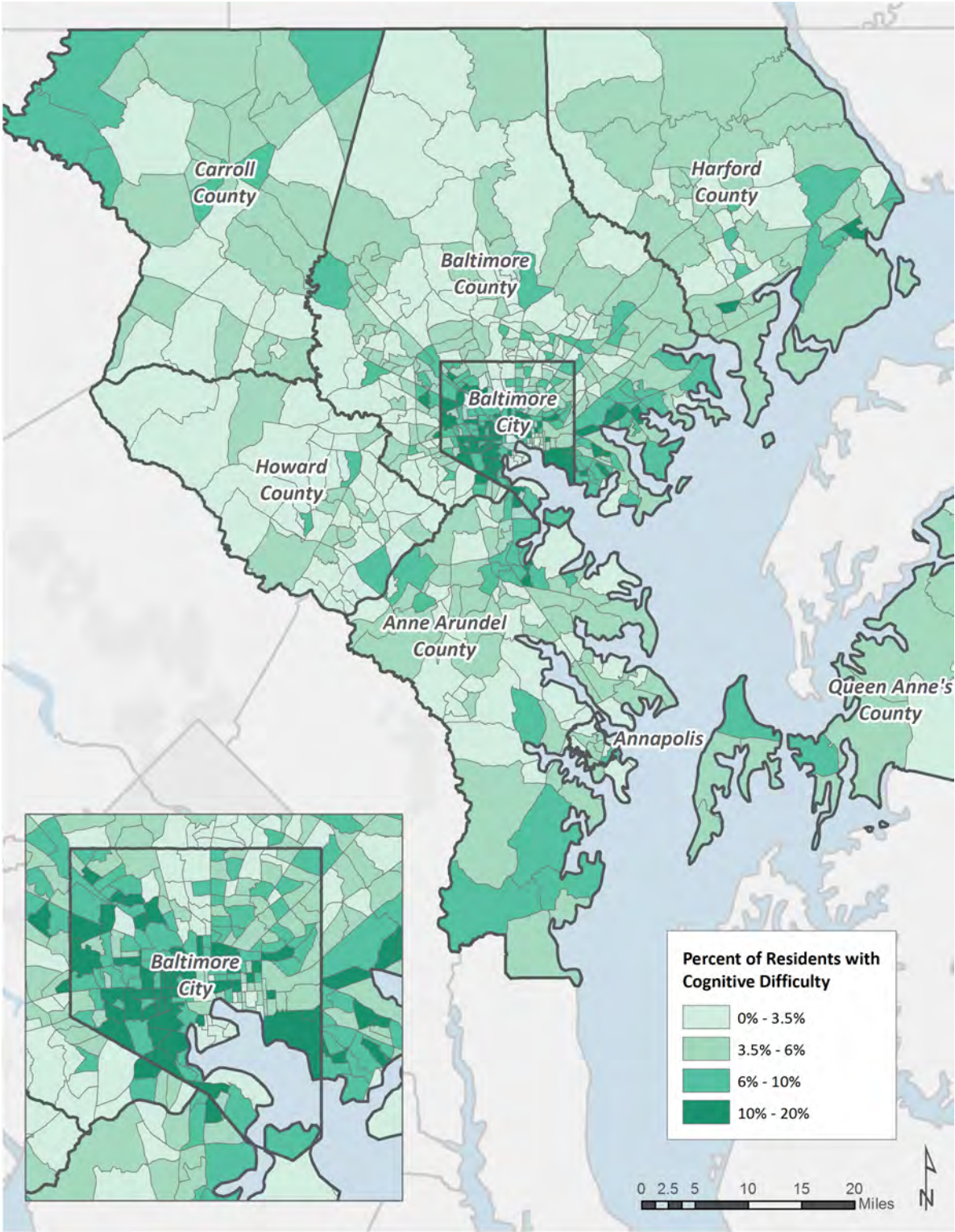
Source: 2013-2017 ACS.

Figure VII-4.
Residents with Vision Difficulties



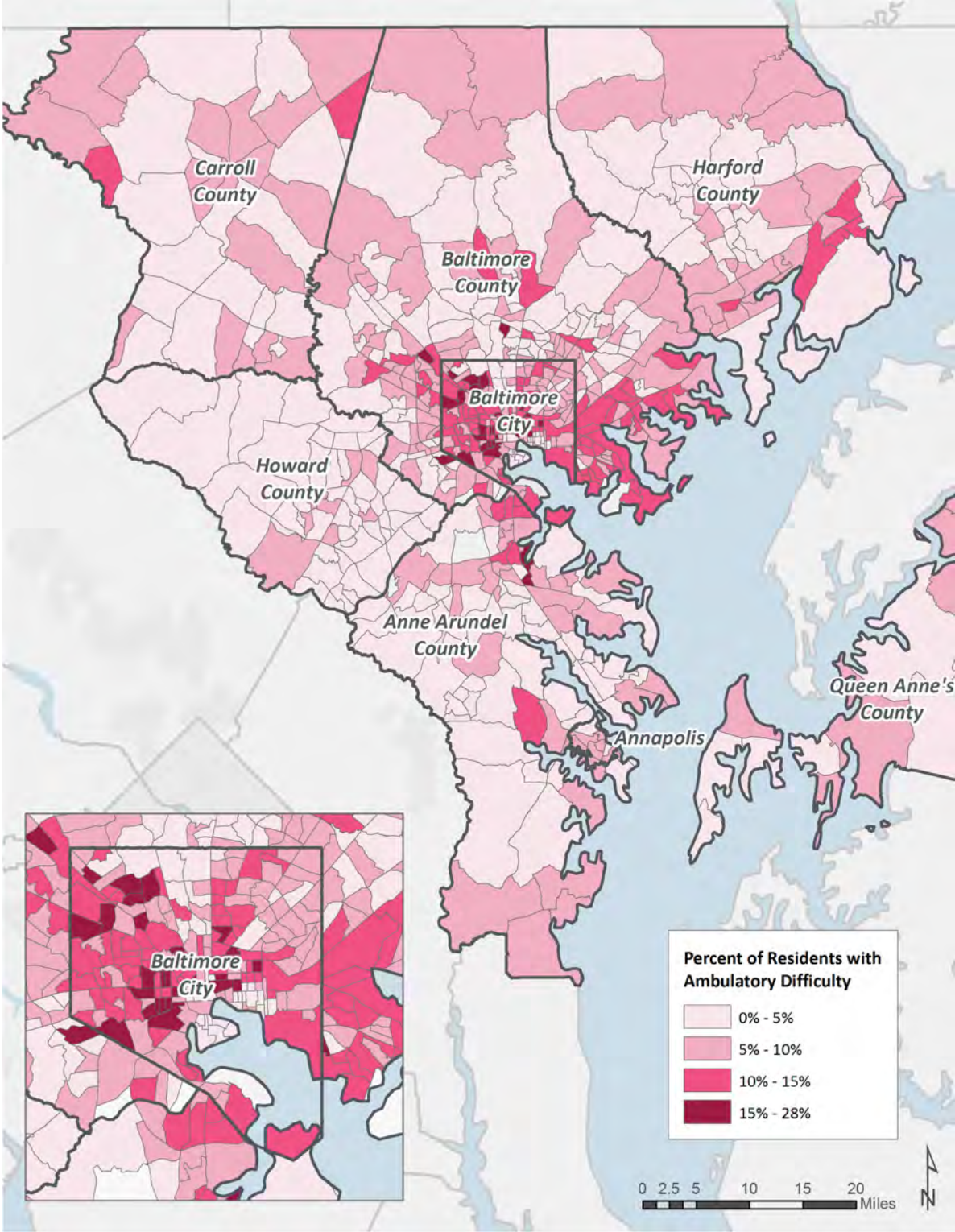
Source: 2013-2017 ACS.

Figure VII-5.
Residents with Cognitive Difficulties



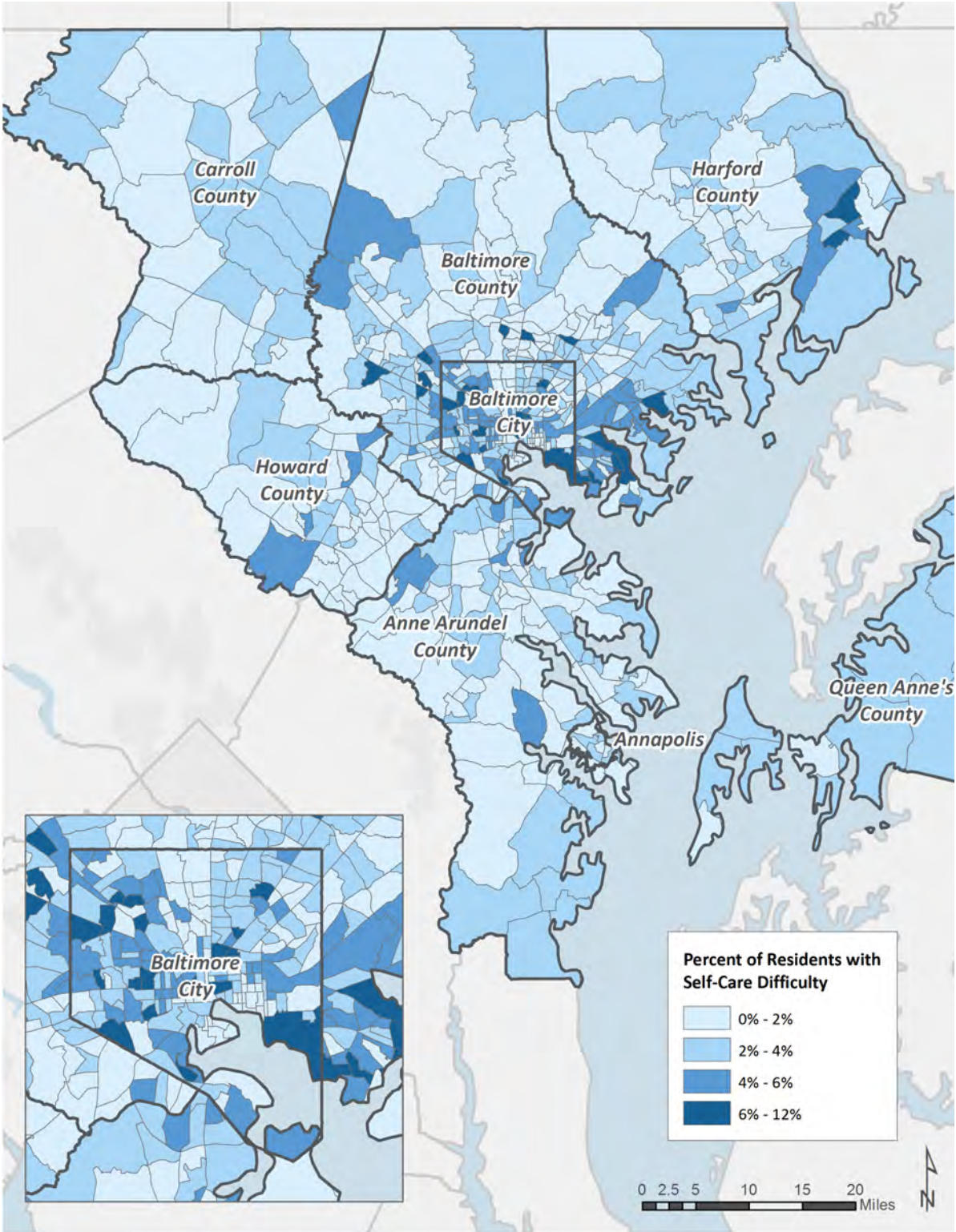
Source: 2013-2017 ACS.

Figure VII-6.
Residents with Ambulatory Difficulties



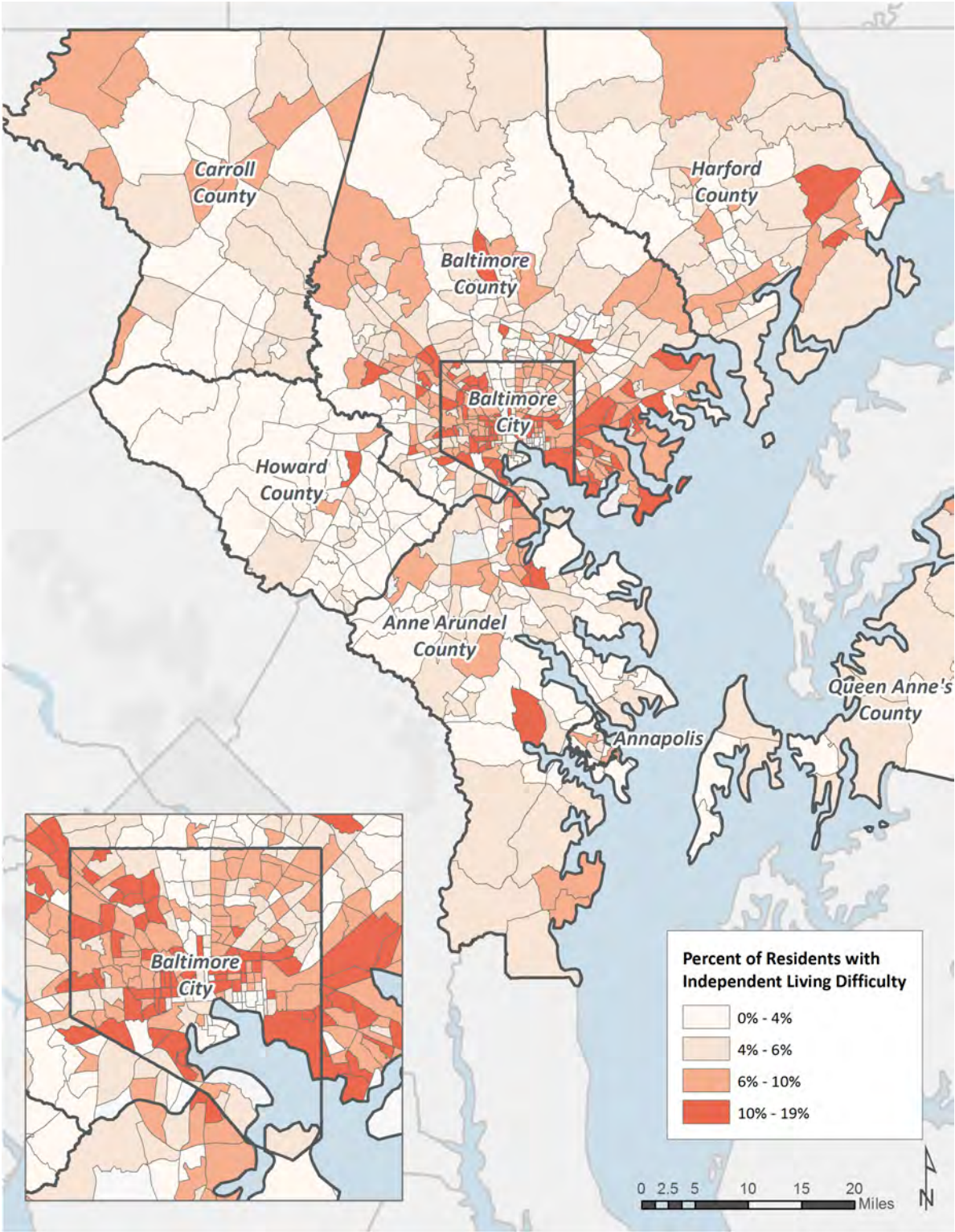
Source: 2013-2017 ACS.

Figure VII-7.
Residents with a Self-Care Difficulty



Source: 2013-2017 ACS.

Figure VII-8.
Residents with an Independent Living Difficulty



Source: 2013-2017 ACS.

Growth in residents with disabilities. The intersection of disability and age makes it relatively easy to project growth in the number of persons with disabilities. By 2045, the region is expected to have 150,000 more residents age 65 and older. If 23 percent of persons age 65-74 have a disability and 48 percent of persons 75 and older have a disability, the region should expect at least 70,000 more people with disabilities by 2045. Based on the region's overall poverty rate, at least 20,000 of these individuals will be living below the poverty level.

Past Challenges and Successful Initiatives

Historically, persons with disabilities have had very limited housing options—and were late to be afforded fair housing protections. For much of our nation's history, persons with disabilities were institutionalized and/or expected to be cared for by family members; even the Fair Housing Act ignored the needs of persons with disabilities until 1988, when disability was included as a protected class. It was not until very recently that community integration and independent living for persons with disabilities became part of housing policy and planning.

In addition to the Federal Fair Housing Act, major legislation that has expanded protections for persons with disabilities includes:

- **Rehabilitation Act of 1973** (Section 504)—requires equal opportunity for employment within the federal government and federally funded programs, prohibiting discrimination on the basis of either physical or mental disability. Also mandates equal access to public services (including public housing and public transportation) and allocated money to vocational training.
- **Education for All Handicapped Children Act** guarantees equal access to public education for children with disabilities. Mandates full inclusion of children with disabilities into mainstream education classes unless a satisfactory level of education cannot be achieved.
- **Fair Housing Amendments:** 1988 amendment also added design and construction requirements which require that multifamily dwellings built after 1991 to have accessible features.
- **Americans with Disabilities Act (ADA)** covers employment rights (private and public sector), state and local government services, public accommodations, and telecommunications for the deaf and hard of hearing.

It is important to note that, like all protected classes, the housing and economic opportunity challenges for persons with disabilities are varied, and that the term “disability” captures a diverse group of people. For example, the courts have determined that people in recovery from substance abuse challenges and persons with HIV/AIDS are included in disability protections.

The fair housing challenges that people with disabilities encounter are complex, and many questions about fair housing protections and rights have been resolved in the courts. The

most common misunderstandings of rights are in the areas of reasonable accommodations and service and companion animals.

- Reasonable modifications are physical changes and are different from reasonable accommodations, which are “rules, policies, practices or services.” Modifications and accommodations must be made when such accommodations may be necessary to afford such person “full enjoyment of the premises”—the definition of which can be subjective.
- Under the Fair Housing Act, owners of private properties are not required to make modifications, but are required to allow them.
- There are differences in the ADA and Fair Housing Act in how animals are defined. Under ADA, a service animal is defined as a dog that has been trained to do work or perform tasks for an individual with a disability. The Fair Housing Act has broader protections through the reasonable accommodations language and includes companion and emotional support animals.

Barriers to access. The past challenges for persons with disabilities in the region have centered on the lack of affordable, accessible housing options in a variety of locations, as well as shortcomings in the public sector and private market in responding to the needs of persons with disabilities.

A 2002 lawsuit—brought by what is now Disability Rights Maryland against the Housing Authority of the City of Baltimore (HABC) and the City of Baltimore—highlights the challenges experienced by persons with disabilities in obtaining publicly subsidized housing. This lawsuit alleged that HABC favored seniors over non-elderly persons with disabilities (NEDs) in its high-rise buildings based on differences in needs exhibited in wait lists for such housing. The lawsuit also claimed that HABC was not adequately responding to reasonable accommodation and modification requests. The complaint resulted in a consent decree requiring:¹

- A notification to persons with disabilities who are non-elderly about the existence of and ability to be housed in the high-rise mixed population buildings;
- Creating remedial housing opportunities for NEDs through preferences for NEDs in family developments; setting aside 850 tenant-based vouchers (all have been leased); creating 500 project-based units for NEDs (all have been created); and creating 100 long term affordable project based units for NEDs (units that are subsidized by project based vouchers but provide the NED applicants and occupants with public housing like rights, privileges and benefits) (all planned/under construction);
- Retrofitting or creating 755 (later increased to 756) UFAS units in a variety of sizes and locations (all have been created);

¹ *Bailey et. al. v. the Housing Authority of the City of Baltimore (HABC), the Baltimore City Department of Housing and Community Development (HCD), the Mayor and City Council, and the Mayor of Baltimore City.*

- Retrofitting 75 near-UFAS units (all created);
- Making the common areas and the routes between the accessible units and the common areas accessible;
- Following the reasonable accommodation policy (attached to the Consent Decree), conducting training on 504 and Fair Housing Act requirements, conducting training on the reasonable accommodation policy and procedures, and designating an existing HABC staff member to be the Compliance Coordinator; and
- Creating an enhanced leasing assistance program to help NEDs successfully lease a unit with one of the 850 tenant based vouchers or in one of the 500 project based voucher NED units.

A companion Settlement Agreement with HCD and the Mayor and City Council of Baltimore required:

- A set aside of 11.5 percent of HOME funds to incentivize the development of new housing opportunities required by the Consent Decree; and
- A set aside of funds for modification of units subsidized by the 850 tenant based vouchers and remaining funds for accessibility modifications for other voucher holders.

On the private sector side, the primary challenge is the gap between what an accessible unit costs and what a person with a disability can typically afford. Multifamily developers are often required by the Fair Housing Act amendments of 1988 to build units that are accessible yet these units are often rented by people who don't need the features because they are too expensive and/or do not allow Section 8 vouchers.

To wit: Persons with disabilities have lower annual earnings than those without disabilities and, as such, have a greater need for affordable housing.

**Figure VII-9.
Differences in Median
Earnings, People with
and without
Disabilities, 2017**

Source: 2017 ACS. Earnings data for population age 16 and older with earnings. Labor force participation for ages 18 to 64. Data for Annapolis not available.

	Median Earnings		
	With a Disability	No Disability	Difference
Anne Arundel County	\$ 35,443	\$ 47,539	\$ (12,096)
Baltimore City	\$ 22,910	\$ 34,890	\$ (11,980)
Baltimore County	\$ 26,692	\$ 41,976	\$ (15,284)
Harford County	\$ 35,119	\$ 44,752	\$ (9,633)
Howard County	\$ 33,586	\$ 58,992	\$ (25,406)

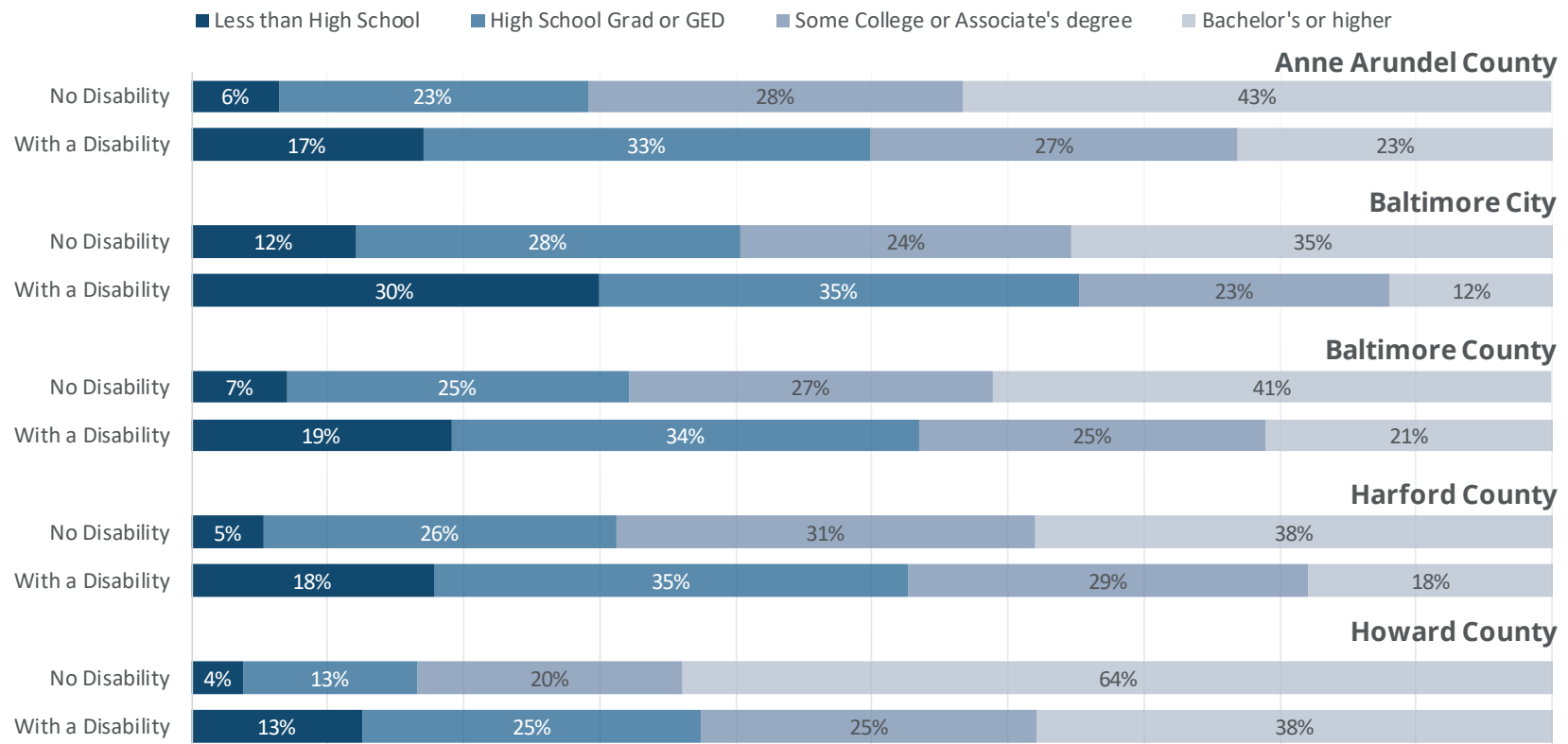
As shown in Figure VII-10, persons with disabilities also have much lower employment levels, which are explained by skill differences, lack of awareness of employers about accommodating persons with disabilities and/or discrimination in the market, and lack of education and training options to accommodate the needs of persons with disabilities. Differences in educational attainment among people with and without disabilities is demonstrated in Figure VII-11.

Figure VII-10.
Differences in
Employment, by
Jurisdiction, 2017

Source:
2017 5-year ACS.

	% in the Labor Force		% Employed	
	With a Disability	No Disability	With a Disability	No Disability
Anne Arundel County	34%	77%	29%	73%
Baltimore City	24%	71%	19%	64%
Baltimore County	28%	73%	25%	70%
Harford County	30%	75%	26%	71%
Howard County	32%	76%	29%	73%

Figure VII-11.
Differences in Educational Attainment, by Jurisdiction, 2017



Source: 2017 5-year ACS.

These barriers lead to a marked difference in the incidence of poverty. With a few exceptions residents with disabilities are at least twice as likely as others in their age cohort to be in poverty.²

Figure VII-12.
Differences in Poverty, by Jurisdiction, 2017

	Under Age 18 % in Poverty		Ages 18 to 64 % in Poverty		Age 65 and Older % in Poverty	
	With Disability	No Disability	With Disability	No Disability	With Disability	No Disability
Annapolis	6%	14%	25%	8%	10%	5%
Anne Arundel	14%	7%	14%	5%	8%	5%
Baltimore City	47%	32%	38%	17%	22%	14%
Baltimore County	25%	11%	18%	8%	11%	6%
Harford County	22%	9%	19%	6%	10%	5%
Howard County	10%	6%	15%	4%	7%	5%

Source: 2017 5-year ACS.

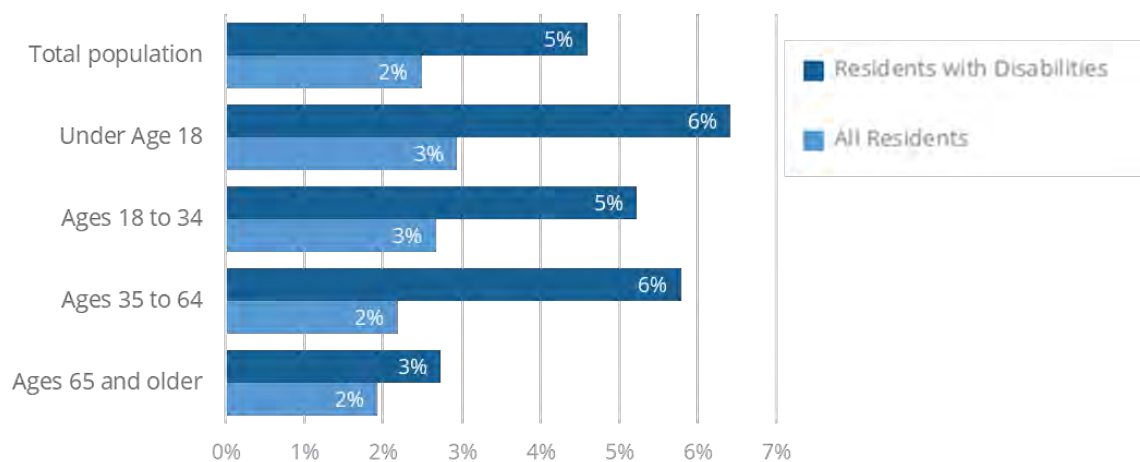
Racially and ethnically concentrated areas of poverty (R/ECAPs).

Residents with disabilities are also more likely than others in their age cohort to live in neighborhoods characterized by high poverty and racial/ethnic concentrations (R/ECAPs). As discussed in Section III of this report, about 65,000 residents regionwide live in R/ECAPs, accounting for 2 percent of the total regional population. All of the region's R/ECAPs are located in Baltimore City. Among residents with disabilities, 13,601 are living in R/ECAPs, accounting for 5 percent of residents with disabilities.

This overrepresentation of people with disabilities in R/ECAPs holds true across age categories, though the difference is most pronounced for residents with disabilities under age 65. Figure IV-13 shows the proportion of residents by age living in R/ECAPs—both with and without a disability.

² The difference in poverty rates among children in Annapolis is notable, and could be related to how well schools in the city accommodate and attract a range of families who have children with disabilities.

