

Assessment of Fair Housing

Affirmatively Furthering Fair Housing in Boston, Massachusetts: Process, Findings and Goals June 2019

Introduction¹

On January 5, 2018 HUD issued a Notice in *The Federal Register* extending the deadline for submission of local government Assessments Fair Housing (AFH) to the next program year after October 31, 2020 and HUD suspended submission and review of all AFHs not already approved. Regardless of this change Boston recognizes that much dedication and work went into the development of several drafts on behalf of affirmatively furthering fair housing in this city. This report reviews Boston's efforts and findings in assessing affirmatively fair housing; it captures important narratives and data that are critical for achieving fair housing for protected classes, and all residents of Boston.

The City is in agreement with housing and community advocates that there is still need for a concise and reader-friendly assessment report and which identifies barriers and potential solutions for affirmatively furthering fair housing.² As reported in the latest edition of *Housing Boston 2030 UPDATE*:

“In the original Housing Boston 2030 document, references to fair housing issues and specific fair housing actions appeared in various sections of the document. The City of Boston believes, however, that the need for coherent and comprehensive treatment of fair housing issues is too central to the work of this housing plan to remain decentralized. All Fair Housing and Equity work will now be aggregated in this new chapter and will be consistent with the analysis, priorities and goals of the Department of Housing and Urban Development (HUD) required Assessment of Fair Housing that DND [Department of Neighborhood Development], the BHA, [Boston Housing Authority] Fair Housing & Equity, and many community organizations and advocates have undertaken for more than a year.” (p.22)

¹ James Jennings, Professor Emeritus of Urban and Environmental Planning at Tufts University, spearheaded the initiation and completion of this report, but it is primarily based on synthesizing information and data collected and reported and Robert (Bob) Gehret, Deputy Director, Policy Development and Research Division, Department of Neighborhood Development, and by our late friend and colleague, Wilbur E. Commodore, former General Counsel for the Boston Housing Authority; as well as input from a range of organizations working to ensure fair housing for residents in Boston and the Boston region.

² Also see, correspondence from The Affirmatively Furthering Fair Housing Steering Committee to the Department of Neighborhood Development (June 8, 2018) regarding the importance of moving forward with a reader-friendly report that includes assessment of past goals, state of implementation, and new goals based on data and community meetings, as well as information the City has collected about fair housing issues

The Report represents a citywide plan for affirmatively furthering fair housing in Boston. Affirmatively furthering fair housing “means taking meaningful actions that, taken together, address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws.”³

As explained in the *Analysis of Impediments to Fair Housing Choice: Access To Opportunity In The Commonwealth*, Massachusetts Department of Housing and Community Development (2013):

“On July 19, 2013, HUD released its proposed rule on “Affirmatively Furthering Fair Housing” (78 FR 43709), defining the term as follows: ‘Affirmatively furthering fair housing means taking proactive steps beyond simply combating discrimination to foster more inclusive communities and access to community assets for all persons protected by the Fair Housing Act. More specifically, it means taking steps proactively to address significant disparities in access to community assets, to overcome segregated living patterns and support and promote integrated communities, to end racially and ethnically concentrated areas of poverty, and to foster and maintain compliance with civil rights and fair housing laws.’ (p.20).

Analysis of Impediments to Fair Housing: Access to Opportunity In The Commonwealth explains further that “While the obligation not to discriminate is critical, it is the obligation to affirmatively further fair housing that is most commonly overlooked and/or misunderstood, and which establishes the requirement that the Commonwealth and its political subdivisions assume a proactive posture with respect to fair housing. Prohibition of discrimination and/or enforcement of anti-discrimination laws are not sufficient. Liability may arise when there is a failure to affirmatively further fair housing as required. Such a failure may include perpetuating racial segregation patterns and adopting policies and activities that have a disparate impact on a protected class.” (p.19)

The report reflects the fact that an assessment of fair housing is regulatory based on federal standards, and “substantially incomplete” if the data is incomplete, or the goals do not match data suggesting barriers to fair housing. It is also incomplete if it ignores “policies or practices as fair housing contributing factors, even though they result in the exclusion of a protected class from areas of opportunity.”⁴ This is consistent with the calling for the linking of “fair housing concerns with issues of transportation, employment, education, land use planning, environmental justice, and access to housing.”⁵

Essentially, the Report provides a ‘fair housing lens’ to strategies, policies and actions adopted to move Boston towards meeting major challenges including the attainment of racial equity in the lives of residents. It identifies barriers to fair housing for protected groups but also takes account a context of rapid demographic and economic growth and gentrification. Barriers

³ *Analysis of Impediments to Fair Housing*, Department of Housing and Community Development (September 2018).

⁴ Correspondence from The Affirmatively Furthering Fair Housing Steering Committee to the Department of Neighborhood Development; also see, “NAACP, Boston Chapter v. Secretary of Housing and Urban Development finding, in part, that information and impacts on “minority housing needs” is required in an assessment of fair housing; also, *Anti-Discrimination Center of Metropolitan New York v. Westchester County*.

⁵ Fair Housing and Equity Assessment for Metropolitan Boston, Prepared by Metropolitan Area Planning Council (2017), p.7

and context help to inform the goals that have been proposed in community meetings, and meetings with civil rights and housing representatives, as local government.

A range of materials, information and data, and public testimony were utilized in compiling this review and analysis of Boston's assessment of fair housing. The latter included city, state and regional reports related to housing and fair housing; reports to HUD CAPER PI 2016; Consolidated Plan, July 1, 2018 to June 30, 2023; City of Boston Action Plan, PI 2017; BHA Annual Report 2018 and 2019; the updated Housing Boston 2030; Facing Massachusetts' Housing Crisis: Special Senate Committee on Housing Report (March 2016); Fair Housing and Equity Assessment for Metropolitan Boston, Prepared by Metropolitan Area Planning Council, and others. It included review of the first two drafts of the Assessment of Affirmatively Furthering Housing before January 2018 based on the HUD Assessment Tool.⁶ Data reported in the American Community Survey (ACS) 2011 – 2015, and 2012 – 2016 5 Year Estimates, Public Use Microdata Sample (PUMS) 2012 – 2016, and the 2010 Decennial Census were used to collect some data. In some areas the information and data is updated with later census data than used by HUD, primarily the American Community Survey 2009 – 2013 5 Year Estimates.

This Report is written in a more narrative format versus the digital templates provided by HUD, but nevertheless still comprehensive and detailed. There were technical and data problems associated with HUD's information and maps.⁷ The tables in this Assessment are based on data analysis of census data and information but presented in more reader-friendly format; the tables are also formatted in ways in which future data could be collected and analyzed in terms of trends and patterns.

The major concerns, ideas and suggestions offered in public testimony for overcoming opportunity barriers and furthering fair housing in Boston are an important basis for determining goals to affirmatively further fair housing in Boston. These are captured in the following themes expressed in both surveys and public meetings held throughout the city:

- Gentrification is a city-wide and serious concern, but along with this a growing sense of housing vulnerability; related to this angst, was also concern that there are not enough protections for low- income and moderate-income residents in areas facing gentrification

⁶ The HUD Assessment Tool can be accessed www.huduser.gov/portal/affht_pt.htm#affhassess-tab; the other reports are available under various departments on www.Boston.gov. This assessment tool calls for the following to be part of an assessment of fair housing: community participation for identifying concerns about fair housing; review of past goals and how they were addressed; fair housing analysis of demographic trends; patterns of segregation; economic pressures, community revitalization strategies or lack thereof, land use and zoning; location and type of affordable housing; private discrimination; or lack of regional cooperation, all in relationship to RECAPs; disparities in transportation, health, education or differences in poverty levels and presence and access to economic opportunities in the private or public sectors; disproportionate housing needs; needs of persons with disabilities; analysis of public housing patterns relative to fair housing issues; and the range of fair housing enforcement. The goals and metrics for achieving goals should reflect information and data discovered in the latter areas. For a descriptive summary of these categories see, Elements of the 'Assessment of Fair Housing Process, Poverty and Race Research Action Council, Washington D.C., https://prrac.org/pdf/PRRAC_AFH_Overview.pdf; also see, Fair Housing Planning Resource Guide - Understanding the Proposed Affirmatively Furthering Fair Housing Rule, National Community Reinvestment Coalition (2013).

⁷ See email correspondence from Robert Gehret, Deputy Director of the Policy Development and Research Division, DND, to the HUD Exchange and others regarding a range of technical and data problems with HUD's information: June 17, 2016; September 7, 2017; June 8, 2017; June 9, 2017; July 13, 2017; and, February 22, 2018; also see, HUD, Office of Policy Development & Research Affirmatively Furthering Fair Housing Data and Mapping Tool (AFFH-T) Data Documentation, Data Version AFFHT0004 (Released November 17, 2017 and published December 13, 2017).

pressures; it should be noted that low- and moderate- income tenants are disproportionately people of color and members of other protected classes and thus most impacted by gentrification.

- Rapidly rising rents across the city is a concern, but especially in low-income parts of the city;
- Perception shared widely that evictions are being used in exploitive ways to displace or move low and moderate-income renters;
- Concern about the definition and concept of housing affordability; if the call for affordability is not based on actual incomes of residents in some neighborhoods, then it will hurt their chances in terms of access to affordable housing since they are in competition with households with significantly higher incomes;
- A sense that the real estate sector is out of control, operating as its own master; what can local government do, or should do, to control the negative impacts, (or what economists refer to as ‘externalities’) that this sector is having on Boston’s neighborhoods;
- The need for more information and opportunities to increase homeownership, especially in communities of color, and among low-income and extremely low-income groups;⁸ also, opportunities should be increased for expanding alternative resident-owned housing, community;
- Concern about community safety - crime and gun violence as a major problem; youth involvement with violence is too high;
- The current state of public transportation is a problem in terms of access to quality service for many communities, but especially low-income communities and communities of color;
- Segregation by neighborhood areas continues in Boston. Some ‘opportunity areas’ are in these same neighborhoods and building affordable housing in these areas should be encouraged in ways that increase racial and ethnic diversity;
- Current policies like linkage, inclusive development and community preservation should be expanded for the benefit of low-income households and protected groups;
- Neighborhood-based organizations and businesses should be strengthened and financially supported by the City with CDBG or other appropriate funds as a bulwark against gentrification;
- Zoning is a powerful tool to help vision a Boston for all; it should be used more aggressively for furthering fair housing and preventing displacement;
- Fair housing cannot be ‘silo-ed’-strategies should reflect connections to public schools, public health, public safety, and the availability of economic opportunities.

⁸ Low-income refers to persons or families, or households with a median income of less than 60% of the Area Median Income (AMI); extremely low-income refers to less than a median income of less than 30% of the AMI. Land trusts and cooperative housing; many raised the issue regarding the use of vacant land or city-owned land for cooperative housing.

- Enforcement of fair housing laws needs to be strengthened and made more aggressive and visible.
- Need for ongoing evaluation and assessment of efforts to AFFH - and modify goals to meet needs on the ground determined through ongoing community input, and data.

Section I provides a historical and contemporary social and racial context relevant to affirmatively furthering fair housing. A brief historical overview of racism and segregation in Boston is provided so that readers can understand how we got here, a key piece in strategizing about how we move forward as a city that is overcoming obstacles to fair housing and its related areas.

The following Section II of the report is an overview of the community engagement process. The section includes a summary of the myriad activities implemented to solicit community input, but also the major ideas, suggestions, and proposed goals that emerged in numerous public discussions.

Section III, “Analysis of Fair Housing” includes both, a review and analysis of data pertinent to fair housing issues and discussion about opportunity barriers to fair housing. These barriers include:

- Housing: Tenure, Severe Housing Problems, and Severe Housing Costs Burden
- Homelessness
- Gentrification
- Zoning
- Expiring Use
- Continuing Prejudice and Discrimination
- Language issues
- Public Education
- Income / Employment / Poverty
- CORI and Credit Obstacles
- Veterans Facing Barriers
- Transportation
- Disability Barriers
- Public and Community Safety and Public Health
- Lack of vigorous enforcement of anti-discrimination laws
- Access to public land and resources

Section IV presents broad goals that should be considered for strengthening the pursuit of fair housing and eliminating or reducing barriers to fair housing. This section describes the goals

emerging from two years of collection of HUD data, exploring local knowledge about the status and barriers to fair housing, and city-wide public input. The goals reflect some ongoing City goals and programs, to be sure; nevertheless, it is required to place ongoing goals within a framework of fair housing.

Appendices B, C, and D provide greater detail about actual meetings and surveys utilized to solicit input from residents, including residents living in public housing. It is important to review past goals and actions proposed in response to Boston's *Analysis of Impediments* Report (2010). Appendix E – Part 1 reviews and summarizes the goals and describes how they were approached, completed or satisfied, and to what degree. Appendix E – Part 2 presents details about the specific goals and action steps reported in the *Analysis of Impediments* Report in response to challenges to fair housing. Appendix F is a list of the 23 goals adopted and described in Boston's *Consolidated Plan* (July 1, 2018 to June 30, 2023). Appendix G includes 3 parts: select list of judicial decisions actions under 'Fair Housing Case Law'; current open cases; and a list of agencies and organizations charged with, or having missions, to enforce anti-discrimination policies and practices. Appendix H includes two Inclusionary Development Policy Maps, the latter showing the concentration of Blacks and Latinos throughout the Zones.

The following is a list of the goals and the categories used; *please note that these goals are explained more fully and in greater detail in Section IV.*

1. HOUSING FOR PEOPLE WITH DISABILITIES AND AGING POPULATION

1.1 Goal: Increase in the supply of affordable and accessible housing and city funded affordable and accessible units for persons with disabilities.⁹ Expand and support the use of Accessory Dwelling Unit zoning as a tool to allow elder homeowners to remain in place, and in their communities. And, periodically review *2018 Massachusetts Olmstead Plan* to assess impacts and/or changing needs.

1.2 Goal: Consistent with Housing 2030 and the city's Disability Housing Task Force, ensure that the City and other providers reasonably accommodate the disabilities of disabled Bostonians even in shelter or other temporary settings, e.g., ensure placements that allow for ongoing medical treatment, support.

1.3 Goal: The City should fund affirmative trainings on reasonable accommodation to landlords, management agents, real estate brokers, judges, housing agency personnel or others who may interact with the elderly/disabled. Signs could be posted on transit or other public places promoting fair housing and in particular including information on the reasonable accommodation requirement.

1.4 Goal: Explore access to behavioral health treatment for elders and others with disabilities to maximize the possibility of retaining affordable housing.

1.5 Goal: BHA to consider establishing priority for public housing placement for nursing home residents seeking to return to housing.

1.6 Goal: Encourage age-friendly development and alternative housing options which serve to connect seniors and those with disabilities with their communities.¹⁰

1.7 Goal: Promote access to homeownership opportunities for persons with disabilities.

1.8 Goal: Develop a summary of services available to assist elders with tax arrears and refrain from tax foreclosures so that elders can remain in their homes.

⁹ See also Department of Neighborhood Development (DND) Goal 1.1

¹⁰ See also DND goal 2.2

1.9 Goal: Support legislation reducing the amount of down payment owners must make on tax arrears payment plans.

1.10 Goal: Make resources accessible and translated to different languages to meet the needs of those with disabilities and also target immigrant and undocumented population. As indicated in Chart 1 and in other places discrimination against people with disabilities and based on national origin was reported as significant by the Massachusetts Commission Against Discrimination.

1.11 Goal: Increase the supply of affordable housing units for Seniors.¹¹

2 REDUCING AND PREVENTING HOMELESSNESS

2.1 Goal: Continue and further expand collaborative initiatives to end homelessness and seek to increase the impacts of ongoing programs such as Boston's Way Home and Boston Youth.

2.2 Goal: Continue to build data and collect information about homelessness and how it is connected to other facets in the lives of individuals, children and families and where racial and ethnic differences are significant.

2.3 Goal: Expand local and state housing, employment and education opportunities for veterans.

2.4 Goal: Review need for additional shelters, including specific shelter needs for youth, the disabled, couples and families, and also rapid rehousing and report findings to the state regarding this issue.

2.5 Work with Housing Court and District Courts to develop strategies to avoid unnecessary homelessness, and support the right to counsel.

3 BUILDING AND STRENGTHENING REGIONAL STRATEGIES

3.1 Goal: Continue to support the strengthening of regional partnerships aimed at growing a diverse housing stock and municipal timelines to achieve such.¹²

4 EXPANDING HOUSING CHOICE

4.1 Goal: Design and implement a mobility program to educate and assist families and BHA housing choice voucher holders in identifying and relocating to housing in areas with increased opportunity, including opportunity areas in Boston.¹³

4.2 Goal: Establish a BHA working group to explore revisions to admissions and continued occupancy policy and/or examine effectiveness of marketing outreach under existing policy.¹⁴

4.3 Goal: Create a comprehensive centralized list and digital portal of all available affordable housing, affordable housing programs and related information necessary for interested families and individuals to apply, participate and be informed of the availability of newly constructed or redevelopment affordable housing.¹⁵

4.4 Goal: Expand outreach to incentivize willingness of landlords to take voucher holders by increasing the ability of landlords to obtain funding for housing accessibility modifications and de-leading. Consider establishing a set-aside for voucher holders seeking help with upfront security deposit costs, application

¹¹ See DND Goal 2.1; see also DND goals 5.2, 5.3

¹² See also DND Goal 3.1

¹³ DND Goal 4.2

¹⁴ DND Goal 4.3

¹⁵ DND Goal 4.4

feeds, and similar charges that may be a barrier to voucher holders obtaining housing, sometimes with a conscious effort by the landlord or the landlord's agent to discourage subsidy recipients.

4.5 Goal: Boston Fair Housing Commission should consider pursuing enforcement powers to bring legal suits germane to Section 8 discrimination, such as landlords refusing to take voucher holders and other illegal actions against voucher holders, including more subtle discriminatory actions, such as charging a high up-front application fee that operates to discourage voucher holders from applying, or improperly failing to consider the benefit of the tenant subsidy in the tenant screening.

4.6 Goal: Develop a protocol for joint reporting and investigation regarding incidents of discrimination against participants in the Housing Choice Voucher Program.

4.7 Goal: Conduct a survey of BHA resident concerns every two years to assess the concerns and needs of tenants in publicly-supported housing.

