

PRRAC

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Metropolitan housing desegregation in greater Baltimore: an agenda for action

With the U.S. District Court's recent ruling in *Thompson v. HUD*, Baltimore is poised to become a national model for an effective and comprehensive regional housing plan that will give poor central city families access to a wide variety of opportunity-rich communities. Baltimore is already ahead of many other cities, with its substantial new investment in revitalizing inner city housing and neighborhoods. The Court's ruling now gives Baltimore the opportunity to balance this investment with a full range of housing choices for its residents.

Based on the experience of advocates and administrators in other public housing desegregation cases, it is clear that any regional remedy will need to include a variety of complementary planning and program elements. In addition, it will need to have clear, enforceable goals and timetables, and a credible system of compliance enforcement built in. The summary that follows is our initial suggested inventory of remedy elements.

PLANNING

* A regional plan for HUD resources in the region: All HUD resources and programs in the region must be re-aligned to support a housing integration strategy, including

- HOME funds
- CDBG funds
- Public housing development and replacement funds
- Capital and operating grant funds to Housing Authorities
- Housing Choice Voucher funds & programmatic decisions
- FHIP and FHAP funds
- HOPWA funds
- FHA "up front" grants
- FHA loan insurance
- the current inventory of HUD-assisted private housing
- Homeownership assistance
- Housing counseling grants
- Economic development and brownfields grants
- Consolidated Plan Process
- Analysis of Impediments to Fair Housing
- other programs

* Publicly-assisted housing inventory: HUD should commission a comprehensive inventory of all publicly assisted housing resources throughout the 5-county area, including housing financed under the Low Income Housing Tax Credit Program and any other federal or state programs.

- inventory should include mapping of job growth areas and transit access in relation to assisted housing opportunities

* Private housing inventory: HUD should commission an inventory of all existing private housing in the region.

- inventory of private rental housing, to target for housing voucher locations
- inventory of privately owned 1-, 2-, and 3-family housing in the region, and multifamily developments, to identify candidates for acquisition.

* Vacant or underutilized land inventory: HUD should commission an inventory of all developable land in the region, including non-parkland areas owned by the state or county governments.

* Community Reinvestment Act strategies: HUD, in cooperation with the Federal Reserve and other banking regulators, should convene meetings of bankers to design a comprehensive strategy to encourage financing of integrated rental housing opportunities in lower-poverty neighborhoods throughout the six-county region.

* Regulatory barriers: identification and removal of regulatory barriers that impede the production of affordable housing (including HUD regulatory barriers and barriers to the flexible use of HUD funds).

PROGRAM COMPONENTS

* New allocation of Housing Choice Vouchers for class members earmarked for use in low poverty areas throughout Baltimore region

- enhanced rents to increase access to suburban housing markets
- number of new targeted vouchers keyed to annual demand
- inclusion of housing vouchers previously recaptured

* Earmarking of a portion of all turnover vouchers in the region, including county-based vouchers and vouchers previously allocated regionally, for use in low poverty areas throughout Baltimore region

* A strengthened regional housing mobility program for all Housing Choice Voucher families residing in Baltimore

- use of best practices design including full counseling, landlord recruitment and incentives, full tenant search assistance, etc.
- regional administration of vouchers.

- additional program features for class members to include security deposit fund, post-move transportation assistance, credit counseling and repair (or creation of a credit risk pool), intensive employment counseling and placement, and other post-move counseling and assistance as needed to increase success in new community.
- * Housing development: financing of new scattered site housing opportunities throughout the region, utilizing both urban and suburban non-profit development organizations where appropriate.
- * Housing acquisition: identification and acquisition of small properties or subleasing of portion of new or existing multifamily developments for rental to qualified class members.
- * Housing Preservation: specific steps to prevent of loss of existing publicly-assisted units in the suburban counties.
- * Inclusionary zoning: a setaside of lower units in all new private development in the region, with a substantial portion set aside for rental to qualified *Thompson* class members (state or county action)
- * Passage of source-of-income discrimination laws (state or county action)
- * Low Income Housing Tax Credit Program: greater efforts to site LIHTC family developments in low poverty locations accessible to low income Baltimore city residents (state action)
- * Housing development capacity building and infrastructure: support for non-profit developers to engage in suburban development activities, including administrative overhead for suburban projects, incentives for city CDCs to partner with suburban housing groups, etc.
- * Land banking: identification and preservation of non-parkland state and county land for scattered site low income housing development; rezoning as necessary to accommodate development.
- * Fair housing enforcement strategies: substantially increased funds for fair housing testing and enforcement, including a coordinated source-of-income discrimination testing program to improve voucher access to suburban rental housing.
- * Affirmative Marketing: monitoring and enforcement of affirmative marketing requirements for all suburban assisted housing developments in the region; use of consolidated waitlists that include Baltimore City housing waitlists for public housing and Section 8.

REMEDIAL PROCESS

* Remedial order should be performance based, with specific numerical goals, timetables, and sanctions available.

- Order should include annual goals for a specific number of class members given access to desegregated housing opportunities.

- achievement of annual goals should be spread among a series of program types, but with flexibility to change program emphasis from year to year

- failure to achieve numerical goals should trigger additional incentives, funding, program features, etc., in subsequent years

* Remedial order may require that HUD develop an initial plan using its own fair housing planning procedures.

* Remedial order should set out specific steps for HUD to take to require participation by all actors in the region – including the State of Maryland, the counties, the county housing authorities, private developers, all HUD grantees, and the City of Baltimore and the Baltimore City Housing Authority.

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