Figure VII-13.
Percent of Age Cohort Living in R/ECAPs by Disability Status, Region, 2017



Note: R/ECAPs are neighborhoods that have a poverty rate of 38.5 percent (three times the regional rate of 12.84%) and higher and are more than 50 percent Non-White and Hispanic residents. R/ECAPs are mapped and discussed in detail in Section III.

Source: 2017 5-year ACS.

Findings from the resident survey. More than 700 regional residents who participated in the resident survey live in a household that includes one or more members with a disability. These responses to the resident survey provide needed intelligence on fair housing choice and access to opportunity experienced by residents with disabilities living in the Baltimore region.³

Lack of accessible housing. Regionally, *more than two in five respondents (44%) live in a home that does not meet the accessibility needs* of the household member with a disability. This rate is highest among Baltimore City and Anne Arundel respondents (52% and 47% respectively) and lowest among Howard County (28%) respondents.⁴ Grab bars in bathrooms, reserved accessible parking spots by their home's entrance, service or emotional support animal allowed in the home, and alarm to notify if someone leaves the home are the accommodations or modifications identified by at least one in five respondents as the most needed accessibility improvements.

Top housing/neighborhood challenges. Regionally, the housing challenges identified by the greatest proportion of respondents whose household includes a member with a disability are similar to those experienced by households that do not include a member with a disability:

³ Appendix D presents a summary of the resident survey conducted to support this AI.

⁴ Sample sizes for Harford County are too small to report.

- “I want to buy a house but can’t afford a downpayment” (35% of households with a member with a disability v. 33% of households that do not include a member with a disability);
- “I worry about my rent going up to an amount I can’t afford” (33% v. 29%);
- “I struggle to pay my rent/mortgage” (31% v. 26%);
- “My house or apartment isn’t big enough for my family members” (27% v. 28%);
- “High crime in my neighborhood” (24% v. 23%);
- “I have bad/rude/loud neighbors” (21% v. 17%);
- “No or few grocery stores/healthy food stores in the area” (20% v. 13%);
- “I have bad credit/history of evictions/foreclosure and cannot find a place to rent” (19% v. 17%);
- “I am homeless/without permanent housing” (19% v. 14%);
- “High blood pressure, stress, stroke, or heart disease because of conditions in the home or neighborhood” (16% v. 5%); and
- “Poor/low school quality in my neighborhood” (16% v. 14%).

Greater risk for displacement. Regionally, survey respondents whose household includes a member with a disability are more likely to have experienced displacement in the past five years—having to move when they did not want to move—than respondents whose household does not include a member with a disability (36% v. 25%). There is not a meaningful difference in displacement rates between disability and non-disability households in Baltimore City (40% v. 36%); the regional difference in displacement rates between disability and non-disability households is driven by respondents in Baltimore County (37% v. 27%) and Anne Arundel County (38% v. 18%). Among households that include a member with a disability who experienced displacement, the top reasons for displacement include:

- “Evicted because I was behind on rent” (23%);
- “I had to move due to mold or other unsafe conditions” (20%);
- “Personal reasons” (19%); or
- “Rent increased more than I could pay” (19%); and
- “Lost job/hours reduced” (17%).

While the rates of displacement are higher among households that include a member with a disability, the reasons for displacement are very similar those experienced by households that do not include a member with a disability.

Integrated v. segregated settings. Although the Census collects data on the number of people living in group homes and other institutional facilities, as well as location, that data provide a limited picture of integration and segregation patterns for people with disabilities.⁵

The resident survey conducted for this study asked about barriers to living in integrated environments—e.g., lack of access to needed attendant supports and worry about facing institutionalization. The barriers identified by residents were mostly related to lack of affordable rental housing for persons with SSDI as primary source of income. Lack of accessible housing was another factor—too many stairs, lack of accessibility modifications. In sum, At the local level, primary barrier for people with disabilities living in the most independent, integrated setting they desire is lack of affordable housing, complicated by a lack of housing that meets the accessibility needs of the household member with a disability.

Transportation issues. When asked what changes were most needed to improve residents with disabilities' access to employment, health care services, and community facilities and amenities, access to **reliable, affordable public transportation** was one of the most common responses.

In general, residents who drive a personal vehicle as their most frequent mode of transportation are much more satisfied with their transportation situation than frequent users of other modes. Residents who most frequently use public transit for transportation are among the least satisfied with their transportation situation. These differences are true both for respondents whose household includes a member with a disability and with non-disability households. As a result, transit-dependent residents, including residents with disabilities, are more likely to experience transportation-related difficulties. Among survey respondents whose household includes a member with a disability, reasons for dissatisfaction with their transportation situation included:

- Lack of access or limited access to public transportation (no service, or limited hours of service).
- Unreliable bus service (late buses, buses not stopping at scheduled stops).

⁵ "Community integration" is a term commonly used to represent the ideal for integration and refers to a condition where people with disabilities have full participation in a community. From a land use perspective, integrated settings are those in which people with disabilities live independently, in smaller residential settings, and with people with and without disabilities. Segregated settings are typically larger institutional care facilities.

- Lack of funds for personal vehicle repairs, to pay insurance costs, or to purchase a personal vehicle.
- Lack of funds for on-demand transportation (e.g., Uber, Lyft).

Representative comments by residents with disabilities or household members with disabilities about why they are unsatisfied with their transportation situation include:

- *"I have to have a car to live in Columbia, MD but I can't afford the car payment and insurance. It puts a huge strain on finances and that's why I struggle. Because [HUD] doesn't take daycare costs and car payment costs into consideration when calculating expenses."*
- *"Based on where and when appointments are, rides from family aren't convenient; taking bus requires more walking than I can handle; can't afford Lyft or Uber."*
- *"I'm unsatisfied with my transportation because the bus is never on time."*
- *"Buses are unreliable in Anne Arundel County; with my arthritis it is really hard to stand for long periods of time on concrete waiting for the buses (no benches or bus shelters at any nearby stops). Have to take multiple buses to get to most places and no transportation to certain services."*
- *"It is very hard to find a ride when it is needed. And the bus system is horrible can get pricey."*
- *"Me and my Husband work in the evening and it takes very long to get a bus home after 7pm. We are sometimes waiting for 2 to 3 hours. After checking with MTA Trackers buses that are supposed to be in Route to us never show up. Also the Weekend Services are over an hour long as well."*
- *"Mobility scheduling is difficult, bus schedules are unreliable."*
- *"Car is old and needing constant repairs."*
- *"Public transportation is unreliable, becoming unaffordable, traffic and travel times, services are not accessible outside of the city or limited."*
- *"The MTA buses are confusing and take you out of your way to get you to your destination."*
- *"Waiting for longer time for pick up than told they was to pick me up, and making me late for appointments that it was too late to cancel the ride, and having to reschedule appointment that you waited on for months, just to have to reschedule them for months again."*

Most significant needs. According to stakeholders and residents, the most significant needs of persons with disabilities in the region include:

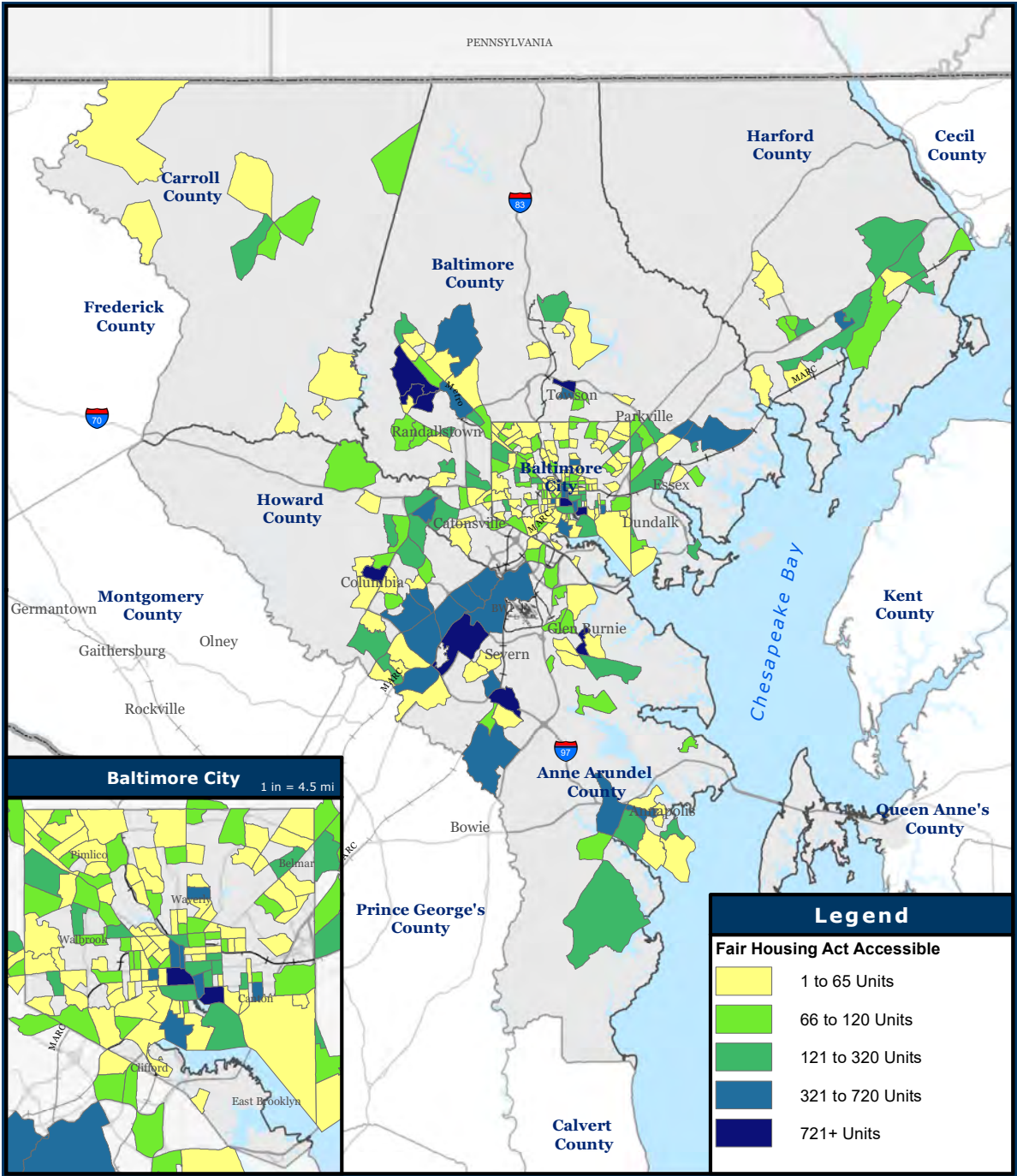
- 1) Affordable, accessible rental units—which could be achieved, in part, by Section 8 vouchers that help buy down the cost of market rate accessible units and/or expanding the units that are targeted or set aside for persons with disabilities;
- 2) Challenges with accessibility in older housing stock due to stairs and narrow hallways—largely in Baltimore City, which also has the most affordable rental units—and more funding for modifications;
- 3) Home modification programs that serve the needs of persons with disabilities, as well as seniors—the state’s program is available only to seniors;
- 4) Expansion of integrated living environments; and
- 5) Expansion of transportation options, including service areas and hours and provision of timely and reliable service.

A major barrier to expanding housing choice for persons with disabilities is that units that are created as part of new multifamily developments (“market rate accessible”) are not affordable to persons with disabilities. This is also true of Low Income Housing Tax Credit (LIHTC) units, the largest program of rental production in the region and nation. LIHTC alone generally reduces rents to 50 or 60 percent of MFI—yet the median income of people with disabilities ranges between \$25,000 and \$35,000 (depending on the jurisdiction), which is roughly equivalent to 30 to 40 percent MFI and requires a rent payment between \$625 and \$875. The State QAP does have significant incentives for units that serve persons with disabilities and special needs and which are affordable to 30 percent MFI; however, as it is with all types of affordability need (with the possible exception of senior housing) the numbers of units produced are small relative to the vast need.

Both market rate accessible and LIHTC need to be more deeply affordable to accommodate the income levels of persons with disabilities. Ideally, these would reach 40 percent MFI levels, either through density bonus incentives, rent buy down programs, and Housing Choice Vouchers.

Figure VII-14 shows the location of both market rate and subsidized accessible units in the region. These units are generally well distributed and have some transit access. The primary challenge is lack of affordability at the levels needed.

Figure VII-14.
Location of Accessible Units, Market Rate and Subsidized



Source: 2013-2017 ACS.

Reasonable Accommodation and Accessibility Modification. As noted above, under federal fair housing and disability law, each housing provider and government agency must have a process whereby a person with a disability can request a reasonable accommodation and/or an accessibility modification. As a result, a request related to a person's rented home would go to the property manager or owner. A request regarding Maryland's transit system would go to the Maryland Transit Administration. A school-related request would go to the local school system. An infrastructure or local sidewalk request would go to that local infrastructure agency.

Local Housing Programs for Persons with Disabilities. The following are additional programs that public housing authorities participating in this analysis operate:

- **Mainstream Vouchers:** Congress has periodically approved special funding for vouchers designated for persons with disabilities. So far HUD has awarded just over 42,000 Mainstream vouchers nationally. In the Baltimore region, the Housing Authority of Baltimore City (HABC), Baltimore County, Harford County, Housing Commission of Anne Arundel County, and Howard County Housing Commission have been awarded and administer Mainstream vouchers.
- **Non-Elderly Persons with Disabilities (NED) Category I Vouchers:** In 2010, [HUD awarded 4,321 vouchers](#) to 49 public housing authorities to house non-elderly persons with disabilities and their families. None of these were awarded to Baltimore-area PHAs, but over the years HUD instructed Baltimore County and the Howard County Housing Commission to reclassify some of their Mainstream Vouchers as NED Category I instead, and so they administer this program, too.
- **NED Category II Vouchers:** In early 2011, HUD awarded 948 vouchers to help non-elderly persons with disabilities to transition from nursing homes or other health care facilities into the community. In the Baltimore region, HABC, Baltimore County, and the Howard County Housing Commission all received vouchers and participate in this program.
- **Money Follows the Person Bridge Subsidy Program:** This Medicaid-funded program operated through state health departments provides a three-year housing subsidy to help persons with disabilities transition from institutional settings to independent renting through a Housing Choice Voucher or other existing deep subsidy. HABC, Baltimore County, Housing Commission of Anne Arundel County, and the Howard County Housing Commission participate in this program.
- **Housing Opportunities for Persons with AIDS (HOPWA):** Through this program HUD makes grants to local communities, States, and nonprofit organizations for projects that benefit low-income persons living with HIV/AIDS and their families. Baltimore County, the Housing Commission of Anne Arundel County, and the Howard County Housing Commission fund tenant-based vouchers through this program.

SECTION VIII.

ZONING AND LAND USE

SECTION VIII.

Zoning and Land Use

This section builds upon the Disproportionate Needs and Publicly Supported Housing Analysis sections by examining the link between housing choice, neighborhood equity, and zoning and land use regulations. It begins with background on how zoning and land use decisions influence housing choice; summarizes the zoning and land use findings from the 2012 AI; updates the 2012 analysis by examining how current zoning and land use regulations and decisions affect housing choice; and concludes with findings.

Why Zoning Matters

As housing affordability challenges have grown into what many are calling a “national housing crisis,” zoning and land use regulations have received more attention for their role in creating barriers to housing choice. Yet this is not a new phenomenon.

Author Richard Rothstein dedicates an entire chapter in his recent book *The Color of Law* to the country's history of racial zoning. In this chapter, Rothstein describes how the City of Baltimore, an early adopter of racial zoning, passed a law that prohibited White and African American residents from moving into the same block where the other race was a majority. At that time, many parts of the city were well integrated, and this law disrupted that natural distribution of residents. In fact, some parts of the city were so well integrated that local judges were called upon to determine how to assign blocks that were not one majority race.

In 1917, a U.S. Supreme Court decision made racial zoning illegal in the U.S.. The court overturned a racial zoning ordinance in Louisville, Kentucky (*Buchanan v. Warley*) on the grounds that it violated “freedom of contract” protections, interfering with the rights of a property owner to sell their home to whomever they pleased. However, many cities, especially those in the Southern U.S., ignored the Supreme Court's decision and continued racial zoning practices. Others enacted Euclidean, or use-based, zoning laws that segregated housing and building types—which, due to income disparities and discrimination in lending, effectively produced racial zoning. Highly desirable areas only permitted single family uses; multifamily rentals and commercial and industrial uses were clustered in less desirable areas.

Impact of racial zoning. Racial zoning drove many racial and ethnic minorities and immigrants into neighborhoods that were commonly the least healthy due to higher levels of pollutants, poor quality housing, and overcrowded conditions, resulting in lower property values.

The vestiges of racial zoning are still evident today in racial and economic segregation patterns, disparities in access to high quality schools, disparities in educational attainment, and differences in homeownership—all of which affect the ability of a household to build wealth. Racially/Ethnically Concentrated Areas of Poverty (R/ECAPs) today correlate quite closely with areas coded red and yellow in the federal government's 1937 redlining map. Today's high rates of income inequality are closely tied to the cumulative, negative, effects of racial and economic zoning. In addition, today's R/ECAP areas are often much further from growing job centers than they were in the early 20th century.

Exclusionary zoning today. Zoning regulations no longer dictate where certain types of people may live other than in special circumstances like senior living communities, which are allowed under the Federal Fair Housing Act (FFHA). Zoning today regulates the structural environment—where residential development is allowed, the types of residential development allowed, and development density. This can have the same effect as regulating the residences of people, however, due to income disparities.

Communities rely on zoning and land use to define their character, and this typically takes precedence over expanding housing choice. Yet land use planning that embraces housing inclusivity is becoming more popular as communities recognize—and internalize—the public costs associated with exclusionary zoning. Those costs include increased traffic congestion, persistent inter-generational poverty, and stunted economic growth. Exclusionary zoning increases the cost of entry into service-rich neighborhoods which often contain the highest-performing school districts, the best access to high-paying jobs, access to healthy food, and transportation alternatives. In this way, segregation is reinforced by limiting opportunities for low- and moderate-income residents to live in areas of opportunity.

There is no one, agreed-upon, definition of exclusionary zoning, just as there is no magic set of zoning regulations that produce perfect inclusivity of housing choice and access to opportunity. Yet some practices are better than others, and some practices are so exclusive they have been found to be illegal. The courts have effectively determined what constitutes exclusionary behavior in zoning and land use regulations and decisions.

Berenson v. Town of New Castle (1975) was an early case, stemming from a developer who wanted to build a condominium community and was denied due to lack of zoning for multifamily housing. This case introduced the idea that housing choice should be considered in zoning decisions. The court's decision was based on the premise that the "primary goal of a zoning ordinance must be to provide for the development of a balanced, cohesive community which will make efficient use of the town's land.... [I]n enacting a zoning ordinance, consideration must be given to regional [housing] needs and

requirements.... There must be a balancing of the local desire to maintain the status quo within the community and the greater public interest that regional needs be met.”¹

NAACP v. Town of Huntington (1988) resulted in a court-ordered rezoning of a parcel of land to accommodate multifamily development and a change in the town’s zoning ordinance which only allowed multifamily development in an urban renewal area. The court concluded that the failure of the town to rezone a parcel to accommodate multifamily development has a “substantial adverse impact on minorities.” This was based on an analysis of housing needs data that found a disproportionate proportion of African American families had housing needs.

Under Huntington, a zoning code is presumptively exclusionary if it: (1) restricts multifamily or two-family housing to districts/neighborhoods with disproportionately large minority populations; or (2) disparately impacts minorities by restricting the development of housing types disproportionately used by minority residents.²

Avenue 6E Investments LLC v. the City of Yuma (2015). In this case, the court found that a denied rezoning request to allow smaller lots for construction of more affordable single family homes had a disparate impact on Hispanic families. This case was based on an analysis of Home Mortgage Disclosure Act and homes sales data, which showed that smaller lots produced single family homes at price points that were attainable to minority households.

In the end, it is in the best interest of communities to examine their zoning code and land use regulations frequently to ensure they do not create barriers to housing choice. This is appropriate not only to avoid legal challenges, but also to ensure economic and workforce diversity, and to keep current in a national market that is increasingly demanding creative solutions to housing pressures and expansion of housing choice.

Zoning best practices. This section does not prescribe a “right way” to zone. Instead, it reviews the jurisdictions zoning regulations against best practices, and assesses if the jurisdictions’ regulations could restrict housing choice. It builds upon the work that was done as part of the 2012 AI.

Lawyer and planner Don Elliott recently published *A Better Way to Zone*, which contains ten principles for zoning that can apply to a range of communities. Several relate to expanding housing choice and are relevant for the Baltimore region:

- 1) **Zone for middle income households**—include a broad middle range of mixed-use zone districts that occupy the majority of the spectrum of zone districts. Allow multifamily development across a wide variety of mixed-use districts. This

¹ N.J. Stat. Ann. Sections 52:27D-301 et seq. (2007).

² Huntington Branch, NAACP v. Town of Huntington, 844 F.2d 926 (2d Cir. 1988)

practice more effectively produces communities that support neighborhood-serving retail and commercial operations and small businesses by allowing the market to supply services near households.

- 2) **Revise zoning ordinances to better promote attainable housing**—step away from minimum lot sizes, minimum dwelling units sizes, and maximum densities of development. Allow more flexibility in zone districts to accommodate the wide range of housing products that accommodate the “missing middle.”
- 3) **Implement dynamic development standards**—recognize that communities change over time and development codes need to allow communities to adopt and experiment with market innovations and accommodate changing housing preferences. Parking standards, for example, can vary based on use rates and existence of public parking lots in the area. In more traditionally zoned communities, it is most appropriate to “experiment” with dynamic zoning in mixed-use districts, which, as discussed above, should be generous in application and allow multifamily residential housing.

Other aspects of zoning include how households, family units, and disabilities are defined. A best practice in the definition of group homes is to set the unrelated persons limit to what has been legally defensible, generally 12 unrelated persons, including staff. Group home residency must be broad enough to include the homeless, those with social, behavioral or disciplinary problems, the elderly, those in hospice care, those avoiding domestic abuse, and/or disabled (which includes the frail, physically disabled, mentally ill, mentally retarded, persons with HIV/AIDS, and recovering from alcohol or drug addiction, but not including current alcohol or drug addicts that are not in a treatment program for recovery).

Group homes should be allowed in at least one, and preferably more, residential zoning districts. The unrelated persons limit could be increased if the group home is to be located in a multifamily, commercial, mixed use or other district.

Definitions of household and family should be flexible enough to allow a range of household and family configurations, especially those needed to accommodate caregivers. Language should avoid prescribing the makeup of a family unit (“husband and wife”).

The definition of disability must include what the courts have qualified as disability; those in recovery and with HIV/AIDS are often left out of the definition. A best practice is to have as broad a definition as possible to avoid multiplying the list of group facilities in ways that confuse the public and policymakers.

Findings from 2012 Analysis of Impediments

The 2012 AI's analysis of zoning regulations focused on five topics in the Fair Housing Planning Guide:

- The opportunity to develop various housing types (including apartments and housing at various densities);
- The opportunity to develop alternative designs (cluster developments, planned residential developments, inclusionary zoning, transit-oriented development);
- Minimum lot size requirements;
- Dispersal requirements and regulatory provisions for housing facilities for persons with disabilities (i.e., group homes) in single family zoning districts; and
- Restrictions on the number of unrelated persons in dwelling units.

The figure below summarizes the findings from the 2012 AI, including recommendations for addressing barriers. The figure indicates if the municipality addressed the barrier.

Figure VIII-1.
Findings from 2012 Analyses of Impediments to Fair Housing Choice Zoning Review

	Annapolis	Anne Arundel County	Baltimore City
Zoning Districts and Dwelling Unit Types Permitted by Right	N/A	Multifamily permitted in R10, R15, R22	Crafted to preserve historical character of neighborhoods and encourage a wider range of residential development
Small Minimum Lot Sizes Permitted	N/A	Smallest in R5 is 7,000 sq ft. Highest density R22 is equivalent to 22 du/acre	Yes, for detached and attached housing
Alternative Designs Allowed	N/A	ADUs allowed by conditional use. Mixed-use developments and PUDs do not encourage higher density development. Very little zoned mixed-use. No inclusionary zoning ordinance	Variety of flexible allowances
Definition of Family (not overly restrictive)	N/A	None in ordinance	Restricts unrelated persons to 4; group home would need reasonable accommodation
Treatment of Group Homes	N/A	Restrictions on number of occupants in group homes violation of FFHA. Later amended	No definition of group homes; relies on residential care. Small facilities permitted by right in all SF districts

Source: 2012 AIs, Zoning section.

Figure VIII-1. (Continued)
Findings from Zoning Review, 2012 Analyses of Impediments to Fair Housing Choice

	Baltimore County	Harford County	Howard County
Zoning Districts and Dwelling Unit Types Permitted by Right	Multifamily excluded to Community Conservation areas where affordable housing is already concentrated	Wide range of districts; multifamily permitted in urban residential, residential office, general business	18 base zoning districts; many permit attached, some permit zero-lot units. Apartments allowed by right in Residential, Mobile Home, Village, Office and Commercial, mixed use, TOD, and corridor/activity centers. Housing Commission Developments only allowed by right in office and employment centers
Small Minimum Lot Sizes Permitted		Small as 4,500 in urban residential	Smallest is 6,000 sq ft. Maximum units allowed per structure in multifamily is 8-16 units. Maximum density 8-25 dwelling units/acre
Alternative Designs Allowed	Through PUD process	Starter home density bonus	Yes, varied requirements, through subdivision regulations. ADUs allowed in many zone districts. Moderately priced dwelling unit program
Definition of Family (not overly restrictive)	Sufficiently broad	Very inclusive	Includes up to 8 unrelated persons.
Treatment of Group Homes	No restrictions on placement or uses	Permitted by right only in commercial and industrial districts; excessive parking requirements. Violation of the FFHA (not yet addressed in code)	Limit on unrelated persons discriminatory. Residential care facility and nursing homes require conditional use permits

Source: 2012 AIs, Zoning section.

The 2012 Als identified the following observations and barriers:

- **Anne Arundel County.** Undeveloped land by right for medium- and high-density residential development is limited. Notable is the Route 2 Ritchie Highway corridor which is served by public transit but does not anticipate medium- and high-density residential development. The county does not have inclusionary zoning. As of 2012, restrictions on the number of residents and type of housing in which group homes may be established could have been found in violation of the Federal Fair Housing Act, although this barrier was removed when the County Council updated county code references to group homes in 2015.
- **Baltimore County.** The County's conservation-based land use plan limits where new development can occur, mostly in areas where the supply of affordable housing is already concentrated. Committing to affirmatively furthering housing choice in the County Master Plan and expanding housing choice through inclusionary zoning were recommended.
- **Baltimore City.** The City's inclusionary zoning law has not been effective in producing affordable housing and should be evaluated. Group homes are identified as "licensed residential care facilities" in the proposed zoning code. The City's Master Plan could benefit from an overarching statement of policy that expresses the City's commitment to affirmatively further fair housing.
- **Harford County.** The Plan is silent on the extent of need for multifamily housing units that are affordable to lower-income families and implementation measures aimed at expanding the supply of affordable housing for lower income families. Multifamily dwelling unit types are permitted by-right only in R4, RO and B-3 districts.
- **Howard County.** The General Plan does not envision development of affordable housing at any significant level due to high land costs.

Land Use and Development

Given that the restrictions on future supply and placement of multifamily housing were raised frequently in the 2012 AI zoning review, this review begins with an examination of land use and development patterns in the region.

The figure below shows the distribution of land (measured by acres) by type of use for the study area, based on data from the Maryland Department of Planning. The data are as of 2010 and, given that land patterns change slowly in the region, are likely still representative of densities.³

³ Total land acres did not change from 2002 to 2010 for any jurisdiction, and changes to overall land use were modest.

As demonstrated by the figure, except for Baltimore City, the majority of land is zoned for low density use and “other” use, the majority of which consists of forest land and, secondarily, agriculture.

Land dedicated to commercial and industrial use is very small for all areas other than Baltimore City. Given that some codes allow high-density multifamily and mixed-uses in commercial and industrial areas—and that these areas often contain the least expensive land that can be repurposed for affordable and mixed-income housing—the amount of land zoned for commercial and industrial use can be factor limiting housing opportunities.

Figure VIII-2.
Acres of Land Zoned by Density Range, 2010

	Very Low Density	Low Density	Medium Density	High Density	Commercial	Industrial	Other	Total
ANNE ARUNDEL	9%	31%	26%	6%	9%	3%	16%	100%
BALTIMORE COUNTY	15%	28%	22%	10%	6%	6%	13%	100%
HARFORD	21%	35%	12%	4%	5%	2%	21%	100%
HOWARD	17%	35%	20%	6%	5%	6%	11%	100%
BALTIMORE CITY	0%	1%	19%	31%	8%	18%	22%	100%
TOTAL REGION	14%	29%	21%	9%	7%	6%	16%	100%
Baltimore City share of region	0%	0%	8%	30%	11%	29%	12%	9%
Suburban share of region	100%	100%	92%	70%	89%	71%	88%	91%

Source: Maryland Department of Planning, Planning Services

As land in the suburban jurisdictions is developed, given the restrictions on high density development in much of the counties, future growth will need to be absorbed through redevelopment of existing uses, expanding density in areas where it is already allowed, and adding mixed-use development opportunities. For the suburban areas in the region, this means taking advantage of the relatively large portions of land in medium density uses, expanding high density areas, and repurposing aging commercial and industrial uses into mixed-use developments with integrated residential, retail, services, and employment uses. Creative repurposing, “dynamic zoning” practices, and embracing mixed-use districts will all be important to accommodate residential demand.