4.8 Goal: Opt In to HUD's Small Area Fair Market Rent Initiative.¹⁶

4.9 Goal: Substantially expand the number of de-lead two or more bedroom units in the City available to families with children under the age of 6.¹⁷

5. REDEVELOPMENT AND PRESERVATION OF EXISTING PUBLIC HOUSING, AND PRIVATELY-OWNED SUBSIDIZED HOUSING, AND IMPROVING THE QUALITY OF HOUSING

5.1 Goal: Continue the redevelopment and preservation of existing public housing through mixed finance development strategies to attract private investment in public housing communities, with careful attention to avoiding displacement or other negative impact on existing residents in the development and surrounding community.¹⁸

5.2 Goal: Design a multi-lingual reference directory (and web page) of city and state programs and initiatives devoted to providing information and resources aimed at assisting homeowners to make improvements on their homes. Ensure that it is available in multiple languages.¹⁹

5.3 Goal: Continue to support organizing among residents in expiring use properties and provide information and training, technical assistance about tenant opportunities for preserving and cooperatively owning housing.²⁰

5.4 Goal: Prioritize the use of City resources for the preservation of expiring use housing and provide additional funding where necessary by drawing on increased property taxes as a result of the development boom, especially in 13A developments.²¹

5.5 Goal: Ensure that residents are aware of public programs designed to assist with purchasing a home or maintaining one's property (e.g., repair and weatherization loans and grants) including "Tenant Protections in Foreclosed Properties," and that they are aware of existing protections for tenants under the City of Boston's Condo Ordinance.

¹⁶ DND Goal 4.1

¹⁷ DND Goal 5.1

¹⁸ DND Goal 7.1

¹⁹ DND Goal 8.1

²⁰ See DND Goal 9.1

²¹ See DND Goal 9.2

5.6 Goal: The Community Preservation Act Commission should review and assess the first year of applications and implementation of Community Preservation Plan goals, especially regarding the Plan’s own first priority, “Construction of more deeply affordable rental housing 50% of AMI or below.”

5.7 Goal: Work with DHCD to establish a preference for residents displaced from 13A developments for housing units in new state-assisted developments.²²

6 ENHANCING FAIR HOUSING AND ECONOMIC OPPORTUNITY

6.1 Goal: Use housing redevelopment and preservation as an economic tool to increase employment for residents and for sub-contracts to local and minority-owned businesses. (Also see Goal below, on Section 3).²³

6.2 Goal: Explore HUD’s Section 3 for Increasing Access to Construction Jobs and Expanding Opportunities for Minority-Owned Businesses (MBEs) and Women-Owned Businesses (WBEs); for example, HUD calls for expanding use of Section 3 for these purposes (see, https://www.hud.gov/program_offices/fair_housing_equal_opp/section3/section3).²⁴

6.3 Goal: Enhance the Boston Resident Jobs Ordinance to expand monitoring and reporting efforts.

6.4 Goal: Work to limit the impacts of Criminal Offender Record Information (CORI), poor or non-existent credit histories and eviction records on Boston residents. Design a public information campaign focusing on the problems CORI causes for Boston, and how it prevents fair housing for hundreds of individuals.²⁵ Ensure that the DND Fair Chance Tenant Selection Policy is highly publicized.

6.5 Goal: The Boston Fair Housing Commission should design a public information campaign focused on housing providers and banks about their obligations under the fair housing laws. Also see Goal 8.5 regarding this issue.

7 ZONING AS A FAIR HOUSING TOOL

7.1 Goal: Amend the Boston Zoning Code to include comprehensive text setting out the City’s fair housing obligations in zoning, as set forth in Boston City Council Docket #2032, “Order Regarding A Text Amendment For Boston Zoning Code Relative To Fair Housing And Integrated Communities.”. Seek an amendment of Boston’s zoning enabling statute, Section 655 of the Acts of 1956, as amended, to increase the membership of Boston’s Zoning Commission at least by two additional Boston residents, one nominated by designated fair housing organizations or the Fair Housing Commission or Office of Resiliency, and one nominated by organizations representing those displaced or at risk of displacement in the City of Boston. [NOTE: *Since this edit to the AFH was proposed in June 2019, a measure that would reform Boston’s Zoning Board of Appeal so as to ensure representation of fair housing concerns in the deliberations of the ZBA was filed in the Boston City Council Docket #0233, A Home Rule Petition for a Special Law re: An Act Relative to the Zoning Board of Appeal. The AFFH Community Advisory Committee supports such measures and recommends similar action with regard to the Zoning Commission to ensure that the composition of both the Board and Commission includes members with knowledge of fair housing, civil rights, affordable housing, and environmental concerns.*] BPDA should hire a staff person or consultant who is an expert in fair housing to do a comprehensive review of its policies and procedures to

²² DND Goal 9.3

²³ DND Goal 10.1

²⁴ Also see, Denise Fairchild and Kalima Rose, *Inclusive Procurement and Contracting: Building a Field of Policy and Practice*, published by Emerald Cities Collaborative and Policy Link (February 2018): “US HUD’s Section 3 requires that 30 percent of all development investments must use disadvantaged businesses and local residents. This regulatory requirement provides powerful levers for inclusive procurement, but the Section 3 ruling is poorly enforced and implemented...” p.25

²⁵ DND goal 15.3

identify areas in which change is needed to meet the City’s obligations under federal, state and local law. Establish a working group to work with and oversee this review of policies and procedures including staff from BPDA, BFHC, Office of Resiliency, BHA and representatives from community, fair housing, affordable housing and other groups.

7.2 Goal: Utilize zoning for creative approaches to maintain affordable housing for low-income groups, seniors and persons with disabilities, or to more generally expand the availability of income restricted and naturally occurring affordable housing.

7.3 Goal: Explore and encourage the MBTA to design and require “transit equity impacts” to identify and mitigate impacts from transit improvements that could contribute to displacement of residents. As noted by *Action 4 Equity*, this is a “response to the displacement in our neighborhoods. Our demand recognizes that improving transit in our neighborhoods has had the unintended consequence of speeding gentrification and exacerbating inequality.”²⁶ This could also include assessing potential health impacts.

7.4 Goal: BPDA should further enhance community planning and re-zoning processes to assure that these processes are inclusive of the residents and groups that the zoning changes will affect, that there are opportunities for meaningful community input, and that steps are taken to affirmatively further fair housing.

7.5 Goal: The City will seek legislative authority to incorporate the Inclusionary Development Policy into the City’s Zoning Code and provide the City with the ability to adjust Linkage fees, Inclusionary Development set-asides and payment and covered projects to increase the resources raised by these programs.²⁷

8 EXPANDING HOMEOWNERSHIP WITHIN A FAIR HOUSING LENS

8.1 Goal: Reduce the disparity in homeownership rates by race and ethnicity; design strategies to keep older homeowners in place as their neighborhoods become gentrified, including by tax relief. Monitor and enforce, and publicize, the December 2018 City Council measure to assist older persons not meeting property taxes by extending payment terms from one year, to five years; forgive up to 50% interest charges. Develop a strategy to consider extending this arrangement for other homeowners, as well, as committed to by the City.

8.2 Goal: Support the establishment and growth of cooperatives and community land trusts, in part through the use of city-owned parcels.

8.3 Goal: Expand the BHA family-self-sufficiency program with a specific emphasis on homeownership.²⁸

8.4 Goal: Get commitments from banks to meet their Community Reinvestment Act (CRA) obligations to meet the needs of their communities by making mortgage loans to low-income people and not foreclosing before efforts are made to resolve issues with an affordable loan modification.

8.5 Goal: Enforce City of Boston Responsible Banking Ordinance to ensure the City is investing money only in banks that engage in non-discriminatory lending and banking practices. This Ordinance requires yearly reports on the part of banking institutions about activities and actions taken by census tracts that may be contributing to housing discrimination. A Commission within the City’s Collector-Treasurer Office is to

²⁶ See, Marvin Martin, “A Pilot Project – Special Protections for Transit Corridors: A multi-issue response to today’s gentrification and inequality and unintended consequences of transit improvements in Boston and region” (June 11, 2015).

²⁷ DND Goal 13.1

²⁸ DND Goal 6.4

be appointed to collect this information and report its findings annually to ensure that residents are not being unfairly displaced or burdened with housing costs.²⁹

8.6 Goal: Increase the number of lower-income households who are not able to afford to buy a home.³⁰

8.7 Goal: Increase the number of lenders participating in the City's homebuyer assistance programs.³¹

8.8 Goal: Increase the supply of subsidized homeownership properties.³²

8.9 Goal: Implement a Financial Assistance Program to assist Whittier tenants and residents of the Whittier Choice Neighborhoods target area to become homeowners.³³

9 CHALLENGING RACIAL INEQUALITIES, INEQUITIES AND BUILDING NEIGHBORHOOD CONNECTIONS

9.1 Goal: Consistent with the recent mayoral *Executive Order To Promote Racial Equality and Resilience* (January 31, 2019), organize training sessions for public officials, planners, developers and community groups to understand better how to utilize a racial equity and social justice lens in a) adopting policies and strategies; b) communication and outreach; and c) evaluation of policies, strategies or actions. Require all City departments to conduct a searching analysis of racial equity, social justice and issues facing members of classes protected under for housing and other civil rights laws, leading to a proactive plan for equity and social justice.

9.2 Goal: Ensure that City departments are collecting data necessary to evaluate their work through a racial equity and social justice lens. Departments should ensure there is an opportunity for public input on data to be collected and proposed uses of data. Data analyses should be publicly shared and available. Departments should use the data collected to make decisions on changing policies to ensure equity.

9.3 Goal: Enhance collaborative decision-making in City government by bringing together residents and government to share knowledge and skills to develop more effective and equitable policies, practices, and processes.

9.4 Goal: Strategies should be considered for making the leadership of various city agencies continually aware of fair housing issues (and changes); these agencies can include the Boston Public Schools (BPS), the Boston Police Department (BPD), the Boston Public Health Commission (BPHC), the Office of Workforce and Jobs (OWD), Boston Center for Youth and Families (BCYF), Boston Planning & Development Agency, and others.

9.5 Goal: Encourage BHA and property managers of subsidized housing to pursue greater communication and collaboration with the Boston Public Schools and local community health centers (and nonprofits) to assist in understanding the health and housing-education needs of children.

9.6 Goal: Ensure that education, cultural and health institutions pay the agreed upon Payment In Lieu of Taxes (PILOT) in a timely manner.

²⁹ See, *An Ordinance Amending The Municipal Banking Commission And Providing For Responsible Banking Practices In The City Of Boston*, 2013

³⁰ DND Goal 6.1

³¹ DND Goal 6.2

³² DND Goal 6.3

³³ DND Goal 6.4

10 REDUCING AND ELIMINATING DISCRIMINATION, INTENTIONAL OR NON-INTENTIONAL

10.1 Goal: Include affirmatively furthering fair housing clauses with signing of city contracts with developers.

10.2 Goal: The Boston Fair Housing (BFHC) should continue to seek to reduce housing segregation and discrimination by aggressively conducting fair housing education, investigations, and enforcement activities, in coordination and with fair housing and civil rights organizations.³⁴ Special emphasis should be placed on obtaining higher damages for housing discrimination. Given the presence and growth of the foreign-born population and limited English-speaking groups, there should be special emphasis on ensuring that individuals and households in these categories understand their rights.

10.3 Goal: Emphasize the importance of providing translated materials regarding public notices or announcements, and in-person interpretation, and enforce compliance among city departments, authorities and the BPDA with the Boston Language and Communications Access Ordinance. Increase staff and resources for the BFHC and Office of Fair Housing to ensure investigation, enforcement, and adequate monitoring, reporting and responding to instances of discrimination against protected groups, and others; penalties collected should be utilized aggressively to pursue this goal.

10.4 Goal: Coordinate with BHA, Metro Housing and other providers on how to deal with landlords who refuse to take Sec. 8 vouchers.

10.5 Create tools to recognize and encourage landlords, management companies, and lenders to consistently engage in best practices to promote fair housing.

10.6 Goal: The City should support legislative efforts to protect tenants from the inappropriate, harmful use of tenant summary process records.

10.7 Improve compliance with the Boston Language and Communications Access Ordinance by providing translated materials and interpretation.

10.8 Goal: The City will continue to advocate for H.162 – An Act Relative to Promoting Fair Housing Practices.³⁵

10.9 Goal: The City will expand its efforts to provide translated materials and in-person interpretation regarding important public notices or announcements, and key housing application and program materials to address the language needs of new immigrants and undocumented persons with Limited English Proficiency.³⁶

11 PUBLIC & COMMUNITY SAFETY AND PUBLIC HEALTH

11.1 Goal: Target resources to neighborhoods with the gravest public health challenges, including higher rates of Cardiovascular Disease (CVD), reduce infestations, Elevated Blood Lead (ELB) per thousand and higher rates of asthma emergency room visits and hospitalizations.³⁷ To the greatest extent feasible, require recipients of City financial assistance who own rental units with more than one bedroom to make such rental units lead-safe whether or not occupied by a child under six, to increase the stock of lead-safe housing and to decrease the incentive to discriminate against families with young children in housing rentals.

³⁴ DND Goal 15; 10.2

³⁵ DND Goal 15.2

³⁶ DND Goal 16.1

³⁷ See DND Goals 11.1, 5.1

11.2 Goal: Explore a community health impact analysis that includes an assessment of potential displacement impacts for all development projects above a certain size threshold. Local researchers have started to examine and measure how displacement affects public health, especially among some elderly groups.

11.3 Goal: Support stronger linkages between housing and health care organizations.

11.4 Goal: Target resources to neighborhoods with highest levels of violence and justice involved residents (whether incarcerated, recently returned or subject to ongoing oversight).

12 ENSURING EQUITABLE DISTRIBUTION OF CITY RESOURCES BASED ON NEED, AND PROVIDING SUPPORTS FOR RENT-BURDENED RESIDENTS AND THOSE FACING POTENTIAL AND ACTUAL DISPLACEMENT

12.1 Goal: Develop and obtain approvals to implement a preference policy in affordable housing units for low-income rent burdened households, especially those determined to be at risk of displacement in gentrifying areas.³⁸

12.2 Goal: Conduct assessments to assure that City resources are distributed in an equitable manner based on need in order to avoid a disparate impact on protected classes.

12.3 Goal: Redirect BPDA focus to providing affordable housing for Boston residents in need of affordable housing, especially those most in need, rather than focusing on the middle-class. BPDA must explicitly embrace a mission to provide housing for Boston's neediest households.

12.4 Goal: Broaden public understanding regarding the recent decision to include "Development without Displacement" requirements in requests for proposals (RFPs). Also encourage the use of the Neighborhood Diversity Preservation Preference.

12.5 Further develop tools for understanding neighborhood changes associated with gentrification and displacement, so as to enhance policies and planning that address displacement.³⁹

12.6 Assess how the income targets of the various programs can be improved to better meet the needs of protected classes, in particular those who are also low-income.

12.7 Monitor the Inclusionary Development Policy ("IDP") "zone" structure for unintended consequences related to impact on members of protected classes and the goal of affirmatively furthering fair housing. Gather and monitor data on those who apply to and/or access Inclusionary Development Policy (IDP) Units so as to assess how the program does or does not promote racial equity and further fair housing goals.⁴⁰

12.8 Monitor real estate patterns and trends such as evictions, foreclosures, rents and sales prices, and condo conversions so as to 1) Understand how protected classes are disparately impacted by forces in the housing market, and 2) Identify tools to intervene in these processes.⁴¹

12.9 Goal: Establish fund to help rent-burdened tenants in conjunction with local banks and financial, and medical institutions, tied to the anti-displacement planning prong of current and future RFPs.

12.10 Goal: Support funding for attorneys to represent low-income tenants in evictions, tied to the anti-displacement planning prong of current and future RFPs. This should be part of a broader strategy aimed at increased resources for the City's Rental Acquisition Program, pursuit of state legislation for Right to

³⁸ See DND Goal 12.3

³⁹ See DND Goal 14.3

⁴⁰ See DND Goal 14.1

⁴¹ See DND Goal 14.2

Counsel, Tenants Right of First refusal to purchase their homes, increased funding for MRVP, RAFT and re-establish Rent Arrearage Program, Eviction protections, etc.

12.11 Goal: The city should use increases in property tax revenue to help fund anti-displacement efforts for existing residents, including those at risk of displacement from 13A development.

12.12 Goal: Increase the local hotel room tax from 6% to the maximum allowable rate of 6.5% and dedicate the increase to affordable housing and homelessness programs.⁴²

12.13 Goal: Substantially increase the creation of new units affordable to low-income non-elderly households, especially households with children and extremely low-income households (those with incomes under 30% of AMI or who are homeless) to prevent displacement and homelessness, and unmanageable rent burdens.⁴³

12.14 Goal: To ensure that new City-assisted affordable housing units are prioritized for low-income rent burdened households, especially those determined to be at risk of displacement in gentrifying areas, DND and the BPDA have adopted a Diversity Preservation Policy on a pilot basis.⁴⁴

12.15 Goal: To further ensure that new City-assisted affordable housing units are more efficiently targeted to households with the greatest need, DND will seek approval to implement a city-wide preference for severely rent-burdened households.⁴⁵

12.16 Goal: DND will provide incentives to developers to increase the number of units affordable to households under 30% and 50% of the Area Median Income.⁴⁶

12.17 Goal: Obtain legislative approval to increase the State match for the Community Preservation Act by increasing the Registry of Deeds recording fees.⁴⁷

12.18 Goal: The City's housing agencies will collect data and monitor program accomplishments to ensure that the City's housing occupant selection policies, including program income guidelines, do not result in discrimination against protected classes.

⁴² DND Goal 13.3

⁴³ See DND Goals 5.2, 5.3, 5.4

⁴⁴ DND Goal 12.2

⁴⁵ DND Goal 12.3

⁴⁶ DND Goal 12.1

⁴⁷ DND Goal 13.2

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Section I: Select Historical and Contemporary Review of Racism, Segregation, and Fair Housing in Boston, Massachusetts

According to a report issued by the Mayor's Office of Resilience and Racial Equity, *Resilient Boston: An Equitable and Connected City*, while Boston has witnessed increasing racial and ethnic diversity: "...neighborhoods still remain largely segregated. In fact, according to 2010 Census data. Boston [metropolitan region] remains one of the most residentially segregated large metropolitan regions in the country..." (p.13). Important progress has been made in the City of Boston regarding racial inequalities and systemic racism, including the current administration's acknowledgement of racism as a major dynamic in the history and some current realities in Boston. This is a critically important development, but there are still too many people who are not aware of Boston's social, political and racial context that resulted in the need for major actions to ensure fair housing for all, or how some of these earlier problems are still being played out today. This section, therefore, presents but a brief overview of both the history and context of racial and ethnic inequality and racism in Boston and select examples of continuing problems. A few bibliographic citations which provide a more comprehensive and deeper analysis than the overview presented here, are included at the end of the section.

