

**The City of Cincinnati  
and  
Hamilton County**

**FAIR HOUSING ACTION PLAN**

**July 2010**

**Adopted by the City of Cincinnati, Ohio**

**Date**

July 20, 2010

**City Manager**

Milton Doherty Jr.

## Introduction

The City of Cincinnati and Hamilton County jointly requested that Housing Opportunities Made Equal, a Fair Housing Agency, conduct the Analysis of Impediments to Fair Housing Choice (A.I.) for the City and County jurisdictions. The A.I. was completed in May, 2009, and in the A.I., 18 recommendations were made to respond to the issues of 1) NIMBYism based on stereotypes, 2) improving choice in the Housing Choice Voucher Program, 3) predatory lending and lending discrimination, 4) discrimination against people with disabilities, 5) a lack of accessible housing, 6) discrimination against families with children, and 7) Sexual Harassment. The City and County then began a series of monthly meetings with a working group made up of staff from City Planning and Buildings, City Office of Budget and Evaluation, City Department of Community Development, and the County Department of Community Development, to address the report and its recommendations, and to create a Fair Housing Advisory Committee (FHAC) to advise the City and County on the plan and its final recommendation. The FHAC is charged with expanding on the draft responses to the identified impediments, including (1) determining goals and timelines to address each impediment, (2) resources or programs that will be used in financing the fair housing actions, (3) individuals, groups, or organizations to be involved in each action, including defining responsibilities, and (4) identifying a process for monitoring the progress in carrying out each action and evaluating its effectiveness.

The FHAC was formed, consisting of 16 representatives, including City and County staff, from agencies serving people with disabilities, fair housing, affordable housing advocates, banks, Legal Aid, the Cincinnati Metropolitan Housing Authority (CMHA), and others. Meetings were held in February, March, and April 2010. The City and County staff evaluated the responses and recommendations from the committee and have formulated this Fair Housing Action Plan.

## **Analysis of Impediments**

### **NIMBYism based on Stereotypes**

- 1) The City and County need to work with CMHA to provide accurate information about the Housing Choice Voucher Program, including how the program works, the percentage of elderly and disabled people on the program, and the percentage employed. The communities also need accurate information on comparative rates of assisted housing concentration.

Currently the Housing Authority keeps statistics on their clientele, including statistics on numbers of elderly, disabled, and employed receiving assistance. This information is brought to the public's attention occasionally, when prompted. In addition, the local HUD office maintains a spreadsheet showing assisted housing by community and neighborhood in the City and County. The City and County would like to work with the CMHA and HUD to disseminate this information more widely and make this information easier to access by the public. This could be done through a media campaign, or through other venues such as housing workshops. The City, the County, CMHA, Housing Opportunities Made Equal, and Affordable Housing Advocates will work together to conduct a joint informational campaign in 2011.

### **Timeline: Begin 2011**

- 2) The City and County should support, encourage, and participate with neighborhood groups who value inclusion and welcome new neighbors.

The City and County support this recommendation, and welcome assistance from the Fair Housing Advisory Committee to help implement it. Currently the City's Neighborhood Summit and the County's First Suburbs quarterly meetings provide venues for this initiative.

A condition of funding for the City's Neighborhood Support Program (NSP) could require that neighborhood community councils facilitate discussion groups and/or programs on fair housing issues.

To tie fair housing issues more closely with development projects, the City and County will encourage developers awarded contracts, to attend fair housing training. The City and County

will require developers seeking public assistance for any project with at least 50 housing units to conduct an analysis of the impact of the development on racial integration in the community. The analysis will assist the jurisdictions in determining whether support for the project is consistent with their obligation to affirmatively further fair housing.

Public Service Announcements will be used to get the word out about Affordable/Fair Housing concerns. CMHA should provide outreach and data to the community and advertise in their newsletter.

### **Timeline: Begin 2011**

- 3) The Cincinnati Planning Department and the Hamilton County Regional Planning Commission could take the lead in creating a positive image of diverse, mixed income communities.

The City and County support this recommendation, and welcome assistance from the Fair Housing Advisory Committee and the corresponding departments to help implement it. Currently the City's Neighborhood Summit, the County's First Suburbs meetings, and the Affordable Housing Advocates annual meeting provide venues for this initiative.