Figure VIII-3 provides an overview of the residential construction permitted by jurisdiction. It is separated into two time frames: 1990 to 2009, and 2010 through October 2018. Carroll County is included as a comparison, as many developers view the county as important for accommodating development demands in the region.

Overall, the region saw a shift between single family and multifamily development after 2009: between 1990 and 2009, 22 percent of permits were for multifamily development, compared to 40 percent after 2009. All jurisdictions increased the share of permits for

multifamily units, with the largest percentage point shifts occurring in Baltimore City, followed by Howard and Harford Counties. The last portion of the exhibit shows the average value of construction by permit type and jurisdiction, for 2018. In each jurisdiction, multifamily construction is lower on a per unit basis than the cost of single family construction. This should result in multifamily units that are more affordable.

Figure VIII-3.
Residential Permitting History, 1990 through October 2018

Building Permits by Housing Type, 1990-2009	% SF	% of Region	% MF	% of Region
ANNE ARUNDEL	76%	29%	24%	25%
BALTIMORE COUNTY	71%	35%	29%	24%
CARROLL	94%	3%	6%	12%
HARFORD	87%	10%	13%	19%
HOWARD	81%	15%	19%	18%
BALTIMORE CITY	49%	9%	51%	2%
TOTAL REGION	78%	100%	22%	100%

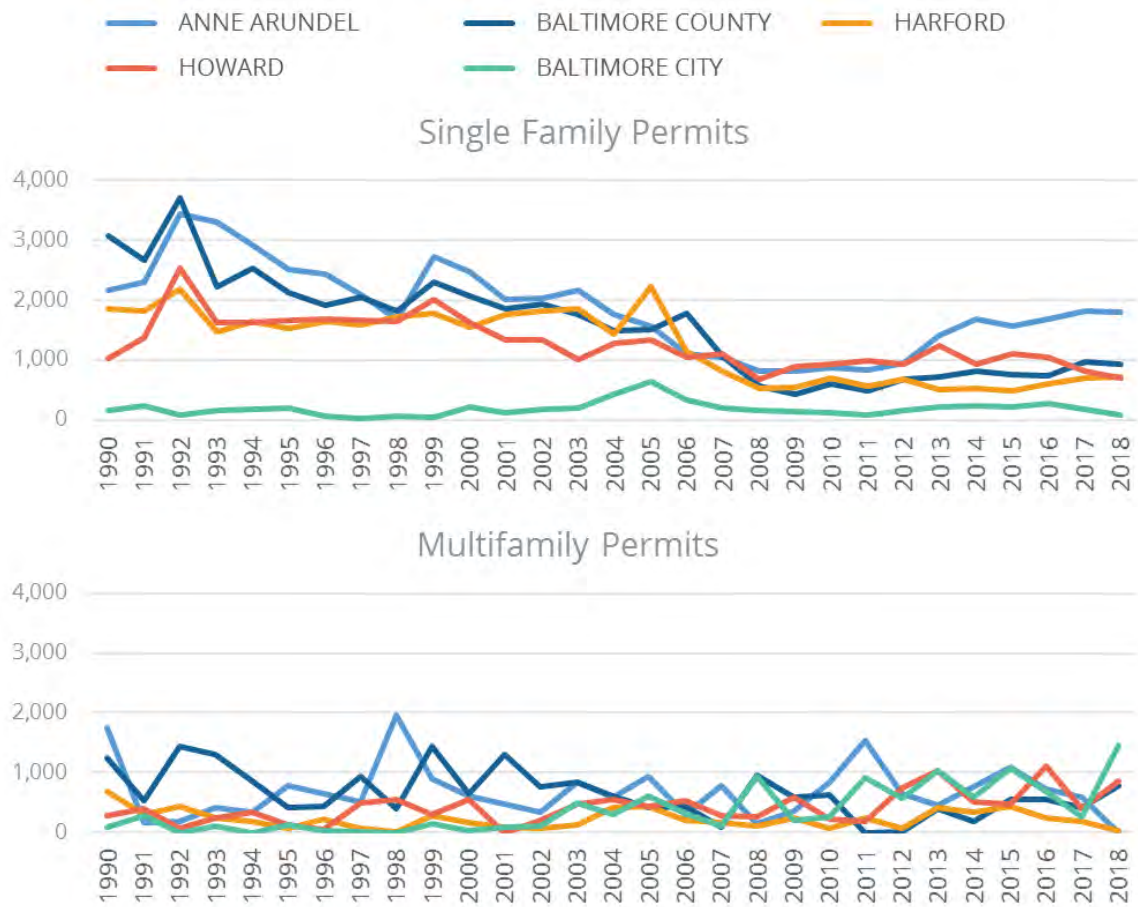
Building Permits by Housing Type, 2010 - October 2018	% SF	% of Region	% MF	% of Region
ANNE ARUNDEL	66%	27%	34%	34%
BALTIMORE COUNTY	66%	14%	34%	18%
CARROLL	88%	1%	12%	6%
HARFORD	73%	8%	27%	15%
HOWARD	61%	22%	39%	23%
BALTIMORE CITY	19%	27%	81%	4%
TOTAL REGION	60%	100%	40%	100%

Average Value of Permits by Type, January - October, 2018	Single Family Homes	Multifamily (5 or more units)
ANNE ARUNDEL	\$169,037	None permitted
BALTIMORE COUNTY	\$222,821	\$136,972
CARROLL	\$279,249	\$169,725
HARFORD	\$197,323	\$190,000
HOWARD	\$242,853	\$123,780
BALTIMORE CITY	\$161,395	\$151,539

Source: Maryland Department of Planning, Planning Services

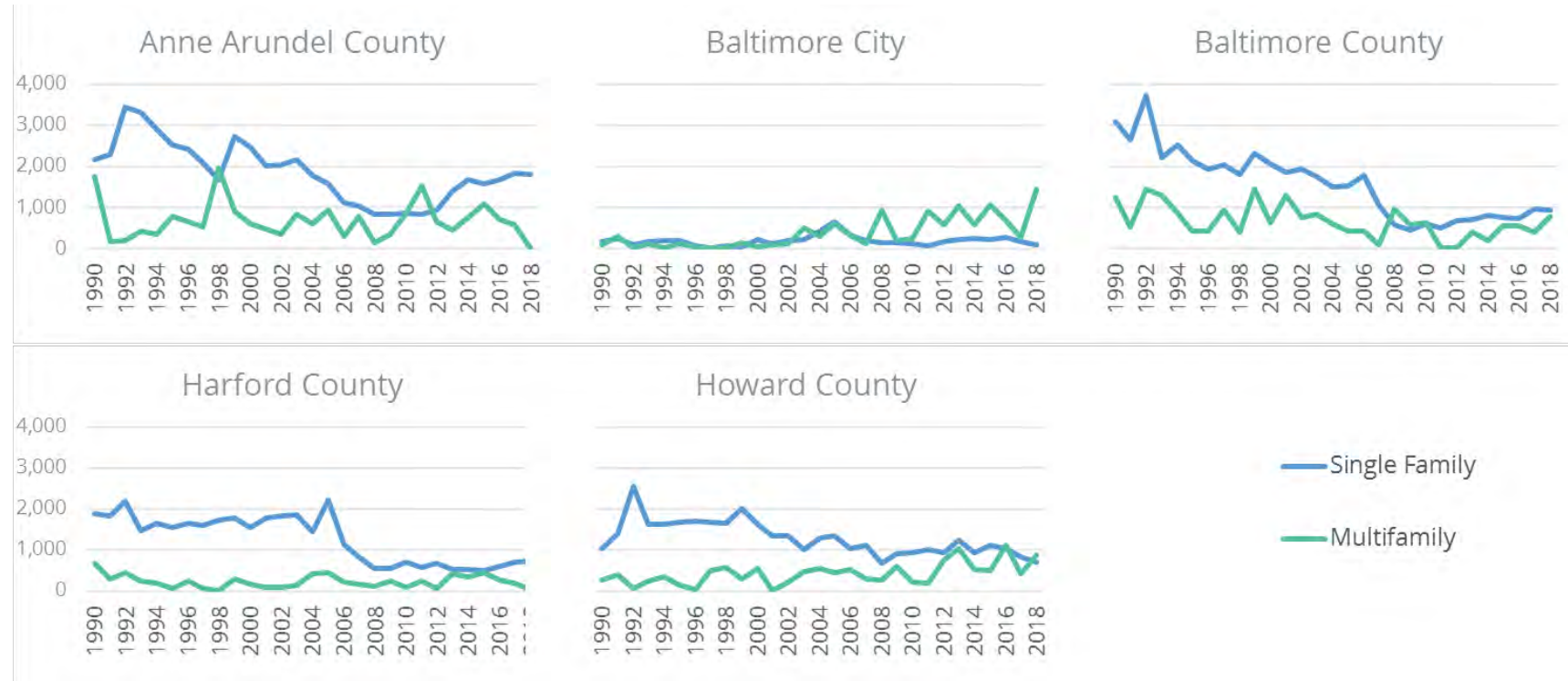
Figure VIII-4 plots single family and multifamily permits between 1990 and 2018 for all jurisdictions included in this study. The graphics that follow (Figures VIII-5) show single family and multifamily permitting trends for the jurisdictions individually.

Figure VIII-4.
Single Family and Multifamily Permits from 1990-2018, All Jurisdictions



Source: Maryland Department of Planning, Planning Services and Root Policy Research.

Figure VIII-5.
Single Family and Multifamily Permits from 1990-2018, by Jurisdiction



Source: Maryland Department of Planning, Planning Services and Root Policy Research.

Figure VIII-6 shows the average number of residential permits issued in the two time periods examined.

Figure VIII-6.
Average and Total Permits for Residential Units, 1990-2009 and 2010-2018

	Average Annual Permits		Difference	Total Permits	
	1990-2009	2010-2018		1990-2009	2010-2018
Multifamily Permits					
ANNE ARUNDEL	653	736	83	13,062	12,158
BALTIMORE COUNTY	781	390	(390)	15,612	15,005
HARFORD	223	225	2	4,460	3,848
HOWARD	335	618	283	6,692	6,634
BALTIMORE CITY	200	757	558	3,992	4,162
Single Family Permits					
ANNE ARUNDEL	2,067	1,399	(668)	41,346	40,050
BALTIMORE COUNTY	1,946	745	(1,201)	38,917	36,430
HARFORD	1,546	608	(938)	30,920	29,757
HOWARD	1,426	966	(460)	28,519	28,425
BALTIMORE CITY	192	173	(18)	3,830	3,789

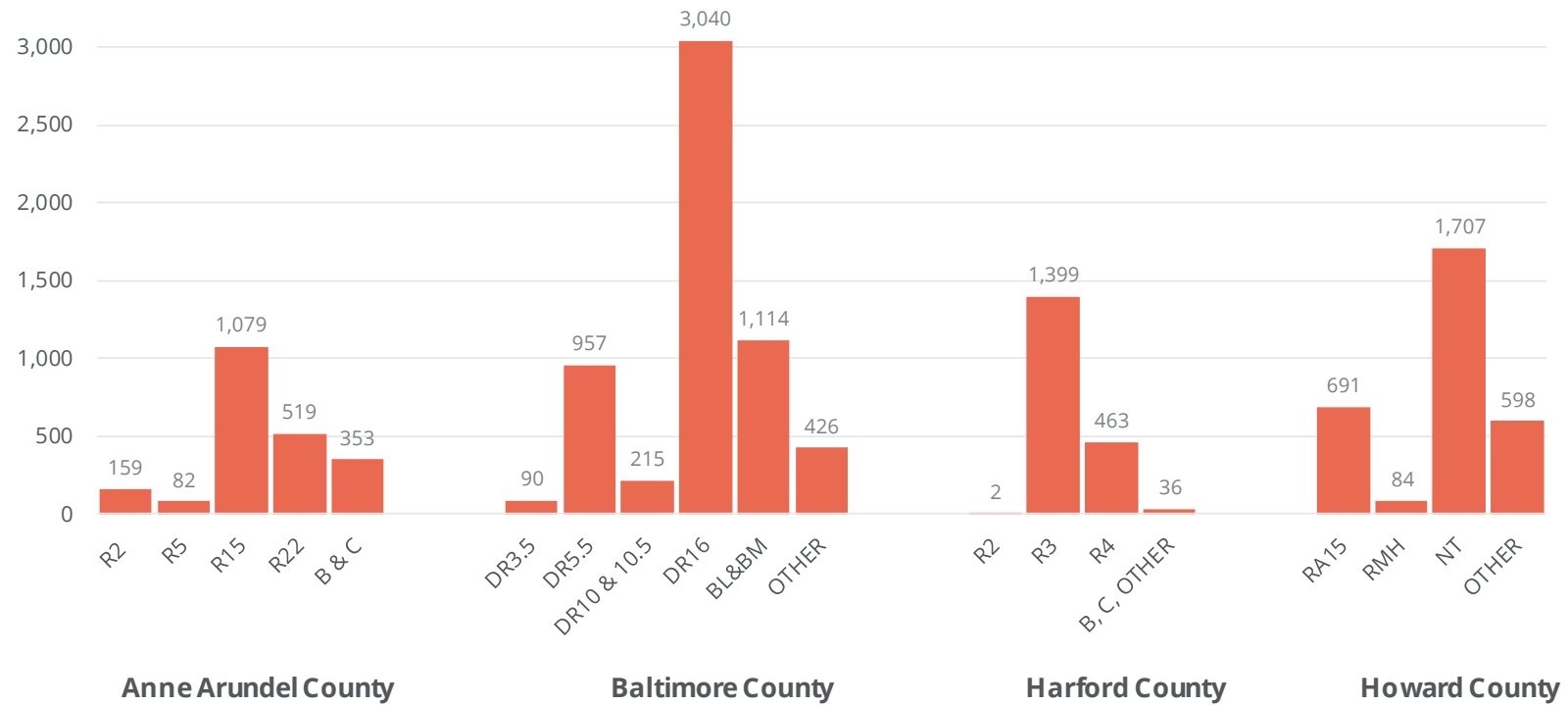
Source: Maryland Department of Planning and Root Policy Research.

Taking this a step further, the following figure shows the districts in which publicly assisted units, including those supported by Low Income Housing Tax Credit units, have been developed (not just permitted) historically by county (the geographic level at which data were readily available).

A basic understanding of the zone districts is all that is needed to interpret the graphic: The larger the number for “R” and “DR” districts, the more density allowed by district. “C” and “B” indicate commercial and business districts as opposed to “R” which is residential. Other indicate a variety of mixed use districts: For example, Howard County allows multifamily in many districts, which are captured in other and distinguished from “New Town” designated by NT.

As the figure demonstrates high density zone districts and business and mixed-use districts, and to a lesser extent, moderate density zone districts, are where most publicly assisted units are developed. This could be due to availability of land, the economics of development, and ability to develop multifamily units by right—and is likely a combination of the above.

Figure VIII-7.
Subsidized Multifamily Units Developed by Zone District, All Units and All Years



Note: Subsidized include LIHTC and other subsidized as identified by State data.

Source: Maryland State Department of Assessments and Taxation.

Land Use Planning in the State of Maryland

Residential development in Maryland is influenced by state law, which mandates that every jurisdiction review and, if necessary, update its comprehensive plan every ten years. The state will now require that these updates contain a housing element because of a law passed by the 2019 General Assembly. The housing element must include “goals, objectives, policies, plans, and standards and address the need for affordable housing within a county, including workforce housing and low-income housing”—although, unlike some states, jurisdictions are not required to commit to develop housing to meet identified needs.

The state also requires a “build-out analysis” or “buildable lot inventory” in comprehensive plans. This is an estimate of the total amount of development that may be built in an area under a certain set of assumptions, including applicable land use laws and policies (e.g., zoning), environmental constraints, etc.

The state prevents a jurisdiction from rezoning land if it fails to include two additional elements: the Municipal Growth Element and the Water Resources Element. The Municipal Growth element requires municipalities to identify areas for future growth consistent with that jurisdiction’s long-range vision. The element is developed based on population projections and identifies needs for land and infrastructure.

Recommendation: It would be appropriate for jurisdictions, as they implement this new law, to examine how they can accommodate housing needs in opportunity areas. As demonstrated in the publicly-supported housing analysis, publicly-supported multifamily units are much less likely to be located in high opportunity areas than market rate multifamily units: Overall in the region, more than half of market rate units are located in high opportunity areas as designated by the Baltimore Regional Housing Partnership (58%). This compares to 32 percent of subsidized units for elderly and just 15 percent of subsidized units for families. The disparity is larger for families and among certain jurisdictions: In Harford County, for example, 78 percent of market rate units are located in opportunity areas compared to just 8 percent of units affordable to low income families.

Adequate Public Facilities Ordinance and housing choice. Another growth control regulation is found in the Adequate Public Facilities Ordinance, or APFO. APFO is a growth management tool that jurisdictions may adopt to align growth with capital facilities needed to support such growth.

The application of APFO works differently in different jurisdictions: Jurisdictions can determine the types of infrastructure and service categories evaluated, and the criteria for evaluation. In the Baltimore region, school capacity is a major component of APFO application.

Although APFOs are successful in managing population growth and ensuring that adequate infrastructure is in place to accommodate new residential construction, APFO is not

without problems. Critics of APFO have found the practice “poorly linked to capital improvement plans,” inconsistent with planning goals, and a factor in rising housing costs.⁴

In addition, APFO assigns the impacts on services to new residential development when changes in the occupancy of existing development also create service demands (e.g., a family moves into a home formerly occupied by a childless family).

Finally, APFO can have implications on public funds: A recent study of APFO adjustments in Howard County determined that implementing changes in APFO to further slow growth would have a significant and negative impact on county revenues, due to the deferred revenue from property tax collections and the potential for lost jobs.⁵

From a fair housing perspective, the application of APFO is a concern because of the potential to create barriers accessing educational opportunity for lower income families with children, and, as such perpetuate inequitable environments. This occurs because:

- 1) Families who can afford to purchase existing homes—typically non-Hispanic White families—are not affected by APFO growth controls. If homes are for sale, they can access high quality schools, even when these schools are “closed.”
- 2) Families who cannot afford to purchase a home must find rental units near desired schools. Renters are disproportionately non-White and Hispanic residents.
- 3) If multifamily units are not available in areas where closed (and assumedly high quality) schools are located, higher income families can access quality schools through purchasing resale homes in a way that families living in apartments cannot.
- 4) These effects are evident in a recent analysis of the fiscal impact of APFO in Howard County. That analysis found that 58 percent of students are generated through resales; 42 percent are generated through new construction. By 2026, this is expected to be 71 percent for resales and 29 percent for new construction. At that point, the link between school capacity and new growth will be very mismatched and the impacts on families who are new buyers v. renters will be more pronounced.⁶

Recommendation: One solution to this potential fair housing challenge is to exempt affordable housing from APFO; Howard County, for example, provides for a possible exemption for affordable housing from APFO restrictions. Exempting affordable housing—

⁴ <http://smartgrowth.umd.edu/APFOMaryland.html>

⁵ APFO Amendment Fiscal Impact Analysis, Howard County, February 2019, Urban Analytics, University of Baltimore—Jacob France Institute, Artemel & Associates, Inc.

⁶ <https://www.howardcountymd.gov/About-HoCo/County-Executive/Adequate-public-facilities-ordinance-task-force>

for both families and seniors—from APFO is unlikely to have a substantive impact on school capacity and would avoid potential fair housing challenges.

Priority Funding Areas, resident, and household characteristics. The variety of managed growth laws summarized above work together to ensure that the region has the infrastructure to accommodate growth, “Smart Growth” legislation passed in 1997 seeks to use state infrastructure spending to guide growth into locally identified “Priority Funding Areas” or PFAs. As shown in the table below, there are racial differences among residents living within and outside of PFAs, with White residents most likely to live out of PFAs. Renters, female-headed single parents, Hispanic, and African American residents have the smallest representation outside of PFAs.

Recommendation: Not all non-PFAs are high opportunity environments nor are they appropriate to accommodate short-term growth. However, as the region evolves, as these areas constrain opportunities to accommodate equitable growth beyond the designated PFAs, their potential to more fairly share in accommodating housing needs should be re-examined.

Figure VIII-8.
Resident and Household Characteristics within and outside of Priority Funding Areas (PFAs), 2000 and 2010

	2000		2010	
	In PFA	Out of PFA	In PFA	Out of PFA
Total Population	81%	19%	81%	19%
White	74%	26%	72%	28%
Black or African American	93%	7%	93%	7%
Asian	91%	9%	90%	10%
Hispanic	94%	6%	93%	7%
Non-Hispanic	80%	20%	80%	20%
Senior households	81%	19%	79%	21%
Family households	79%	21%	78%	22%
Female-headed single parents	91%	9%	89%	11%
Renters	93%	7%	93%	7%
Owners	77%	23%	76%	24%

Note: PFAs are defined as areas where growth should be concentrated. Non-PFAs are "dedicated largely to agricultural preservation and resource conservation."

Source: Maryland Department of Planning.

Zoning and Land Use Review

This final section summarizes the results of the supplemental zoning and land use review. It focuses on:

- Allowing a range of housing types, especially those that promote and produce affordable housing and housing for special populations;
- Mitigating requirements that raise housing costs; and
- Providing incentives for residential development.

Anne Arundel County

The 2012 AI zoning review was critical of Anne Arundel County for not encouraging high density development in mixed-use and planned-unit development districts, as well as the county's restrictions on the number of persons allowed in group homes—which has been amended.

The county has acknowledged in its CAPERs and the 2016-2020 Consolidated Plan that production of multifamily housing is suppressed by current land use patterns: the “scarcity of land zoned by right for multifamily housing, which tends to be the most cost effective option when developing affordable housing.” The county also acknowledges that the areas where medium- and high-density is allowed are also areas with the highest proportions of minority residents.

The county has seven residential districts, three of which are very low density (1-2 units per 40,000 sq ft to 1 unit per 5 acres). The moderate density R-5 requires a minimum lot size of 7,000 square feet and limits the lot coverage by structures to 40 percent. R-5 and R-10 both allow attached homes. Multifamily dwellings are allowed in R-15 and R-22 districts. ADUs are allowed in residential districts but are required to have a minimum lot of 14,000 square feet.

By acreage, per the county's existing general development plan, just 1 percent of land is planned for higher density residential uses of more than 15 dwelling units per acre, which includes multifamily development. Four percent is zoned for medium density residential, which can also include multifamily development. Eight percent is zoned for low to medium density residential, not including multifamily.

Workforce housing was once allowed by special exception in R-2, R-5, R-10, and R-15 zones. This was rolled back to only R-10 and R-15 zones in January 2015 after the county received opposition to the proposed 84-unit Earleigh Heights development.

In response to these barriers, the County passed a Workforce Housing bill (54-19) in 2019. This new provision allows an increase in density up to 22 units per acre as a conditional use in R-5, R-10, and R-15, residential zones, as well as in commercial, light industrial zones, and mixed-use zones, if the development includes affordable homes.

According to County planning staff, this expansion has created additional land available for the development of workforce housing that serves homeowners with incomes at or below 100 percent AMI and renters with incomes at or below 60 percent AMI. This provision also allows a 50 percent reduction on water and sewer connection fees, furthering the incentives available for the creation of affordable housing. Since the law has been in place in the fall of 2019, County staff report that several developers have expressed interest in developing Workforce Housing.

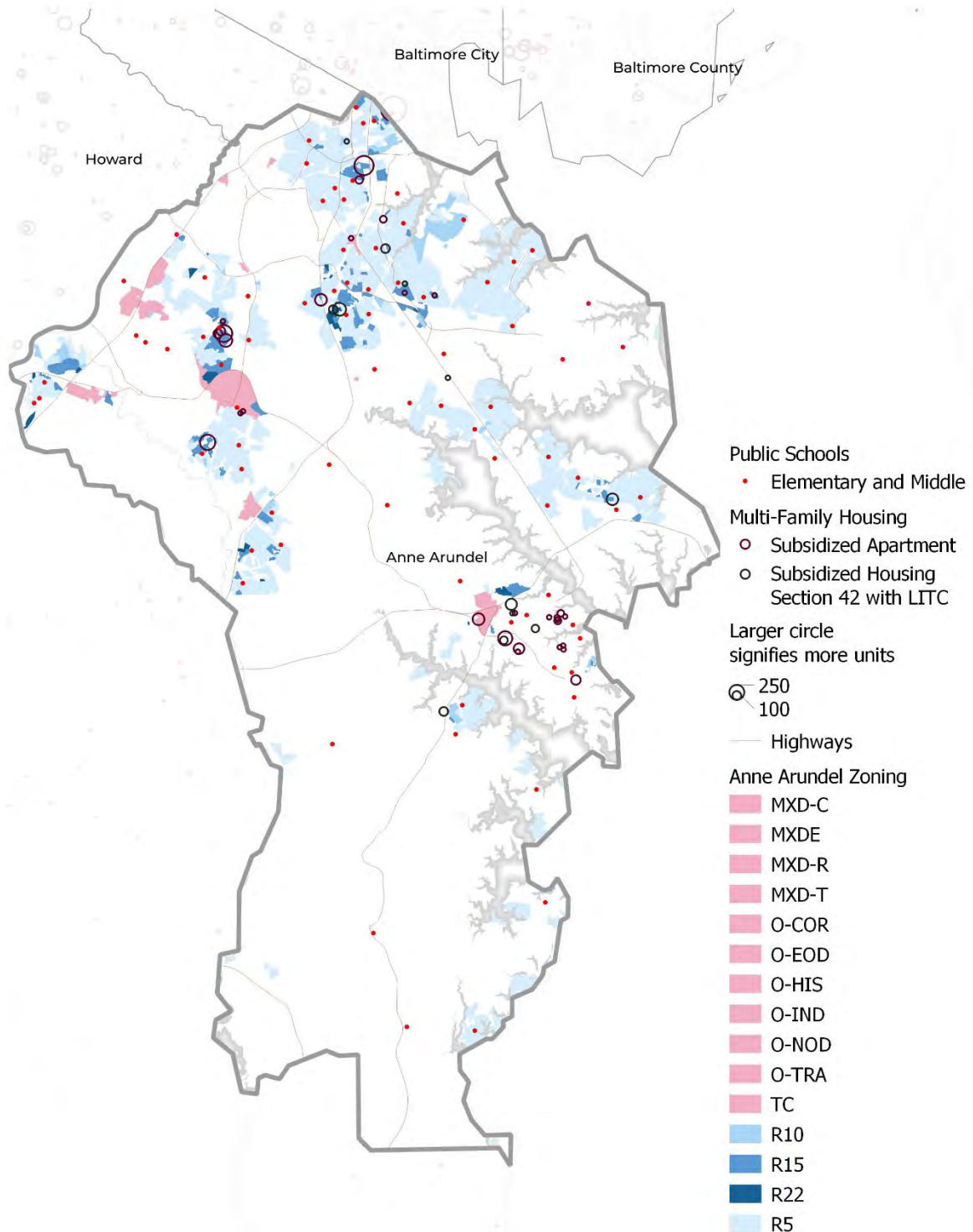
This progress is encouraging, and should reduce barriers to housing choice for low income households who cannot afford to buy or rent at market rates. The County should closely monitor the effectiveness of such changes and adjust policies as needed—e.g., removing the conditional use designation—to make development of housing for low income households more feasible.

In addition to this new workforce housing zoning tool, the County's Housing for Elderly of Moderate Means law allows multifamily housing serving low income seniors—those earning 80 percent of AMI, with 60 percent of the units available to seniors earning 60 percent of AMI and below—to be developed up to densities of 22 units per acre as a conditional use in R-2, R-5, R-10, R-15, and R-22 residential zones and C-1, C-2 and C-3 commercial zones. To further reduce development costs, the County has adopted legislation that waives water and sewer fees, a significant cost, for multifamily housing units developed for elderly persons of moderate means.

The County also waives impact fees for housing serving households earning 120 percent of AMI and below that is developed by a nonprofit organization. The County also continues to provide Payments-in-Lieu of Taxes (PILOTs) agreements as a financial incentive for developers building affordable rental housing.

The following map shows the location of the zoning districts in which multifamily housing is allowed in Anne Arundel county. It includes the R-5 district for context, as well as the location of public and charter schools and where subsidized housing (non-tax credit and tax credit properties, with the latter designated as LIHTC).

Figure VIII-9.
Anne Arundel County Multifamily Zoning and Existing Subsidized Units



Note: Unit totals from improved Commercial and Industrial Use parcels with housing

Source: Maryland State Department of Assessments and Taxation and Anne Arundel County.

Recommendations for Anne Arundel County to promote more inclusive environments. Anne Arundel County has a unique opportunity to implement more inclusive land use regulations as part of its current comprehensive plan update. We recommend that, particularly in light of the state’s new requirement for housing elements as part of comprehensive plans, the prioritize:

- Extend districts that allow multifamily development by right to areas that are well-served by light rail, including those with existing commercial uses that are compatible with multifamily development.
- Consider adopting inclusionary zoning to make the best use of remaining multifamily development that is allowed.
- Monitor the effectiveness of expanded districts that allow affordable housing developments, as well as fee reduction incentives. Remove conditional use designation if needed to make affordable housing more financially feasible. Exempt family affordable housing from APFO.

Baltimore City

Baltimore City’s zoning code was updated in 2017. This code update focuses on maintaining neighborhood character, incorporating alternative uses of transportation, and embraces mixed-used districts.⁷

The new code also provides incentives to create affordable housing, senior housing, and accessible housing by exempting developments from district regulations.