Though not an excuse or justification, Boston's patterns of intentional and unintentional segregation are part of a wider regional problem. As noted in the *State of Equity for Metro Boston Policy Agenda Update*, "Metro Boston is becoming more diverse every decade. In 1970, the region's population was 5% people of color—Asian, Black, Latino, Native American, multiracial and other non-White residents; by 2010, that figure had grown to 28%. MAPC projects that by 2040 the region will be at least 40% people of color. The region has also grown in share of foreign-born residents, and as of 2011-2015, 20% of Metro Boston residents were born outside of the U.S. ... Yet even as it grows more diverse, the region remains racially and economically segregated."⁴⁸

One report concludes: "The Metropolitan Boston region is deeply segregated."⁴⁹ Further,

"Massachusetts has a long history of residential segregation, which can be traced in large part to restrictive local zoning and permitting decisions, as well as discriminatory real estate and lending practices. Comprehensive zoning reform in Massachusetts must promote inclusive neighborhoods where families with children and households with low-or-moderate incomes can find homes. Massachusetts has not comprehensively updated its core zoning and subdivision laws in several decades. Municipalities across the Commonwealth use existing zoning laws to prevent changes that would allow more affordable homes, condominiums, and apartments. An update to the Commonwealth's outdated zoning laws should ensure that most cities and towns will allow at least some districts where multi-family housing can be built, while encouraging municipalities to adopt bylaws or ordinances that ensure at least a portion of this housing will be deed-restricted affordable. Both tools will help to increase housing type diversity and affordability in Metro Boston and across the Commonwealth."⁵⁰

Historically, the lack of affordable housing opportunities in the metro region outside of Boston and a few other inner core cities has limited access to communities with relatively low levels of poverty. Many of these communities have zoning restrictions that make it difficult to site larger scale multi-family rentals. Higher land costs, sales prices and rents, as well as racial and

⁴⁸ Metropolitan Area Planning Council (February 2018), p.11

⁴⁹ *Fair Housing and Equity Assessment for Metropolitan Boston*, p.9

⁵⁰ *Ibid*, p.19

ethnic animosity, coupled with zoning restrictions in many places represent historical and continuing barriers for lower-income persons of color seeking housing in these communities.⁵¹

There still exists major impediments to fair housing in many places in the Boston metropolitan area.⁵² As noted in the *Analysis Of Impediments To Fair Housing Choice -Access To Opportunity In The Commonwealth* (January 2014): “Based On An Analysis By The Fair Housing Center of Greater Boston, 43% of municipalities in the Boston metropolitan area have over 90% of land zoned for single-family use, while an additional 27% and 10% contain 81%-90% of land zoned for single-family use and prohibit multi-family housing or limit it to age-restricted housing (55 years of age or older), respectively. Furthermore, the 75 communities with no multi-family zoning, or alternatively age-restricted zoning or large minimum lot size requirements, are predominantly “high opportunity communities.” (p.236).

A recent *Boston Globe* series exposed that there are many sectors in Boston life, including education, health, media institutions which still reflect racial and ethnic segregation.⁵³ More recently, another *Boston Globe* article showed that the city’s public schools are segregated.⁵⁴ When we look at residential patterns in the city the effects of earlier periods of segregation are evident. These residential patterns trace back to numerous federal policies where either the adoption *or implementation* of programs and distribution of resources reflected a racial lens.⁵⁵

Historically national economic policies that were meant to address the needs of working class Americans have largely excluded people of color in places across the nation, including Boston.⁵⁶ For example, in the wake of the Great Depression, the National Recovery Administration offered more jobs and paid higher wages to White workers, and the Federal Housing Authority (FHA) would not insure mortgages in neighborhoods that were home to communities of color, nor in “White” neighborhoods that did not incorporate racially restrictive covenants.⁵⁷ Even when the worst of the FHA policies changed in the 1960s, a local plan to address lending disparities by providing low-interest loans to homebuyers of color instead further increased segregation, by restricting these loans to Mattapan, parts of Dorchester, and other areas of Boston where the majority of Blacks and Latinos live today.⁵⁸ Black residential patterns are also a result of racist real estate practices and hostile attitudes towards Blacks by Whites, even to the point of using violence to prevent the integration of neighborhoods or public schools.

⁵¹ To be emphasized: ‘Fair housing’ and ‘affordable housing’ “are distinctly separate concepts in law and public policy, but they are interrelated. The fair housing statutes were enacted to ensure that members of the protected classes – regardless of income or need for assisted housing – would not face discrimination in the sale, rental, financing, and insuring of housing. Without an adequate supply of housing that is affordable and accessible to members of protected classes in healthy communities offering good schools and employment opportunities, they will continue to face barriers.” See, *Analysis of Impediments to Fair Housing Choice: Access To Opportunity In The Commonwealth*, Massachusetts Department of Housing and Community Development (2013), p.35.

⁵² Unless otherwise indicated we are using “Boston Metropolitan area” to refer to the “Boston Metropolitan Division” encompassing the counties of Suffolk; Norfolk and Plymouth.

⁵³ *The Boston Globe*, December 10, 2017; see <https://apps.bostonglobe.com/speciallight/boston-racism-image-reality/>

⁵⁴ *The Boston Globe*, August 4, 2018.

⁵⁵ Katznelson, Ira. *When Affirmative Action Was White: An Untold History of Racial Inequality in Twentieth-century America*. WW Norton & Company, 2005.

⁵⁶ *Ibid.*

⁵⁷ Rothstein, Richard. *The Color of Law: A Forgotten History of How Our Government Segregated America* Liveright, 2017.

⁵⁸ Gamm, Gerald. “Urban Exodus: Why the Jews Left Boston and the Catholics Stayed.” *The New York Times*, 1999, Accessed 27 June 2017.

While resistance to integration or acceptance of an increasingly diverse city was occurring, many times, Boston's corporate sector looked the other way. This is one reason Mayor Walsh addressed the Greater Boston Chamber of Commerce emphasizing the City's continual racial inequities.⁵⁹ While many corporate leaders have called for greater acknowledgement of diversity and its importance, studies continually show that this sector is still lagging in fundamentally challenging structural inequality and inequities in the city, as well as the region. Such reports include the series of *The Boston Globe* on race and segregation in Boston (December 10, 2017) mentioned above; an earlier report published by The Federal Reserve Bank of Boston, *The Color of Wealth in Boston* (March 31, 2015) highlighted the historical and contemporary racialized wealth inequalities in this city. And, while Richard Rothstein's *The Color of Law...* (2017) provides a national picture, much of its information covers a history of segregation in Boston perpetuated by the private sector and local government.

The Fair Housing Center of Greater Boston developed an insightful and useful interactive timeline tool for understanding the history of racism and segregation up to the current period, titled, "Historical Shift from Explicit to Implicit Policies Affecting Housing Segregation in Eastern Massachusetts." This tool also provides examples of practices in Boston and the region which impede fair housing and is available at www.bostonfairhousing.org. The tool covers the following periods with key developments:

- [1920s-1948: Racially Restrictive Covenants](#)
- [1934-1968: FHA Insurance Requirements Use Redlining](#)
- [1948-1968: Unenforceable Covenants](#)
- [1950s-1970s: Development of Rte. 128 and Rte. 495 Suburbs](#)
- [1968-Present: Housing Discrimination](#)
- [1970s-Present: Disparate Impact of Local Land Use Regulations](#)

The following summaries for a history and contemporary review of housing discrimination and the disparate impact of local land use regulations is taken *verbatim* from this website:

[“1968–Present: Housing Discrimination

Through testing, the FHCGB has found that: African Americans and Latinos experience discrimination in half of their attempts to rent, purchase, or finance homes in greater Boston. Families with children and people with Section 8 vouchers are discriminated against two-thirds of the time when seeking rental housing.

What Form Does Discrimination Take? African Americans and Latinos were:

- Shown fewer homes and told about fewer listings
- Asked more questions about their qualifications
- Steered to other communities, to lower priced homes or to open houses
- Required to provide 24 to 48 hours' notice before viewing houses
- Quoted higher loan rates and offered fewer discounts on closing costs

Advantages of Whiteness:

- White testers presumed more qualified
- White testers given greater access to properties
- White testers given more information
- White testers given lower loan rates, better discounts

⁵⁹ <https://www.boston.gov/news/mayor-walshs-speech-greater-boston-chamber-commerce>

- White testers more likely to succeed in home buying

Evidence of Discrimination in Newton (audit completed in 2005); overall, testing showed evidence of discrimination in 11 of the 24 paired tests, or 45.8%.

- Discrimination based on National Origin was the most common: 66%. Discrimination based on Race happened in 50% of the tests.
- Families with children and discrimination based on Source of Income both happened 33% of the time.

Evidence of Discrimination in Lowell (Audit completed in 2004)

- Overall, testing showed evidence of discrimination 31 of the 66 paired tests conducted, or 47%.
- Latino testers experienced the highest incidence of discrimination: 63%.
- African Americans experienced discrimination in 52% of the tests
- Asians experienced discrimination in 38% of the tests
- Families with children faced discrimination in 33% of the tests

Mortgage Lending Discrimination Today:

- Mortgage discrimination testing revealed differences in treatment that disadvantaged homebuyers of color 45% of the time. (Fair Housing Center for Greater Boston -FHCGB Audit 2005-2006)
- Upper income African Americans are 8 times more likely to have high cost loans than their white counterparts. (MA Community Banking Council)
- The presence of high-risk lenders is 3.7 greater in minority neighborhoods than in white neighborhoods (*Paying More for the American Dream*, 2008)
- Upper and middle income African Americans and Latinos are 10 times more likely to have high cost loans than low income whites. (MA Community Banking Council”]

Under the FHCGB section, “1970s-Present: Disparate Impact of Local Land Use Regulations” information about intentional and unintentional housing discrimination and disparate impacts on protected classes are covered in the following categories: “The impact of zoning; Restriction of multi-family zoning; Impact of special permitting on multi-family housing developments; Age restricted housing; Minimum lot size requirements; Local preferences.”

In a Greater Boston Legal Services (GBLS) memorandum, “Background on history of Boston’s fair housing issues” (July 18, 2017) and shared with the AFFH Team for Developing City of Boston/BHA Assessment, Mac McCreight summarizes the local face of this kind of history in the areas of siting housing; legacy of busing; disparate impact of housing choices; loss of affordable housing; and racial harassment.⁶⁰ Nadine Cohen also authored a GBLS memorandum, “History of Redlining, Mortgage Lending Discrimination and Foreclosures in Boston” (July 26, 2017)⁶¹ where she showed specific policies and practices were “Abetted by federal agencies, banks and insurance companies contributed to the destabilization of neighborhoods across Dorchester and Roxbury” (p.1)

An earlier reminder was presented in the city’s *Analysis of Impediments* report in 2010:

“The responsibility to act affirmatively to further fair housing derives from the laws that govern the use of HUD community planning and development funds and the federal Fair Housing Act (Title VIII of the 1968 Civil Rights Act). These laws reflect a congressional recognition of

⁶⁰ Mac McCreight, “Background on history of Boston’s fair housing issues” GBLS Memorandum (July 18, 2017)

⁶¹ Nadine Cohen, “History of Redlining, Mortgage Lending Discrimination and Foreclosures in Boston” GBLS Memorandum (July 26, 2017).

the role that official governmental policies have played in creating the current geography of racial separation and concentration of poverty that characterizes the Boston metropolitan area. Indeed, many of the same historical trends that contributed to conditions of racial segregation in Massachusetts were evident throughout the United States.

Further,

“Racial harassment and violence drove non-white residents away from the Commonwealth’s cities, towns and neighborhoods from colonial times, when white townspeople would “warn out” black families, to the present day, where people of color residing in governmentally assisted housing still face racial hostility. Nineteenth century laws allowed Massachusetts cities to remove unwanted newcomers based on skin color. Some Massachusetts suburbs deliberately refused to provide municipal services to housing developers and the developer’s prospective home buyers for the explicit purpose of preventing people of color from moving to the community. In other communities, property owners resorted to racial covenants in deeds that forbade the sale of homes to “non-Caucasians.””

And,

“For a four decade period beginning in the 1930s, federal housing policy promoted racial separation. Federal Housing Administration and Veterans Administration underwriting practices required racial homogeneity in the provision of insured home mortgages that opened up the suburbs almost exclusively to white homebuyers. Federal public housing programs were used by federal and local housing officials to separate races, and contain families of color in high poverty, racially segregated locations. Urban renewal efforts isolated neighborhoods of color, leading to decades of disinvestment and deterioration in housing.”⁶²

This racial situation legally forced the Boston Housing Authority (BHA) began to make systemic efforts to address the lack of integration in its housing developments in the early 1980s although its efforts were limited to a goal-based preference system which limited the number of minority families permitted to move into predominantly White developments.⁶³ Beginning in 1987–1988, as a result of a HUD Voluntary Compliance Agreement (VCA) and litigation initiated by the NAACP and the Lawyers Committee for Civil Rights, all of the BHA’s predominantly segregated developments in South Boston and Charlestown became open to all applicants, particularly minority applicants and transfers.

Discrimination Continues

The review above is not simply history, as reminded in *Housing Boston 2030 UPDATE* (p.37): “While lower incomes and wealth are a large contributor to the disparities in homeownership rates, there is clear evidence that race also plays a significant role. Denial rates show that Blacks and Hispanics face more challenges in securing a home loan than Whites at all

⁶² “The Legacy of Racial Separation, Concentration of Poverty, and Disinvestment” in *City of Boston 2010 Analysis of Impediments to Fair Housing Choice*, p.10.

⁶³ See *Schmidt v. Boston Housing Authority*, 505 F. Sup. 988 (D. Mass. 1981)

incomes--not just lower-income applicants” This report cites the work of Professor Jim Campen and is presented in a Table C:⁶⁴

Table C. Home Purchase Loan Denial Rates, by Race and Ethnicity, Boston 2016¹²

Race/Ethnicity	Denial Rate	Ratio to White Denial Rate
White	4.7%	1.00
Black	16.8%	3.55
Latino	13.0%	2.75
Asian	8.1%	1.71

Professor Campen reported denial rates for First-Lien Home-Purchase Loans for Owner-Occupied Homes Boston in his recent study. While denial rates have been declining for all groups since 2004, significant racial and ethnic gaps were evident in 2016. Asians were denied these kinds of loans at a rate of 8.1%, while Whites were denied at a rate of 4.7%. But the Black denial rate was 16.8% and for Latinos it was 13.0%.⁶⁵

In the case of first-lien loans for occupied-owner housing the Federal Reserve Bank of Boston has documented much higher denial rates for Blacks and Latinos than for Whites or Asians across Massachusetts. The denial rates for Whites who are not Latino was 12.2% in 2015; for Asians (non-Latino) it was 11.3%. But for Latinos it was 18%, and for non-Latino Blacks, 22.9%.⁶⁶

The Housing Testing Discrimination Program (HDTP) based at Suffolk University conducts fair housing tests of the rental housing market with “matched paired testing,” a recognized methodology for research and enforcement used in the 1960’s. Matched paired testing is done by having two trained testers inquire about the same available housing. The two testers are similar in all ways except for the protected class that is being tested. An example of this would be for a race-based test, the two testers would have the same gender identity and assigned sex at birth; be of approximately the same age; and have a similar income assigned, with the only difference being the race of the testers. This investigative tool provides an opportunity to determine if similarly situated housing seekers are being given the same information and treatment or if there are differences due to a person’s protected class status.

During calendar years 2015 and 2016 the HDTP completed 156 systemic and complaint-based tests (some of these may be follow-up tests related to the same matter) in Boston.⁶⁷ Discrimination was found in the areas of public assistance reciprocity; familial status; race and

⁶⁴ This Table C is taken directly from: Jim Campen, *Changing Patterns XXIV: Mortgage Lending of Traditionally Underserved Borrowers & Neighborhoods in Boston, Greater Boston and Massachusetts, 2016*. Massachusetts Community & Banking Council (2018).

⁶⁵ See, TABLE 22: Denial Rates and Denial Rate Disparity Ratios For Asian, Black, Latino, and White Applicants for First-Lien Home-Purchase Loans for Owner-Occupied Homes in Boston, Greater Boston, and Massachusetts, 2004–2016, in *Mortgage Lending to Traditionally Underserved Borrowers & Neighborhoods in Boston, Greater Boston and Massachusetts*, Prepared for the Massachusetts Community Banking Council (2018).

⁶⁶ Home Mortgage Disclosure Act (HMDA) data is collected and reported by the Federal Financial Institutions Examination Council; see, <https://www.bostonfed.org/data/data-items/home-mortgage-disclosure-act-hmda-data-for-new-england.aspx>

⁶⁷ This number does not include tests that were cancelled due to housing becoming unavailable or of one or both testers was unable to make contact with the housing provider. A systemic test is an audit of the market with a housing site or housing professional chosen at random or based only on an advertisement. A compliant-based test is a test that is conducted after a bona fide housing seeker contacts an agency alleging possible discriminatory behavior.

color; and, disability. Sexual orientation discrimination, particularly against transgender persons, has been found to be widespread.⁶⁸

For the period June 2016-May 2017 the Boston Fair Housing Commission (BFHC) received a HUD Fair Housing Enhanced Education and Outreach grant to increase public education and awareness efforts of familial status discrimination. BFHC proposed to increase public education of protected class discrimination associated with lead paint through public billboards. Over 90% of BFHC intakes and discrimination cases are derived from BFHC education and outreach efforts. To achieve maximum impact, these billboards were posted throughout high-risk neighborhoods in locations that receive a high concentration of both pedestrian foot and vehicle traffic. Neighborhoods deemed high risk had high concentrations of families with children and older housing stock more likely to contain lead paint. The billboards were placed in multiple neighborhoods in English, Spanish, and Vietnamese.

While there are many local sources for education, outreach, and advocacy, there is consensus that the demand for these kinds of programs far outpaces the capacity and funding received by any one of these organizations. The Massachusetts Commission Against Discrimination (MCAD) provides community trainings and presentation throughout the state. The MCAD offers four MCAD-certified courses for individuals who currently provide, or seek to provide, employment discrimination prevention training, conduct internal discrimination complaint investigations, and/or respond to accommodation requests.⁶⁹

The BFHC reported the following discrimination trends and patterns for the period 2012 to 2017:

- Disability is in the top 3 of most charges filed for each fiscal year 2012-2017, and the most common charge filed for fiscal years 2012-2017.
- Rental Assistance (covered in Massachusetts) is in the top three of most charges filed under for each fiscal year except for 2015 and is the second most common charge filed for fiscal year 2012-2017.
- Familial Status associated with lead paint is the 3rd most common charge filed for fiscal year 2012-2017.