In February 2010 City Planning held a kick off at the annual city-wide Neighborhood Summit for the start of the Comprehensive Planning process. This plan will be completed in 2011. City Planning will use the planning process and the Comprehensive Plan to help create a positive vision of diverse, mixed income communities.

The County will analyze the County's Compass Housing section for recommendations in this area, and follow up with those recommendations.

Neighborhoods will be encouraged to highlight positive news and events related to fair housing issues at City Council meetings via awards presented to the communities. Awards could be presented on a quarterly basis.

The First Suburbs initiative is always looking for speakers for their quarterly meetings. A subcommittee of the FHAC could meet with the First Suburbs Executive Committee to discuss providing speakers, or working in concert in some areas.

When 2010 census results are released and the Stable Integrated Communities research is updated, it is hoped that additional City neighborhoods and County communities will be added to the list of those that have been racially integrated for at least 20 years. The City Council and County Commission will honor the Stable Integrated Communities at public meetings.

**Timeline: Begin 2011**

- 4) Elected officials and candidates should be asked to sign a pledge to refrain from inflaming racism and prejudice and to show respect for all citizens and their neighborhoods in campaign advertising and rhetoric.

The City and County support this recommendation, and welcome assistance from groups such as the Affordable Housing Advocates, the League of Women Voters, and others to help implement it.

In 2006, the Affordable Housing Advocates (AHA) created a pledge form, which they have been using and they will make an effort to increase its use in the future. Any new City Council persons will be approached to sign the pledge.

**Timeline: Ongoing**

Improve the Choice in the Housing Choice Voucher Program

- 5) CMHA, the City, and the County should collaborate on an active program to recruit landlords in low poverty areas and provide information and support to families with Section 8 Vouchers interested in making integrative moves.

The City currently provides funding to Housing Opportunities Made Equal. Housing

Opportunities Made Equal administers the Section 8 Counseling Program, which provides assistance to Voucher holders to find units in low poverty areas and to recruit landlords in these areas. It may be difficult to provide additional funding from the City or County due to public service limits on the CDBG Program funds, but that can be explored. The County operates a tenant based rental assistance program with HOME funds, and recruits landlords for that program. The City, County, and CMHA could form a working group to discuss this collaboration, and explore what funding may be provided from other funding sources to expand current efforts. The County will consider providing funding in 2011 to Housing Opportunities Made Equal to expand the Mobility program. In order to reduce concentrations of assisted housing in certain areas of the County, Housing Opportunities Made Equal would help county residents with vouchers find housing in communities where there is currently little assisted housing.

**Timeline: Ongoing**

- 6) The City and County should ask CMHA to refrain from actions that limit housing choice such as using tenant-based vouchers to create project-based units or seeking ways to restrict access to certain neighborhoods.

As referenced in the response to recommendation # 5, a working group made up of City, County, and CMHA representatives, along with some other stakeholders, could discuss what limitations the CMHA can or cannot make, the reasons behind these actions, and what incentives they can implement to expand housing choice.

The affordable housing advocates have recommended the following:

“While current HUD rules permit CMHA to project base up to 20% of its Housing Choice Vouchers (HCV), AHA urges that CMHA limit use of this program to a small percentage of funding. AHA believes CMHA should use Project Based Vouchers strategically to expand housing opportunities. In addition to using the option to geographically expand housing opportunities, CMHA should use it to assist low income households with special needs, who have trouble finding suitable housing with tenant-based vouchers and to promote renovation of good existing affordable housing in a way to improve neighborhoods. CMHA should not use project basing of HCV to limit housing choice”.

- 7) The City and County should involve Section 8 tenants in community meetings, including upcoming meetings to develop a Cincinnati Comprehensive Plan and community meetings to discuss community development funding.

The City and County are supportive of this recommendation, and normally include a representative of either the Housing Choice Voucher (HCV) Program, or other CDBG or HOME funded program on their respective committees, such as the County's Community Development Advisory Committee (CDAC). In addition, now that the Tenants United for Truth group has been formed, made up of HCV clients, the City and County can invite this group to participate and comment on various plans and funding recommendations.

Several fair housing advocates have volunteered to work with City Planning staff on the Housing and Neighborhood Development element of the City's Comprehensive Plan. Fair housing issues will be directly addressed in the plan. City Planning commits to conducting specific outreach to low-income tenants in the Comprehensive Planning process.