The city has a new focus on equity, required by City Council legislation in August 2018. That legislation mandates that every department in the city consider equity in operations and have a staff member that focuses in equity. To that end, the city’s planning department has a staff member focused on equity in planning. One of the main areas of focus within planning is repairing trust with residents in the city.

The city’s housing affordability challenges differ significantly from the suburban county jurisdictions in this study. Affordable rentals in the city are provided by small, “ma and pa” landlords, many in low-density, garden-style settings. These units are in considerable need of improvements and the landlords have limited capital to make those improvements. The city also has a large inventory of vacant land and parcels. Development and redevelopment costs easily exceed what these properties are worth in the private market, creating little incentive for development and redevelopment in many areas of the city. The city’s relatively new Vacants to Value program has showed promise; however, challenges with clearing

⁷ No zoning map is included for Baltimore City because city zoning ordinances and land use code accommodate a wide variety of affordable housing types for ownership and rental.

titles of the collection of properties in blocks where the program is applied has limited its full potential.

The 2012 AI identified the city's definition of family as a barrier to housing choice for residents living in a group home setting. The city carried forward this definition in its 2017 code update. According to the code: "Family" means one of the following, together with customary household helpers: (i) an individual; (ii) 2 or more people related by blood, marriage, adoption, or State-supervised foster care, living together as a single housekeeping unit in a dwelling unit; or (iii) a group of not more than 4 people, who need not be related, living together as a single housekeeping unit in a dwelling unit.

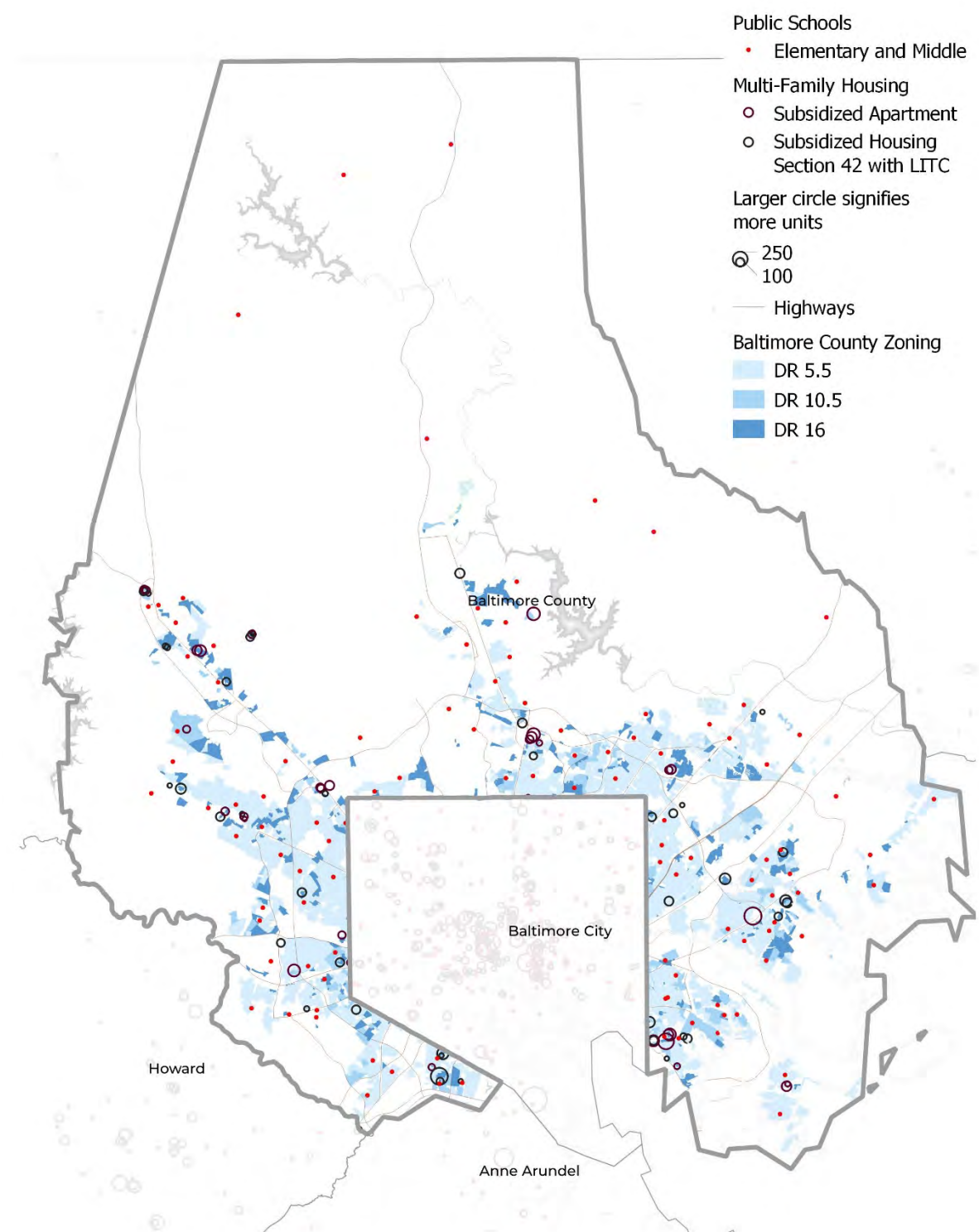
The city should revise this definition to make an exception to the unrelated person number for group homes that provide formal and informal care to persons with disabilities and special needs residents.

Baltimore County

The primary findings from the 2012 AI zoning review related to the amount of land available for multifamily housing. That review concluded that multifamily development was only allowed in areas where affordable housing was already concentrated.

The following map shows the location of the zoning districts in which multifamily housing is allowed in the county. It includes the location of public schools and where publicly assisted housing (non-tax credit and tax credit properties, with the latter designated as LIHTC).

Figure VIII-10.
Baltimore County Multifamily Zoning and Existing Subsidized Units



Note: Unit totals from improved Commercial and Industrial Use parcels with housing
 Source: Maryland State Department of Assessments and Taxation and Baltimore County.

Compared to other counties in the region, Baltimore County's regulations are broad, and definitions are flexible; as such, the impact of those on housing choice are largely through their application. The judgment of the administrative hearing officer, as well as that officer's commitment to expanding housing choice, appears to be a major factor in determining development of affordable and attainable housing.

The county has a dedicated website for Housing Opportunities that states goals of increasing housing choice; however, those goals are largely aspirational in nature and it is difficult to determine their impact.

Recommendations for Baltimore County to promote more inclusive environments. We recommend that, particularly in light of the state's new requirement for housing elements as part of comprehensive plans, Baltimore County:

- Allow compatible, community-based group homes by right in R5.5 districts to facilitate inclusive shared living arrangements for residents with special needs, including persons with disabilities and persons in recovery.
- Clarify the definition of "family" in the zoning code. Family currently is defined as a "Any number of individuals lawfully living together in a single housekeeping unit..." It is unclear what "lawful" means or is intended to regulate; similarly, it is unclear if a single housekeeping unit means that each residential unit must have cooking and bathroom amenities. A best practice is to use Anne Arundel's approach of not defining family through the zoning code to better facilitate inclusive housing arrangements, reflect changing preferences in sharing of residential units, and instead regulating through occupancy restrictions to prevent overcrowding.
- Embrace zoning best practices that facilitate a wide range of housing choices and opportunities in both lower density residential and higher density settings. Expand the use of mixed-use districts, compatible uses, and shared parking arrangements. Incentivize deeply and moderately affordable multifamily housing, especially along light rail lines. Some of these areas allow hotels but not multifamily developments, which are compatible uses.
- Expand incentives for affordable housing development through fast track development, fee waivers, and exempting affordable housing (both family and senior housing) from APFO.

Harford County

The 2012 AI concluded that Harford County's regulations accommodate a wide range of housing choice: The county permits multifamily development in several districts; small lots are permitted for single family detached homes; and definitions of family (including unrelated parties) are very inclusive.

Development patterns between 2015 and 2019 suggest that the county's regulations are encouraging attached and multifamily development: 51 percent of units permitted during that period were townhomes and apartments. However, given the small proportion of land in the county on which these regulations apply—just 16 percent of the county is zoned medium or high density residential—the progressive regulations could have limited impact in the future.

Harford County has a Starter Home Density Bonus that allows a 20 percent increase in the maximum number of dwelling units in a permitted area if:

- (1) At least 10 percent of the total dwelling units of the qualifying project are rented or sold to low- and moderate-income households.
- (2) The county has a provision to ensure that this bonus will benefit families: 50 percent of the households who rent or purchase the homes must be households consisting of more than 3 people.

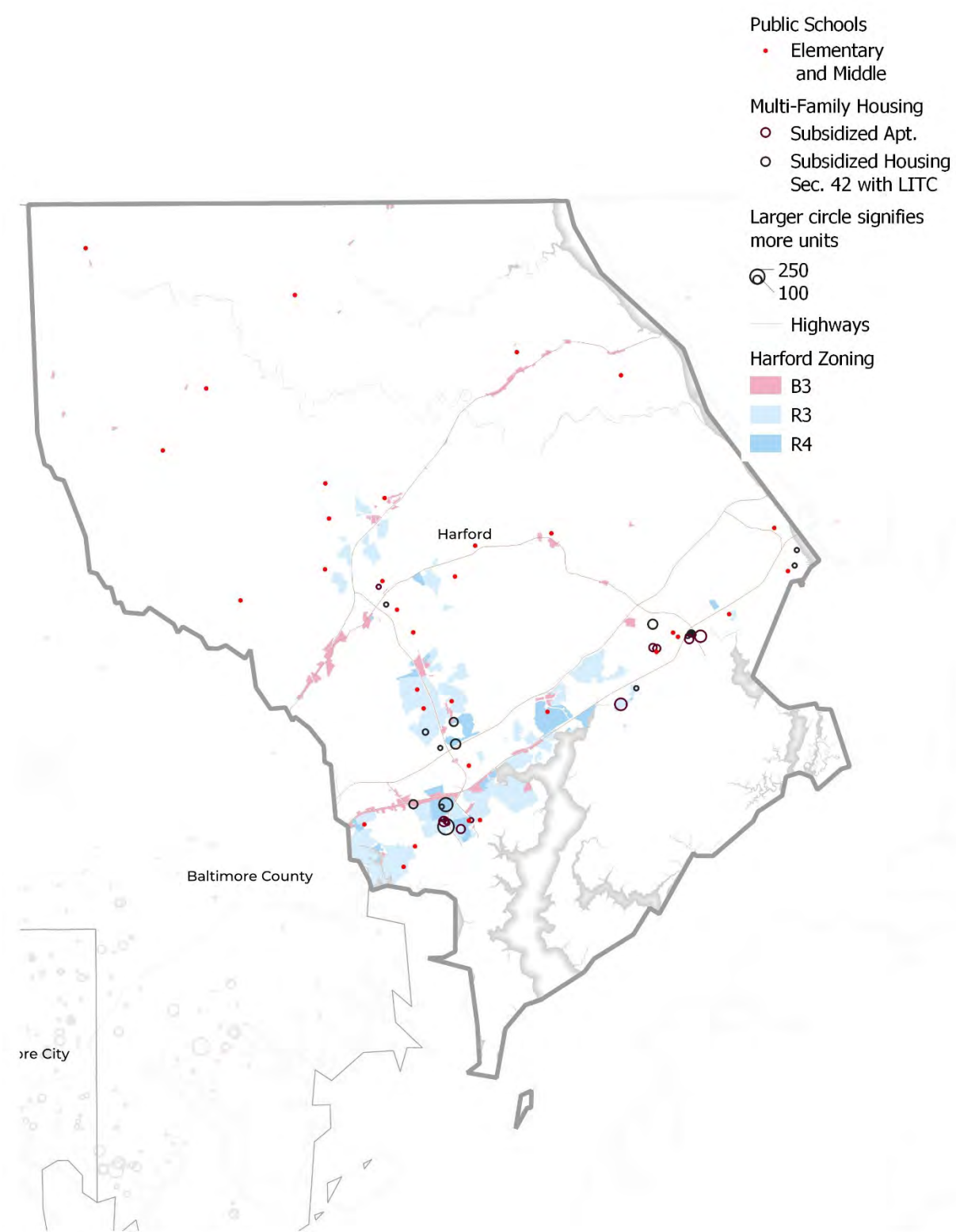
To avoid concentrations of the units or differences in quality, the county requires that all subsidized units are integrated into the overall design of the development and are intermixed throughout the development with exterior materials and appointments not differing from those of the other units in the project. The county also requires that, for projects of more than 20 dwelling units, no more than 20 percent are developed as low or moderate income housing.

Our updated review of zoning and land use regulations reached a slightly different conclusion than the 2012 review with regard to land zoned for multifamily and attainable ownership products: We feel the county's permitted uses for mid-rise apartment dwellings and high-rise apartments to only R4 and B3 and occasionally R3 is too restrictive, as is the permitted use for townhomes. This limit is well demonstrated by the map on the following page. Apartments, especially low-rise units, can be carefully integrated into single family settings (R3 and even R2) with careful site design and planning. Although these uses appear to be more broadly allowed through Planned Residential Development, special development regulations govern these uses, meaning that the application could vary.

With regard to affordable housing for families, the county's affordable multifamily developments are concentrated in several areas, most of which are low opportunity environments. More flexible permitted uses could address these concentrations by expanding the multifamily development envelope overall.

The following map shows the location of the zoning districts in which multifamily housing is allowed in the county. It includes the location of public schools and where publicly assisted housing (non-tax credit and tax credit properties, with the latter designated as LIHTC).

Figure VIII-11.
Harford County Multifamily Zoning and Existing Subsidized Units



Note: Unit totals from improved Commercial and Industrial Use parcels with housing
 Source: Maryland State Department of Assessments and Taxation and Harford County.

Recommendations for Harford County to further its existing policies for more inclusive environments:

- Group homes need to be allowed in at least one residential zone district by right to avoid conflict with the Federal Fair Housing Act.
- The group home parking requirement needs to be examined for a possible reduction. The code currently requires one space per two beds plus one per employee for group homes, compared to only one per four patient beds for nursing homes and assisted living facilities. This requirement raises the costs of group home construction and favors construction of assisted living and nursing facilities, which could create a shortage of group homes and settings that are often more appropriate for persons with special needs (and drive persons with special needs into more costly assisted living and nursing homes).
- Address the limit on unrelated persons in group homes. A more progressive definition would use 12 unrelated parties, including staff. That limit could increase in high density areas where a larger number of unrelated parties can be tolerated by land uses.
- Expand the zone districts in which duplexes and townhomes are allowed beyond R4, office, village, and business uses. Both housing types can be carefully integrated into single family settings (R3 and even R2) with careful site design and planning. Not only does this expand housing choice, it is also consistent with market demand for smaller, low-maintenance and affordable dwelling units.
- Embrace “dynamic zoning” best practices and require fewer than two off-street parking spaces for smaller, attached homes (row, duplex, etc) as appropriate. Areas where parking is already available, such as large surface parking lots that are primarily occupied during the day, could be shared with attached-housing and even multifamily communities, making better use of land and better aligning with the county’s conservation goals.
- Expand incentives for affordable housing development through fast track development, fee waivers, and exempting affordable housing (both family and senior housing) from APFO.

Howard County

The 2012 AI concluded that the county’s limit on unrelated persons allowed in group home settings to be discriminatory. At eight persons, this could be expanded to 12, including staff, to more accurately reflect legal precedent.

Overall, the county has very progressive zoning and land use regulations, although its recently tightened Adequate Public Facilities Ordinance (APFO) has already restricted development, a dynamic that could increase in coming years. Notable policies include:

- Allowing multifamily development, single family attached units, accessory apartments, and community home care settings for special needs residents, in a wide variety of residential settings. Not only does this facilitate a disperse mix of affordable product, it also reflects changing housing preferences and needs.
- The Moderate Income Housing Unit law, an inclusionary zoning program that requires affordable rental and for sale housing in all residential districts. However, this program could be refined to discourage payment of fee-in-lieu instead of production of units.

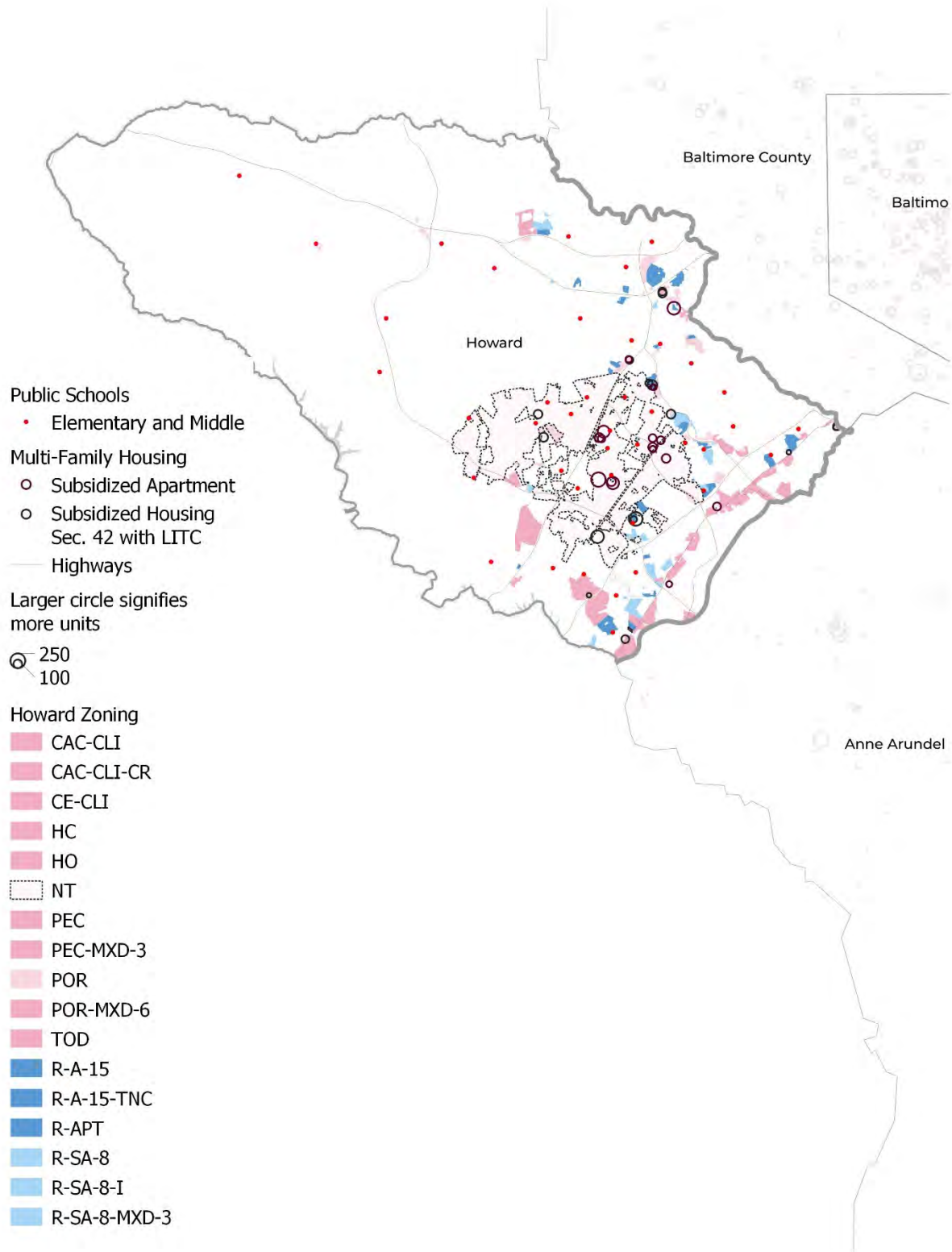
Howard County Department of Planning and Zoning predicts that its land use will shift as the county fully develops to 30 percent multifamily housing and 21 percent attached units, from 25 and 23 percent, respectively, now—resulting in a higher proportion of the county's units in multifamily products.

Future units are estimated at about 24,000, with more than half of those will be located in the Downtown Corridor and along Route 1. Of these, about one-third are expected to be single family detached units, more than half are expected to be multifamily, and the balance will be attached.

However, recent revisions to APFO will constrain growth and is likely to raise housing costs. The county expected an annual residential permit allocation of 2,025 units per year through 2030; this will decline to 1,363 by 2028. Under the change, population growth is projected to be half of what was expected, employment will drop by 4,500 jobs, and forgone revenue could total \$1.2 billion dollars.

The following map shows the location of the zoning districts in which multifamily housing is allowed in the county. It includes the location of public and charter schools and where subsidized housing (non-tax credit and tax credit properties, with the latter designated as LIHTC). Most of the county's subsidized housing has been developed within the Columbia planned district.

Figure VIII-12.
Howard County Multifamily Zoning and Existing Subsidized Units



Note: Unit totals from improved Commercial and Industrial Use parcels with housing

Source: Maryland State Department of Assessments and Taxation and Howard County.

Recommendations for Howard County to further its existing policies for more inclusive environments:

- Address the limit on unrelated persons in group homes. A more progressive definition would use 12 unrelated parties, including staff. That limit could increase in high density areas where a larger number of unrelated parties can be tolerated by land uses.
- Embrace “dynamic zoning” best practices with respect to parking, to reduce development costs and embrace changing transportation alternatives (e.g., ride share services, non-vehicular transportation). Areas where parking is already available, such as large surface parking lots that are primarily occupied during the day, could be shared with attached-housing and even multifamily communities, making better use of land and better aligning with conservation goals.
- Consider and implement recommendations to update the code based on the Development Regulations Assessment & Annotated Outline consultant report from January 2018.
- Closely monitor the impact of the recent APFO revisions on housing prices and affordability and consider increasing the MIHU percentage requirement. Continue to exempt MIHU units from APFO.

Annapolis

The City of Annapolis had a separate AI completed in 2015; this was not done in concert with the 2012 regional and jurisdictional AIs. That AI recommended several modifications to the city’s code, which have not been addressed (as specified in Figure VIII-13 below):

- “The definition of family is narrow, limiting it to persons related by blood, marriage, or adoption, potentially limiting groups of unrelated individuals from sharing housing. This potentially prevents group homes for the disabled. Revise the definitions and add new definitions for the words: ‘Family,’ ‘Handicap (Disabled),’ ‘Fair Housing Act,’ ‘Accessibility,’ ‘Visitability,’ etc.
- The zoning ordinance limits location of group homes for persons with disabilities to primarily non-residential zoning districts. The City’s zoning code regulates the use as a special exception requiring additional noticing and public hearing that draw unwarranted attention to the use. The special exception standards are broad and not easily quantified making regulation subjective. The City’s regulation of group homes for the disabled may impede the creation of group homes, limiting housing choices for the disabled in Annapolis.”

Our review supplements the above with the following **recommendations**:

- The definition of family is overly restrictive and should be revised to include other common household forms, such as two unmarried individuals living together in a

committed relationship and seniors and persons with disabilities living together in informal supportive settings. Codes that restrict children being cared for in a household to blood related or adopted can create problems for foster situations. The term “servant” is outdated and should be revised.

- Group homes need to be allowed in at least one residential zone district by right to avoid conflict with the Federal Fair Housing Act. Group homes should not be subject to special exception approvals.
- Expand the zone districts in which duplexes and townhomes are allowed to promote gentle infill that is appropriate in single family settings and can facilitate much-needed attainable housing.
- Exempt affordable housing (both family and senior housing) from APFO.

Figure VIII-13. Findings from Supplemental Zoning Review, 2019

	Annapolis	Anne Arundel County
Allowing Diversity of Housing Types		
Multifamily housing is allowed in a variety of districts	Only allowed by right in commercial district unless fewer than 6 units, then allowed by right in one residential district	Allowed in high density districts R-10, R-15, R-22, Town Center (TC), MXD, and Odenton Town Center (O-COR, O-TRA, O-IND, O-EOD, O-NOD) districts.
Attached, attainable housing is allowed in a variety of districts	Only allowed by right in commercial district; special exception in other residential districts	In two districts; not integrated into districts with moderately dense single famly detached homes. ADUs require a 14,000 sq ft lot.
Definition of family and household and occupancy limits does not create barriers to choice	"Family" is defined as one or more persons, each related to the other by blood, marriage or adoption, who are living together in a single dwelling and maintaining a common household. A family includes any domestic servants and not more than one gratuitous guest residing with the family.	No definition of family or limit on the number of unrelated persons living in a housing unit
Group homes are allowed in many residential districts	No	Permitted in all residential districts
Mitigating Requirements that Raise Housing Costs		
Requirements for special review, public hearing, notices are not excessive for affordable housing	Yes, for group homes.	Workforce housing must only meet conditional use requirements.
Parking requirements are not excessive	Parking requirements can be waived in cases where requirements may jeopardize the district	For multifamily, 1 space per bedroom (3 spaces for 3 bedrooms) and 2 spaces for detached and attached housing
Providing Residential Development Incentives		
APFO does not apply to affordable housing developments (all types)	Only for senior developments	Only for housing for "elderly of modest means"
Policy of making surplus public land available for affordable housing	Not identified in policies	No
Inclusionary zoning/Moderately price dwelling unit policy	Yes, inclusionary zoning law requires all developers of more than 10 units must also provide moderately priced dwelling units (MPDUs).	No
Voluntary		
Mandatory	Yes, for developments of more than 10 units	
Fast track development for affordable housing	Not identified in policies	No
Fee waivers for affordable housing	Not identified in policies	For housing for elderly of modest means and workforce housing.

Figure VIII-13. (Continued) Findings from Supplemental Zoning Review, 2019

	Baltimore City	Baltimore County
Allowing Diversity of Housing Types		
Multifamily housing is allowed in a variety of districts	Yes, the city has adopted a very flexible set of districts that allow many housing types	Allowed in medium density settings. Allowed in smaller residential settings (R5.5) "subject to findings of compatibility by the hearing officer"
Attached, attainable housing is allowed in a variety of districts	Yes, the city has adopted a very flexible set of districts that allow many housing types	Single-family detached, semidetached or duplex dwellings are permitted in all "density" residential districts
Definition of family and household and occupancy limits does not create barriers to choice	Defined as: (i) an individual; (ii) 2 or more people related by blood, marriage, adoption, or State-supervised foster care, living together as a single housekeeping unit in a dwelling unit; or (iii) a group of not more than 4 people, who need not be related, living together as a single housekeeping unit in a dwelling unit.	Family is defined as "Any number of individuals lawfully living together as a single housekeeping unit and doing their cooking on the premises, as distinguished from a group occupying a boarding or rooming house or hotel."
Group homes are allowed in many residential districts	Not specifically excluded from any district	Allowed in medium density settings. Allowed in smaller residential settings (R5.5) "subject to findings of compatibility by the hearing officer"
Mitigating Requirements that Raise Housing Costs		
Requirements for special review, public hearing, notices are not excessive for affordable housing	New code allows a diversity of housing types by right	For group homes and multifamily in R5.5 zones
Parking requirements are not excessive	Affordable housing targeting < 60% AMI has lower parking requirements (1 space per 2 dwelling units)	Not specified in zoning code in land use and density table
Providing Residential Development Incentives		
APFO does not apply to affordable housing developments (all types)	N/A; the city has excess housing inventory	No, regulations do not appear to have been updated since 2006
Policy of making surplus public land available for affordable housing	Yes	Not offered
Inclusionary zoning/Moderately price dwelling unit policy	Yes, although not found to be effective in the current market	No
Voluntary		
Mandatory		
Fast track development for affordable housing	Many development incentives including use of TIF	Not offered
Fee waivers for affordable housing	Many development incentives including use of TIF	Not offered

Source: Root Policy Research.

Figure VIII-13. (Continued) Findings from Supplemental Zoning Review, 2019

	Harford County	Howard County
Allowing Diversity of Housing Types		
Multifamily housing is allowed in a variety of districts	Not permitted by right; allowed through special development regulations only in R4 and R3 in villages. High density not allowed by right in any area	Yes, in RA-15 and R-APT, residential villages, historic office and commercial, mixed use districts
Attached, attainable housing is allowed in a variety of districts	Duplexes allowed in R4, office, village, and business uses. Townhomes only in R4 and some business districts	Yes, attached homes and ADUs are allowed by right in a variety of zone districts
Definition of family and household and occupancy limits does not create barriers to choice	No restrictions that limit choice for certain household types; household is a "social unit living together." Group homes: Restricted to unrelated persons to 8; unclear if this includes staff	Family is defined as: Not more than eight unrelated persons occupying a dwelling, living together, and maintaining a common household. Code allows "two family" units in some districts
Group homes are allowed in many residential districts	Allowed in residential settings but only by special exception	"Home care" facilities allowed in residential districts
Mitigating Requirements that Raise Housing Costs		
Requirements for special review, public hearing, notices are not excessive for affordable housing	Special development regulations apply for mid-rise apts, high density apts, garden apartments	Requirements consistent across development types
Parking requirements are not excessive	Require 2 off street parking spaces for smaller, attached homes (row, duplex, etc); may consider adding flexibility. Require 1 space per 2 beds plus 1 per employee for group homes but only 1 per 4 patient beds for nursing homes and assisted living facilities. Group home requirement should be studied for possible reduction	Two spaces + .5 for visitors for detached and attached in all districts; 2 plus .3 for visitors for apartments. 1.0 for ADUs and flexible range for group homes
Providing Residential Development Incentives		
APFO does not apply to affordable housing developments (all types)	No relief for affordable units	Yes, for MIHU
Policy of making surplus public land available for affordable housing	Not offered	Fees collected through MIHU program could be used to develop affordable housing on surplus public land
Inclusionary zoning/Moderately price dwelling unit policy	Starter home density bonus	Yes, Moderate Income Housing Unit (MIHU) program. All zones require MIHUs with percentage ranging from 10-20%
Voluntary	Voluntary	
Mandatory		
Fast track development for affordable housing	Not offered	"Critical economic development projects" are fast tracked
Fee waivers for affordable housing	Not offered	Not according to current fee schedule

Source: Root Policy Research.