The top 3 categories for each year in this period were as follows:

- 2012 – Familial Status associated with Lead Paint, Rental Assistance, Disability/Race
- 2013– Disability, Rental Assistance, Familial Status
- 2014 – Disability, Rental Assistance, Familial Status/Race/Sex/Retaliation
- 2015 – Disability, Race, Sex/National Origin
- 2016 – National Origin, Rental Assistance, Disability
- 2017– Disability, Rental Assistance, National Origin; this year also exhibited a spike in cases filed solely under Rental Assistance, without discrimination of other federal protected classes alleged; and there were a larger number than usual of constituents filing intakes that speak only Spanish

The BFHC also reported there has been an increase in discrimination in the race and national origin categories. To date for 2017, race and national origin is 36% of the open cases.

⁶⁸Langowski, Jamie and Berman, William and Holloway, Regina and McGinn, Cameron, *Transcending Prejudice: Gender Identity and Expression-Based Discrimination in the Metro Boston Rental Housing Market* (March 27, 2017). Forthcoming, to be published in Yale Journal of Law & Feminism, Vol. 29, No. 2, 2017; Suffolk University Law School Research Paper No. 17-9. Available at SSRN: <https://ssrn.com/abstract=2941810>.

⁶⁹ Massachusetts Commission Against Discrimination. (August 3, 2017), retrieved from <http://www.mass.gov/mcad/>

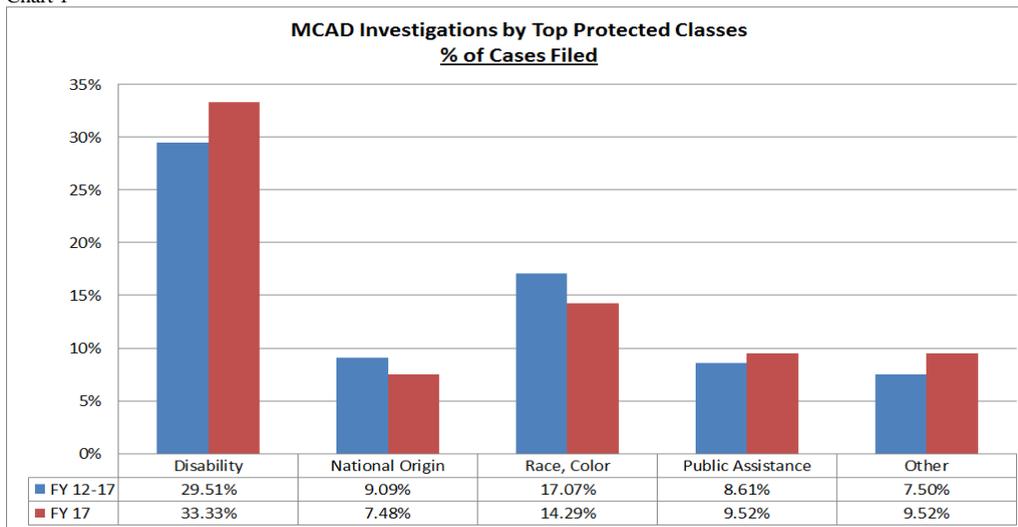
The BFHC attributes this increase to a national context of increased racism, xenophobia, and anti-immigrant sentiment. This has increased mistrust of government and most likely served to lower official complaints but increases in anecdotal information received by fair housing, health and local civil rights organizations.

The following are select anecdotal and first-hand accounts of constituents who would not file discrimination complaints because of fear of deportation, retaliation, or other reason: there are undocumented constituents who were told by neighbors and landlord, “I know you’re illegal and I’m calling ICE.” The family vacated the apartment in the middle of the night. Constituents who would not file discrimination complaints because of their undocumented status and fear that the respondents may report them to ICE. Constituents who have young children and were told the unit has lead paint, but will not report this to inspectional services for fear the landlord will call ICE. Based on information from the Mayor’s Office for Immigrant Advancement (MOIA) we are concerned that in the current political climate discrimination is likely occurring and going unreported against Muslims and people whose national origin is a primarily Muslim country.

The City and the Massachusetts Legal Assistance Corporation launched the Greater Boston Legal Immigrant Defense Fund in 2017 which has reached over one million dollars in donations. The public-private partnership and funding collaborative that seeks to strengthen the Greater Boston area's capacity to protect and defend its many immigrant communities, refugees, and temporary status holders by increasing education and access to legal services.⁷⁰

Data provided by the MCAD shows that their top category for protected class complaints was disability, at 29.5% from 2012 to 2017. This is consistent with national fair housing complaints. When national origin and race are combined, it accounts for 26.2% of MCAD complaints from 2012-2017 and accounts for the other top two complaint categories after disability.

Chart 1



⁷⁰ “Greater Boston Immigrant Defense Fund Announced.” City of Boston. (September 2017). <https://www.boston.gov/news/greater-boston-immigrant-defense-fund-announced>

There are many studies about discrimination and the topics covered above in Boston and Massachusetts; the list below is but a short which help to highlight some of the historical and contemporary discussion above:

- *Route 128: Boston's Road to Segregation*, Massachusetts Commission Against Discrimination (MCAD) (January 1975)
- Paul Watanabe, et al., *A Dream Deferred: Changing Demographics, Challenges, & New Opportunities for Boston*, Institute for Asian American Studies, University of Massachusetts Boston and The Boston Foundation (January 1996)
- David Harris and Nancy McArdle, *More than Money: The Spatial Mismatch Between Where Homeowners of Color in Metropolitan Boston Can Afford to Live and Where They Actually Reside*, Metropolitan Boston Equity Initiative of the Harvard Civil Rights Project (2004)
- Ana Patricia Muñoz, et al., *The Color of Wealth in Boston*, Duke University, The New School and the Federal Reserve Bank of Boston (March 25, 2015)
- *Fair Housing and Equity Assessment for Metropolitan Boston*, Prepared by Metropolitan Area Planning Council (2017)
- *Boston-Racism-Image-Reality*, *The Boston Globe* (December 10, 2017), <https://apps.bostonglobe.com/spotlight/boston-racism-image-reality/series/image/?event=event12>

Section II: Community Engagement and Input in Building a Framework and Goals for Boston’s Assessment of Fair Housing Report: Process and Findings

This section is an overview of how community engagement and input were tapped and utilized to understand the history, context, obstacles to fair housing in Boston and the metropolitan region, and to solicit concerns and ideas for strengthening fair housing. Along with the data analyzed in the next Section III, it a core basis for providing context to the goals proposed in Section IV. Community engagement represents a critical and first piece in developing any assessment about fair housing. Like Boston, many cities are required to submit 5 Year Consolidated Plans; these require a strong commitment and actualization of resident participation and consultation. All CON PLAN reports require 7 components, including determining needs; setting priorities; determining resources; setting goals; and evaluating performance. These 6 components must all reflect the 7th one: citizen participation and consultation.⁷¹

The Process

The City of Boston, through the Department of Neighborhood Development (DND), the Boston Housing Authority (BHA) and the Boston Fair Housing Commission (BFHC) implemented a city-wide strategy to engage residents and encourage community participation throughout the AFH planning process. The City convened a leadership team and a Community Advisory Committee (CAC) to support the planning of the community meetings and overall community engagement process. (see Appendix A for CAC members). In the first quarter of 2016 the CAC met regularly to outline and execute the community participation process. The CAC planned the series of community meetings to reach agreement on dates and locations, language needs, facilitator, agenda and process.

The Fair Housing Act protects individuals on the basis of race, color, religion, sex, familial status, national origin, or having a disability. In addition to the Federal protected classes, Massachusetts Anti-Discrimination Law, M.G.L. ch.151B, prohibits discrimination against the following protected classes: sexual orientation, marital status, ancestry, age, presence of children, veteran status or membership in the armed forces, receipt of Section 8 or other public assistance, source of income, or genetic information. All groups were contacted through a range of means and at locations convenient for public meetings. Community meetings were held with LGBTQ elders and residents that represented the following LEP and racial/ethnic groups in Boston RECAP (or R/ECAP)⁷² areas: Chinese, Vietnamese, Hispanic/Latino including but not limited to the Caribbean, South and Central America, Black Caribbean including but not limited to Haiti, African and African American including but not limited to Cape Verdean residents. We also met with groups who represented low-income voucher holders and or formerly homeless.

To facilitate the work and broaden community participation with these groups the following tools were utilized:

⁷¹ See, *Using IDIS to Prepare the Consolidated Plan, Annual Action Plan, and CAPER/PER* (May 2018), p7; also see *Con Plan Guide: Incorporating the AFH into the Consolidated Plan For CPD Grantees* (February 2018).

⁷² “To assist communities in identifying racially or ethnically-concentrated areas of poverty (R/ECAPs), HUD developed a census tract-based definition of R/ECAPs which includes a racial/ethnic concentration threshold and a poverty test: R/ECAPs must have a non-white population of 50 percent or more.” In addition to this threshold, R/ECAPs must also have a poverty rate of 40% or more, or alternatively a rate of three times or more than the metropolitan area; see, *Affirmatively Furthering Fair Housing (AFFH) Data Documentation* Version 3.1 (July 2016), p.8

- DND launched a dedicated website for the AFH and posted the AFH outreach brochure, the HUD data tables, the AFH survey, the AFH Tool and links to the HUD AFFH website, including links to and instructions for the HUD Mapping and Data Tool. The website includes a link for submitting comments and suggestions on the AFH.
- An informational pamphlet was designed and distributed in 6 languages: English, Spanish, Haitian Creole, Vietnamese, Chinese and Cape Verdean.
- Surveys for city-wide and BHA residents were translated into 5 languages: English, Spanish, Haitian Creole, Chinese and Cape Verdean.
- DND, in collaboration with BHA, Boston Fair Housing and Equity, BPHC and civil rights organizations held 21 community meetings to discuss challenges and opportunities with fair housing choices. Meetings were held near large public housing developments and/or areas identified as RECAPs. Interpretation was provided in various languages and ASL as needed (based on neighborhood demographics) and/or as requested.
- DND, BHA and BFHC created and utilized an email listserv of all meeting attendees and interested parties to communicate important updates and opportunities to stay engaged.
- Distributed pamphlets and community meeting informational flyers to City's 24 neighborhood public library branches and 36 community centers.

There were 22 public meetings held throughout the City in 2017 to solicit ideas and concerns from residents about fair housing and its related issues, but also to provide information about the progress in developing the AFFH report. These dates and summaries of these meetings are provided in Appendix B: Dates and Summaries of Public Meetings.

The City's AFH team (DND, BHA, BFHC and BPHC) engaged more than 60 organizations during the community participation process of the AFH. A majority of these organizations consulted with the AFH team, the CAC and recruited residents and others to attend and participate in meetings but also to complete surveys for each public meeting. Strategic consideration was given to the meeting locations; they were selected in consultation with the CAC to provide for the greatest opportunity for residents to learn about the AFH and to express their views on housing issues and concerns. The meetings, for the most part, were held in locations and neighborhoods identified as RECAPs and located nearby to public housing developments. The CAC, in preparing for each meeting, identified language needs of residents and engaged professional interpretation services for LEP persons. Further, the breakout groups at the meetings were led by the host group or a local resident (not CAC) thereby encouraging participants to speak candidly about their housing experiences.

Community input was also solicited by a survey distributed at community meetings and posted on AFH webpage. The Boston Tenants Coalition, in consultation with the CAC designed a 9-question survey adapted from the survey New Orleans used for their AFFH process. To promote input from LEP residents the survey was produced in 4 languages (Spanish, Haitian Creole, Chinese and Cape Verdean) in addition to English. The survey was distributed in paper form at the community meetings; and to encourage participation, gift cards to local supermarkets were drawn from the names of survey respondents who attended in person meetings. The survey was posted on the AFH website (www.Boston.Gov/DND/Assessment) for easy download in all five language versions.

A link to the survey was included in leaflets, promotional materials and tweets. By September 22, 2017, 313 surveys had been completed by Boston residents. A majority (71%) of all survey respondents were female; about one half (56%) were over 50 years; and 33% were Hispanic. In terms of racial breakdown, 53% were Black/African-American; 29% White; 7% Asian; and 6% other. Out of the 313 surveys, 12% were submitted in language other than English. The survey questions and responses are included in Appendix C.

The BHA also provided an opportunity for resident input regarding their experiences using a non-random survey resulting in more than 3,000 responses. (See Appendix D). More than half (59.5%) of all respondents in the non-random survey (September 2017) were female; an overwhelming proportion (75%) were 50 years and over; and 47% of the respondents were Latino/a.⁷³ In terms of racial breakdown, 39% were Black/African-American; 33% White; 9% Asian; 13% other; 3% American Indian/Alaskan Native; and 1% Native Hawaiian/Pacific Islander. The survey asked residents about the quality of their housing and neighborhood; major barriers to safe and affordable housing; qualities desired for neighborhoods; problems facing neighborhoods; experiences with housing or other discrimination; and recommendations for local government to increase the quality of neighborhoods for all people. Respondents were located throughout Boston as shown in Appendix 3: Distribution of BHA Survey Respondents.

Both surveys provided context to stimulate conversation at some of the public focus groups. Each group consisted of a facilitator, a note taker and whenever possible, an equal number of community members. Based on the number of attendees, some communities meetings had 5+ breakout groups; smaller meetings may have had 1 or 2 groups. Further, the facilitators attempted to lead their group through the questions (typically 3-5) in the allotted time. The comments from the 500+ attendees are grouped below in 4 areas based on the common questions asked at the meetings.

Community Feedback

The public feedback reflected an impressive degree of civic participation and dedication towards building a more socially just city where everyone could partake of its opportunities to live in decent and affordable housing; and be able to participate in the local economy as productive residents who could meet every day needs, whether for individuals or families. The feedback also reflected an overall civic consciousness about how public policy, government and the private sector impact fair housing issues. Public and community engagement has helped to mold the kinds of goals further explained later in this report.

Several themes and concerns were raised in community meetings in Mattapan, Charlestown, Codman Square, Roxbury, as well as with the NAACP, Roxbury Neighborhood Council, the Fair Housing Center for Greater Boston, Homes for Families and other community organizations.⁷⁴ One major issue was affordable rents as a barrier to safe and affordable homes in one's neighborhood; this was associated with gentrification. (At least 51 individuals reported being displaced from their homes, primarily due to rent increases, and then evictions). Other top issues included credit issues, lack of good jobs and lack of good transit.

When people were asked about their concerns, what was mentioned mostly included:

⁷³ The term Hispanic is utilized interchangeably with the term Latino, or Latina, or Latino/a throughout this report.

⁷⁴ See "Main Issues Raised in Community Meetings..." Notes by Kandynese Paz and BTC

- Rising rents or home prices pushing people out of the neighborhood
- Lack of affordable housing
- Violent crime and/or gun violence
- Racial segregation/discrimination
- Lack of accessible housing; lack of ample family size housing was highlighted
- Other issues mentioned a lot, but beginning with poverty included substandard housing, families and others not being able to place section 8's (due to high rents and discrimination); and abandoned housing and lots

Participants were also asked: “what do you think the City of Boston can do to address racial and ethnic segregation in housing?” The strongest response was for adopting restrictions on rent increases; other responses included making affordable housing truly affordable to Boston incomes; more resources and assistance for homeowners and small landlords- including de-leading; promoting Land Trusts as an anti-gentrification tool; using city-owned parcels to create more affordable housing; and to build more family friendly housing in all neighborhoods, and also more testing and prosecution of landlords and realtors who engage in discrimination.

These themes were repeated in the written surveys conducted by the BTC and DND. Except for affordable rents and lack of affordable housing, followed by violent crime/gun violence, there was not one issue or situation that was ranked as much more important than others, in terms of what respondents would look for in a neighborhood: good schools; good jobs and economic opportunities; accessible and quality health care, including access to healthy food; access to public transportation options consistent with resident and family needs, and quality recreation in terms of parks, swimming pools and other facilities.

Under Housing Choice, the key question was, what are the major barriers to finding a safe and affordable home in your neighborhood of choice? The responses were sobering, and not confined to any one part of the city:

- Affordability, rents are rising quickly,
- Gentrification, building of luxury housing displacing long-term residents
- Shortage of low-income housing
- Lack of suitable units (disabled, family and elderly)
- Landlords / Realtors discrimination (housing voucher, racial, young children, nationality)
- Poor credit and/or CORI issues
- Lack of good jobs or sufficient income to move (1st, last and security expenses)

Under Neighborhood Quality -are you concerned about high levels of any of the following in your neighborhood? The major concerns cited include:

- Displacement and gentrification
- Discrimination
- Racial segregation
- Crime (gun violence, drugs)
- Poor rental conditions (lead paint, environmental hazards)
- Lack of jobs
- Blighted lots and homes
- Relaxed zoning
- The burden of increased property values and associated taxes on low-income homeowners, especially seniors

There were several key findings related to the assessment of fair housing on the part of BHA respondents. Most survey respondents (77.9%) are generally satisfied with the quality of their housing; approximately two thirds of survey respondents (66.9%) did not have health concerns related to their housing, and approximately half (50.7%) did not have safety concerns, while the other half were concerned about safety. Affordable rents were identified as a major barrier to finding safe and affordable housing in the neighborhoods of choice on the part of respondents. Affordable housing and rising rents was a major concern found throughout the survey; this was followed, to a lesser extent, by concerns related to disabilities; lack of jobs; and credit scores.

The following is a thematic synthesis of public meetings and the surveys described above. The themes below, along with the analysis of fair housing data, are addressed in the report's fair housing goals in Section IV:

- Gentrification is a city-wide and serious concern, but along with this a growing sense of housing vulnerability; related to this, also concern that there are not enough protections for low-income and moderate-income residents in areas facing gentrification pressures;
- Rapidly rising rents across the city is a concern, but especially in low-income parts of the city;
- A perception shared widely that evictions are being used in exploitive ways to displace or move low and moderate-income renters;
- Concern about the definition and concept of housing affordability; if the call for affordability is not based on actual incomes of residents in some neighborhoods, then it will hurt their chances in terms of access to affordable housing since they are in competition with households with significantly higher incomes, but still at the 80% of the AMI;
- A sense that the real estate sector is out of control, operating as its own master; what can local government do, or should do, to control the negative impacts that this sector is having on Boston's neighborhoods;
- The need for more information and opportunities to increase homeownership, especially in communities of color, and among low-income groups; also, opportunities should be increased for expanding alternative resident-owned housing, community land trusts and cooperative housing; many raised the issue regarding the use of vacant land or city-owned land for cooperative housing;
- Concern about crime and gun violence as a major problem; youth involvement with violence is too high;
- The current state of public transportation is a problem in terms of access to quality service for many communities, but especially low-income communities and communities of color;
- Segregation by neighborhood areas continues in Boston; some 'opportunity areas' are located in these same neighborhoods and building affordable housing in these areas should also increase racial and ethnic diversity;

- Current policies like linkage, inclusive development and community preservation should be expanded and strengthened;
- Neighborhood-based organizations and businesses should be strengthened as a bulwark against gentrification;
- Zoning is a powerful tool to help vision a Boston for all; it should be used more aggressively for furthering fair housing and preventing displacement;
- Fair housing cannot be ‘silo-ed’, it is part of public schools, public health, public safety, and the availability of economic opportunities.