**Timeline: Ongoing**

- 8) The City and County should work with CMHA to establish a Community Advisory Committee that includes Section 8 tenants and advocates, landlords, and representatives of communities concerned about the impact of families with Vouchers moving to their neighborhoods.

The City and County support this recommendation, and have expressed an interest in serving on such a committee. CMHA is finalizing this committee and it will include representatives of the City and the County.

**Timeline: Late 2010**

Predatory Lending and Lending Discrimination

- 9) Assertive law enforcement action is needed on fraudulent foreclosure prevention scams, the next generation of predatory lending that is targeting minority communities.

The City and County support this recommendation, and will support initiatives that will assist in this effort. Legal Aid will draft correspondence for sign-on by the City and County to advise the Prosecutor's office, Sherriff's office, area police departments, and the FBI of the need for assertive law enforcement action in this area.

**Timeline: Late 2010**

- 10) The City and County should ask the banks in Hamilton County to review their HMDA data, and where racial disparities exist, to conduct self-testing and establish Mortgage Review Committees to ensure that loan originators and underwriters are not letting stereotypes and prejudice affect their decisions.

The City and County support this recommendation. The City and County will work with lenders to hold an annual forum for mortgage lenders and brokers to discuss how they handle and update their review process, and how they will address disparities found. Criteria will be developed for lenders and brokers to present their statistics from HMDA data and address any disparities that may exist.

**Timeline: 2011**

- 11) The City and County should work with major lenders to place more branches in minority and low- and moderate-income neighborhoods.

The City and County support initiatives to encourage lenders to expand access to lending and banking services. In this time of cutbacks and consolidation, many banks are not expanding facilities, but if they are, we encourage them to consult with the City and County and fair housing agencies to determine where branches are needed. In addition, many banking services are accessible through the Internet, so education and training in on-line banking could be provided by lenders to increase the accessibility to lower income and minority consumers. The City and County will encourage banks to offer alternative methods of access to low – moderate income and minority households. This discussion could occur at the annual forum with lenders

mentioned in the response to #10.

The City provides some funding to SMART MONEY Community Services, which provides credit union services and economic education to households in a low income area.

**Timeline: Ongoing**

Discrimination against People with Mental Disabilities

- 12) Training needs to be provided to government officials and local zoning boards in Hamilton County on the Fair Housing Act rights of people with disabilities and the liability of jurisdictions who violate the law.

The City and County support this recommendation. Currently, training is provided by Housing Opportunities Made Equal to County personnel as needed. This effort could be expanded to include more County staff, City staff, and staff of other local zoning boards. This year City Council and the Mayor were invited to fair housing training and they will be invited to fair housing trainings in the future.

The Hamilton County Regional Planning Commission provides a range of training for local zoning commissioners. Fair housing training specifically related to zoning issues will be included in their course offerings.

**Timeline: Ongoing**

- 13) The City Planning Department and Hamilton County Regional Planning Commission should provide siting assistance programs that enable the siting of special needs housing by providing community education, dispute resolution services, and tools such as Good Neighbor Agreements.

The City and County support this recommendation, and welcome assistance from the Fair Housing Advisory Committee and the corresponding departments to help implement this

initiative. The Planning Partnership meets annually and siting assistance could be discussed as a training topic. The City and County could provide awareness coaching to the communities, non-profits and developers.

## **Timeline: 2011**

### A Lack of Accessible Housing

- 14) When the City and County issue occupancy certificates for new multifamily buildings, the inspectors should ensure that the minimal accessibility requirements of the Fair Housing Act are met. Additional training is needed to ensure the inspectors understand that under the Fair Housing Act and the Ohio Building Code, regardless of how units in covered multifamily buildings are classified, they must be minimally accessible to persons with mobility impairments.

The City of Cincinnati has taken several steps to address this impediment. In 1998 the City Council established the Cincinnati Accessibility Board of Advisors to consider and make recommendations to the City Manager on issues of accessibility for disabled persons related to future public projects within the City. Ordinance 0239-2009 was approved September 2, 2009 to broaden the purpose of the advisory committee to include making recommendations to the City Manager on all general matters of accessibility for disabled persons within the City. The City's Senior Buildings Plans Examiner, from the Department of Planning and Buildings, participates with this committee in an ongoing capacity as it works to identify mobility issues and solutions.