SECTION IX.

FAIR HOUSING ENFORCEMENT, OUTREACH, AND RESOURCES

SECTION IX.

Fair Housing Enforcement, Outreach and Resources

This section meets the requirements of the Assessment of Fair Housing (AFH) template's Fair Housing Enforcement, Outreach Capacity, and Resources Analysis.

It covers:

- *A summary of federal, state, and local fair housing laws; and*
- *Local and regional agencies and organizations that provide fair housing information, outreach, and enforcement, including their capacity and resources available to them; and*
- *Unresolved charges or letters of findings from HUD concerning a violation of a civil rights-related law; a cause determination from a substantially equivalent state or local fair housing agency concerning a fair housing violation; a letter of findings issued as the result of a lawsuit filed or joined by the Department of Justice alleging a pattern or practice or systemic violation of a fair housing or civil rights law; or a claim under the False Claims Act related to fair housing, nondiscrimination, or civil rights generally, including an alleged failure to affirmatively further fair housing.*

Federal Fair Housing Laws and Statutes

Federal law that protects residents from discrimination in housing and facilitates equity in housing choice is found in a number of acts, which are summarized below. These federal laws and orders are investigated by the U. S. Department of Housing and Urban Development's (HUD) Fair Housing and Equal Opportunity Division (FHEO). The regional HUD FHEO office is located at The Wanamaker Building, 100 Penn Square East Philadelphia, PA 19107. Phone: (215) 656-05007, Fax: (215) 656-3445, TTY: 1 (800) 855-1155.

Fair Housing Act. Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), as amended, prohibits discrimination in housing and housing related services on the basis of race, color, religion, sex, national origin, handicap (disability), or familial status.

The Fair Housing Act (FHA) also includes affirmative requirements related to persons with disabilities. It is unlawful to refuse to make reasonable accommodations in rules, policies, practices, or services, if such an accommodation is necessary for a "handicapped" person to use the housing. Further, landlords must allow reasonable modifications of a dwelling or common use areas, if necessary for the handicapped person to use the housing.

The FHA also contains requirements for multifamily dwellings containing four or more units ready for first occupancy after March 13, 1991. All ground floor units must have:

- an accessible route into and through the unit;
- accessible light switches, electrical outlets, thermostats, and other environmental controls;
- reinforced bathroom walls to allow later installation of grab bars; and
- kitchens and bathrooms that can be used by people in wheelchairs.

In addition, all public and common areas must be accessible to persons with disabilities and all doors and hallways must be wide enough for wheelchairs.

Title VI of the Civil Rights Act of 1964 provides for nondiscrimination in federally assisted programs on the basis of race, color, or national origin. Title VI states that no person should be excluded from participation in, denied the benefit of, or subjected to discrimination in any program or activity receiving federal financial assistance.

Title I of the Housing and Community Development Act of 1974. Title I states that no person shall be denied the benefits of or be subjected to discrimination under any program or activity funded in whole or in part with funds made available through the Housing and Community Development Act on the basis of race, color, national origin, sex, age, or handicap (disability).

Housing for Older Persons Act (HOPA). HOPA makes several changes to the 55 and older exemption that was part of the FHA. Since the 1988 Amendments, the FHA has exempted from most of its familial status provisions properties that satisfy the Act's 55 and older housing condition.

First, it eliminates the requirement that 55 and older housing have "significant facilities and services" designed for the elderly.

Second, HOPA establishes a "good faith reliance" immunity from damages for persons who in good faith believe that the 55 and older exemption applies to a particular property, if they do not actually know that the property is not eligible for the exemption and if the property has formally stated in writing that it qualifies for the exemption. HOPA retains the requirement that senior housing must have one person who is 55 years of age or older living in at least 80 percent of its occupied units.

Fifty-five years and older properties are not exempt from other provisions of the law including providing reasonable accommodations to persons with disabilities.

Section 504 of the Rehabilitation Act of 1973. Section 504 states that no person because of their disability can be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Any individual who has a physical or mental disability which, for that individual, constitutes or results in a substantial limitation in one or more major life activities; has a history of such an impairment; or is regarded as having such an impairment is covered under Section 504. Current drug abusers and alcoholics who are not in recovery are not covered.

Section 508 of the Rehabilitation Act of 1973. Section 508 was enacted to eliminate barriers in information technology, to make available new opportunities for people with disabilities, and to encourage development of technologies that will help achieve these goals.

- The law applies to all Federal agencies when they develop, procure, maintain, or use electronic and information technology.
- Agencies must give disabled employees and members of the public access to information that is comparable to the access available to others.

Architectural Barriers Act of 1968. The Architectural Barriers Act (ABA) requires that certain buildings financed with federal funds be designed and constructed to be accessible to persons with disabilities. This Act covers

- Any building that is constructed or altered by or on behalf of the United States;
- that is leased by the Federal Government; or
- which is financed in whole or in part by a grant or a loan made by the United States.

The third application of this Act only applies to loans or grants which have specific design, construction, or alteration requirements attached to the performance of the grant or loan. In 1989 the HUD Secretary made a policy decision that the ABA would also apply to programs and activities funded under the CDBG program.

Section 3 of the Housing and Urban Development Act of 1968. The purpose of Section 3 of the Housing and Urban Development Act of 1968 is to ensure that low income and persons receiving public assistance for housing benefit from employment and economic opportunities generated by HUD financed projects. Section 3 requires that a grantee:

- Implement procedures to notify eligible residents within the community of training and employment opportunities generated by the grant award.

- Notify potential contractors and subcontractors of their responsibilities under this Act.
- Facilitate the training and employment of qualified residents.
- Ensure that all contractors and subcontractors are in compliance with Section 3 requirements.
- Document all actions taken to comply and report any impediments encountered and the results of any actions taken as a result of Section 3 requirements.

Section 3 requirements must be met only for Section 3 covered assistance, which is defined as:

- Public and Indian Housing Assistance;
- Section 8 and other housing assistance;
- housing rehabilitation;
- housing construction; and
- other housing assistance.

Both the grantee and subcontractors are covered if the grantee receives over \$200,000 and the subcontractor receives over \$100,000. Only the grantee is covered if the contractor or subcontractor receives less than \$100,000. All grantees, contractors, and subcontractors receiving Public and Indian Housing Assistance **MUST** comply with Section 3 requirements regardless of the amount of the award.

Executive Order 13217 (Community Based Alternatives for Individuals with Disabilities). Executive Order 13217 requires federal agencies to evaluate their policies and programs to determine if any can be revised or modified to improve the availability of community-based living arrangements for persons with disabilities.

Executive Order 13166 (Improving Access to Services for Persons with Limited English Proficiency). Executive Order 13166 seeks to eliminate to the extent possible Limited English Proficiency (LEP) as a barrier to full and meaningful participation in federally funded programs and services.

LEP Guidance. Recipients of federal funds are required to take reasonable steps to ensure meaningful access to their programs and activities by LEP persons. While designed to be a flexible and fact-dependent standard, the starting point is an individualized assessment that balances the following four factors (https://www.hud.gov/program_offices/fair_housing_equal_opp/promotingfh/lep-faq):

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the program or grantee;

2. the frequency with which LEP individuals come in contact with the program;
3. the nature and importance of the program, activity, or service provided by the program to people's lives; and
4. the resources available to the grantee/recipient or agency, and costs.

As indicated above, the intent of this guidance is to find a balance that ensures meaningful access by LEP persons to critical services while not imposing undue burdens on small business, or small nonprofits.

HUD has adopted a "safe harbor" for translation of written materials. The Guidance identifies actions that will be considered strong evidence of compliance with Title VI obligations. Safe harbors provide a starting point for recipients to consider:

- Whether and at what point the importance of the service, benefit, or activity involved warrants written translations of commonly used forms into frequently encountered languages other than English;
- Whether the nature of the information sought warrants written translations of commonly used forms into frequently encountered languages other than English;
- Whether the number or proportion of LEP persons served warrants written translations of commonly used forms into frequently encountered languages other than English; and
- Whether the demographics of the eligible population are specific to the situations for which the need for language services is being evaluated. In many cases, use of the "safe harbor" would mean provision of written language services when marketing to the eligible LEP population within the market area. However, when the actual population served (e.g., occupants of, or applicants to, the housing project) is used to determine the need for written translation services, written translations may not be necessary.

The table below sets forth safe harbors for written translations.

Size of Language Group	Recommended Provision of Written Language Assistance
1,000 or more in the eligible population in the market area or among current beneficiaries	Translated vital documents
More than 5% of the eligible population or beneficiaries <i>and</i> more than 50 in number	Translated vital documents
More than 5% of the eligible population or beneficiaries <i>and</i> 50 or less in number	Translated written notice of right to receive free oral interpretation of documents.
5% or less of the eligible population or beneficiaries and less than 1,000 in number	No written translation is required.

Based on the above safe harbors, LEP guidance is required in the following languages for the regional jurisdictions participating in this AI:

Anne Arundel County – 3.7% (19,094) of the total population is LEP. Vital documents must be provided in Korean (1,770) and Spanish (11,271).¹

City of Annapolis – 21.2% (7,740) of the total population is LEP. Vital documents must be provided in Spanish (6,405).²

City of Baltimore – 9.5% of the total population is LEP. Vital documents must be provided in Spanish (23,279).³

¹ https://www.lep.gov/maps/lma2015/Final_508/

² <https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkmk> The Census data for the City of Annapolis does not break the languages down other than Spanish.

³ <https://factfinder.census.gov/faces/tableservices/jsf/pages/productview.xhtml?src=bkmk> The Census data for the City of Baltimore does not break the languages down other than Spanish.

County of Baltimore - 4.7% (35,949) of the total population is LEP. Vital documents must be provided in Chinese (3,022), French (1,092), Korean (2,463), Russian (3,689), Spanish (11,566), Tagalog (1,618), Urdu (1,470) and Vietnamese (1,209).⁴

Harford County – 2.1% (4,877) of the total population is LEP. Vital documents must be provided in Spanish (1,817).⁵

Howard County – 7.7% (21,165) of the total population is LEP. Vital documents must be provided in Chinese (2,976), Korean (5,093), Spanish (5,233), and Vietnamese (1,014).⁶

State and Local Laws and Ordinances

The State of Maryland and jurisdictions represented in this study have protections that exceed those offered by the FHA, although those enhanced protections are inconsistent among jurisdictions. The state extends protections based on marital status, sexual orientation, and gender identity; most jurisdictions also extend these protections, in addition to source of income.

State of Maryland Human Relations Act, State Government Article §20-700⁷

It is the policy of the State of Maryland “to provide for fair housing throughout the State to all, regardless of race, color, religion, sex, familial status, national origin, marital status,⁸ sexual orientation,⁹ gender identity,¹⁰ or disability; and to that end, to prohibit discriminatory practices with respect to residential housing by any person, in order to protect and insure the peace, health, safety, prosperity, and general welfare of all.” State Government Article, §20-702, Annotated Code of Maryland.

The State of Maryland Commission on Civil Rights (MCCR), an independent State agency, is represented by the Office of the General Counsel. The Office is autonomous from the Attorney General’s Office per State Government Article, §20-206, which created an independent legal counsel for the agency. The Maryland General Assembly’s intent was to avoid conflicts of interest when the State is charged with unlawful discrimination in

⁴ Ibid

⁵ Ibid

⁶ https://www.lep.gov/maps/lma2015/Final_508/

⁷ [https://govt.westlaw.com/mdc/Browse/Home/Maryland/MarylandCodeCourtRules?guid=N45B27EE06CC011DEAFDEBD A78E040D7A&originationContext=documenttoc&transitionType=Default&contextData=\(sc.Default\)](https://govt.westlaw.com/mdc/Browse/Home/Maryland/MarylandCodeCourtRules?guid=N45B27EE06CC011DEAFDEBD A78E040D7A&originationContext=documenttoc&transitionType=Default&contextData=(sc.Default))

⁸ A protected class under the Equal Credit Opportunity Act

⁹ Not protected under federal law

¹⁰ Ibid

complaints filed with MCCR, as the Attorney General is the legal representative for State agencies.

The Maryland Commission on Civil Rights enforces the Maryland Human Relations Act and is designated as a Fair Housing Assistance Program (FHAP) by the U. S. Department of Housing and Urban Development. As Substantially Equivalent to HUD, it possesses similar powers as HUD to enforce the federal Fair Housing Act, as amended.

The local MCCR office is located at 6 Saint Paul Street, Suite 900, Baltimore, MD 21202-1631.

The City of Annapolis prohibits discrimination in housing on the basis of race, color, religion, sex, familial status, national origin, marital status,¹¹ sexual orientation,¹² source of income,¹³ or disability.

Anne Arundel County has a new 2019 fair housing ordinance that prohibits discrimination based on “age, ancestry, citizenship, color, creed, disability, familial status, gender identity or expression, marital status, national origin, occupation, race, religion, sex, sexual orientation, or source of income.”

The City of Baltimore prohibits discrimination “because of race, color, religion, national origin, ancestry, sex, marital status,¹⁴ physical or mental disability, sexual orientation,¹⁵ gender identity or expression,¹⁶ in addition to—as of 2019—source of income.¹⁷ Section 3-5 of the City Code includes explicit prohibitions against discrimination in insurance 3-5(c).¹⁸

Baltimore County. Article 3, Title 3, Subtitle 11 of the Baltimore County Code 2003 establishes and mandates the Baltimore County Human Relations Commission¹⁹ to investigate complaints of discrimination in the areas of employment, housing, education, public accommodations and finance on the basis of race, color, creed,²⁰ age,²¹ religion, sex

¹¹ A protected class under the Maryland Human Relations Act and the federal Equal Credit Opportunity Act

¹² Protected under the Maryland Human Relations Act

¹³ Local protection only

¹⁴ A protected class under the Maryland Human Relations Act and the federal Equal Credit Opportunity Act.

¹⁵ Protected under the Maryland Human Relations Act

¹⁶ Protected under Maryland Human Relations Act

¹⁷ Local protection only.

¹⁸ <http://ca.baltimorecity.gov/codes/Art%2004%20-%20CommunRel.pdf>

¹⁹ <https://www.baltimorecountymd.gov/Agencies/humanrelations/about.html>

²⁰ Local protection only

²¹ Protected under the federal Age Discrimination Act

(including sexual harassment and pregnancy), physical and mental disability, national origin, marital status,²² sexual orientation,²³ and gender identity or expression.²⁴ The definitions and procedures for executing the public policy to eliminate discriminatory practices within the County are contained in Article 29 of the Code.²⁵

Source of income protections had been introduced since the 2016 settlement with HUD yet had failed to pass until 2019. As of November 4, 2019, Baltimore County now protects source of income.

Harford County. Citizens within Harford County have the ability to file complaints of housing discrimination with the Harford County Human Relations Commission on the basis of race, color, creed, sex, national origin, age, occupation, political opinion, physical or mental disability, familial status, marital status, and personal appearance

²⁶

With the passing of source of income protections in Anne Arundel County, Baltimore City, and Baltimore County, Harford County is the only county in the region without source of income protection (Howard County has had source of income protection for more than 20 years). However, Harford County does include “occupation” as a protected class. Although this protection is not as comprehensive as source of income, it overlaps with source of income protections in some areas. Occupation is defined in the County Code as “The principal lawful activity of one’s life. Persons included in this definition are students, welfare recipients, retired persons and all other persons, irrespective of income, who are denied the equal protection of the laws.”

Howard County. The Howard County Human Relations Ordinance prohibits discrimination on the basis of race, creed, religion, disability, color, sex, national origin, age, occupation, marital status, political opinion, sexual orientation, personal appearance, familial status, source of income, or gender identity or expression in such a way that such person(s) are adversely affected in the area of housing.²⁷ Section 12.207 of the Howard County Code.

²² Protected under the federal Equal Credit Opportunity Act
<https://www.baltimorecountymd.gov/Agencies/humanrelations/about.html>

²³ Protected under Maryland Human Relations Act

²⁴ IBID

²⁵ Article § 29-2-101

²⁶ <http://www.harfordcountymd.gov/DocumentCenter/View/950/Human-Relations-Complaint-Form-PDF?bidId=>

²⁷

https://library.municode.com/md/howard_county/codes/code_of_ordinances?nodeId=HOCOCO_TIT12HESOSE_SUBTITLE_2HURI_S12.207UNHOPR

A unique aspect of the county's source of income protection is that it does not apply to multifamily developments once voucher holders comprise more than 20 percent of all tenants in each development.

The Howard County Ordinance includes a provision related to restrictive covenants not included in the federal law. The Howard County Ordinance states "[a]ny person may decline to accept a document affecting title to real or leasehold property if the document includes any discriminatory restrictive covenant. Refusal to accept delivery of an instrument for this reason shall not be deemed a breach of a contract to purchase, lease, mortgage or otherwise deal with the property." 12-207 III (b).

Summary of protected classes by county and city. The table below compares the protected classes covered by jurisdiction ordinances.

Protected Class	Counties				Cities	
	Anne Arundel County	Baltimore County	Harford County	Howard County	City of Annapolis	Baltimore City
Race	X	X	X	X	X	X
Color	X	X	X	X	X	X
Religion	X	X		X	X	X
National Origin	X	X	X	X	X	X
Sex	X	X	X	X	X	X
Familial Status	X		X	X	X	
Disability	X	X	X	X	X	X
Source of Income	X	X		X	X	X
Marital Status	X	X	X	X	X	X
Age	X	X	X	X		
Sexual Orientation	X	X		X	X	X
Gender Identity or Expression	X	X		X	X	X
Occupation	X		X	X		
Ethnicity						
Ancestry	X					X
Citizenship	X				X	
Immigration Status					X	
Creed	X	X	X	X		
Political Opinion			X	X		
Personal Appearance			X	X		

Regional and Local Capacity

This section reviews the capacity of the jurisdictional partners in enforcing fair housing laws and providing education and outreach activities, and highlights trends and challenges in fair housing enforcement. It is based on interviews with staff in each jurisdiction.

Overall, the region has a solid framework for enforcement of local fair housing ordinances. It appears that the commitment to fair housing is increasing, as evidenced by the recent passage of expanded fair housing protections in most jurisdictions. Regional capacity will grow stronger when the Fair Housing Center of

Baltimore Regional Fair Housing Group

The Baltimore Metropolitan Council (BMC) established the Baltimore Regional Fair Housing Group in 1996, to coordinate their duty to affirmatively further fair housing under the federal Fair Housing Act of 1968. In 1996, they created one of the first Regional Analyses of Impediments to Fair Housing Choice (AIs) in the nation and, since that time, has completed fair housing plans regionally.

The Fair Housing Group includes housing and community development officials from the cities of Annapolis and Baltimore, as well as Anne Arundel, Baltimore, Harford, and Howard Counties. It also includes leaders from public housing authorities in each of those jurisdictions.

BMC maintains a housing policy coordinator—a position funded by BMC and the participating jurisdictions—to coordinate the implementation of fair housing plans and report regional progress through local government Consolidated Annual Performance and Evaluation Reports (CAPERs).

City of Annapolis Human Relations Commission

The city's Human Relations Commission has statutory authority to investigate housing complaints brought under the city's ordinance. Complaints brought under the city's ordinance are rare and average about one per year. The most common complaint is source of income.

As such, the primary focus of the Commission is education and outreach on fair housing laws and challenges annually to real estate professionals and landlords and property managers and utilizes local law students to conduct outreach to residents.

Members of the Commission, city staff, and staff at the public housing authority were interviewed for the AI and offered the following observation about the state of fair housing in the city and capacity to address fair housing barriers:

- The city has some of the region's oldest public housing and the city has historically been very proactive in building publicly-supported housing, which is well dispersed in

the city. The city also has a moderately priced dwelling unit ordinance, which has been in place since 2004.

- Disparities in housing choice exist by racial and ethnic groups in homeownership and public programs: public housing residents are largely African American, while Hispanic residents are more likely to live in overcrowded conditions to manage affordability challenges. Residents of different races and ethnicities had tighter-knit communities when workplaces were more integrated, largely influenced by jobs on the harbor. Today, socioeconomic segregation has eroded those relationships in the city.
- Immigrants are challenged by lack of access to information, as well as renter discrimination. Education and outreach on how to landlords can better work with immigrant populations is desired. Non-English speakers have very little support in the city and would benefit from wrap-around services in schools and community navigators.
- The biggest challenge to developing housing in the city is NIMBYism.
- The city also has restrictions on allowed housing types that may contribute to limited housing choice.
- Transportation is designed to move workers and does not serve non-workers (e.g., persons with disabilities, elderly) well. The health clinic is difficult to access; Sunday service is limited.
- Lack of capacity also limits the city's ability to address fair housing challenges and affordability challenges in general.

Anne Arundel County Human Relations Commission

The 11-member Anne Arundel County Human Relations Commission exists to:

- Receive, mediate, and adjudicate complaints of discrimination in housing;
- Initiate and investigate matters relating to discrimination in housing;
- Provide mediation services;
- Conduct public hearings;
- Provide training and seminars in human relations;
- Conduct educational programs;
- Collect, research, assemble, analyze, and disseminate data and educational materials to assist in the elimination of discrimination;
- Make recommendations to the County Executive, the County Council, and County departments and offices on matters involving human relations, including housing discrimination, prejudice, and intergroup relations;
- Suggest proposed legislation to the County Executive or the County Council; and

- Cooperate with federal, state, and local commissions, agencies, organizations, and groups.

The Commission is mostly an advisory group for city staff and leadership. They are also committed to improving citizen knowledge and awareness of fair housing laws, as well as building support for equality of opportunity within the county.

The county now enforces fair housing violations brought under the new county ordinance; prior to this, complaints received by the commission were referred to the state. The state reports that complaints averaged 20 per year in the past 5 years with most related to disability, race, and other bases.

According to Commission members interviewed for this study, the county's primary fair housing challenges include: lack of landlord knowledge about fair housing laws (largely source of income protections); and landlords raising rents above the FMR, and/or setting security deposits very high to discourage applications from voucher holders. Steering by real estate agents is also thought to exist.

Low income households with disabilities need more rental options with accessibility/modification needs, with access to public transportation. The county is working to consolidate transportation solutions by linking public transportation to major places of employment, including service sector clusters. The largest challenge, however, is simply the lack of multifamily development to accommodate demand.

Board members interviewed for this AI raised concerns about displacement as the county develops, unreported discriminatory activity that past testing has detected, and NIMBYism, which has been more prevalent in recent years. Commission members believe that enhanced investment into community outreach and training to help residents work through their biases is critical for addressing NIMBYism. "This is about equality of opportunity—not we are better than others."

Baltimore City Community Relations Commission

The Baltimore City Community Relations Commission (CRC) which is one the two divisions in the Office of Equity and Civil Rights, is the City Agency that investigates claims of discrimination and assists people who have been discriminated against in employment, public accommodation, housing, education, and health and welfare services. CRC enforces article 4 which prohibit discrimination based on race, color, religion, national origin, age, ancestry, sex, physical or mental disability, sexual orientation, gender identity and expression, or marital status is illegal in the City of Baltimore.

CRC consists of 10 members who serve without compensation and every year the members of the Commission elect a Commission Chair. Since the 2012 Analysis of Impediments, the Agency has a new director and has increased the number of staff who investigate complaints. The Agency applied for and was awarded a HUD Fair Housing

Initiatives Program (“FHIP”) grant to conduct education and outreach. The award was announced in April 2019 and is effective July 1, 2019 through June 30, 2020. As a result of the education and outreach conducted, the number of Fair Housing complaints has increased from four in 2018 to twelve as of October 2019. The Agency has had discussions with HUD about becoming a Fair Housing Assistance Program (“FHAP”) agency. However, it was determined that Baltimore City will first have to make its fair housing law substantially equivalent to the Fair Housing Act.

Complaints investigated by the state but brought by or against Baltimore City residents or organizations in the past 5 years were largely related to disability followed by race, and averaged 22 per year.

Baltimore County Human Relations Commission

The Baltimore County Human Relations Commission (BCHRC) is composed of an Executive Director and 15 members who are appointed by the County Executive to serve a two-year term. BCHRC enforces the County's antidiscrimination law, Article 29 of the Baltimore County Code, 2003. To serve residents of the County, BCHRC provides the following services: assist residents who believe they have experienced discrimination, offer mediation services, solicit community input through surveys and community engagement events, host and cosponsor events that promote harmony and resolve human relations issues, recognize outstanding individuals and organizations that exemplify the principles of anti-bias and antidiscrimination.

Baltimore County's focus has been to address the issues and solutions identified in the Voluntary Compliance Agreement (VCA), 2012 AI and 2014 FHEA. In the past two and a half years, more than a 1,000 affordable housing units have been added to the Baltimore market. The county also successfully passed source of income protections in November 2019.

According to staff, limited Community Development Block Grant funds, affordable housing trust funds, discrimination and redlining in mortgage lending, and lack of infrastructure in rural parts of the county are having an impact on development. County staff also mentioned a decline in mortgage lenders that could also be affecting housing choice: In 2009, there were 21 mortgage lenders participating in Baltimore County CDBG program. In 2018, there are only 9. Homeowner counseling is also needed to ensure that first time borrowers can respond to payment challenges, which has been an issue in the past. In the past program year, the county awarded five subgrantees CDBG funding to provide Housing Counseling services to residents.

A major barrier to employment and access to opportunity in the county is transportation. Cancellation of the Red Line Project was a disappointment. Current transportation is inadequate to meet the level of need and a study is needed to determine a solution.

Staff offered solutions to addressing fair housing challenges, many of which involved increases in capacity:

- Cooperation and coordination needs to occur with all of the regional voucher programs and BRHP so that residents can apply for vouchers more easily;
- Fund education and outreach to address the NIMBYism that has occurred over past five years to increase the knowledge of the community, landlords and elected officials about fair housing. Education and outreach activities have occurred in Essex, Dundock and Randallstown communities; more of these activities need to take place in other areas of the county and region;
- An active regional fair housing organization needs to exist.

Like other jurisdictions, complaints investigated by the state but brought by or against Baltimore County residents or organizations were largely related to disability followed by race, and averaged 17 per year.

Harford County Human Relations Commission

The Harford County Human Relations Commission is a group of 15 volunteer citizens dedicated to alleviating social problems and promoting equality, understanding, and harmonious relations between the citizens of the county. The County Executive or the council may refer to the commission for review and recommendation, any matters related to the commission's functions and duties. The authority of the Commission is not equivalent to the federal law in that it does not include religion as a protected class. Citizens in Harford County can still file complaints with the Maryland Commission on Civil Rights. Citizens may file discrimination complaints locally with the Human Relations Commission Coordinator.

Complaints investigated by the state but brought by or against Harford County residents or organizations in the past 5 years were mostly related to disability, and averaged fewer than 5 per year.

Staff report that most of their cases are related to gender, sexual harassment, and reasonable accommodations; many complaints are resolved through mediation. The county worked closely with the former BNI to conduct fair housing education and outreach and training.

According to Harford County staff, who were interviewed for this study, the county's greatest housing challenge is in serving extremely low income renters, for whom LIHTC properties are unaffordable.

A secondary challenge is transportation for county workforce: the MARC commuter rail system is better at moving people out of the county into job centers than moving workers from outside the county into county centers of employment.

For HUD block grant allocations, the county prioritizes infrastructure improvements, public services (homeless services, case management, nonprofit support), homeownership rehabilitation, and new affordable housing development. The county also provides development incentives for affordable housing creation in the form of reduced property taxes.

One of the strongest assets of the county, in furthering opportunity, is its open choice system for schools. The county also provides transportation to facilitate choice. The county also has a robust community college system.

Howard County Human Rights Commission

Established in 1975 by the County Executive and County Council, the Office of Human Rights (OHR) functions pursuant to the Howard County Code, Section 12.200-12.218 and enforces the Howard County Human Rights Law.

Since the 2012 AI, Howard County Human Rights Commission has undertaken numerous fair housing education efforts to landlords, building owners, rental agents and real estate agents. Through the Howard County Association of REALTORS (HCAR), Office of Human Rights staff provide credit courses in Howard County fair housing law. The County sponsors annual fair housing training sessions for landlords and property owners. The County also works with housing counselors, non-profits and lenders to increase homeownership opportunities through the MIHU Program. The County also offers closing cost assistance funds to first-time homebuyers and homebuyers that live and/or work in the County. OHR has increased outreach to Indian, Korean, Chinese, and other Asian constituencies and has published brochures in Korean, Chinese, and Spanish.

The Human Rights office averages between 40 and 50 housing cases a year, with 64 cases investigated between 2018 and June 2019. Most of these involved federal protected classes (43); the balance were due to source of income. The office has three investigators who investigate claims within 100 days. According to staff, the biggest challenges faced by residents are discriminatory actions based on ethnicity, which undocumented residents are afraid to report.

Staff also conduct fair housing outreach and education activities and make a point to “go into the community” to conduct training rather than ask residents to come to county offices.

Howard County is one of only a few jurisdictions in the state that has had “source of income” protections for more than 20 years. This allows voucher families greater flexibility in terms of where they want to live.

According to staff, the primary challenges to furthering opportunity is underfunded public transit systems; mobility in the county is very challenging for low income renters who do not have a car.

Complaints investigated by the state but brought by or against Howard County residents or organizations in the past 5 years were very few—only 11 exist between 2014 and 2018.