Section III: Fair Housing Analysis

This section utilizes census data and relevant information to analyze issues impacting fair housing and to frame potential goals and strategies for fair housing. Much of the data is based on some of HUD /CHAS databases (only those that were not subsequently found to be in error for any reason), ACS 2011 – 2015; and ACS 2012 – 2016. Additionally, information from other sources such as news events and city reports are included in the discussion. The section begins with data presentation and analysis in the following three parts:

Part A: Demography, Social and Economic Data

Race and Ethnicity

National Origins and Ancestry

Limited English Speaking

Disabilities Status

Families and Children by race and ethnicity

Age by race and ethnicity

Housing and Tenure

Racial and Ethnic Segregation

R/ECAPs and Publicly Supported Housing

Disproportionate Housing Needs, Severe Housing Cost Burden, Overcrowding

Part B: Public Housing (Public Housing; Housing Choice Vouchers; Project Based Section 8; Low Income Housing Tax Credits)

Part C: Opportunity Barriers

Homeownership

Gentrification

Severe Housing Costs Burden

Expiring Use

Homelessness

Zoning

Transportation

Disabilities Barriers

Continuing Prejudice and Discrimination

Public Education

Income / Employment / Poverty

Veterans Issues

CORI and Credit Obstacles

Public Safety and Public Health

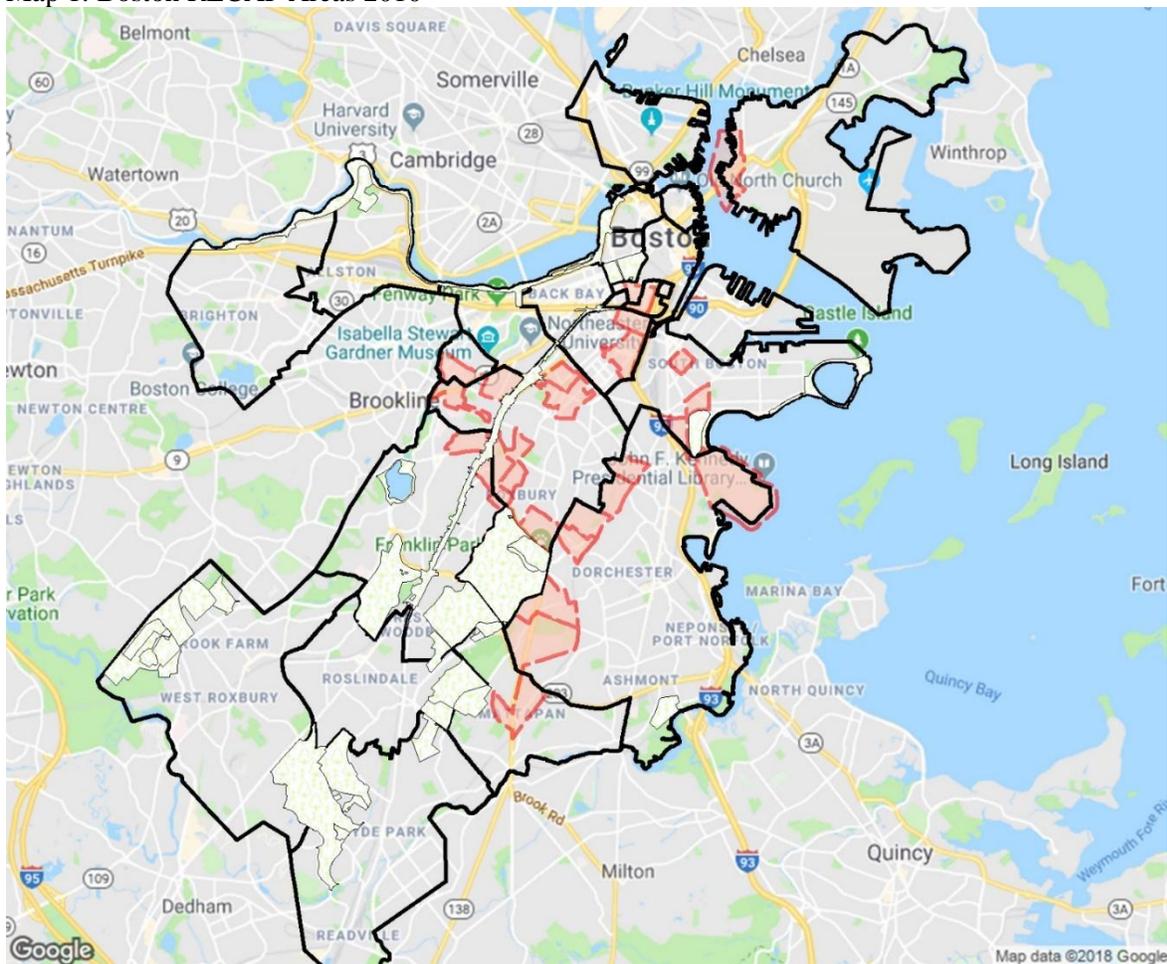
The categories in these three parts of this section are organized this way for editorial purposes and not meant to suggest any rank-ordering, and discussion under each may overlap with data presented in other categories and sections of the report.

Part A: Demography, Social and Economic Data

HUD provided 2010 and ACS 2009-2013 data for both Boston and Boston CBSA metro area for Race/Ethnicity, National Origin, Limited English Proficiency (LEP) Language, Disability Type, Sex, Age and Family Type. The current report primarily utilizes the ACS 2011-2015 but in some instances the ACS 2012-2016 is also used; the Public Use Microdata Samples (PUMS) 2012 – 2016 was utilized for a few variables. While HUD provided CHAS data for ACS 2009 – 2013, we also tapped the most recent CHAS (October 2018) based on the ACS 2011 – 2015.⁷⁵

RECAP boundaries are determined by HUD and utilized to assess data and information in census tracts. The next map shows the location of Boston’s RECAPs in 2010 boundaries. These boundaries are based on the most recent (and corrected) HUD release (July 2017) of 2010 RECAP boundaries.⁷⁶ The 23 RECAPs are shaded red.

Map 1: Boston RECAP Areas 2010



⁷⁵ CHAS or, Comprehensive Housing Affordability Strategy data are customized data prepared for HUD based on the American Community Survey; the latest data set is the ACS 2011-2015 5 Year Estimates.

⁷⁶ These boundaries are based on the corrected boundaries reported by HUD for 2010; see Email Correspondence to HUD (September 7, 2017) from Robert Gehret, Deputy Director of Department of Neighborhood Development.

Race/Ethnicity

The population of Boston in 2010 was 617,594 persons. The 2010 Decennial Census also counted 252,699 households of which 46% were family households (116,244 households), and 54% (136,455 households) were nonfamily households. More than two thirds (68.6%, or 93,701 out of an estimated 136,455 households) of all nonfamily households reported the householder living alone.

Table 1: Total Households by Family Type

Total Households*	252,699	
Family households:	116,244	46%
Husband-wife family	64,502	
Other family:	51,742	
Male householder, no wife present	10,441	
Female householder, no husband present	41,301	
Nonfamily households:	136,455	54%
Householder living alone	93,701	
Householder not living alone	42,754	

Source: 2010 Decennial Census

* A household that has at least one member of the household related to the householder by birth, marriage, or adoption is a "Family household."

In terms of the 617,594 officially counted persons in 2010, Whites who were not Latino numbered 290,312 persons or 47%; Blacks (non-Latino) were 138,073 or 22% of the city's population, and Asians, also not Latino represented 9% of the total population or 54,846 persons. Latinos were 17% of the total population or 107,917 persons.

Table 2: Total Population of Boston by Race, Ethnicity and Latino

	617,594	
Not Hispanic or Latino	509,677	83%
White alone	290,312	47%
Black or African American alone	138,073	22%
American Indian and Alaska Native alone	1,227	0%
Asian alone	54,846	9%
Native Hawaiian and Other Pacific Islander alone	182	0%
Some Other Race alone	10,078	2%
Two or More Races	14,959	2%
Hispanic or Latino:	107,917	17%
White alone	42,721	7%
Black or African American alone	12,364	2%
American Indian and Alaska Native alone	1,172	0%
Asian alone	389	0%
Native Hawaiian and Other Pacific Islander alone	83	0%
Some Other Race alone	41,815	7%
Two or More Races	9,373	2%

Source: 2010 Decennial Census

The ACS 2011 – 2015 5 Year Estimates seems to indicate that the non-Latino White population increased slightly its proportion of the overall population declined from 47% to

45.5%. The Black non-Latino population grew slightly from 138,073 persons to 147,603 persons, but its proportion of the total population basically remained the same at 22.7%; this was also the case with the Asian population, slight growth but same proportion of the total population. The Latino community grew the fastest from an actual count of 107,917 persons in the 2010 decennial census, to the result reported in the American Community Survey 2011 – 2015 of 122,317 persons.

Table 3: Total Population by Race and Latino Status

White Non-Latino	295886	45.5%
Black Non-Latino	147603	22.7%
Asian Non-Latino	60164	9.3%
Hispanic or Latino	122317	18.8%

Source: American Community Survey 2011 - 2015

Recent demographic changes suggest that communities of color are not racially or ethnically monolithic. Boston ‘s Black community has a relatively high proportion of people who are foreign-born, for example. The Latino community includes ancestries that exhibit varying economic experiences.⁷⁷ A relatively new demographic development in Boston, furthermore, is the growing number of Latinos who self-identify as Black, 12% as indicated in the next table.

Table 4: Latino Population by Race

Latino Population	122,317
White alone	35.7%
Black or African American alone	12.0%
American Indian and Alaska Native alone	0.9%
Asian alone	0.3%
Native Hawaiian and Other Pacific Islander alone	0.0%
Some other race alone	29.5%
Two or more races:	10.8%
Two races including Some other race	2.5%
Two races excluding Some other race, and three or more races	8.4%

Source: American Community Survey 2011 - 2015

⁷⁷ See M. Uriarte, J. Jennings and J. Douglas, *The Silent Crisis-Including Latinos and Why It Matters: Representation in the City Governments of Boston, Chelsea, and Somerville, Massachusetts*, Prepared for the Greater Boston Latino Network, Boston, Massachusetts (2014) and *Silent Crisis II: A Follow-up Analysis of Latino/a Civic Participation in Chelsea and Boston, Massachusetts*, Prepared for the Greater Boston Latino Network, Boston, Massachusetts (2017).

The Latino community continues to report greater racial diversity than in earlier periods. Estimates for 2017 show that a significant percentage (11.6%) of all Latinos identify as Black or African American Alone; compared to earlier reports, the figure of 7.2% for the region is also notable.

Table 5: 2017 Estimate, Latino Pop by Single-Classification Race

	Boston		Boston CBSA	
	135,579		534,237	
White Alone	54,454	40.16%	234,483	43.89%
Black or African American Alone	15,716	11.59%	38,538	7.21%
American Indian and Alaska Native Alone	1,487	1.10%	6,485	1.21%
Asian Alone	493	0.36%	2,265	0.42%
Native Hawaiian and Other Pacific Islander Alone	105	0.08%	581	0.11%
Some Other Race Alone	51,380	37.90%	208,191	38.97%
Two or More Races	11,944	8.81%	43,694	8.18%

Source: Estimates are based on U.S. census population projections and estimates; reported by Claritas.

*National Origins and Ancestry*⁷⁸

Approximately 16% of all persons (or, 1,061,461 out of 6,742,143 persons) in Massachusetts were reported as foreign-born in the American Community Survey 2012 – 2016. Slightly less than half of this foreign-born population were not U.S. citizens. In Boston, the foreign-born population is approximately 27.6% (181,652 persons) of the total population (658,279 persons).

In Boston almost half (48.9%) of all foreign-born persons (naturalized citizens and not naturalized) come from Latin America, followed by Asia (25.6%), Europe (13.1%), and Africa (10.6%).

Table 6: Place of Birth by Foreign-Born Persons

	177563	
Europe	23227	13.1%
Asia	45517	25.6%
Africa	18765	10.6%
Oceania	538	0.3%
Latin America	86810	48.9%
Northern America	2706	1.5%

Source: American Community Survey, 2011 - 2015

⁷⁸ National origin refers to the world place of birth (in this case, for the foreign-born population) and ancestry refers to ethnicity, or one's ethnic roots.

More than a third (36%) of Latino immigrants in Boston come from the Dominican Republic and a fifth (21.2%) from and El Salvador.

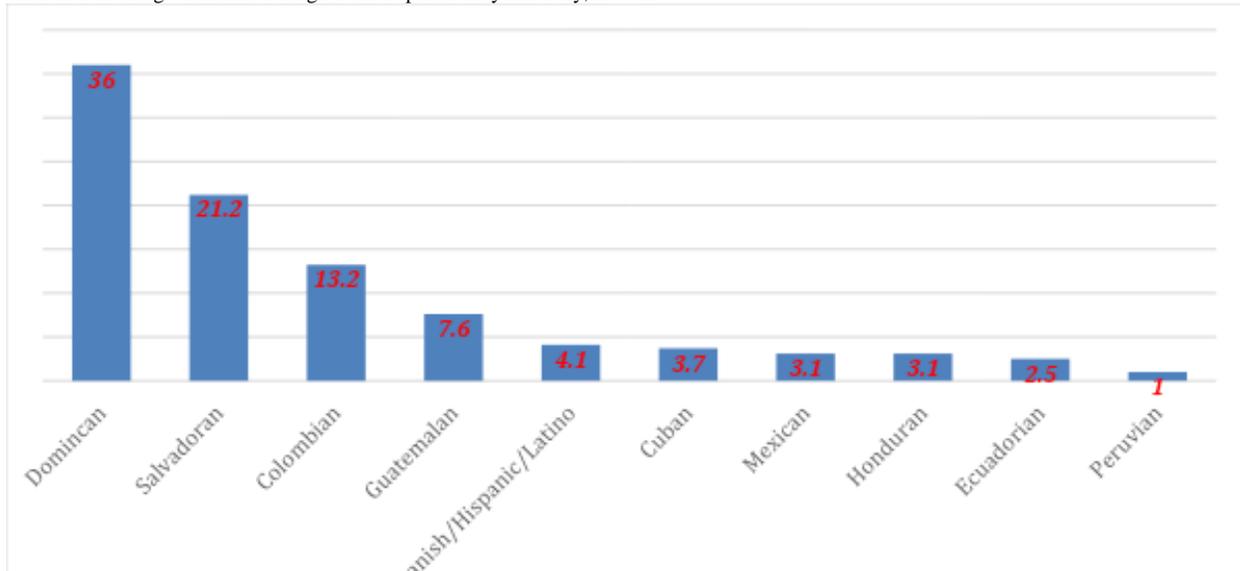
Table 7: Latino Foreign-Born Population by Ancestry, Boston*

Dominican	36%
Salvadoran	21.2%
Colombian	13.2%
Guatemalan	7.6%
All other Spanish/Hispanic/Latino	4.1%
Cuban	3.7%
Mexican	3.1%
Honduran	3.1%
Ecuadorian	2.5%
Peruvian	1%

Source: Public Use Microdata Sample 2012- 2016

*Only ancestries reporting 1% or greater proportion of all Latino foreign-born persons

Chart 2: Percentage of Latino Foreign-Born Population by Ancestry, Boston



Source: Public Use Microdata Sample 2012- 2016

The HUD database (based on ACS 2009 – 2013) shows that the number of foreign born residents of Boston has been increasing since 2010 as is the case with the number of persons with Limited English Proficiency. HUD provided data about the top 10 countries of origin of the foreign-born population in Boston and the metro area. The Dominican Republic is the #1 country of origin for foreign born residents in this City. It also has large numbers of residents born in Haiti (15,429) and China (14,817). Smaller numbers have come to Boston from El Salvador (9,382), Vietnam (9,202), Cape Verde (6,660), Columbia (6,227), Jamaica (5,936), Guatemala (4,191) and Trinidad and Tobago (3,564).

There are significant differences among the foreign-born population in terms of residence by ancestry. Some of the groups above, for example, live outside of Boston and tend to reflect higher education and higher-skilled occupations (though they work in Boston). This is important to note so that policies to address and enhance fair housing can be better targeted to the varied

needs of the foreign-born population. This is also important because the foreign-born population that are non-Boston residents, but work in Boston have higher social and economic characteristics than those foreign-born workers who live and work in Boston. While not targeting the foreign-born population, this is similar to a finding reported in *Resilient Boston...*: “Of particular concern is the fact that Boston’s economic growth has been disproportionately enjoyed by non-Boston residents who work in Boston. The earnings of Boston residents lag significantly behind non-residents, even when accounting for educational attainment.” (p.19)

Boston has an estimated 2,450 foreign-born residents from the six predominantly Muslim countries whose entry into the United States has been restricted by a Presidential Executive Order: Somalia; Iran; Syria; Sudan; Yemen; and Libya. There is much concern that residents from these countries may find themselves subject to increasing discrimination based on national origin or religion. The Office of Fair Housing and Equity, Boston Fair Housing Commission reports a jump in 2017 in race and national origin discrimination cases. There is significant anecdotal information to BFHC and the Mayor’s Office for Immigrant Advancement and Boston Community Health Centers about undocumented residents leaving their homes because of the threat of ICE by housing providers. Health Centers and other direct service providers have also reported constituents dropping out of health prevention services for fear of deportation. Many of these constituents never file a complaint with the BFHC for fear of and or mistrust of government.

Limited English Speaking (LEP)

A considerable number of households by language are counted as Limited English Speaking. The next table shows that 44.8% of all households where the language spoken is Asian or Pacific Islander language report Limited English-speaking ability; the proportion of limited English speaking households where Spanish is spoken is 32.9%.

Table 8: Household Language by Limited English Speaking

Total:	256294
English only	62.7%
Spanish:	15.9%
<i>Limited English speaking household</i>	32.9%
<i>Not a limited English speaking household</i>	67.1%
Other Indo-European languages:	12.0%
<i>Limited English speaking household</i>	24.7%
<i>Not a limited English speaking household</i>	75.3%
Asian and Pacific Island languages:	7.2%
<i>Limited English speaking household</i>	44.8%
<i>Not a limited English speaking household</i>	55.2%
Other languages:	2.1%
<i>Limited English speaking household</i>	22.7%
<i>Not a limited English speaking household</i>	77.3%

Source: American Community Survey 2011 - 2015

The next map, also based on the ACS 2011 – 2015 survey, shows the estimated number of households where both, Spanish is spoken and where English is spoken, less than well by neighborhoods and tracts in Boston.