In 2009 Housing Opportunities Made Equal held training for Hamilton County staff from the divisions of Community Development, Planning, and Building Inspection to review Fair Housing laws. In January 2010, a more specific training was held with County Building Inspection staff to review the specific requirements related to accessibility. Plans are underway to hold this specific training for existing Building Inspections staff on a bi-annual basis, with trainings held more frequently for new staff.

The City has begun scheduling fair housing training that began April 30, 2010 and invited the Mayor, members of the City Council, and staff from departments such as Community

Development. This comprehensive training covers housing for people with disabilities including accessibility requirements for new construction. Appropriate staff of the Department of Planning and Buildings will attend this training by 2011. Housing Opportunities Made Equal will conduct a training program with City inspectors in late 2010, similar to the one conducted for the County Building Inspection staff, and the City is considering offering this on a bi-annual basis. It specifically covers the Fair Housing Act design and construction requirements for new multifamily buildings.

The Department of Planning and Buildings has requested a minimum of \$5,000 in funding for the following in 2011:

- Books on ADA for use by Plan Reviewers and the general public.
- Staff training on a regular basis.

**Timeline: Ongoing**

- 15) The City and the County should expand their programs that provide accessibility modifications for existing housing to serve renters as well as homeowners.

The City and County support this recommendation. The County has committed \$50,000 of 2010 CDBG funds for a program to provide grant funds for accessibility modifications for low-income renters. The County is working with organizations that assist renters with disabilities to determine need, scope, and final program design, and plan to have a non-profit that currently administers the emergency home repair program to administer this new program. Kickoff is expected in late summer or fall of 2010.

**Timeline: Fall, 2010**

- 16) Information on accessible rental units needs to be made more readily available.

The City and County support this recommendation, and welcome input from the Fair Housing Committee and organizations that assist persons with disabilities, to implement this recommendation. The County currently encourages use of [HousingLocator.org](http://HousingLocator.org) for clients in the

Tenant Based Rental Assistance Program, which can note this in the database. Accessboard.gov is an additional site for assistance. CMHA is looking into using a new service for their listings called “Go Section 8”. A new campaign will be launched for this new website. The free website will allow the landlord to upload their information on available housing.

**Timeline: Ongoing**

Discrimination against Families with Children

- 17) A significant marketing campaign could open the housing market to families by raising public awareness that housing discrimination against families with children is illegal. It would encourage parents who experience discrimination to call Housing Opportunities Made Equal and would educate the small landlords who receive no professional training.

The City and County support this recommendation. The Hamilton County Auditor tracks owner occupancy verses rentals for tax discount purposes, so this information could be used to help pinpoint owners of rental properties for educational mailings.

Proclamations are issued and special attention is paid to this issue during Fair Housing Month. Flyers/brochures will be placed at different locations such as the Department of Community Development, City Planning and Buildings, the Permit Center and the Hamilton County Administration Building on an ongoing basis.

Conduct a marketing campaign for families. Currently there is training being done for landlords. The City and County should meet to strategize on how to market and educate the community on fair housing laws. Some ideas that could be considered are showcasing this information on the “Gems of the Queen City” Citicable show, or on other television shows or other social media. The City and County will work with Housing Opportunities Made Equal to coordinate this to begin in 2011.

**Timeline: Ongoing**

## Sexual Harassment

- 18) Educate female tenants that sexual harassment by landlords is illegal and should be reported to Housing Opportunities Made Equal. Target the message to female university students and Section 8 tenants who are particularly vulnerable because of their age and low-income.

The City and County support this recommendation. Input from the Fair Housing Advisory Committee is now being evaluated and will be added to this response.

Housing Opportunities Made Equal launched for the first time a radio campaign on the topic of sexual harassment.

CMHA offers education during their Housing Choice Vouchers (HCV) briefings on the issue.

The City and County should promote awareness of the issue.

Provide ongoing training to the Police Department on sexual harassment; due to the number of complaint calls they receive on the issue. Police officers will learn to refer women to Housing Opportunities Made Equal if the complaint involves housing, but is not criminal.

**Timeline:TBD**

## Conclusion

These recommendations will be reviewed quarterly by City and County staff in a formal setting, to track progress in each of the areas of the Fair Housing Action Plan. At least 2 times per year the staff will convene the Fair Housing Advisory Committee, so that the Committee can add additional input on progress, and formulate new or change existing recommendations. Formal reporting to HUD will be done on an annual basis in conjunction with the CAPER

The City and County thank all those who participated in the development of this document.

**7/16/10**