Local Organizations

BNI and Maryland Fair Housing Action Center. Baltimore Neighborhoods, Inc. (BNI), which closed in 2018, conducted matched paired housing testing throughout all Fair Housing Group members' jurisdictions; led regional training for housing counselors, attorneys, real estate agents, property owners and managers, and homebuilders; and investigated fair housing complaints.

The organization was reconstituted with a new Board of Directors in 2019 and reopened as Maryland Greater Fair Housing Action Center with funds from several participating jurisdictions and support from local non-profits and the National Fair Housing Alliance.

Disability Rights Maryland (DRM) is the State's designated Protection & Advocacy (P&A) agency and a member of the National Disability Rights Network (NDRN). As such, DRM is statutorily authorized to conduct investigations of suspected abuse and neglect of individuals with disabilities in facilities within the State of Maryland. DRM plays a significant role in representing persons with disabilities on matters involving segregation, housing discrimination, refusal to make reasonable accommodations, improving accessibility in housing, and developing more accessible and affordable housing. The Bailey Consent Decree, described below, was brought by DRM and resulted in the development of hundreds of new, accessible affordable housing units within Baltimore County and establishment of a modification fund to assist resident to make necessary improvements, such as installation of ramps, modifications in bathrooms and kitchens and others to ensure persons with disabilities can have full use and enjoy housing units in areas of opportunity.

HPRP voucher program. In December 2015 the U.S. Department of Housing and Urban Development (HUD) awarded the Howard County Housing Commission a seed grant to establish the Baltimore Regional Project-Based Voucher (PBV) program. This initiative involving local partnering agencies: Baltimore County Office of Housing, Baltimore Metropolitan Council, Baltimore Regional Housing Partnership, Harford County Housing and Community Development, Housing Authority of Baltimore City, Housing Authority of the City of Annapolis, Housing Commission of Anne Arundel County and Howard County Housing Commission working cooperatively to improve access to housing within the Baltimore region for voucher holders.

Under this program, which has now received funding beyond the initial support from HUD, allows landlords, developers and property owners to apply for one-time subsidies for use in the cities of Annapolis and Baltimore and Anne Arundel, Baltimore, Harford, and Howard Counties. Thus far, 64 vouchers have been awarded of the 150 that are to be in use by 2020.

Fair Housing Cases

There have been a number of high-profile fair housing complaints and cases that have been brought that have directly and indirectly impacted the Baltimore Region. Favorable decisions under the Fair Housing laws for plaintiffs were granted in all of the legal and administrative challenges that occurred within this period. These fair housing enforcement activities provide the context for assessing progress and impediments within the Baltimore Region.

Thompson v. HUD

Summary of facts. On November 20, 2012, the U.S. District Court of Maryland granted final approval of a settlement of the *Thompson v. HUD* fair housing case, which was filed in 1995 by then-current and former African American public housing residents against the Department of Housing and Urban Development (HUD), the Housing Authority of Baltimore City (HABC), and the City of Baltimore. These plaintiffs were represented by the American Civil Liberties Union (ACLU) and asserted that HABC and HUD sited public housing exclusively in racially concentrated impoverished neighborhoods, which perpetuated racial segregation and violated the Fair Housing Act.

In 1996, a partial consent decree (“PCD”) was entered that allowed the City and HABC to raze high rise public housing developments, to redevelop them into HOPE VI mixed income developments. In order to do that, however, Baltimore City and HABC were required – and funded by HUD – to build off-site housing in low-poverty, non-racially-concentrated areas and to create a new regional housing mobility program using additional HUD-awarded Housing Choice Vouchers. That program became known as the Baltimore Housing Mobility Program.

Settlement terms and conditions. The fair housing issues unresolved by the PCD were tried in December 2003. HUD was found liable for its failure to Affirmatively Further Fair Housing. The City and HABC were not found liable. The 2012 settlement agreement that was approved by the U.S. District Court contained the following Terms and Conditions:

- **Regional Housing Opportunities.** Continuation of the successful mobility program launched in an earlier phase of the *Thompson* case. Under the partial consent decree, this program provided Housing Choice Vouchers and high-quality housing counseling to assist more than 1,800 families who voluntarily chose to move from public housing and other areas of deep poverty in Baltimore City to neighborhoods throughout Baltimore City and the surrounding region that are low in poverty and offer better educational and economic opportunities. The settlement agreement provided for up to 2600 additional families to receive this opportunity through 2018.
- **Incentives for Affordable Housing Development.** HUD will seek to provide incentives for private housing developers to include affordable units for families when

FHA insured market-rate developments are built in communities of opportunity throughout the Baltimore region.

- **On-line Housing Locator.** HUD will develop an online listing to provide assistance to families in locating public housing and other affordable housing opportunities throughout the Baltimore Region.
- **Regional Opportunity Study.** HUD will sponsor a study of housing opportunity throughout Baltimore City and the surrounding region.
- **Civil Rights Reviews.** For a period of at least three years, HUD will conduct civil rights reviews of particular plans and other proposals submitted to HUD for approval, involving certain federally funded housing and community development programs in the Baltimore Region. In these reviews, HUD will pay particular attention to the impact of the plans and other proposals, individually and collectively, on the creation of a broader geographic distribution of available desegregated housing.

Baltimore County NAACP et. al. v. Baltimore County

Summary of Facts. The complainants—the Baltimore County chapter of the NAACP, Baltimore Neighborhoods, Inc., and three named Housing Choice Voucher clients—alleged in a 2011 complaint that the policies and practices of the Housing Office and county housing policies in general violated provisions of federal law, including, but not limited to, the Fair Housing Act and the Americans with Disabilities Act. The alleged primary impediment was the lack of affordable and affordable, accessible rental housing for families in areas that are not racially impacted. The County and the complainants agreed to engage in conciliation with HUD and then spent the next four-plus years in negotiations.

Settlement Terms and Conditions: On March 9, 2016, HUD, the complainants, and Baltimore County executed an agreement that included the following commitments:

1. The County will take all necessary steps to cause private developers to develop 1,000 homes affordable to families earning 60 percent or 30 percent of area median income in particular Census tracts in the County. The County has established funding at \$3 million per year for 10 years to leverage financing for the creation of these homes. All units must have deed restrictions providing for 15 years of affordability.
2. The County will also operate a Mobility Counseling Program whose aim is to offer expanded housing opportunities to families to avoid clustering voucher and other rental assistance users in segregated or low income areas. Within 10 years, the County must locate 2,000 families into certain defined Census tracts.
 - a. With some exceptions, to be eligible, the head of household, spouse, or partner must be employed, in a training program, willing to participate in training, or is disabled.

- b. The program must offer certain services to the participants, including counseling pursuant to a plan developed for each family; credit repair; financial literacy; housekeeping and maintenance tips; orientation on “good neighbor” relationships; negotiating and understanding a lease, etc.
 - c. The agreement also establishes a Modification Fund to help pay for things such as ramps and safety devices in showers for the disabled, continued support for housing outreach and education, and training for county employees on fair housing issues.
- 3. The County must introduce Source of Income Legislation repeatedly until passed. The legislation states when considering an individual’s rental application, the landlord must consider government benefits like social security, veteran’s benefits, disability payments and Section 8 vouchers as income. The Baltimore County Council approved this legislation in November 2019.
- 4. The County Office of Housing will establish a "Reasonable Accommodations Coordinator" position. The primary duties of the Reasonable Accommodations Coordinator are to coordinate and oversee outreach, training, and technical assistance to program participants and landlords participating in the Housing Choice Voucher Program. The Office of Housing must coordinate with the Department of Planning to identify and refer families to the Modification funds to address accessibility needs.
- 5. The three individual complainants will receive payments of \$40,000, \$50,000, and \$60,000 and the County paid \$390,000 in attorneys’ fees plus \$9,000 in expenses to be divided among the lawyers who represented the two organizations that filed the complaints.

Additional information can be found on the Baltimore County Government website at <https://www.baltimorecountymd.gov/Agencies/planning/fairhousing/hudconciliation.html>

Baltimore Regional Housing Campaign v. State of Maryland

Summary of facts. The Baltimore Regional Housing Campaign resolved a fair housing complaint against the State of Maryland’s Department of Housing and Community Development (DHCD) for allegedly perpetuating segregation under its Qualified Allocation Plan (QAP). The Baltimore Regional Housing Campaign is a Baltimore-based nonprofit coalition comprised of the Citizens Planning and Housing Association, Baltimore Regional Initiative Demanding Genuine Equality (BRIDGE), the Greater Baltimore Urban League, Innovative Housing Institute, Poverty & Race Research Action Council, and the American Civil Liberties Union.

The crux of the complaint is that the state of Maryland passed legislation that required local approval of Low-Income-Housing Tax Credit projects as part of its QAP application process. The suit asserted that the local approval requirement was a pocket veto that

restricted the affordable housing development in areas of opportunities and perpetuated racial segregation through the LIHTC program.

Settlement terms and conditions. On September 28, 2017, HUD facilitated the resolution of this complaint by the execution of a Voluntary Conciliation Agreement with the complainants and Maryland DHCD. That agreement states:

1. DHCD will not reinstate Local Approval requirement (which had been removed by State legislation in 2014) or any related scoring incentive in the QAP and its regulations unless required by law.
2. Family Housing in Communities of Opportunity will continue to be eligible for the basis boost, without the need for prior approval from DHCD, as provided in the 2016 QAP Section E.3.
3. DHCD will ensure that no fewer than 1,500 units of Family Housing that are financed, in whole or in part with LIHTC, are developed in Communities of Opportunity within the Baltimore Region, of which no fewer than 1,050 units will be net new construction units.
4. DHCD will revise its scoring criteria in Section 4.3 of the Guide for Transit Oriented Development ("TOD") to award the full complement (currently 8) of TOD points to any Family Housing proposal in a Community of Opportunity.
5. Amend plans to now award points to any proposal to develop family housing in a community of opportunity (including providing more of an incentive for homes with two or more bedrooms).
6. Expand affirmative fair housing marketing activities.
7. Pay \$225,000 to promote the mission of the local fair housing groups.

Bailey Supplemental Consent Decree

Summary of facts. On October 30, 2015, U.S. District Judge J. Frederick Motz of the District of Maryland approved a supplemental consent decree between the United States, the Maryland Disability Law Center (now Disability Rights Maryland), and the Housing Authority of Baltimore City (HABC). It continued and amended certain terms in the original consent order in *United States v. HABC*, and *Bailey v. HABC*, entered on Dec. 20, 2004. The original consent decree contained terms and conditions aimed at providing accessible housing to persons with disabilities, including non-elderly persons with disabilities, who were allegedly discriminated against by HABC.

Settlement terms and conditions. The original consent decree mandated that HABC create 756 units to comply with federal accessibility standards, 500 project-based voucher

units for non-elderly persons with disabilities, and 100 new housing opportunities for non-elderly persons with disabilities called “Long Term Affordable” units.

Under the supplemental decree, HABC was required to complete the creation of the outstanding units. In addition, because HABC had transferred a number of its public housing properties to new owners under the Rental Assistance Demonstration (RAD), the Supplemental Decree included the requirement to occupy the units from HABC’s waitlists, preserve the accessibility of the units, and implement the policies and practices that protect the rights of tenants with disabilities.

City of Baltimore v. Wells Fargo Bank

Summary of facts. On July 12, 2012, U.S. District Court Judge John D. Bates District of Columbia approved a settlement between the City of Baltimore and Wells Fargo to resolve a landmark fair lending lawsuit against Wells Fargo, and concurrently with the United States Department of Justice, that resulted in a national fair lending settlement with Wells Fargo worth at least \$175 million.

In its complaint, the City of Baltimore asserted that Wells Fargo intentionally targeted predatory mortgage lending practices at the City’s minority communities. African American borrowers were steered to and offered abusive and exploitive subprime loans in violation of the Fair Housing Act.

Settlement terms and conditions. Under its agreement with the City, Wells Fargo agreed to provide \$4.5 million in direct down payment assistance to qualifying Baltimore homebuyers, an additional \$3 million for the City to use for priority housing and foreclosure-related initiatives, and \$425 million in prime mortgage loans in Baltimore over five years, including \$125 million in low and moderate income neighborhoods.

Under the Justice Department’s national settlement, Wells Fargo agreed pay at least \$125 million in compensation to minority borrowers who were overcharged or steered into subprime loans, including borrowers located in Baltimore City. More than 1,000 Baltimore borrowers are expected to receive an average award of \$15,000 for being improperly steered into a subprime loan and an additional \$50 million for down payment assistance to borrowers in eight metropolitan areas, including Baltimore.

On May 15, 2018, Wells Fargo committed \$500,000 over five years to help Jubilee Baltimore implement the Central Baltimore Partnership’s plan for revitalizing six city neighborhoods. The six neighborhoods are Charles North, Greenmount West, Barclay, Old Goucher, Remington, Charles Village and Harwood²⁸.

²⁸ <https://www.bizjournals.com/baltimore/news/2018/05/16/wells-fargo-provides-500-000-grant-for-baltimore.html>

Residents of Annapolis Housing Authority v. City of Annapolis and Housing Authority of the City of Annapolis

In June 2019, 10 plaintiffs, representing their families and residents of the Housing Authority of the City of Annapolis, filed a complaint alleging that:

- 1) The City and Housing Authority have forgone their statutory obligation to inspect and license the leased properties owned by the Housing Authority;
- 2) The housing authority has a long-standing pattern and practice of preventing African American and other Black persons from residing in predominantly White communities in Annapolis, which furthers racial segregation; and
- 3) Through these actions, the City and Housing Authority have perpetuated violations of the Plaintiff's rights under the Fair Housing Act, as amended.

The complaint alleges that the City has failed to evenly enforce its code by not licensing or inspecting the Housing Authority properties, and that these are the only rental properties within the city that are neither licensed nor inspected. The complaint further alleges that this lack of action is in violation of the state Maryland Housing and Community Development Code, which requires that all housing projects of an authority are subject to local land use, health, and safety laws. The complaint also alleges that the failure to inspect the Housing Authority properties is a violation of the City's duty to affirmatively further fair housing, a condition for receiving federal community development block grant funds.

In April 2020, additional plaintiffs joined the complaint. At the time of this study, the plaintiffs and defendants were considering a resolution through mediation.

SECTION X.

FAIR HOUSING GOALS AND PRIORITIES

SECTION X.

Fair Housing Goals and Priorities

This section describes the fair housing goals and priority focus areas for the jurisdictions participating in the 2020 Baltimore Regional AI. It begins with a discussion of fair housing challenges and the “contributing factors” to those challenges. The section ends with the action steps that BMC and each participating jurisdiction will take to address the contributing factors, thereby addressing priority fair housing issues.

Many of the most significant challenges in the region affect demographic groups who experienced historical patterns of segregation, denial of homeownership opportunities (a key component of wealth building in this country), limited access to good quality schools, and discrimination in both employment and housing markets. In the Baltimore region, these residents are also disproportionately likely to be people of color, especially African Americans. Residents with disproportionate needs and limited resources were given the most consideration in crafting fair housing action items.

Fair Housing Issues and Contributing Factors

The AFFH framework focuses on “fair housing issues”—defined as “a condition in a program participant’s geographic area of analysis that restricts fair housing choice or access to opportunity, and includes such conditions as racially and ethnically concentrated areas of poverty, significant disparities in access to opportunity, disproportionate housing needs, and evidence of discrimination or violations of civil rights law or regulations related to housing.”

Fair housing issues differ from “impediments”—the operative term in past AIs—in that they identify the conditions that create barriers to housing choice. Contributing factors align more closely with impediments in that they identify actions of public and private sector actors that create barriers to choice.

The regional action plan to address the challenges identified in this study will focus on the following fair housing issues—and addressing the barriers or “impediments” that continue to exist:

Fair Housing Issue No. 1: A significant shortage of deeply affordable rentals and/or public subsidies in the region, especially in opportunity areas, results in cost burden, overcrowding/doubling up, an increased risk of eviction, a higher risk of homelessness, and a lack of economic opportunity. Although this shortage affects all poverty-level households in the region, African Americans and persons with disabilities are

disproportionately likely to experience the negative consequences from this shortage of rental units, both overall and in safe communities with access to high-performing schools.

Contributing factors:

- Continuing and widening wealth disparities,
- Community opposition to affordable housing,
- Limited public subsidies for extremely low income households,
- Limited resources to create needed rental housing, and
- Land use and zoning laws that limit the amount and location of multifamily housing development.

Fair Housing Issue No. 2: Significant differences in attaining homeownership

exist for African American and Hispanic residents, who have significantly lower ownership rates (in the 40-60% range) in all jurisdictions in the region. The lower ownership rates are a result of mortgage loan denials, geographic bias in lending (“lending deserts”), low appraisals in areas with affordable homeownership opportunities, and an inability for households to save for a down payment due to differences in economic status.

Contributing factors:

- Lending discrimination,
- Low home values in neighborhoods suffering disinvestment that then themselves constitute a barrier to new investment.
- Current and increasing wealth disparities,,
- Limited public resources to invest in neighborhoods needing significant revitalization, and
- High land costs, particularly in opportunity areas, due to limits on development opportunities and other factors.

Fair Housing Issue No. 3: Unequal access to economic opportunity exists, fueled by unequal access to high quality schools for children and unequal access to jobs for adults, especially for those relying on public transportation. These differences are greatest for African American residents.

Contributing factors:

- Limited affordable housing in areas with high quality schools,
- Inadequate resources in low performing schools,
- Inadequate educational attainment of many working-age adults,

- Availability, frequency, and access to areas of employment using public transportation, and
- Lack of readily available data on residency of Maryland DHCD-supported housing by race, disability, and voucher status to assist in evaluating how well this housing is addressing this unequal access.

Fair Housing Issue No. 4: Insufficient resources to revitalize high poverty neighborhoods. Revitalization of many of the region’s most challenged neighborhoods requires significant public and private sector support to catalyze redevelopment and to preserve existing affordable housing as redevelopment occurs to mitigate affordable housing loss and resident displacement.

Contributing factors:

- Current and increasing wealth disparities,
- Private disinvestment as evidenced by vacant and abandoned buildings
- Declining federal resources for revitalization.

Fair Housing Issue No. 5: Need for fair housing education and enforcement.

Awareness of fair housing obligations by residents and property owners and vigorous enforcement of those obligations are both critical to ensure that fair housing protections are effective. The new Fair Housing Action Center of Maryland provides a new opportunity for both education and proactive paired testing to enforce fair housing protections.

Approach to Address Barriers

There are many, significant efforts underway in the region to address the challenges identified above—including a well-established regional focus on mitigating fair housing challenges. The aim of this study is to further many of those efforts, strengthen others, and implement new actions.

Prioritization of fair housing issues. Prioritization of the fair housing issues was guided by HUD’s direction in the Assessment of Fair Housing (AFH) rule, as the AI guidance provides less direction on prioritization. In prioritizing the contributing factors to address, highest priority was given to those contributing factors that, for one or more protected classes:

- Limit or deny fair housing choice;
- Limit or deny access to opportunity; and
- Negatively impact fair housing or civil rights compliance.

To that end, the jurisdictions and housing authorities participating in this study propose the action items detailed in the matrices that follow.

In addition to actions specific to each local jurisdiction, high-impact regional actions include:

- 1) Continue to collaborate regionally to address barriers and expand capacity to further housing choice for all protected classes;
- 2) Continue and increase rental housing options through regional mobility efforts to enable choice among voucher holders, and expand affordable, accessible rental housing;
- 3) Advocate for criteria in the Low Income Housing Tax Credit (LIHTC) program that increases affordable and accessible rental stock in areas of opportunity and also catalyzes revitalization;
- 4) Advocate for programs and policies to address homeownership disparities among protected classes;
- 5) Preserve existing housing and mitigate displacement of low income households; and
- 6) Establish a strong, central fair housing agency.

Regional Fair Housing Action Plan

ROW #	REGIONAL ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
Enhance regional fair housing capacity				
1	Continue to support housing policy coordination staffing at BMC to coordinate the implementation of the Action Plan in the 2019 Regional AI and reporting of regional progress through local government Consolidated Annual Performance and Evaluation Reports (CAPERs).	Resources for regional coordination of commitments to affirmatively furthering fair housing choice	Local jurisdictions, BMC	Jurisdictions increase their contributions to BMC regional coordination to a total of \$60,000/year beginning July 1, 2020. In addition to ongoing coordination, BMC produces progress report each summer that local governments incorporate into their CAPERs.
2	Coordinate regionally to support the new Fair Housing Action Center of Maryland. Ensure systematic paired testing for discrimination, including for Maryland's new law banning discrimination based on source of income.	Disparities in access to opportunity; private discrimination; lending discrimination; lack of local private fair housing outreach and enforcement; need for resources for fair housing agencies and organizations	Local jurisdictions, BMC	Jurisdictions will set training and testing goals in conjunction with Fair Housing Action Center as the Center's capacity becomes more clear.
3	BMC continue to convene local and State housing agencies with housing practitioners and advocates through BMC's Housing Committee to review progress on implementing 2019 Regional AI action steps and strategize on further action.	Need for regional cooperation and stakeholder involvement in carrying out commitments to affirmatively furthering fair housing choice	BMC, Chair of Fair Housing Group	BMC and Fair Housing Group Chair to convene BMC Housing Committee quarterly or as needed on an ongoing basis.
Increase rental housing options				
4	Sustain the Baltimore Regional Project-Based Voucher (PBV) Program beyond the initial 2015 HUD seed grant, identifying new funding for the program's operations and contributing vouchers as appropriate.	Disparities in access to opportunity; location & type of affordable housing; resources for regional coordination of commitments to affirmatively furthering fair housing choice	PHAs, BRHP, & BMC	1) PHAs and BRHP contribute a total of \$60,000/year toward BMC coordination of Regional PBV Program beginning July 1, 2020 2) Contribute an additional 50 vouchers in FY 2021. 3) 34 units occupied in FY 2021. 4) 200 vouchers awarded and 120 units occupied by June 30, 2025. Goals will be revised annually, as needed, based on an evaluation of the adequacy of regional pool of vouchers and resources for counseling.

ROW #	REGIONAL ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
5	Continue to monitor the Maryland Department of Housing and Community Development's (DHCD's) awards of Low Income Housing Tax Credits (LIHTC) and advocate for Qualified Allocation Plan (QAP) policies that: a. Ensure the Baltimore metropolitan area receives at least 50 percent of Maryland tax credits awarded, reflecting the Baltimore area's proportion of the State's low income population. b. Award 65% of the region's credits to family developments in opportunity areas in order to address past inequities, while focusing remaining awards in comprehensive revitalization areas.	Disparities in access to opportunity; location and type of affordable housing; siting selection policies, practices and decisions for publicly supported housing, including discretionary aspects of Qualified Allocation Plan and other programs	BMC, local jurisdictions and PHAs	BMC compiles analysis of DHCD LIHTC awards each year and coordinates Fair Housing Group regional comments to DHCD when DHCD asks for input. Chairs of Fair Housing Group and PHA group help lead effort to compile regional comments. Goals for 9% LIHTC awards FY 2021-2025 include 2300 units awarded in Baltimore region, including 1500 family units in areas of opportunity and 800 units contributing to concerted community revitalization plans.
6	Baltimore-area PHAs see the merit in a regional mobility counseling program and will seriously consider applying for the HUD Mobility Demonstration once the requirements are made known through the HUD NOFA.	Disparities in access to opportunity	PHAs, BMC	Review HUD NOFA when it is issued and make application decision. Any application would then contain metrics for success if awarded.
7	Continue to distribute portability educational booklets and show video in all PHA voucher briefings. Conduct an electronic survey of voucher holders who have ported within the metropolitan area in the last two or more years and, where possible, attempted to port in order to identify how much difficulty they may have experienced. Use the findings to develop plans for intra-regional ports moving forward.	Disparities in access to opportunity; potential impediments to portability	PHAs, BMC	Distribution of portability education booklet and showing of video at voucher briefings ongoing. By end of FY 2021 devise and administer electronic survey of voucher holders who have recently ported or attempted to port. Analyze results and take action if they indicate the need.
8	Through Regional Preservation Task Force, assist local governments in designing affordable housing contracts to facilitate preservation at their expiration.	Loss of affordable housing	BMC, legal jurisdictions, PHAs	Develop model language and identify points of leverage to insist on affordability contracts that will facilitate preservation. Track use of such language -- numbers of contracts that include it.
9	Ensure that PHA policies do not have a disparate impact on the ability of persons with disabilities to obtain and maintain housing, offering a reasonable accommodation whenever required.	Access to publicly supported housing for people with disabilities	PHAs	PHAs review their policies by the end of FY 2021 and implement any needed changes.

ROW #	REGIONAL ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
10	Ensure that people with disabilities have control in the choice of their service provider by prohibiting leases that require tenants to receive supportive services from the provider operating the housing. Ensure that tenants cannot be evicted or discharged for reasons unrelated to their housing or a breach of their lease.	Access to publicly supported housing for people with disabilities; need for affordable, integrated housing for individuals who need supportive services.	PHAs	Include this topic in PHA policy review to be completed by the end of FY 2021.
Increase ownership opportunities for under-represented households				
11	Engage lenders in discussions about homeownership and mortgage lending disparities and how to address. Seek investments in financial literacy programs (including in schools) and assistance in helping subprime loan holders refinance to conventional loans. Develop specific action steps to address disparities in the minority homeownership rate.	Disparities in homeownership rates; access to financial services	BMC	Continue conversations with lenders begun through development of 2020 Regional AI and engage Housing Committee. Develop action plan by end of fiscal year 2021.
Address barriers to equalizing access to opportunity				
12	Support transformative investments in Racially/Ethnically Concentrated Areas of Poverty (R/ECAPs) and similarly highly challenged markets, such as the renewal of State Project CORE (Creating Opportunities for Renewal and Enterprise) funding for Baltimore City.	Disparities in access to opportunity; deteriorated and abandoned properties; need for significant investment in particular neighborhoods	Local jurisdictions, BMC	Local governments, coordinated by BMC, submit letter to governor at appropriate time supporting renewal of Project CORE funding for Baltimore City and other appropriate transformative investments in RCAPs.
13	Support improved public transit access, including for persons with disabilities, to suburban job centers and opportunity areas with multifamily housing.	Disparities in car ownership; availability, type, frequency, and reliability of public transportation; location of employers	Local jurisdictions, BMC	BMC use Preservation Database to conduct analysis of concentrations of multifamily housing in areas of opportunity in fiscal year 2021 to inform implementation of Central Maryland Regional Transit Plan. Continue to facilitate engagement by housing agencies and stakeholders in regional transit planning process.

ROW #	REGIONAL ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
14	Work with relevant agencies, such as the Maryland Transit Administration (MTA), to explore State or regional/federal support for alternatives to public transportation, such as Vehicles for Change, Lyft, Uber, etc., ensuring accessibility for persons with disabilities.	Disparities in car ownership; availability, type, frequency, and reliability of public transportation; location of employers; access to transportation for persons with disabilities	BMC, local jurisdictions	BMC to connect Fair Housing Group and Housing Committee to efforts within MTA and/or Baltimore Regional Transportation Board to explore these efforts, as well as any other efforts, such as South Baltimore Gateway Partnership. Look for ways local governments can support such explorations.
15	Work with Maryland DHCD to make its data on housing it assists more readily available, including unit affordability levels, units targeted to persons with disabilities (and how many are occupied by persons with disabilities), units occupied by housing choice voucher holders, and residents by race and disability.	Lack of data to inform fair housing evaluation and decision-making	BMC, local jurisdictions	BMC to facilitate conversations between jurisdictions and Maryland DHCD in fiscal year 2021. Data more readily available by the end of FY 2022.
16	Using the latest research, prepare and make available educational materials on the benefits that subsidized and accessible housing can bring to all members of vibrant communities.	Disparities in access to opportunity; location and type of affordable housing; community opposition	BMC	Identify resources for materials production, conduct local research, and compile videos or other public materials by the end of FY 2021. Disseminate materials FY 2021-25. Reassess and potentially adjust materials in FY 2023.
17	BMC and Fair Housing Group facilitate meetings of local school district officials and housing agency leaders in 3-5 jurisdictions to explore coordinated action to benefit high quality, equitable education.	Disparities in access to educational opportunity	BMC, local jurisdictions	3-5 meetings held by end of FY 2021.
18	BMC facilitate at least one meeting where jurisdictions – either within or outside the region – pursuing equity assessments of investments and/or policies can share their methodologies with other local governments.	Lack of attention/analysis regarding potential impacts of policy and resource decisions on protected classes.	BMC, local jurisdictions	One meeting held by the end of FY 2022. Further meetings as useful to participants.
19	Assist the Community Development Network of Maryland (CDN) in convening local government, community development organizations, and health care institutions in the Baltimore region to discuss the role of housing and community development in those institutions' development of their 2022 Community Health Needs Assessments.	Impact of housing and community quality on health disparities by protected class.	BMC, CDN, local jurisdictions	One meeting in calendar year 2021, including relevant follow-up. Further meetings as useful.