The number of Limited English Proficiency persons increased within Boston’s RECAPs from 16,096 in 2000, to 19,967 in 2010, or a percentage increase of 24%; the increase for Boston, outside the RECAPs, was much less, at 8.5%.

Table 9: Foreign-Born Population, LEP and RECAPs

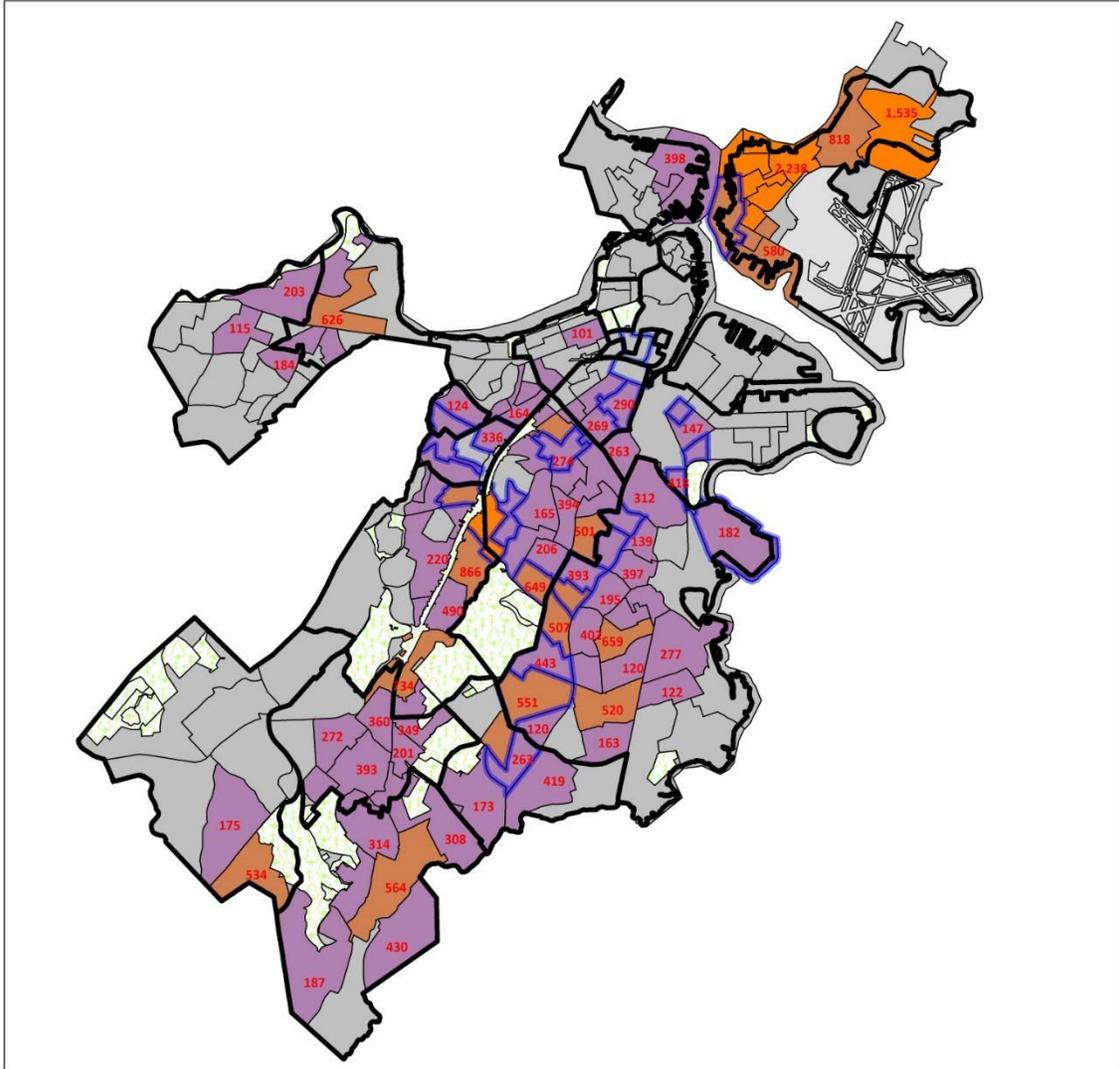
	RECAPs 2010 Tracts	Boston NOT Including RECAPs	All Boston Tracts
Foreign-born population in 2000	21,252	130,619	151,871
Foreign-born population in 2010	27,715	139,090	166,805
Population with limited English proficiency in 2000	16,096	74,979	91,075
Population with limited English proficiency in 2010	19,967	81,377	101,344

Source: AFFH_tract_v3.1_20160620⁷⁹

The distribution of the LEP population who speak Spanish are found in, and outside Boston’s RECAPs as shown in the following map. There are some parts of the City (East Boston, South Boston, South End, Roxbury and Chinatown) where there are relatively high numbers of household reporting Limited English Proficiency; these areas are found in and outside of RECAPs.

⁷⁹ Note that this database is based on the ACS 2009 – 2013 5 Year Estimates; this information was not provided in the Tables pertaining to the AFFHT0004 version. The author utilized the earlier version to determine the values inside and outside RECAPs by utilizing a block pro-rating method in GIS software. “All Boston” does not include Harbor/Thompson Islands since they are zoned as open spaces, and averages based on their minimal residents will skew averages for the rest of Boston.

Map 3: Distribution of LEP Households by Number and Range, by Census Tracts and RECAPs



Disabilities Status

HUD provided data (ACS 2009 – 2013) for Boston and the CBSA region on the numbers of persons with one or more of 6 types of disability: hearing, vision, cognitive, ambulatory, self-care, and independent living difficulties. As reported in the Consolidated Plan submitted in June 2018, “Overall, about 12% of Boston’s population has a disability. While 6.3% of the population has an ambulatory disability, 27.6% of persons over age 65 have an ambulatory disability. Only 5.2% of the population has a cognitive disability but 13.4% of those over age 65 have a cognitive disability. Those over age 65 also have significantly higher percentages of persons with hearing, vision, self-care and independent living disabilities. Persons with ambulatory, vision and hearing disabilities may need housing adaptations. Persons with cognitive, self-care and independent living disabilities may need specialized supportive housing or supportive services in their existing homes depending on the severity of their disability and the resources of their families or other caregivers.” (p.50)

The table below is based on data from the ACS 2011 – 2015 and further drills into the patterns of overall disabilities by race, ethnicity and age. Latinos under 18 years of age reported a 6.1% disability rate, compared to Black children (5.3%), White, Non-Latino children (4.2%), and Asian children (2.3%). These gaps become wider in the 18 to 64 years of age category: Blacks have the highest disability rate at 15.4%, followed by Latinos at 13.8%. Both these findings are more than twice the rate for Whites, Non-Latinos in this age category (6.6%), and Asians (5.2%). Racial and ethnic gaps in reported disabilities narrows in the 65 years and over category but there are still lingering gaps where more than half (51.8%) of Latinos have a disability(s), compared to 47% for Blacks, 41% for Asians, and 38.4% for White Non-Latinos who are 65 years and over.

Table 10: Disability by Race and Age

	Black	Asian	White Not Latino	Latino
Total:	162456	60302	292299	121391
Under 18 years:				
With a disability	5.3%	2.3%	4.2%	6.1%
No disability	94.7%	97.7%	95.8%	93.9%
18 to 64 years:				
With a disability	15.4%	5.2%	6.6%	13.8%
No disability	84.6%	94.8%	93.4%	86.2%
65 years and over:				
With a disability	47.0%	41.0%	38.4%	51.8%
No disability	53.0%	59.0%	61.6%	48.2%

Source: American Community Survey 2011 – 2015

There were 14,298 individuals over 5 years of age with a disability residing within Boston’s RECAPs according to the ACS 2009 – 2013; 11.69% of these individuals are between 5 and 17 years; outside Boston RECAPs, this age grouping comprised 5.9% of all persons with a disability.

Table 11: Disability by Age and RECAPs

	RECAPs 2010 Tracts		Boston NOT Incl RECAPs		All Boston Tracts
Total population aged 5-17 with disabilities	1,671	11.7%	3,414	5.9%	5,085
Total population aged 18-64 with disabilities	8,495	59.4%	32,599	56.3%	41,094
Total population aged 65+ with disabilities	4,132	28.9%	21,854	37.7%	25,986
Total	14,298		57,867		

Source: AFFH_tract_v3.1_20160620.

Families and children by race and ethnicity

In 2010 27% (38,283 persons) of all Blacks in Boston were under 18 years of age; this compares to proportions of 15% (7,245) for Asians; 29% (29,605) for Latinos; but only 10% (25,999) for Whites who were not Latino. There are significant differences in the average size of households by race and ethnicity: average household size for Blacks in 2010 was 2.59 persons; Asians 2.36 persons; Latinos 2.93; and for Whites who were not Latino, 1.93 persons per household.

As reported in ACS 2011 – 2015 and shown below, there were an estimated 122,814 family households in Boston (or 4.7.9% of all households). Married-couple families represent 55.7% of all family households; male householder, no wife present, 9%, and female household, no husband present, 35.3%. And among non-family households, a vast majority 71.2% were householders living alone.

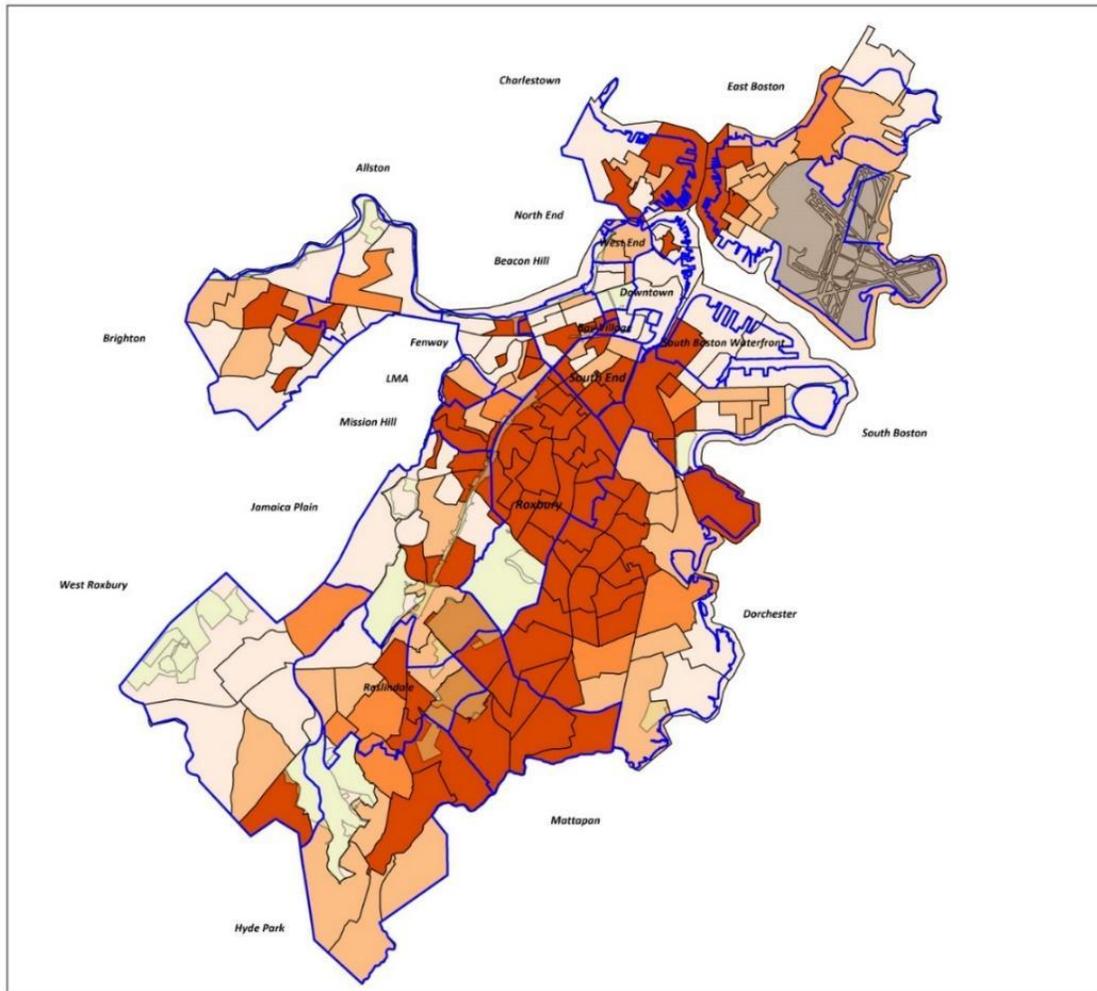
Table 12: Family and Non-Family Households

Total:	256294	
Family households:	122814	47.9%
Married-couple family	68440	55.7%
Other family:	54374	
Male householder, no wife present	11009	9.0%
Female householder, no husband present	43365	35.3%
Nonfamily households:	133480	52.1%
Householder living alone	94999	71.2%
Householder not living alone	38481	28.8%

Source: American Community Survey 2011 – 2015

There are an estimated 59,999 households in Boston with persons under 18 years of age according to the ACS 2011-2015. Approximately 45.6% of these persons lived in a married-couple household; and another 46.3% of households in this category are female-headed households, and 7.8% are male-headed households. When this information is presented spatially based on tracts it shows that some neighborhoods and parts of the city reflect significantly higher proportions of married-couple, or female-headed households than other parts of Boston. The greater proportions of female-headed by tracts suggest that they are mostly found in Black and Latino areas of the city, while the case for married-couple families are those tracts with higher percentages of White households.

Map 4: Proportion Children in Female-headed Households by Tracts and Neighborhoods



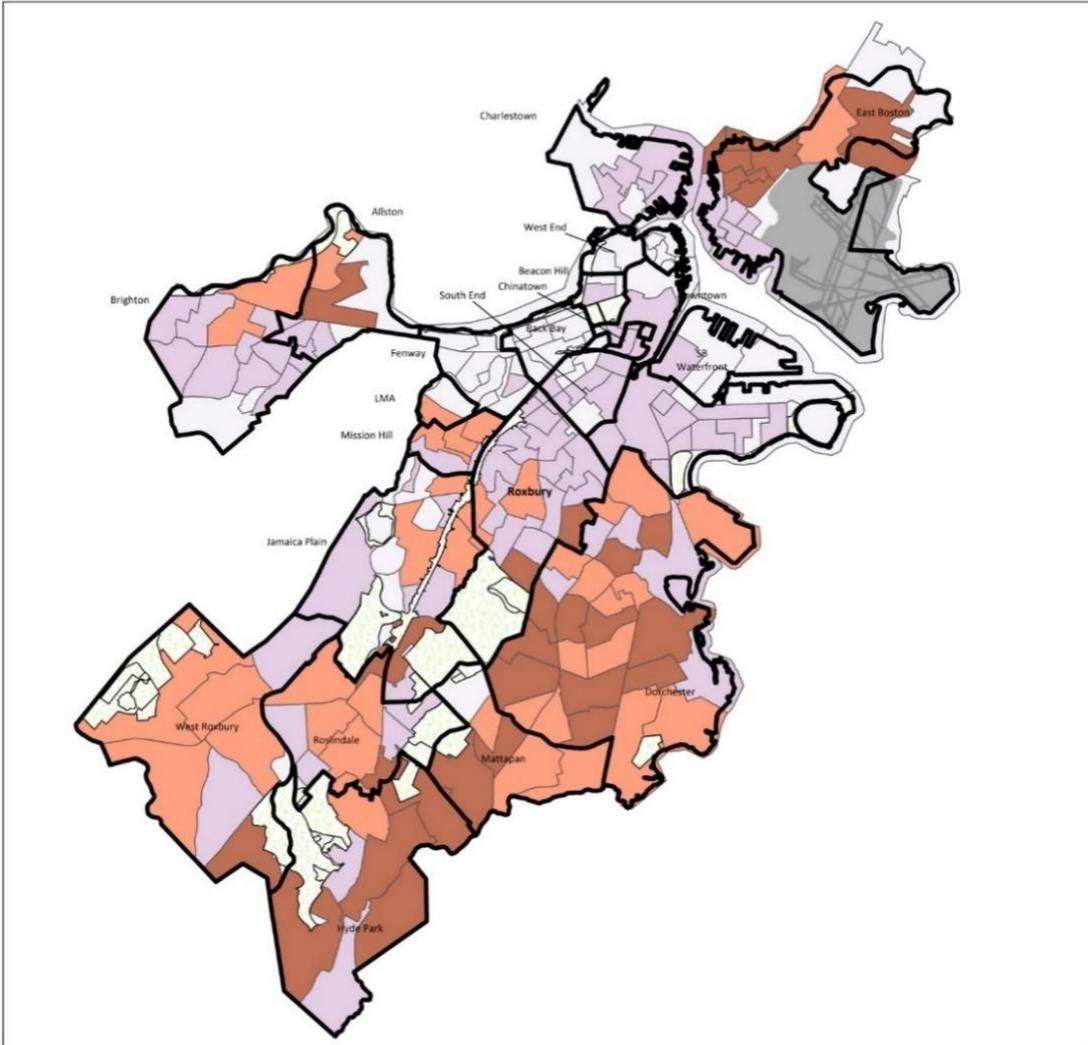
Perc Children in Female-Headed HH
by Tracts, ACS 2011 - 2015

- 0 to 20%
- 20 to 40%
- 40 to 46%
- 46% and Higher

children; it overlooks that in some neighborhoods the latter have a growing presence, and that for younger ages (5 – 9 years; 10-14 years), Black and Latino children represent the overwhelming proportion of all children in Boston in these age categories.

The next map shows the distribution of very large families (households with 4 persons or more) by tracts and neighborhoods based on household estimates for 2017. For the most part, but not exclusively, the higher number of larger families are located in areas of Boston that are predominantly Black and Latino; there are 27 tracts where households of this large size number between 490 and 855 households.

Map 6: Estimated Households with 4 or More persons per Household, 2017



2017 Estimated Households with 4 or More Persons
by Tracts and Neighborhoods

0 to 148 HH	(51)
148 to 328 HH	(65)
328 to 490 HH	(36)
490 to 855 HH	(27)

Age by race and ethnicity

In 2010 persons over 65 years represented 10.1% of the total population, or 62,237 persons. According to the ACS 2011 – 2015, this number seems to have grown to 68,157 persons, but still approximately the same proportion (10.5%) of Boston’s total population.