ROW #	REGIONAL ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
Expand fair housing resources and compliance				
20	Continue to engage with Maryland DHCD to make www.MdHousingSearch.org an effective: a. Clearinghouse of publicly assisted and market-rate rental homes, including homes accessible to persons with disabilities, and b. Affirmative fair housing marketing tool for homes assisted through Maryland DHCD and other agencies. c. Viable tool for public housing authorities to refer their housing choice voucher holders, including those with disabilities.	Disparities in access to opportunity; quality of affordable housing information programs; access to publicly supported housing for persons with disabilities	BMC, local jurisdictions and PHAs	In FY 2021 revisit pending request to Maryland DHCD that Md. Housing Search automatically populate accessibility features based on Fair Housing Act requirements. Goal of change made by FY 2022. Also in FY 2021, evaluate Maryland DHCD's implementation of new affirmative fair housing marketing policy. Continue to communicate with DHCD and advocate adjustments as needed. Monitor DHCD's requirement of an MOU between DHCD-supported owners and local PHAs and mobility programs. Check annually with PHAs and local fair housing stakeholders on accuracy and usefulness of Md. Housing Search listings so those listings can ultimately replace MOU requirement.
21	All PHAs offer online rental resources beyond GoSection8.com, including market-rate resources such as Apartments.com and Zillow and, as it becomes more effective, Md. Housing Search.	Disparities in access to opportunity; quality of affordable housing information programs; access to publicly supported housing for persons with disabilities	PHAs	PHAs include additional online rental resources immediately. Evaluate Md. Housing Search each year for possible inclusion in rental resources for voucher holders, particularly as Maryland DHCD implements its updated affirmative marketing plans, which include Md. Housing Search.
22	Review literature on criminal background and subsequent criminal activity – connected to assisted housing, if possible – to see what that research indicates the most justified criminal background standard for assisted housing should be.	Disparities in access to opportunity; importance of admissions and occupancy policies and procedures.	BMC, PHAs	Review completed by end of FY 2021; any needed revisions to PHA criminal background completed by FY 2022. In addition, communicate results to Maryland DHCD, affordable housing developers through Maryland Affordable Housing Coalition, and market-rate property owners and managers through fair housing trainings and other methods.
23	Conduct a training for local government and public housing authority officials on the duty to affirmatively further fair housing following each State election cycle.	Capacity building to further jurisdiction commitment to affirmatively furthering fair housing choice	BMC, local jurisdictions	BMC and Fair Housing Group to coordinate training in 2023.

ROW #	REGIONAL ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
24	BMC and Regional Fair Housing Group sponsor fair housing trainings for property managers at least twice per year.	Need for key housing industry personnel to have accurate information on fair housing rights and responsibilities; private discrimination	BMC, local jurisdictions	BMC and Fair Housing Group to sponsor trainings in spring and fall beginning fall 2020.
25	Work with Maryland DHCD, fair housing organizations, and HUD Fair Housing and Equal Opportunity (FHEO) to convene affirmative marketing training for the affordable housing industry as well as state and local agencies involved in the financing and/or developing of affordable housing.	Lack of effective affirmative marketing plans and execution among assisted housing providers.	BMC, Maryland DHCD	BMC to work with Maryland DHCD and other stakeholders to hold first training in calendar year 2021 and to ensure that effective trainings continue afterwards.
26	Identify the best way (e.g. electronic, paper) to disseminate information regarding fair housing rights and responsibilities to renters, property owners and managers, homebuyers, and real estate agents and then implement that best way.	Need for public information on fair housing rights and responsibilities; private discrimination	BMC, local jurisdictions	BMC and Fair Housing Group to update information in 2014 Fair Housing education booklets in 2020 and explore with fair housing stakeholders whether an online or phone app interface might be more effective than printed booklets to disseminate information. Solution implemented by 2021.

City of Annapolis Fair Housing Action Plan

ROW #	CITY OF ANNAPOLIS ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
Expand fair housing resources and compliance				
1	Overall goal: Improve the public's knowledge and awareness of the Federal Fair Housing Act, and related laws, regulations, and requirements to affirmatively further fair housing in the City.	Need to educate members of the community concerning their rights and responsibilities under the Fair Housing Act and to raise awareness, especially for low-income households	Human Relations Commission/ Dept. of Human Resources	
	Continue to make available and distribute literature and informational material, in English and Spanish, concerning fair housing issues, an individual's rights, and landlord's responsibilities to affirmatively further fair housing.	▪ Lack of education and increasing awareness regarding fair housing. ▪ Lack of outreach to protected classes and referral to assistance.	Human Relations Commission/ Dept. of Human Resources/ Community Development Division	Devise Fair Housing Handbook, a comprehensive, easy to read guide with information about laws, fair lending practices, list of contacts for information and filing complaints. Distribute widely including through agencies that serve low income and protected classes. Create fair housing speakers bureau to conduct outreach with organizations serving the protected classes and low income by June 30, 2024
	Improve information on the Annapolis Fair Housing Law given to landlords participating in the city's rental license program	Lack of knowledge/awareness and willingness to comply with fair housing laws	Department of Planning and Zoning/Licenses and Permits	Prepare and disseminate a Fair Housing Brochure for landlords by December 31, 2020
	Improve language access for the city's non-English speakers, particularly the Latino and Hispanic community	Lack of meaningful language access	Office of the Mayor	Develop a Limited English Proficiency Plan (LEP) and implement recommendations from the LEP Plan by December 31, 2022
	Improve voucher holders' knowledge of the Source of Income protection in fair housing law.	Source of income discrimination	Department of Planning and Zoning/ Community Development Division/HACA	Develop a Handbook for Housing Voucher holders on Source of Income Discrimination in Housing by December 31, 2023

ROW #	CITY OF ANNAPOLIS ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
Expand fair housing choice for persons with disabilities				
2	Overall goal: Revise the City Zoning Code to affirmatively further fair housing.	•Occupancy codes and restrictions •Land use and zoning laws	Department of Planning and Zoning/ Comprehensive Planning Division	
	Improve the City's regulation of group homes for persons with disabilities so not to impede the creation of group homes, limiting housing choice for the disabled in Annapolis.	Regulatory barriers to providing housing and supportive services for persons with disabilities.	Department of Planning and Zoning/ Comprehensive Planning Division	Planning and Zoning should review the existing ordinances and zoning regulations for compliance with the Fair Housing Act, as amended. Revise the definitions and add new definitions for the words: "Family," Handicap (Disabled)," "Fair Housing Act," "Accessibility," "Visitability," "Group Homes". Address during the Comprehensive Plan Process. By June 30, 2025
	Review regulations to ensure the rules are required to support health and safety without potentially impacting protected classes.	Regulatory barriers to providing housing and supportive services for persons with disabilities.	Department of Planning and Zoning/ Comprehensive Planning Division	Change City Code to reflect changes in regulations that negatively impact the health and safety of protected classes by June 30, 2025
Increase rental housing options				
3	Overall goal: Promote and encourage the construction and development of additional affordable rental housing units in the area, especially for households whose income is less than 80% of the median income.			
	Support and encourage by providing incentives to both private developers and non-profit housing providers to develop plans for the construction of new affordable and accessible renter-occupied and owner-occupied housing.	Limited opportunities for residential development/lack of developable land and increasing housing prices	Department of Planning and Zoning/ Community Development Division	Develop a policy regarding Payment in Lieu of Taxes (PILOT) and explore other incentives to encourage affordable housing construction by June 30, 2023

ROW #	CITY OF ANNAPOLIS ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
3	Continue to support and encourage the rehabilitation of existing housing units in the City to become decent, safe, and sound renter occupied and owner occupied housing that is affordable and accessible to lower income households	Lack of access to opportunity due to high housing costs	Department of Planning and Zoning/ Community Development Division	Continue use of CDBG funds and Housing Assistance Trust Fund for Housing Rehabilitation Program and Buyer Program. Leverage public financing to ensure satisfaction of the greatest need among the protected classes. July 1, 2020 - June 30, 2025
Increase ownership opportunities for under-represented households				
4	Overall goal: Improve approval rates for all originated home mortgage loans.			
	Credit history is the greatest reason for denial among all races of households. Debt-to-income ratio is the second highest contributor to denials. Work with lenders and provide resources to assist with reduction of the denial of home mortgage applications based on credit history.	•Disparities in homeownership rates •Lending discrimination •Access to financial services	Department of Planning and Zoning/ Community Development Division	Federal, state, local, and private funding should be used to provide a higher rate of public financial assistance to potential homebuyers in lower income neighborhoods to improve loan to value ratios, so that private lenders will increase the number of loans made in these areas. Support Community Action Agency and ACDS Housing Counseling Programs July 1, 2021- June 30, 2025.

Anne Arundel County Fair Housing Action Plan

ROW #	ANNE ARUNDEL COUNTY ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
Increase affordable and workforce rental housing options and opportunities for ownership				
1	Invest in the creation of affordable and accessible rental units in Communities of Opportunity, especially in transit zones.	Lack of access to opportunity due to high housing costs	ACDS, Affordable Housing Developers, MD DHCD	Prioritize the investment of federal HOME funding and County general funds into affordable rental units in Communities of Opportunity and transit zones, recognizing that this often requires developers with developable land and other financing commitment.
2	Invest in the preservation of the existing stock of affordable rental units.	Potential loss of affordable housing in future	ACDS, HCAAC, County Council	Provide affordable financing to preserve the existing stock of affordable rental property. Over next five years, invest \$1.5 million in federal and County funds to support the redevelopment of Meade Village Public Housing and Newtown 20.
3	As part of the state-required Housing Element of the County's General Plan, include a housing needs analysis that identifies needs and barriers to affordable housing development.	Land use and zoning laws, Location and type of affordable housing, lack of access due to high housing costs	Planning and Zoning	The GDP, which will be completed by Planning and Zoning and approved by the County Council in Calendar Year 2020, will include a housing needs analysis and strategies for addressing that need.
4	Work to establish an inclusionary housing ordinance that addresses the housing needs identified. Closely monitor the effect of the ordinance and adjust as needed to ensure it creates housing that is needed by residents in the region.	Land use and zoning laws, Location and type of affordable housing, lack of access due to high housing costs	Planning and Zoning, Arundel Community Development Services, Inc. (ACDS), Office of Law	An inclusionary zoning ordinance will be introduced during FY 2020, with a focus on long term affordability for renters earning 50% AMI and below and homeowners earning 100% AMI and below.
5	Also as part of the General Plan update, include an analysis of opportunities to expand the development envelope where logical for the county to absorb new demand for housing (e.g., near transportation corridors and jobs).	Land use and zoning laws, Location and type of affordable housing, lack of access due to high housing costs	Planning and Zoning	The GDP, which will be completed by Planning and Zoning and introduced/approved by the County Council in Calendar Year 2020, will include an analysis of opportunities to expand the development envelope where logical for the County to expand new demand for housing (e.g. near transportation corridors and jobs).

ROW #	ANNE ARUNDEL COUNTY ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
6	Reinstate and support a policy to give first priority for the use of County surplus land - as suitable- for the development of affordable housing serving 0-60 percent AMI renters and 60-100 percent AMI owners.	Limited development capacity and options	Central Services, Office of Law, ACDS	A workgroup will be convened in 2021 to examine whether or not changes in County code are necessary and what internal policies must be established to implement this policy.
7	Explore a dedicated funding source for affordable housing creation in opportunity areas and redevelopment in target revitalization areas. Until that fund is established, continue allocating County general fund dollars to support affordable housing development.	Disparities in housing challenges; limited development capacity and options	Finance, Office of Budget, ACDS	A workgroup will be convened in FY2021 to analyze potential funding sources, estimate targeted revenue, establish specific goals and introduce and pass legislation.
8	Adopt Small Area Fair Market Rents (SAFMRs) for housing choice voucher (HCV) program.	Disparities in Access to Opportunity	Housing Commission of Anne Arundel County	Implement Small Area Fair Market Rents starting July 1, 2020.
9	Continue and potentially expand housing vouchers created through locally controlled funds that can be used in Opportunity Areas.	Disparities in Access to Opportunity	ACDS	Each year, invest at least \$400,000 in County general funds into approximately 30 tenant based rental assistance to supplement existing federally funded vouchers. Define a policy that establishes rents that will allow for these vouchers to be used in Opportunity Areas.
10	Continue and expand fee waivers for affordable family housing.	Disparities in housing challenges; limited development capacity and options	Office of Law, Planning and Zoning, ACDS	The County will implement the new Workforce Housing legislation, which includes a 50% reduction in water and sewer fees for new affordable workforce housing units built under the law. The County will continue other policies that waive fees for affordable housing development, including waiving water and sewer fees for development serving elderly persons of modest means and waive impact fees for affordable housing developed by nonprofit developers for households earning 120% AMI. The County will explore other fee and regulatory waivers to extend to affordable housing development during FY 2021.

ROW #	ANNE ARUNDEL COUNTY ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
11	Continue and expand resources for case management, housing search assistance and other supportive services to sustainably house low and very low income households.	Lack of resources to support empowerment of residents faced with discrimination; Discrimination in housing choice	Housing Commission, ACDS	The County will invest at least \$250,000 in County general funds annually into case management and housing location support for housing vouchers administered by HCAAC and TBRA programs funded with CoC, HOPWA, HOME and County funds to house hard to serve clients and help them access housing in Opportunity Areas.
12	Explore development of a landlord mitigation program to encourage wider utilization of housing vouchers in Opportunity Areas and among homeless and special needs families.	Lack of knowledge/awareness and willingness to comply with fair housing laws	ACDS	During FY 2020, raise private funding to establish the program. During FY 2021 develop a program that encourages landlords to enter into an agreement with the program that stipulates that they will waive some requirements- such as rent history, stringent credit requirements, and some criminal background elements- to reach harder to serve clients. In exchange, the program will provide a fund for additional property damage and case management to mitigate the risk.
13	Invest in credit counseling, first time homebuyer counseling and foreclosure prevention counseling to support and increase sustainable homeownership among the protected classes and promote access to better and sustainable rental housing for renters.	Disparities in Homeownership	ACDS	Invest at least \$400,000 annually to support counseling programs that serve at least 600 clients per year. Market these programs to the protected classes.
14	Investigate why there are disparities in minority homeownership rates and develop policies to address those disparities.	Disparities in homeownership	ACDS, Regional Fair Housing Group	In FY 2021, ACDS will develop a survey to reach past HOC clients to identify the causes of these disparities at the local level, as well as examine national and statewide data to better understand current trends in homeownership rates across race. Develop an action plan to help mitigate disparities at the local level in FY 2022.

ROW #	ANNE ARUNDEL COUNTY ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
15	Explore partnerships with area hospitals and health providers to support both affordable housing and the needed support services for our special needs populations.	Capacity building to further jurisdiction commitment to affirmatively furthering fair housing choice	Department of Aging and Disabilities, ACDS, Health Department, Hospitals	Add hospitals to list of housing and community development stakeholders, and solicit feedback on housing/health needs for Consolidated Plan and Action Plans (FY 2021). Initiate meetings with Anne Arundel Medical Center and University of Maryland Baltimore Washington Medical Center as part of their next Community Needs Assessments (2023?).
16	Enforce the County's new fair housing ordinance, which includes a source of income provision.	Disparities in housing challenges; limited development capacity and options	Human Relations Commission	A local fair housing law with Source of Income was just passed. During FY 2020 and FY 2021 develop a range of trainings and outreach strategies to support education around this effort. During FY2020, appoint qualified members to the Human Relations Commission. During FY2021, establish a process for complaints and enforcement.
Address barriers to equalizing access to opportunity				
17	Continue to invest County and federal resources into neighborhood revitalization areas, including, but not limited to, residential revitalization programs, public services and transportation, developing or redeveloping public facilities, and providing financial coaching/counseling.	Deteriorated and abandoned properties, Need for continued revitalization strategies to give residents a better opportunities in older communities	ACDS	Over the next five years, target limited federal CDBG funds into Severn, Brooklyn Park and Glen Burnie.
18	Implement equity framework in public resource allocation decision making. Allocation of resources should result in an equitable approach to bring neighborhoods into similar standards of service delivery and amenities.	Disparities in Access to Opportunity	Office of Budget, County Executive Office	Explore best practices on how to adopt and implement this practice for FY 2022.

ROW #	ANNE ARUNDEL COUNTY ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
Expand fair housing resources and compliance				
19	Support fair housing testing, Language Access Planning, diversity in housing and planning boards, investigating housing discrimination, and collaborative efforts with local and regional stakeholders.	Capacity building to further jurisdiction commitment to affirmatively furthering fair housing choice; Disparities in Access to Opportunity	Human Relations Commission, ACDS	ACDS will contract with the Fair Housing Action Center of Maryland to provide testing and follow up with investigations where warranted. ACDS will assess the FHAC's capacity at the end of FY 2021 to determine progress and whether future funds will be allocated. ACDS will collaborate with regional partners to build the capacity of the FHAC or another organization to successfully provide this service. The Human Relations Commission will also investigate discrimination complaints.
Expand fair housing choice for persons with disabilities				
20	Create a home/apartment accessibility modification program to serve low income renters with disabilities. Continue the existing program that serves homeowners.	Discrimination in reasonable accommodation requests; Disparate housing challenges for persons with disabilities	ACDS	Funding was appropriated for this in FY 2020. Develop policies and procedures during FY 2020 and begin implementation. Continue funding and implementation in subsequent years, funding approximately 7-10 modifications per year for homeowners and 7-10 modifications for renters.

City of Baltimore Fair Housing Action Plan

ROW #	CITY OF BALTIMORE ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
1	Create New Affordable Housing Opportunities			
	Production of new publicly subsidized affordable rental housing across a range of geographies, including opportunity area census tracts and non-opportunity areas where the development activity will have a significant revitalizing impact on the area.	Providing affordable units in opportunity areas and in areas where redevelopment is occurring	DHCD in partnership with HABC	1,250 new rental units created over 5 years, primarily through new construction. These units will be developed using a range of resources such as tax credits and HOME program and Baltimore City Affordable Housing Trust funds. For some units, project based vouchers will help support project development. At least half of these units will be developed in opportunity areas. The remainder will be developed as part of publicly supported transformative revitalization projects, or in areas which are clearly gentrifying and public investment is required to ensure that rental units remain available for lower income households. The City recognizes the need to avoid over concentration of affordable rental housing and will not support projects that do so unless they are part of projects that are of a scale and breadth to be transformative to the area in which they are built.
	Reform the Inclusionary Housing Law (IHL) so that it more effectively produces affordable housing opportunities.	Providing affordable units in opportunity areas and in areas where redevelopment is occurring	DHCD	Stop the imminent sunseting of the IHL and extend its time of operation two years during which consultant services will be procured to provide an assessment and evaluation of the Law; make recommendations to improve its effectiveness; suggest legislative improvements and revise program guidelines and processes by which the law is implemented. Before the end of the two year period the consultant recommendations will be implemented.

ROW #	CITY OF BALTIMORE ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
1	Continue using HOME Investment Partnerships Program, Low Income Housing Tax Credits and other City of Baltimore and Housing Authority of Baltimore City resources in the production wheelchair accessible affordable housing for persons with disabilities in-excess-of the minimum amount required by federal regulation to replace UFAS units lost from the affordable housing inventory.	Providing affordable accessible housing	DHCD in partnership with HABC	DHCD will supplant the 5% accessible units required by Section 504 of the Rehabilitation Act with a 7% rate.
	Continue to foster homeownership opportunities for under-represented households.	Addressing disparities in homeownership	DHCD & HABC	DHCD will provide down payment and settlement payment assistance to over 1,100 low income households over the CFY 2021 through CFY 2025. HABC, through its Housing Choice Voucher ("HCV") homeownership program, will assist at least 50 participants in the HCV program in becoming homeowners.
	Design and implement requirements governing mixed income tenancy in new developments receiving City financial support.	Providing affordable units in opportunity areas and in areas where redevelopment is occurring	DHCD	The City will, before the end of the five-year period covered by this AI, design and implement requirements that all new projects of more than twenty units that receive City financial support have market rate and publicly subsidized units in them.
	Continue to support homeownership counseling, both purchase and default, for under-represented households.	Addressing disparities in homeownership	DHCD	Fund homeownership counseling - pre-purchase, home-buying and foreclosure prevention and mitigation - for 3,000 households with incomes less than 80% of AMI per year for five years beginning with CFY 2021.
	Implement a Healthy Opportunities Program ("HOP"), which will be a mobility program that will assist families with children who are currently participants in HABC and where one or more family member has a medical condition, such as asthma, that is exacerbated by environmental factors. Housing and health-care providers will collaborate to provide stable, affordable and healthy housing in opportunity areas with the goal of improving participants' health outcomes and overall quality of life.	Disparities in access to housing in areas of opportunity & health disparities	HABC; BCHD	1. Establish the program within one year. 2. Assist up to 150 current participants in the HCVP receive mobility counseling and assistance with moving to opportunity areas during a 2-year period.

ROW #	CITY OF BALTIMORE ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
1	Assist persons with disabilities in leasing units with the 27 Mainstream vouchers HABC received under the CARES Act	Integrated housing for persons with disabilities	HABC	27 persons with disabilities leasing units with Mainstream vouchers by 7/30/2021.
	If HUD issues a NOFA for Mainstream vouchers, HABC will consider applying for the vouchers depending on whether HABC is eligible and the NOFA requirements.	Integrated housing for persons with disabilities	HABC	The award and issuance of Mainstream vouchers in accordance with NOFA requirements.
2	Promote Affirmative Fair Housing Marketing			
	Ensure that HOME funded developers create and implement meaningful affirmative marketing plans	Addressing residents' lack of knowledge/awareness of newly constructed affordable housing in opportunity areas. Addressing marketing plans that do not market to communities unlikely to know about the housing opportunity.	DHCD	HOME agreements will contain affirmative marketing plans and their implementation will be enforced as part of the contract compliance process for all HOME projects. In CFY 2021 HOME compliance documents will be revised to better document review and assessment of marketing plans.
3	Preserve Existing Affordable Housing			
	Preservation of existing publicly subsidized affordable rental housing in any area in which improvements will significantly extend the amount of time housing units will remain a viable part of the city's publicly subsidized affordable housing inventory.	Preventing displacement of residents due to economic pressures; loss of affordable housing.	DHCD & HABC	HABC will preserve to 2,078 units via the Rental Assistance Demonstration (RAD) Program during the July 2020 - June 2025 period this AI is anticipated to be in force. These units are in addition to the 3,745 preserved through the end of 2019. The new RAD units will include the replacement of the 629 Perkins Homes public housing units via the Perkins, Somerset, Old Town Choice Neighborhoods redevelopment project. DHCD anticipates preserving 400 units of existing subsidized affordable housing over the same time period.
	In housing markets that are experiencing, or likely to experience, demographic changes that will significantly erode the availability of unassisted affordable rental and for-sale housing: 1. Design and implement, initially on a pilot basis, a program to preserve affordable rental housing. 2. Assist existing homeowners remain in their homes.	Preventing displacement of residents due to economic pressures.	DHCD	DHCD's initial pilot will focus on up to 15 units. The results of the pilot, if successful, will be used to develop a program to scale.

ROW #	CITY OF BALTIMORE ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
4	Support Racially Integrated Communities	-		
	Define and identify such areas and analyze and report on their social and physical characteristics.	Preventing racially integrated communities from becoming segregated.	DHCD	Complete demographic & geographic studies in the first year of the five year period - July 2020 through June 2025 - that is anticipated this AI will be in force.
	As appropriate, design and implementation of strategies that will strengthen these areas and maintain and improve their racial integration.	Preventing racially integrated communities from becoming segregated.	DHCD	Following the completions of the geographic and demographic studies in the action step found above, strategies to strengthen these areas will be designed and implemented over the remainder of the five year period - July 2020 through June 2025 - that it is anticipated this AI will be in force. Specific strategies will be developed in concert with the persons who live in these neighborhoods and could include housing counseling and homeownership incentives specific to integrated neighborhoods as well as setting up a marketing and promotion program based on Chicago's Oak Park model. Regardless of the specific strategies decided on, the City will, likely working with non-profit partners, take actions to improve the physical and social infrastructure in these neighborhoods.
5	Community Planning, Support, and Coordination			
	Work with the Baltimore City Department of Planning to support residents in all types of communities in creating comprehensive, transformative revitalization plans focused on development without displacement.	Addressing lack of community revitalization strategies; preventing displacement of residents due to economic pressures.	Department of Planning, DHCD	During the five year period - July 2020 through June 2025 - that it is anticipated this AI will be in force, a minimum of ten community plans will be created and implemented.

ROW #	CITY OF BALTIMORE ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
5	As part of such plans, support a wide range of viable community-based affordability preservation and wealth-building tools, such as community land trusts, tax credits, housing counseling, and homeownership incentives, where appropriate.	Addressing lack of community revitalization strategies; addressing deteriorated and abandoned properties; addressing lack of public and private investments in specific neighborhoods including services or amenities; addressing lack of access to financial services; preventing displacement of residents due to economic pressures.	Department of Planning, DHCD	Support the development of community land trusts as a source of affordable housing production. As noted above, 15,000 low-income households will receive housing counseling and 1,000 will receive incentives to become homeowners. Planning Department staff will work with dozens of community based organizations to implement community plans over the course of the five year period it is anticipated this AI will be in force.
	Work with other City and quasi-City agencies (e.g. Police Department, Safe Streets, Health Department, Baltimore Development Corporation, Housing Authority of Baltimore City, Mayor's Office of Employment Development) to coordinate investments and activities so that community revitalization efforts include improved education, public safety (including consistent, constitutional policing and violence interrupter activity), public health, and economic opportunities.	Addressing location of employers, access to financial services, public safety, proficient schools, public health.	City and quasi-City Agencies	Using recent multiple partner collaborative efforts, such as the Middle Market Inter-Agency Working Group, and the block-by-block redevelopment strategies that DHCD, the Planning Department and community partners have undertaken over the past year to implement the Neighborhood Framework, as models, a formal structure will be established through which City and quasi-City agencies collaborate and coordinate community planning efforts and actions. The purpose of this entity would be to integrate housing, health, public safety, infrastructure, education and economic objectives into planning and implementing community development initiatives and projects. This entity will be up and running within eighteen months of the release of the new AI. At least two major revitalization projects that involve inter-agency coordination and include new or rebuilt schools, community recreational facilities and new housing or large scale housing rehabilitation will be initiated and completed under the five-year period covered by this AI.

ROW #	CITY OF BALTIMORE ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
6	Support Fair Housing Access and Expand Resources and Compliance in the City			
	Support creation of a fair housing agency that will conduct fair housing testing and training, investigate housing discrimination and pursue fair housing claims.	Addressing local private fair housing outreach and enforcement	DHCD	Support the operations of the new Maryland Fair Housing Action Center (MFHAC) to conduct fair housing training and testing and investigate claims of housing discrimination throughout the Baltimore region. Training about, testing and investigation of, the State's new Source of Income Law will be part of the contractual obligations undertaken by the MFHAC.
	Continue implementation of Language Access Planning.	Addressing meaningful language access	All City Agencies	All City agencies will develop new LAP plans in the first two years this Regional Analysis of Impediments is in force.
	Create a partnership between the DHCD, HABC, Department of Planning, Health Department, Maryland Commission on Civil Rights, and the Office of Equity and Civil Rights, the City's fair housing compliance agency.	Capacity building to further compliance with fair housing laws	DHCD, HABC, Planning, Health, MCCR, OECR	OECR will initiate quarterly meetings of the participating organizations; Capture demographic data on fair housing issues from each agency
	Continue to enforce Article IV of the Baltimore City Code, the City's fair housing law by investigating fair housing complaints.	Complaints of housing discrimination	OECR	OECR received 225% more housing discrimination complaints in FY19 (14 complaints) than in FY18 (4 complaints) due to HUD FHIP-EOI funding. OECR estimates it will investigate 20 complaints of housing discrimination per year for a total of 100 over the course of five years.
	Continue to apply for HUD FHIP-EOI Funding.	Lack of resources to create a robust fair housing program	OECR	Continue to utilize HUD funds already awarded in FY20 for the time period of September 1, 2020 to August 30, 2021 to build a robust FHIP EOI program; Apply for additional FHIP-EOI funding in subsequent years.
	Implement a comprehensive Fair Housing Education and Outreach training program.	Lack of knowledge of fair housing laws and resources	OECR	OECR will provide fair housing training in FY20 to 200 residents and 50 housing professionals. Pending future HUD-FHIP funding, OECR will continue to train residents and housing professionals annually with a goal of training 250 individuals per year. All training is free of charge to residents and will be conducted across the City to address issues of access to certain communities.

ROW #	CITY OF BALTIMORE ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
6	Provide educational fair housing literature to residents.	Lack of knowledge of fair housing laws and resources`	OECR	OECR will create a comprehensive housing resource guide in FY20 that will be distributed to 250 residents. The resource guide will also be available on OECR's website. Additionally OECR will distribute five topic-specific fair housing brochures, which will also be available on OECR's website. Pending future HUD-FHIP funding, OECR will continue to distribute printed literature annually. All materials are free of charge to residents.
	Address language access in fair housing education	Lack of educational materials and training available in other languages.	OECR	OECR will provide in-person fair housing training to 25 individuals in FY20 in Spanish. All five of OECR's fair housing topic-specific brochures will be available in Spanish, Mandarin, and Korean. OECR will also have materials translated to Braille in FY20. All translated brochures will be available on OECR's website. Pending future HUD-FHIP funding, OECR will also have materials translated into Arabic and French. All materials are free of charge to residents.
	Address accessibility in fair housing education	Lack of access to in-person fair housing training.	OECR	OECR will provide five virtual fair housing educational videos in FY20 that can be viewed at home. OECR will also premiere these videos on a live virtual platform to allow for questions from viewers at home. Pending future FHIP funding, OECR will continue to provide virtual training. All training is free of charge to residents. Educational videos are subtitled. Subtitles are in English, Spanish, Mandarin, and Korean.
	Provide education around the City's Source of Income Protections	Lack of knowledge around the City's recently passed Source of Income (SOI) protections	OECR, HABC	Partner with HABC to create education and outreach plan on fair housing compliance regarding SOI to voucher holders and landlords/housing professionals in FY20. In FY 2021, rollout education and outreach plan.
	Explore amending Article 4 of the Baltimore City Code to be substantially equivalent to the Fair Housing Act	Strengthen current resources to create a robust fair housing program	OECR	Work with the City Council to draft language of amendment, write a letter of support, and encourage others to write letters of support of such an amendment.