As described in *BUILD BPS: ...10 Year Educational and Facilities Master Plan (2017)* there are significant differences by age structure of Blacks, Latinos, Asians, when compared to Whites.⁸⁰ There is data suggesting that Latino families and households especially, but also Black families and households, are much larger than White families and households who are not Latino. These racial and ethnic age differences should be reflected in strategies and policies aimed at furthering fair housing.

The table below is from the *BuildBPS...*(March 2017, p.113) and is based on the ACS 2010 – 2014. Table 13: BuildBPS...(p.113)

		Black	%	Latino	%	Asian	%	White (Not Latino)	%
	Total	160,342		117,514		58,545		294,432	
Under 5 years	33,398	10,377	6.5%	9,459	8.0%	2,196	3.8%	11,366	3.9%
5 to 9 years	27,869	10,990	6.9%	8,538	7.3%	1,910	3.3%	6,431	2.2%
10 to 14 years	26,845	11,012	6.9%	8,678	7.4%	1,900	3.2%	5,255	1.8%
15 to 17 years	17,635	7,373	4.6%	5,469	4.7%	1,550	2.6%	3,243	1.1%
18 and 19 years	30,831	5,429	3.4%	5,507	4.7%	3,568	6.1%	16,327	5.5%
20 to 24 years	78,909	15,430	9.6%	13,640	11.6%	8,945	15.3%	40,894	13.9%
25 to 29 years	80,987	13,317	8.3%	11,269	9.6%	8,140	13.9%	48,261	16.4%
30 to 34 years	57,531	10,610	6.6%	10,041	8.5%	5,665	9.7%	31,215	10.6%
35 to 44 years	78,827	20,176	12.6%	16,227	13.8%	7,654	13.1%	34,770	11.8%
45 to 54 years	71,461	21,347	13.3%	13,325	11.3%	5,981	10.2%	30,808	10.5%
55 to 64 years	60,699	17,481	10.9%	8,735	7.4%	5,082	8.7%	29,401	10.0%
65 to 74 years	35,409	10,055	6.3%	4,094	3.5%	3,028	5.2%	18,232	6.2%
75 to 84 years	20,500	4,801	3.0%	1,811	1.5%	2,029	3.5%	11,859	4.0%
85 years and over	9,932	1,944	1.2%	721	0.6%	897	1.5%	6,370	2.2%

The next table from the same report shows that school enrollments by neighborhood varies, but 59% of all enrolled children live in Roxbury, Mattapan, Dorchester and East Boston, parts of the city with greater numbers of distressed housing, and where households tend to be severely housing cost-burdened.⁸¹

⁸⁰ Also see J. Jennings, *Black and Latino Youth in Boston*, Prepared for The Barr Foundation (2016); <https://sites.tufts.edu/jamesjennings/>

⁸¹ While White students comprise but 14% of all children in Boston public schools, they tend to be concentrated in opportunity neighborhood areas in the City, and they also represent the majority of students in the three Exam High Schools. Latino students represent 42% of all students; Blacks 34%; and Asians 9%; see *BPS at a Glance, 2018-2019*.

Table 14: BuildBPS...

In-District Enrollment by Neighborhood																	
	K0	K1	K2	1	2	3	4	5	6	7	8	9	10	11	12	Total	
Allston-Brighton	42	128	179	214	182	186	165	150	165	196	151	251	191	163	185	2,548	
Back Bay/Beacon Hill	2	10	19	17	14	18	13	11	9	14	14	10	8	13	8	180	
Central Boston	10	35	94	101	85	79	61	65	58	64	51	56	56	65	57	937	
Charlestown	7	51	144	152	149	141	118	101	114	108	106	110	99	95	97	1,592	
Dorchester	86	504	803	887	922	894	894	742	740	772	782	947	917	911	1,020	11,821	
East Boston	59	252	511	548	552	587	491	420	396	379	365	587	484	450	426	6,507	
Fenway/Kenmore	5	13	30	45	42	43	27	23	23	19	28	28	31	27	16	400	
Hyde Park	31	163	221	267	244	240	253	191	195	202	217	284	281	308	347	3,444	
Jamaica Plain	20	140	223	254	221	228	218	186	179	179	188	198	201	212	235	2,882	
Mattapan	51	197	347	419	405	396	350	335	328	345	336	469	413	415	476	5,282	
Roslindale	32	178	252	295	294	292	258	207	204	247	214	275	260	289	308	3,605	
Roxbury	77	431	745	784	867	799	774	591	595	639	620	772	719	688	769	9,870	
South Boston	11	104	122	173	168	169	144	130	126	136	133	154	154	128	145	1,997	
South End	22	77	189	172	214	223	193	169	161	197	160	208	192	182	207	2,566	
West Roxbury	16	169	240	202	226	209	170	174	130	177	157	215	180	186	199	2,650	
Other (not specified)	3	3	3	9	17	21	18	14	14	16	14	20	30	24	33	239	
In-District Total	474	2,455	4,122	4,539	4,602	4,525	4,147	3,509	3,437	3,690	3,536	4,584	4,216	4,156	4,528	56,520	

The vast difference in the age structure of children by race and ethnicity is emphasized when the combined proportion of Black and Latino persons are reported, as in the following table. These two groups represent a significant majority of all persons who are 17 years or younger, in Boston. These two groups represented 59.1% of *all* children under 5 years of age; 70.7% of all children 5 to 9 years of age; 72.6% of all children 10 to 14 years of age; and 72.5% of all children 5 to 17 years of age.

Table 15: Black and Latino Proportion of All Boston Age Cohorts

Under 5 years	59.1%
5 to 9 years	70.7%
10 to 14 years	72.6%
15 to 17 years	72.5%
18 and 19 years	36.3%
20 to 24 years	38.6%
25 to 29 years	30.6%
30 to 34 years	35.3%
35 to 44 years	46.9%
45 to 54 years	49.0%
55 to 64 years	43.8%
65 to 74 years	40.2%
75 to 84 years	34.6%
85 years and over	27.2%

Source: American Community Survey 2011 – 2015

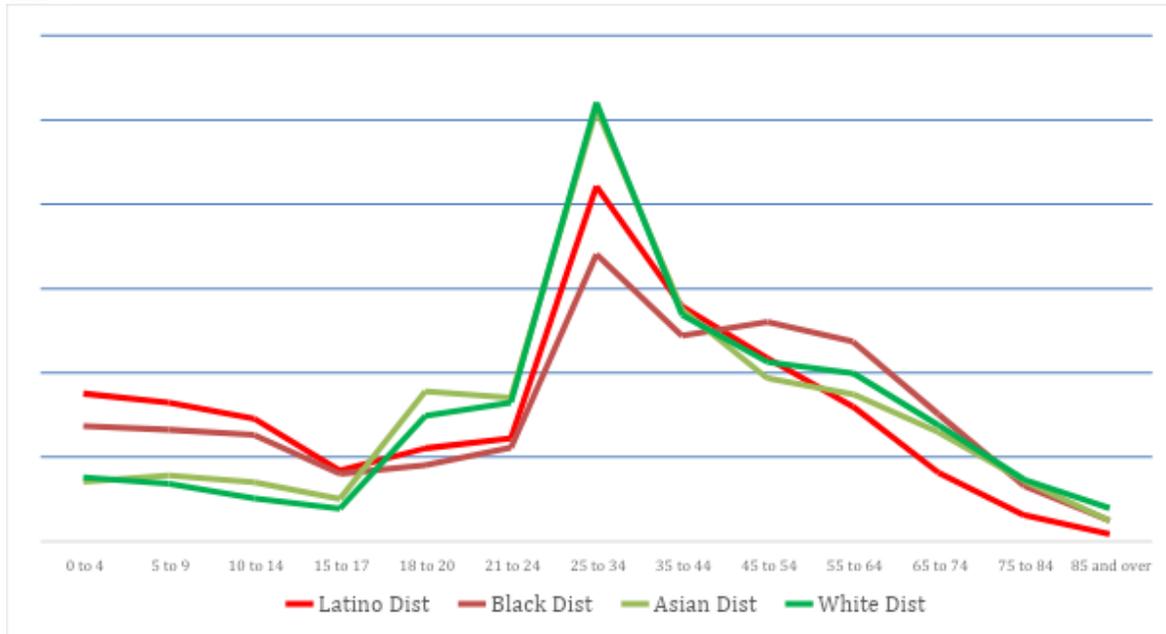
Population estimates for 2017 continue to show major differences in the age structure of Latinos, Blacks, Asians and Whites. The next chart illustrates this point, but it should be noted that for in these 2017 estimates Latinos can be included among the White alone category (much lower numbers in the Black and Asian categories). The chart which follows illustrates more dramatically how Black and Latino children represent a significantly large (and largest) cohort of children 17 years and younger.

Table 16: 2017 Estimated Population by Age, Boston

	Latino	Latino Dist %	Black	Black %	Asian	Asian %	White Alone	White Alone %
	135,579		161,940		65,145		356,969	
Age 0 to 4	11,887	8.8%	11,090	6.9%	2,298	3.5%	13,581	3.8%
Age 5 to 9	11,141	8.2%	10,724	6.6%	2,542	3.9%	12,205	3.4%
Age 10 to 14	9,864	7.3%	10,223	6.3%	2,287	3.5%	9,149	2.6%
Age 15 to 17	5,685	4.2%	6,487	4.0%	1,638	2.5%	6,887	1.9%
Age 18 to 20	7,480	5.5%	7,304	4.5%	5,807	8.9%	26,562	7.4%
Age 21 to 24	8,283	6.1%	8,992	5.6%	5,552	8.5%	29,404	8.2%
Age 25 to 34	28,561	21.1%	27,575	17.0%	16,716	25.7%	92,949	26.0%
Age 35 to 44	18,899	13.9%	19,761	12.2%	8,958	13.8%	47,942	13.4%
Age 45 to 54	14,738	10.9%	21,068	13.0%	6,302	9.7%	37,994	10.6%
Age 55 to 64	10,828	8.0%	19,190	11.9%	5,689	8.7%	35,625	10.0%
Age 65 to 74	5,513	4.1%	12,215	7.5%	4,213	6.5%	24,597	6.9%
Age 75 to 84	2,099	1.6%	5,341	3.3%	2,339	3.6%	13,060	3.7%
Age 85 and over	601	0.4%	1,970	1.2%	804	1.2%	7,014	2.0%
Age 18 and over	97,002	71.6%	123,416	76.2%	56,380	86.6%	315,147	88.3%
Age 21 and over	89,522	66.0%	116,112	71.7%	50,573	77.6%	288,585	80.8%
Age 65 and over	8,213	6.1%	19,526	12.1%	7,356	11.3%	44,671	12.5%

Source: Population estimates generated by Claritas based on U.S. census population estimates and projections.

Chart 3



Housing and Tenure

This section begins with highlighting general housing and tenure characteristics for Boston. This is followed by information by race and ethnicity. The section shows that there are major differences between Non-Latino Whites, Blacks and Asians related to housing and tenure. This issue is further discussed in *Part C: Opportunity Barriers*.

The ACS 2011 – 2015 Survey shows that Boston has a greater proportion of multi-unit housing compared to the region.

Table 17: Number Units in Structure

	Boston		Boston-Cambridge-Newton, MA-NH CBSA		Boston as % of Metro Region
	# units	%	# units	%	
1-unit (attached and detached)	51,646	18.5%	1,023,521	53.8%	5.0%
2-4 units	106,704	38.3%	405,065	21.3%	26.3%
Single family (1-4)	158,350	56.9%	1,428,586	75.2%	11.1%
5-19 units	54,139	19.4%	204,682	10.8%	26.5%
20-49 units	26,058	9.4%	103,219	5.4%	25.2%
50+ units	39,538	14.2%	140,665	7.4%	28.1%
Multi Family (5+)	119,735	43.0%	448,556	23.6%	26.7%
Mobile Home	289	0.1%	23,277	1.2%	1.2%
Total Units	278,521	100.0%	1,900,927	100.0%	14.7%

Source: American Community Survey 2011-2015

Table 18: Year Structure Built

Total:	278521	
Built 2014 or later	272	0.1%
Built 2010 to 2013	2698	1.0%
Built 2000 to 2009	19280	6.9%
Built 1990 to 1999	10949	3.9%
Built 1980 to 1989	17037	6.1%
Built 1970 to 1979	21092	7.6%
Built 1960 to 1969	22950	8.2%
Built 1950 to 1959	20475	7.4%
Built 1940 to 1949	15801	5.7%
Built 1939 or earlier	147967	53.1%

Source: American Community Survey 2011 - 2015

Table 19: Median Number of Rooms by Tenure

Total:	4.4
Owner occupied	5.4
Renter occupied	3.9

Source: American Community Survey 2011 - 2015

Table 20: Number of Bedrooms

Total:	278521	
No bedroom	17987	6.5%
1 bedroom	70608	25.4%
2 bedrooms	95533	34.3%
3 bedrooms	64135	23.0%
4 bedrooms	21987	7.9%
5 or more bedrooms	8271	3.0%

Source: American Community Survey 2011 - 2015

The following Table 21⁸² shows that almost half of all units in Public Housing and Project-Based Section 8 are comprised of 1 bedroom, but almost all ‘Other Multifamily’ housing have 1 bedroom. Housing Choice Vouchers show the greatest proportion (44.7%) of all units as including 3+ bedrooms.

Table 21: Publicly-Supported Housing by Households, number of bedrooms

Housing Type	Households in 0-1 Bedroom Units		Households in 2 Bedroom Units		Households in 3+ Bedroom Units		Households with Children	
	#	%	#	%	#	%	#	%
Public Housing	4,968	49.7%	2,750	27.5%	2,176	21.8%	3,115	31.2%
Project-Based Section 8	9,588	50.4%	5,507	29.0%	3,518	18.5%	5,206	27.4%
Other Multifamily	1,427	96.4%	8	0.5%	0	0.0%	3	0.2%
HCV Program	3,919	25.2%	4,476	28.8%	6,938	44.7%	7,015	45.2%

Source: Comprehensive Housing Affordability Strategy (ACS 2009 – 2013)

⁸² This table is provided by HUD as “Table 11: Publicly Supported Housing by Program Category: Units by Number of Bedrooms and Number of Children”

The next table shows that Boston is primarily a ‘renter’ city where 65.7% of all housing units are in this category, compared to but 38.3% of all units as renter-occupied outside of Boston. Slightly over a third (34.3%) of all housing units in Boston are owner-occupied, compared to 61.7% of all housing units outside of Boston as owner-occupied. There are approximately 385,861 persons in Boston who live in rental occupied units and 216,889 persons who live in owner-occupied units (ACS 2011 – 2015).

Table 22: Tenure, Boston and Boston-Cambridge-Newton, MA-NH CSBA

	Boston		Boston-Cambridge-Newton, MA-NH CSBA	
	# units	%	# units	%
Owner-occupied	87,958	34.3%	1,089,886	61.7%
Renter-Occupied	168,336	65.7%	686,554	38.3%
Total	256,294		1,766,440	

Source: American Community Survey 2011-2015

In 2010 the number of renter-occupied units in Boston was 159,964, or 65.1% of all housing units. The ACS 2011 – 2015 shows an estimated increase from this actual count by 8,372 (5.2%). The difference in owner-occupied units between the 2010 count, and the 2011-2015 survey indicates a smaller increase from 85,893 units, to 87,958 units, or a change of 2,065 (2.4%).

Table 23: Tenure, Boston 2010 and ACS 2011 - 2015

	Boston					
	2010	%		%	# change	% change
Owner-occupied	85,893	34.9%	87,958	34.3%	2,065	2.4%
Renter-Occupied	159,964	65.1%	168,336	65.7%	8,372	5.2%
Total	245,857	100%	256,294	100%	10,437	4.2%

Source: 2010 Decennial; American Community Survey 2011-2015

Estimated housing units reported for Boston in 2017 show that the dominant structure type is 3 or 4 units (24.9% of all units), followed by structures with 5 to 19 units (20.1% of all units). Interestingly the largest housing units in the Boston-Cambridge-Newton CBSA is 1 unit.

Table 24: 2017 Estimated Housing Units by Units in Structure

	300,854	
1 Unit Attached	19,042	6.3%
1 Unit Detached	34,960	11.6%
2 Units	38,242	12.7%
3 or 4 Units	75,123	24.9%
5 to 19 Units	60,555	20.1%
20 to 49 Units	28,829	9.5%
50 or More Units	43,666	14.5%
Mobile Home or Trailer	296	0.1%
Boat, RV, Van, etc.	141	0.05%
Dominant structure type	3 or 4 units	

Source: Estimates by Claritas based on U.S. census population estimates and projections.

The overall owner-occupied proportion of all households (34.3%) hides significant racial and ethnic differences. The table below shows the proportion of households who are homeowners by race/ethnicity compared with their proportion of total households in Boston. The ownership rate for White, Non-Latino households is considerably higher (43.7%) than it is for Black households (28.5%), Asian households (25.1%) and considerably higher compared to Latino households (16.6%). And only for Whites, Non-Latinos does the proportion of owner-occupied units (67%) exceed their proportion of all households (52.6%).