ROW #	CITY OF BALTIMORE ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
6	Explore amending Article 4 to require landlords and housing professionals to accept TIN#s in the place of SSN	Lack of opportunities for immigrants and refugees to access safe and affordable housing	OECR	Work with the City Council to draft language of amendment, write a letter of support, and encourage others to write letters of support of such an amendment.
	Address language access in fair housing education.	Lack of educational materials and training available in other languages.	OECR	OECR will provide in-person fair housing training to 25 individuals in FY20 in Spanish. All five of OECR's fair housing topic-specific brochures will be available in Spanish, Mandarin, and Korean. OECR will also have materials translated to Braille in FY20. All translated brochures will be available on OECR's website. Pending future HUD-FHIP funding, OECR will also have materials translated into Arabic and French. All materials are free of charge to residents.
	Address accessibility in fair housing education.	Lack of access to in-person fair housing training.	OECR	OECR will provide five virtual fair housing educational videos in FY20 that can be viewed at home. OECR will also premiere these videos on a live virtual platform to allow for questions from viewers at home. Pending future FHIP funding, OECR will continue to provide virtual training. All training is free of charge to residents. Educational videos are subtitled. Subtitles are in English, Spanish, Mandarin, and Korean.
	Provide education around the City's Source of Income Protections	Lack of knowledge around the City's recently passed Source of Income (SOI) protections.	OECR, HABC	Partner with HABC to create education and outreach plan on fair housing compliance regarding SOI to voucher holders and landlords/housing professionals in FY20. In FY 2021, rollout education and outreach plan.
	Explore amending Article 4 of the Baltimore City Code to be substantially equivalent to the Fair Housing Act.	Strengthen current resources to create a robust fair housing program.	OECR	Work with the City Council to draft language of amendment, write a letter of support, and encourage others to write letters of support of such an amendment.
	Explore amending Article 4 to require landlords and housing professionals to accept TIN#s in the place of SSN.	Lack of opportunities for immigrants and refugees to access safe and affordable housing.	OECR	Work with the City Council to draft language of amendment, write a letter of support, and encourage others to write letters of support of such an amendment.

Baltimore County Fair Housing Action Plan

ROW #	BALTIMORE COUNTY ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
Goal 1	Establish over-arching fair housing policy to establish a foundation for affirmatively furthering fair housing.	All impediments: Limited land dedicated to affordable residential housing development; need for ongoing funding and commitment to increase housing supply to accommodate need for affordable and workforce housing; Potential for increased concentration of protected classes in low opportunity areas without expanded multifamily development envelope; Limited information for residents on fair housing rights and housing opportunities, need for expanded fair housing outreach and education; and Neighborhood resistance to accommodating a diversity of housing choices		
Task 1	Ensure that there is a statement of policy in Master Plan 2020 and the Zoning Regulations that clearly articulates the County's commitment to expanding fair housing choice.	• Land use and zoning laws	Department of Planning	Since the election of the new County Executive, the Source of Income legislation, known as the "Home Act", was successfully passed in November 2019. Any policy updates to Master Plan 2020 and the Zoning Regulations have been taken under advisement and are subject to further review. Provisions from the County's newly adopted "Home Act" will be included as an update to Master Plan 2020.
Task 2	Incorporate AFFH principles, including provisions to expand the locations available to multi-family housing, into any future substantial revisions to the zoning map.	• Land use and zoning laws • Community opposition	Department of Planning	The County is exploring development of potential strategies as solutions to this task. The current year 2020 is the time for review of the County's Comprehensive Zoning Map Process (CZMP).
Task 3	Adopt an inclusionary housing ordinance that can be incorporated into the County's development codes.	• Occupancy codes and restrictions • Community opposition • Lack of state or local fair housing laws	Department of Planning	The County will explore development of potential strategies as solutions to this task.

ROW #	BALTIMORE COUNTY ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
Task 4	Revise policy priorities for the investment of HOME and CDBG funds to promote projects invoking rental housing for families on sites outside of racially/ethnically concentrated areas.	• Community opposition • Lack of access to opportunity due to high housing costs • Location and type of affordable housing • Location of accessible housing • Availability of affordable units in a range of sizes	Department of Planning	The County continues to use HOME and CDBG funds to increase access to homeownership, and maintain while increasing housing for low-to-moderate income households.
Task 5	Track data showing the number of affordable housing created by household type (senior, family, large family, accessible) and by areas of opportunity and areas of racial and ethnic concentrations. To the extent possible, monitor occupancy of assisted units by protected class.	• Lack of access to opportunity due to high housing costs	Department of Planning	Since 2016 the County has tracked data of affordable housing developemtns financed by VCA funds. The rental occupancy data of these units have continued to be reported to the Complainants and HUD on a monthly basis.
Task 6	Prioritize for participation in the Mobility Counseling Program, HCV applicants and participants who are families residing in census tracts that have been identified as areas of African-American racial concentration in the County's 2011 Analysis of Impediments and the 2019 Regional Assessment of Fair Housing.	• Lack of access to opportunity due to high housing costs • Availability of affordable units in a range of sizes	Office of Housing	The Office of Housing implemented the Mobility program in 2016 to assist families with relocation to areas of opportunity.
Task 7	Reduce barriers to development or financial assistance for workforce and affordable housing developers	• Community opposition • Lack of access to opportunity due to high housing costs • Location and type of affordable housing • Location of accessible housing • Availability of affordable units in a range of sizes	Department of Planning	The County meets with developers on a consistent basis to critique development plans and explore creative development strategies. Developers are briefed on the development process and pertinent requirements such as affirmative marketing, workforce development, DHCD QAP, Law Department and other relevant issues.

ROW #	BALTIMORE COUNTY ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
Goal 2	Amend policy and program documents to affirmatively further fair housing.	Potential for increased concentration of protected classes in low opportunity areas without expanded multifamily development envelope and Limited information for residents on fair housing rights and housing opportunities; need for expanded fair housing outreach and education		
Task 1	Revise the County's HOME policies to remove potential impediments to the creation of rental units in non-concentrated areas, particularly the requirement that developers acquire assistance.	• Siting selection policies, practices and decisions for publicly supported housing, including discretionary aspects of Qualified Allocation Plans and other programs.	Department of Planning	In the 2016 publication, "A Guidebook for Developers Requesting Development Financing and Assistance", the County's HOME policies revision removed the requirement "that developers require assistance". Any reference requiring County Council support to initiate the development or funding processes for affordable rental housing was deleted.
Task 2	Revise a written policy that encompasses the Site and Neighborhood Selection requirements at 24 CFR 983.6 (Project-Based HUD VASH vouchers), incorporate these requirements into the County's HOME written agreements, distribute as part of application package.	• Siting selection policies, practices and decisions for publicly supported housing, including discretionary aspects of Qualified Allocation Plans and other programs.	Department of Planning	The Department of Planning revised its loan agreements to incorporate the Site and Neighborhood Selection requirements at 24 CFR 983.6 accordingly.
Task 3	Amend the affirmative marketing standards so that the County is responsible to devise the standards by which the effectiveness of affirmative marketing efforts for each project will be judged.	• Lack of local public fair housing enforcement • Lack of state or local fair housing laws	Department of Planning	In accordance with the regulations of the Department of Housing and Urban Development (HUD), and in furtherance of Baltimore County's commitment to non-discrimination and equal opportunity in housing, the Department of Planning has developed a standard for the development of affordable housing in its 2017 Affirmative Fair Housing Marketing Plan. Also, certain Baltimore County-funded development projects are required to submit a Conciliation Agreement Marketing Plan (CAMP) that must be reviewed and approved by HUD FHEO. After which 30 days of affirmative marketing must take place prior to leasing.

ROW #	BALTIMORE COUNTY ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
Task 4	Ensure that the HOME written agreements for developers encompass federal site and selection requirements	• Lack of local public fair housing enforcement	Department of Planning	Federal and state requirements are included in HOME written agreements with developers.
Goal 3	Increase access to County programs for persons with limited English proficiency.	Limited information for residents on fair housing rights and housing opportunities; need for expanded fair housing outreach and education		
Task 1	Complete four-factor analysis of needs and language access plan according to HUD's LEP guidance.	• Lack of meaningful language access	Office of Housing	The Office of Housing publishes its language access plan annually. The Department of Planning published the 2015 Language Access (LAP) Plan. Both agencies continue to take reasonable steps to ensure meaningful access to LEP persons per HUD guidance.
Task 2	Update the Section 8 Administrative Plan to include the policy determinations resulting from the four-factor analysis.	• Lack of meaningful language access	Office of Housing	The Office of Housing's Administrative Plan includes policy determination derived from the four-factor analysis.
Task 3	Continue to provide language services (interpreters, translators, etc.) on an as-needed basis.	• Lack of meaningful language access	Office of Housing	Both the Office of Housing and the Department continue subscriptions to Language Line services taking reasonable steps to ensure meaningful access to LEP persons per HUD guidance.
Goal 4	Ensure that members of the protected classes are represented on housing-related boards and commissions.	Limited information for residents on fair housing rights and housing opportunities, need for expanded fair housing outreach and education; and Neighborhood resistance to accommodating a diversity of housing choices		
Task 1	Survey current board members on a voluntary basis to document race, gender, ethnicity and disability status.		Department of Social Services Board	The Department of Social Services Board is currently comprised of members of protected classes and continues to affirmatively recruit members of the protected classes. In alignment with the Baltimore County Enterprise Strategic Plan 2019 to 2022, the County plans to develop, implement and maintain a comprehensive plan and recruitment strategy to increase diversity in housing-related boards and commissions membership.

ROW #	BALTIMORE COUNTY ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
Task 2	Affirmatively recruit protected class members to fill vacancies on appointed boards and commissions.		Diversity, Inclusion and Equity Community Advisory Council	The Commission on Disabilities and Human Relations Committee continue to affirmatively recruit members of protected classes. In November of 2019 the newly elected County Executive in established the Diversity, Inclusion and Equity Community Advisory Council advocates for, engages in and responds to issues, concerns and needs of County residents as it relates to diversity, inclusion and equity. The Community Council's responsibilities include providing advisement to, and working collaboratively with, the Chief Diversity and Inclusion Officer on specific community diversity, inclusion and equity issues.
Task 3	Encourage the Greater Baltimore Board of Realtors (GBBR) to maintain data demonstrating the number of Realtors who are members of the protected classes to ensure that local Realtors reflect the County's diversity.	• Lack of diversity reflected within private Realtor community • Real estate sales discrimination • Lack of local private fair housing outreach and enforcement • Lack of resources for fair housing agencies and organizations	Diversity, Inclusion and Equity Community Advisory Council	The County will explore opportunities for its Human Relations Committee to engage with Education and Equal Opportunities Committees of Greater Baltimore Board of Realtors (GBBR); as well as The National Association of Real Estate Brokers (NAREB) Real Estate Brokers of Baltimore and The National Association of Hispanic Real Estate Professionals (NAHREP) Maryland Greater Capital.
Goal 5	Increase the supply of housing affordable to households below 80% MHI, specifically in opportunity areas.	Potential for increased concentration of protected classes in low opportunity areas without expanded multifamily development envelope		
Task 1	Increase the Section 8 payment standard for higher-cost areas in the County as a means of expanding fair housing choice outside of racially/ethnically concentrated areas.	• Lack of access to opportunity due to high housing costs • Availability of affordable units in a range of sizes	Office of Housing	The Office of Housing reviews payment standards annually to ensure Housing Choice in areas of opportunity.

ROW #	BALTIMORE COUNTY ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
Task 2	Expand incentives for property owners and investors to build new apartment buildings or substantially rehabilitate existing buildings for occupancy by lower-income families, specifically in areas of opportunity.	• Lack of access to opportunity due to high housing costs • Lack of private investments in specific neighborhoods • Lack of affordable, accessible housing in range of unit sizes • Location and type of affordable housing • Deteriorated and abandoned properties • Siting selection policies, practices and decisions for publicly supported housing, including discretionary aspects of Qualified Allocation Plans and other programs. • Regulatory barriers to providing housing and supportive services for persons with disabilities.	Department of Planning	The County continues to work with developers/property owners and has been successful in creating new multifamily and scattered site properties throughout the County. The County recently passed legislation to eliminate impact fees for affordable housing projects.
Task 3	Exempt affordable housing (not only senior housing or housing to assist homeless) from Adequate Public Facilities Ordinance (APFO).	• Community opposition • Location and type of affordable housing • Location of employers • Location of proficient schools and school assignment policies • Location of accessible housing Lack of community revitalization strategies • Lack of public investments in specific neighborhoods, including services or amenities • Availability, type, frequency, and reliability of public transportation • Siting selection policies, practices and decisions for publicly supported housing, including discretionary aspects of Qualified Allocation Plans and other programs. • Regulatory barriers to providing housing and supportive services for persons with disabilities.	Department of Planning	The Baltimore County Council passed an ordinance imposing impact fees on new development in Bill 16-19, Development Impact Surcharge and Fee. The Bill provides a credit to the impact fee for affordable housing units. To ensure that residents of affordable housing live in a safe and healthy neighborhood with the same characteristics as other neighborhoods in opportunity areas, waivers should not be given to affordable housing developments from adequate public facility ordinances. Schools should not be overcrowded, constrained water and sewer service should not impact residents, traffic should not be burdensome to residents.

ROW #	BALTIMORE COUNTY ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
Task 4	Implement fast track development approval and fee waivers for affordable and mixed income developments of all types (e.g., cannot be only senior complexes that receive benefit).	• Siting selection policies, practices and decisions for publicly supported housing, including discretionary aspects of Qualified Allocation Plans and other programs. • Regulatory barriers to providing housing and supportive services for persons with disabilities. • Land use and zoning laws • Occupancy codes and restrictions	Department of Planning	The County has implemented some fast track development systems for approvals and incentives for all types of developments. The County recently passed legislation to eliminate impact fees for affordable housing projects.
Task 5	Initiate conversations between housing and school officials to explore possible reinforcing action to support integrated schools & neighborhoods.	• Lack of community revitalization strategies • Lack of private investments in specific neighborhoods • Lack of public investments in specific neighborhoods, including services or amenities • Location of proficient schools and school assignment policies	Department of Planning and Office of Housing	In alignment with the Baltimore County Enterprise Strategic Plan 2019 to 2022, the County is exploring development of potential strategies and sustainable partnerships as solutions to this task including ensuring diversity, equitable access, and inclusive opportunities to achieve high academic outcomes for all learners; and pursuing expansion of "community schools" strategies throughout the County.
Task 6	Implement equity framework in public resource allocation decision making to bring neighborhoods into similar standards of service delivery and amenities.	• Lack of community revitalization strategies • Lack of private investments in specific neighborhoods • Lack of public investments in specific neighborhoods, including services or amenities • Location and type of affordable housing • Location of proficient schools and school assignment policies • Loss of Affordable Housing • Deteriorated and abandoned properties • Availability, type, frequency, and reliability of public transportation • Lack of access to opportunity due to high housing costs	Diversity, Inclusion and Equity Community Advisory Council	In November of 2019 the newly elected County Executive established the Diversity, Inclusion and Equity Community Advisory Council which advocates for, engages in and responds to issues, concerns and needs of County residents as it relates to diversity, inclusion and equity. The Community Council's responsibilities include providing advisement to, and working collaboratively with, the Chief Diversity and Inclusion Officer on specific community diversity, inclusion and equity issues.

ROW #	BALTIMORE COUNTY ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
Goal 6	Expand the availability of housing options for persons with disabilities	Potential for increased concentration of protected classes in low opportunity areas without expanded multifamily development envelope and Limited information for residents on fair housing rights and housing opportunities; need for expanded fair housing outreach and education		
Task 1	Devise means of more effectively publicizing the policy to increase the voucher payment standard for landlords who are willing to create accessible units.	• Access to publicly supported housing for persons with disabilities • Lack of affordable, accessible housing in range of unit sizes • Lack of assistance for housing accessibility modifications • Lack of assistance for transitioning from institutional settings to integrated housing • Location of accessible housing • Regulatory barriers to providing housing and supportive services for persons with disabilities. • State or local laws, policies, or practices that discourage individuals with disabilities from living in apartments, family homes, supportive housing, shared housing, and other integrated settings. • Lack of local private fair housing outreach and enforcement	Office of Housing	The Office of Housing will continue to incorporate voucher payment standards for landlords willing to create accessible units in its Annual, Five-Year and Administrative Plans.

ROW #	BALTIMORE COUNTY ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
Task 2	Partner with regional affordable housing developers to increase the supply of accessible housing [in moderate and high opportunity areas], outside of racially/ethnically concentrated areas.	• Lack of community revitalization strategies • Lack of local or regional cooperation • Lack of affordable, accessible housing in range of unit sizes • Lack of affordable, integrated housing for individuals who need supportive services • Location and type of affordable housing • Location of accessible housing • Quality of affordable housing information programs	Department of Planning	Since 2016 Baltimore County has worked with several affordable housing developers to assist with the creation of accessible housing units in areas of opportunity.
Task 3	Maintain a current list of landlords with accessible units to offer a high level of assistance to persons with disabilities.	• Access to publicly supported housing for persons with disabilities • Lack of affordable in-home or community-based supportive services • Lack of affordable, accessible housing in range of unit sizes • Lack of affordable, integrated housing for individuals who need supportive services • Lack of assistance for housing accessibility modifications • Lack of assistance for transitioning from institutional settings to integrated housing • Location of accessible housing • Regulatory barriers to providing housing and supportive services for persons with disabilities. • State or local laws, policies, or practices that discourage individuals with disabilities from living in apartments, family homes, supportive housing, shared housing, and other integrated settings. • Lack of local private fair housing outreach and enforcement	Office of Housing	Office of Housing continues to recruit landlords that have accessible housing.

ROW #	BALTIMORE COUNTY ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
Goal 7	Improve the existing process for receiving, investigating and recording housing discrimination complaints	Limited information for residents on fair housing rights and housing opportunities; need for expanded fair housing outreach and education		
Task 1	Expand the protections of Article 29 to prohibit discrimination on the bases of familial status and sexual orientation in order to achieve consistency with Maryland's fair housing law.	• Lack of local private fair housing outreach and enforcement • Lack of local public fair housing enforcement • Lack of resources for fair housing agencies and organizations • Lack of state or local fair housing laws • Unresolved violations of fair housing or civil rights law	Office of Housing/ Human Relations Committee/ County Executive	In 2012, the former County Executive signed legislation that added gender identity and sexual orientation to the county's existing anti-discrimination laws. Since the election of the new County Executive, the Source of Income legislation, known as the "Home Act", was successfully passed in November 2019. In alignment with the Baltimore County Enterprise Strategic Plan 2019 to 2022, the County plans to ensure greater economic viability and opportunity amongst traditionally underrepresented populations, communities, and businesses
Task 2	Continue to provide fair housing education and outreach efforts to landlords, building owners, rental agents and real estate agents.	• Lack of local private fair housing outreach and enforcement	Department of Planning	Since 2017 Baltimore County has, and continues to fund vendors that provide fair housing services in the form of outreach and training geared towards housing industry professionals.

ROW #	BALTIMORE COUNTY ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
Task 3	Support fair housing testing, Language Access Planning, diversity in housing and planning boards, investigating housing discrimination, and collaborative efforts with local and national advocates.	• Private discrimination • Source of income discrimination • Lending discrimination • State or local laws, policies, or practices that discourage individuals with disabilities from living in apartments, family homes, supportive housing, shared housing, and other integrated settings. • Admissions and occupancy policies and procedures, including preferences in publicly supported housing • Lack of Access to publicly supported housing for persons with disabilities • Lack of Access to transportation for persons with disabilities • Lack of local public fair housing enforcement • Lack of resources for fair housing agencies and organizations • Lack of state or local fair housing laws • Lack of meaningful language access	Department of Planning	The Department of Planning published the 2015 Language Access (LAP) Plan. Beginning in 2016 Baltimore County has, and continues to fund Fair Housing Action Center of Maryland to provide fair housing services in the form of outreach, training geared towards housing industry professionals, complaints and referrals and testing. In alignment with the Baltimore County Enterprise Strategic Plan 2019 to 2022, the County plans to build a future centered on equitable decisions, providing opportunities and allocating resources and services through an equity, diversity, and inclusion lens that enhances growth and prosperity.
Goal 8	Mitigate the extent to which mortgage loan denials and high-cost lending disproportionately affect minorities.	Potential for increased concentration of protected classes in low opportunity areas without expanded multifamily development envelope and Limited information for residents on fair housing rights and housing opportunities; need for expanded fair housing outreach and education		
Task 1	Continue to engage HUD-certified counselors to target credit repair education through advocacy organizations that work with minority populations.	• Quality of affordable housing information programs • Loss of Affordable Housing • Displacement of residents due to economic pressures	Department of Planning	Credit repair education has been implemented in our ongoing contracts with HUD Certified Housing Counseling organizations contracted to provide housing counseling services.

ROW #	BALTIMORE COUNTY ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
Task 2	Continue to facilitate home ownership education and outreach with particular attention to members of the protected classes.	• Quality of affordable housing information provided	Department of Planning	The County continues to facilitate education and outreach to home owners, home buyers and renters utilizing accessible venues and providing accessible materials for members of protected classes. These efforts continue to be reported in the County's CAPER.
Task 3	Determine whether a local agency exists that has the capacity to provide mortgage lending testing on the basis of race.	• Lending discrimination • Lack of resources for fair housing agencies and organizations	Department of Planning	Since 2016 Baltimore County has, and continues to fund vendors that provide fair housing services in the form of outreach, training, intake of complaints and referrals, and testing on the basis of protected classes in the areas of rentals, sales and mortgage lending.

Harford County Fair Housing Action Plan

ROW #	HARFORD COUNTY ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
Enhance regional fair housing capacity				
1	Support fair housing enforcement, testing and outreach in the County. Work with regional partners to provide sustained support and grow capacity of the Fair Housing Action Center of Maryland.	Capacity building to further jurisdiction commitment to affirmatively furthering fair housing choice; Lack of resources to support empowerment of residents faced with discrimination; Discrimination in housing choice	Harford County Office of Community and Economic Development	Utilize annual CDBG funding to contract with the Fair Housing Action Center of Maryland for fair housing testing, enforcement, outreach training and to provide annual fair housing training for landlords, property owners, property managers and tenants. Annual funding allocation: \$8,000.
Address barriers to equalizing access to opportunity				
2	Invest in older communities to support revitalization, commerce, jobs and homeownership as well as preserve affordable housing units.	Limited future development and more limited housing choice as the County approaches build out	Harford County Office of Community and Economic Development	Provide HOME and CDBG funds to support investment in older communities and to provide rehabilitation to older homes. Partner with eligible CHDOs to redevelop and preserve 20 affordable housing units throughout the County annually.
3	Continue to fund affordable housing for families, primarily in opportunity areas.	Concentration of affordable and accessible housing in low opportunity areas	Harford County Office of Community and Economic Development	Work with nonprofit and for-profit developers of affordable housing to create affordable housing units in opportunity areas. Increase the number of HCVs available for these units.
Increase ownership opportunities for under-represented households				
4	Continue to foster opportunities for homeownership throughout the County including housing counseling and down payment assistance for first time homebuyers.	Disparities in homeownership	Harford County Office of Community and Economic Development	Continue housing counseling and partnership with lending programs/partners to provide downpayment assistance to increase homeownership opportunities for first-time homebuyers.

ROW #	HARFORD COUNTY ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
Increase rental housing options				
5	Explore increased FMRs and/or increased exception payment standards and provide mobility counseling to encourage voucher location in areas of opportunity.	Concentration of affordable and accessible housing in low opportunity areas	Harford County Office of Community and Economic Development	Continue the conversation with local partners and HUD to advocate for increased exception payment standards for rental units in Harford County.
6	Promote Family Self-Sufficiency (FSS) program and connect clients with transportation and employment opportunities.	Disparities in access to opportunities	Harford County Office of Community and Economic Development	Continue to market the FSS program to underserved communities.

Howard County Fair Housing Action Plan

ROW #	HOWARD COUNTY ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
Increase rental housing options				
1	Explore existing County policies that may inhibit the creation of affordable housing, such as County Bill 18-2014	Limited future development and more limited housing choice as county approaches build out, especially if growth is reduced with APFO amendment	Howard County DHCD, Howard County Housing Commission	Work with Consultant and Housing Master Plan Task Force to complete the Housing Opportunities Master Plan by December 2020. The Plan will include community engagement work in each of the 5 council districts and complete an assessment of housing programs/policies in all departments/agencies of Howard County Government to improve efficiency, effectiveness and impact.
2	Open up new land use opportunities through zoning changes (e.g. commercial and industrial zones could allow affordable units) and/or donated land.	Limited future development and more limited housing choice as county approaches build out, especially if growth is reduced with APFO amendment AND Limited tools to produce affordable housing as new construction slows and growth becomes redevelopment- and infill-oriented	Howard County DHCD, Howard County Housing Commission, Howard County DPZ	Partner with the Department of Planning and Zoning to advocate for zoning changes that will open up land use for multi-family and affordable housing. Address geographic inequities in Housing Opportunities Master Plan.
3	Continue or increase funding for creating units and/or subsidizing tenant rents in opportunity areas. (e.g. dedicated funding source for affordable housing).	Disparities in Access to Opportunity; Increasing concentration of protected classes as county approaches build out and units become more scarce	Howard County Housing Commission, Howard County DHCD	Continue to work with BMC and BRHP to contribute funding for the Regional PBV program. Apply for federal voucher opportunities. Apply for state and federal funds to leverage with County funds.
4	Explore increased FMRs and/or Increased exception payment standards and provide mobility counseling to encourage voucher location in Opportunity Areas.	Disparities in Access to Opportunity; Increasing concentration of protected classes as county approaches build out and units become more scarce	Howard County Housing Commission	Continue to work with HUD to request exception payment standards for rental units in Howard County.

ROW #	HOWARD COUNTY ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
5	Continue to monitor the Maryland Department of Housing and Community Development's (DHCD's) awards of Low Income Housing Tax Credits (LIHTC) and advocate for Qualified Allocation Plan (QAP) policies that: a. Ensure the Baltimore metropolitan area receives at least 50 percent of Maryland tax credits awarded, reflecting the Baltimore area's proportion of the State's low income population. b. Award 65% of the region's credits to family developments in opportunity areas in order to address past inequities, while focusing remaining awards in comprehensive revitalization areas.	Disparities in Access to Opportunity; location and type of affordable housing; siting selection policies, practices and decisions for publicly supported housing, including discretionary aspects of Qualified Allocation Plan and other programs	Howard County Housing Commission	Continue to work with BMC to provide comments to the State regarding the annual LIHTC application.
Expand fair housing resources and compliance				
6	Support fair housing enforcement, testing and outreach in the County. Work with regional partners to provide sustained support and grow capacity of the Fair Housing Action Center of Maryland.	Overt discrimination may continue to be a problem. Testing is necessary to ensure compliance with Fair Housing requirements.	Howard County DHCD, Howard County Housing Commission, Howard County Office of Human Rights	Provide annual funding for fair housing testing, enforcement and outreach training. Provide annual fair housing training for landlords, property owners, property managers and tenants. Annual funding estimate \$6000 - \$8000.
Address barriers to equalizing access to opportunity				
7	Invest in older communities to support revitalization, commerce, jobs and homeownership as well as preserve affordable housing units, especially in areas along transportation routes.	Limited future development and more limited housing choice as county approaches build out, especially if growth is reduced with APFO amendment	Howard County DHCD, Howard County Housing Commission	Utilize Community Renewal funds to support investment in older communities and to provide funding for rehabilitation loan programs. Work with the Housing Commission and area non-profits to redevelop and preserve 25-30 affordable housing units, especially in areas with transit access.

ROW #	HOWARD COUNTY ACTION ITEMS	FAIR HOUSING ISSUES/ IMPEDIMENTS TO ADDRESS	RESPONSIBLE PARTY	METRICS AND MILESTONES
8	Support efforts to nurture and sustain racially integrated communities in Howard County, such as the new Columbia Housing Center.	Increasing concentration of protected classes as county approaches build out and units become more scarce	Howard County DHCD, Howard County Housing Commission, Howard County Office of Human Rights and Office of Consumer Protection	Provide annual CDBG funding for this effort to ensure there is inclusiveness, equity, openness and accountability. Address geographic inequities in Housing Opportunities Master Plan.
Increase ownership opportunities for under-represented households				
9	Engage lenders in discussions about homeownership and mortgage lending disparities and how to address. Seek investments in financial literacy programs (including in schools) and assistance in helping subprime loan holders refinance to conventional loans. Develop specific action steps to address disparities in the minority homeownership rate.	Disparities in homeownership rates; access to financial services	Howard County DHCD	Continue conversations with lenders begun through development of 2019 Regional AI and engage Housing Opportunities Master Plan Task Force. Include action plan in the Housing Opportunities Master Plan.
Expand fair housing choice for persons with disabilities				
10	Ensure that people with disabilities have control in the choice of their service provider by prohibiting leases that require tenants to receive supportive services from the provider operating the housing. Ensure that tenants cannot be evicted or discharged for reasons unrelated to their housing or a breach of their lease.	Access to publicly supported housing for people with disabilities; need for affordable, integrated housing for individuals who need supportive services.	Howard County DHCD, Howard County Housing Commission	Educate developers and builders about the DIHU (Disability Income Housing Unit) method of optional compliance for the MIHU requirement in a development. Include action plan in the Housing Opportunities Master Plan.