Table 25: Total Households by Race and Tenure

	Total Households	Owner-Occupied	% Owner-Occupied	Renter	% Renter-Occupied		% of All Households	% of Owners
White Non-Latino	133361	58303	43.7%	75058	56.3%		52.6%	67.0%
Black	57778	16486	28.5%	41292	71.5%		22.8%	18.9%
Latino	40144	6653	16.6%	33491	83.4%		15.8%	7.6%
Asian	22288	5587	25.1%	16701	74.9%		8.8%	6.4%
Total Households	253571	87029	34.3%	166542	65.7%			

Source: American Community Survey 2011 – 2015

Vacant Housing

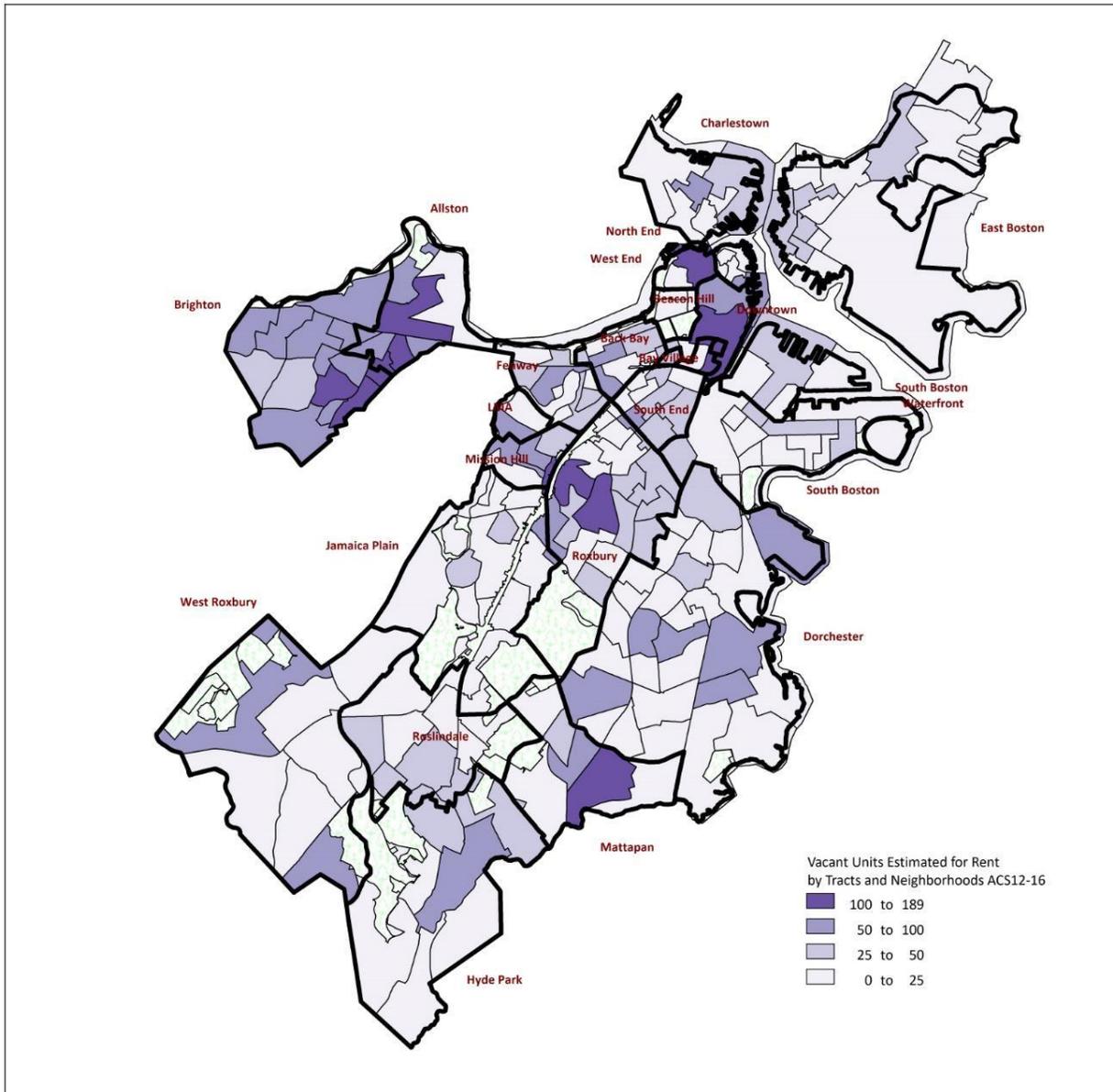
According to the ACS 2012 – 2016 Survey Boston has an estimated 22,093 vacant units, or 7.8% of 281,417 units. As detailed below vacant units can include units for rent; rented, not occupied; for sale only; sold, not occupied; for seasonal, recreational or occasional use; for migrant workers; or, other vacant. The map which follows the next table shows spatially how vacancies are distributed throughout Boston.

Table 26: Estimate Vacancies by Type

Vacancies (Estimates)	22093
- For rent	5576
- Rented, not occupied	3882
- For sale only	1136
- Sold, not occupied	3027
- For seasonal, recreational, or occasional use	3310
- For migrant workers	4
- Other vacant	5158

Source: American Community Survey 2012 – 2016

Map 6: Estimated Vacant Units *for Rent* by Tracts and Neighborhoods



Racial/Ethnic Segregation

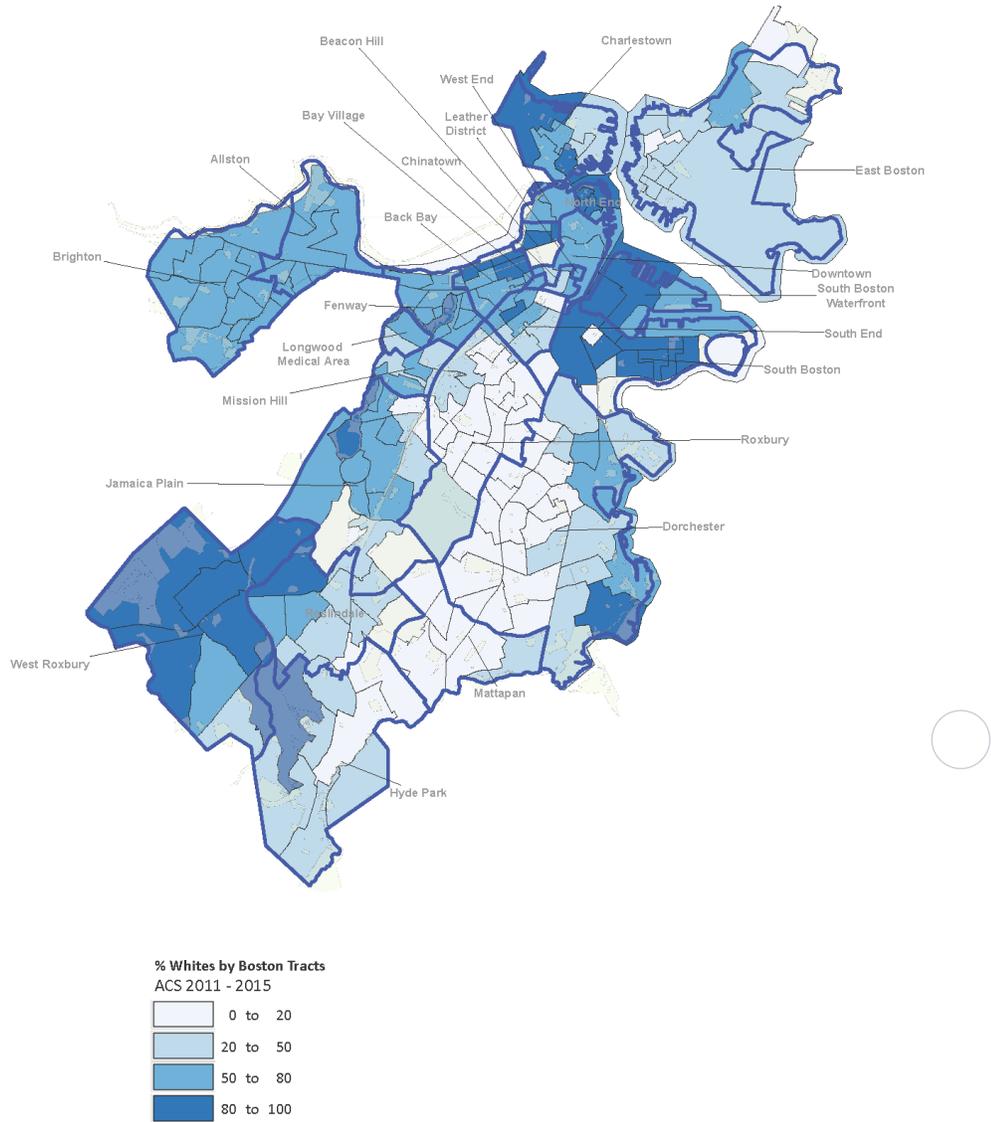
Boston has realized important racial progress over the last several decades. In earlier periods there were certain neighborhoods where Blacks (and Latinos and Asians) could justifiably fear for their safety due to their own race and ethnicity. This is certainly less the case today where Blacks, Latinos and Asians reside in some of these same neighborhoods. Nevertheless, as presented in Mayor Martin Walsh's sponsored report, *Resilient Boston*, evidence of systemic racism is visible throughout Boston.⁸³ The City still shows patterns of racial and ethnic segregation by residential location.

A review of census tracts by racial characteristics indicates that there is a high degree of segregation in this city.⁸⁴ The next four maps show the population distribution of Blacks, Whites, Latinos and Asians by Boston census tracts (ASC 2011 – 2015). The first map shows the proportion of Whites by census tracts in Boston; this is followed Asian, Blacks and then Latino proportions by the same tracts. There are numerous census tracts where the White Non-Latino population is 80% or more, in a City where they represent less than half of the total population. The maps show that Whites remain more racially isolated than Blacks, Latinos, or Asians.

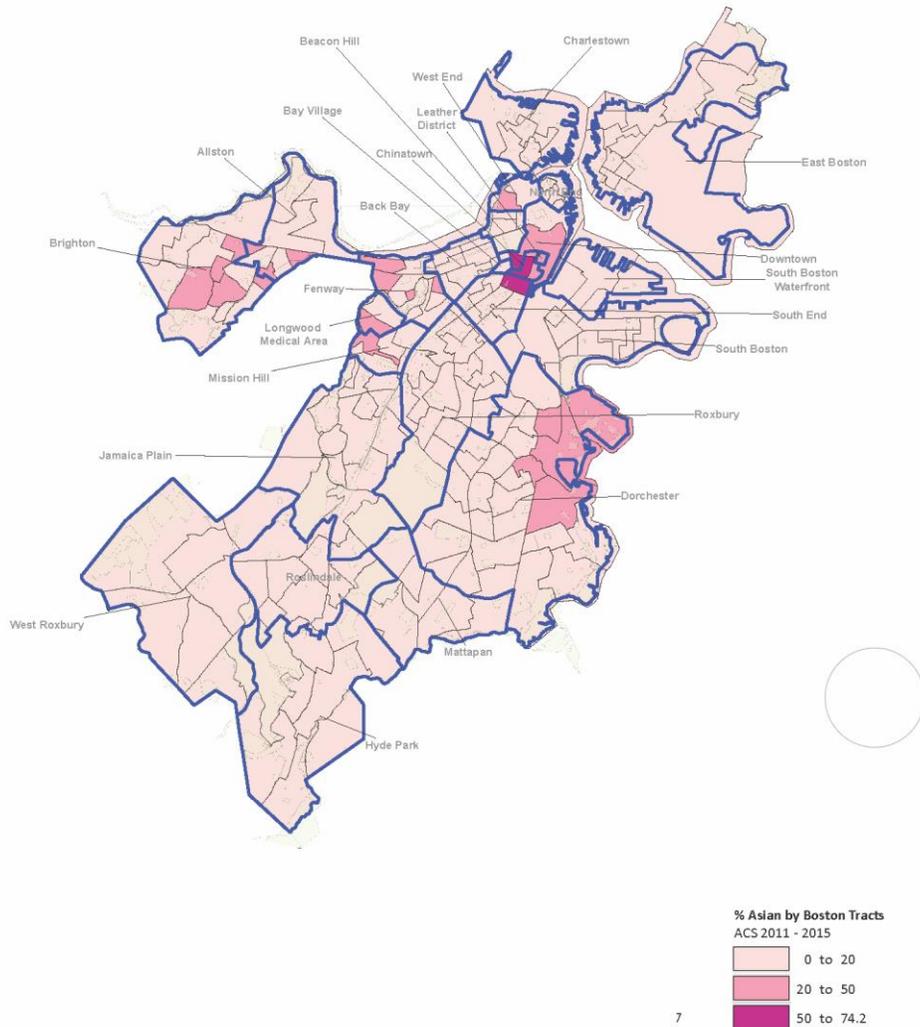
⁸³ City of Boston. *Resilient Boston: An Equitable and Connected City*. City of Boston, July 2017.

⁸⁴ A dissimilarity index is sometimes utilized to assess the level of segregation in urban areas. However, according to HUD the index does not indicate spatial patterns of segregation. Another limitation is that the proposal that an index between 0 and 39 suggests low segregation, or that between 40 and 54, moderate segregation is arbitrary. Furthermore, what is 'moderate segregation'? For Boston it is proposed that a visual presentation of the segregation of residents and their residences is a far more effective tool for noting the extent of the problem, but also as one basis for greater communication among residents across neighborhoods.

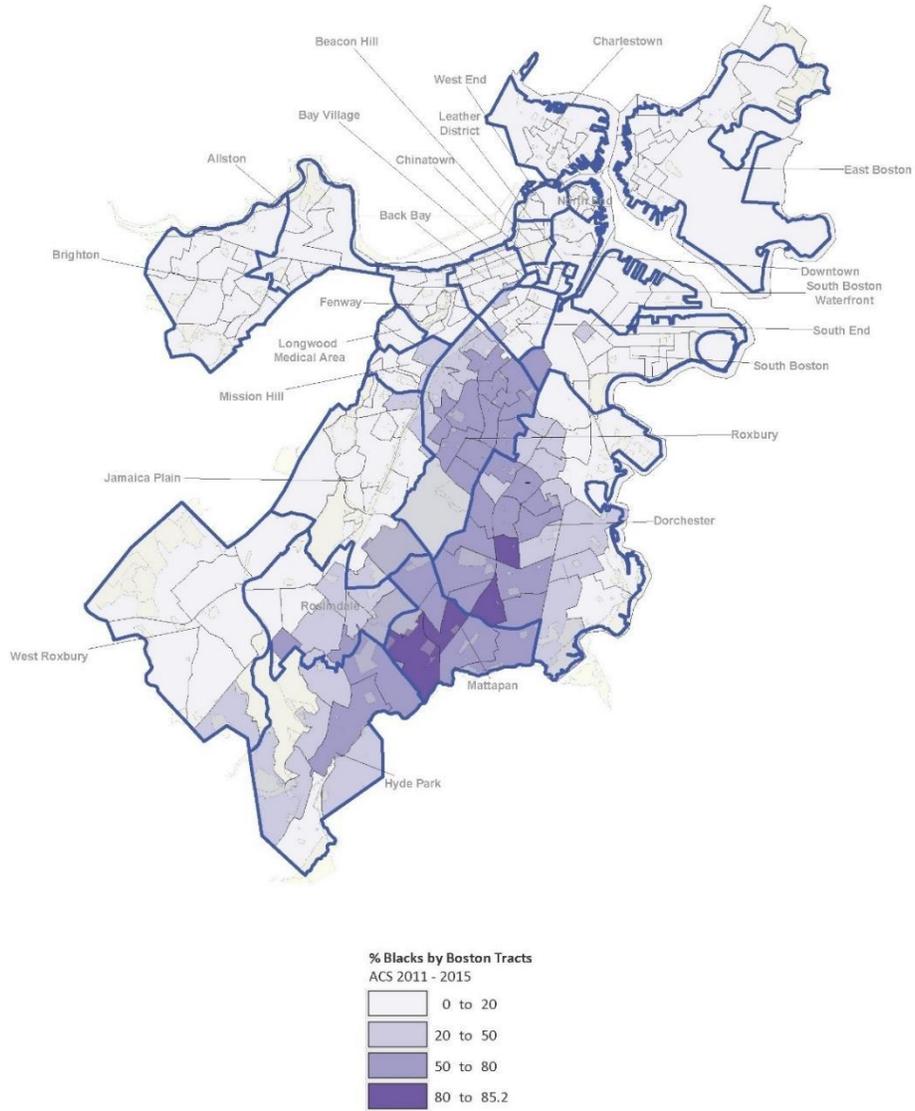
Map 7: Proportion of White Residents by Tracts and Neighborhoods



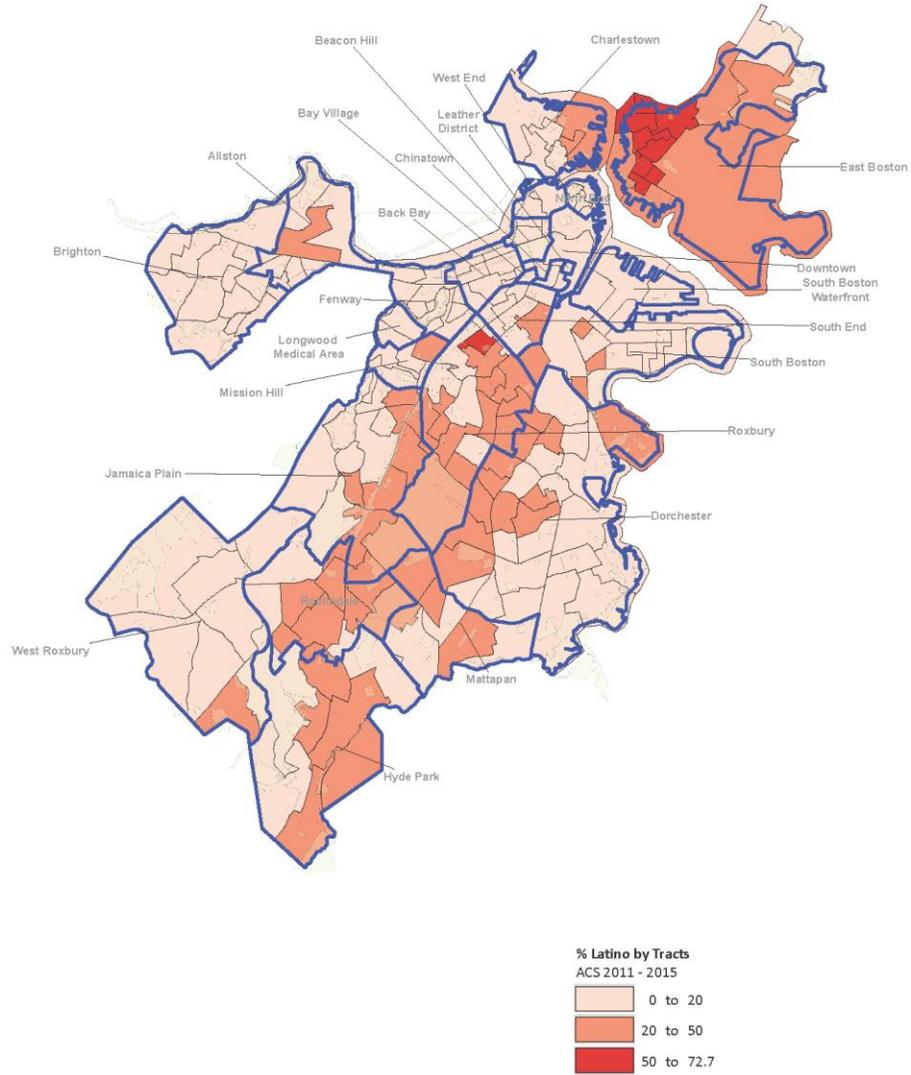
Map 8: Proportion of Asian Residents by Tracts and Neighborhoods



Map 9: Proportion of Black Residents by Tracts and Neighborhoods



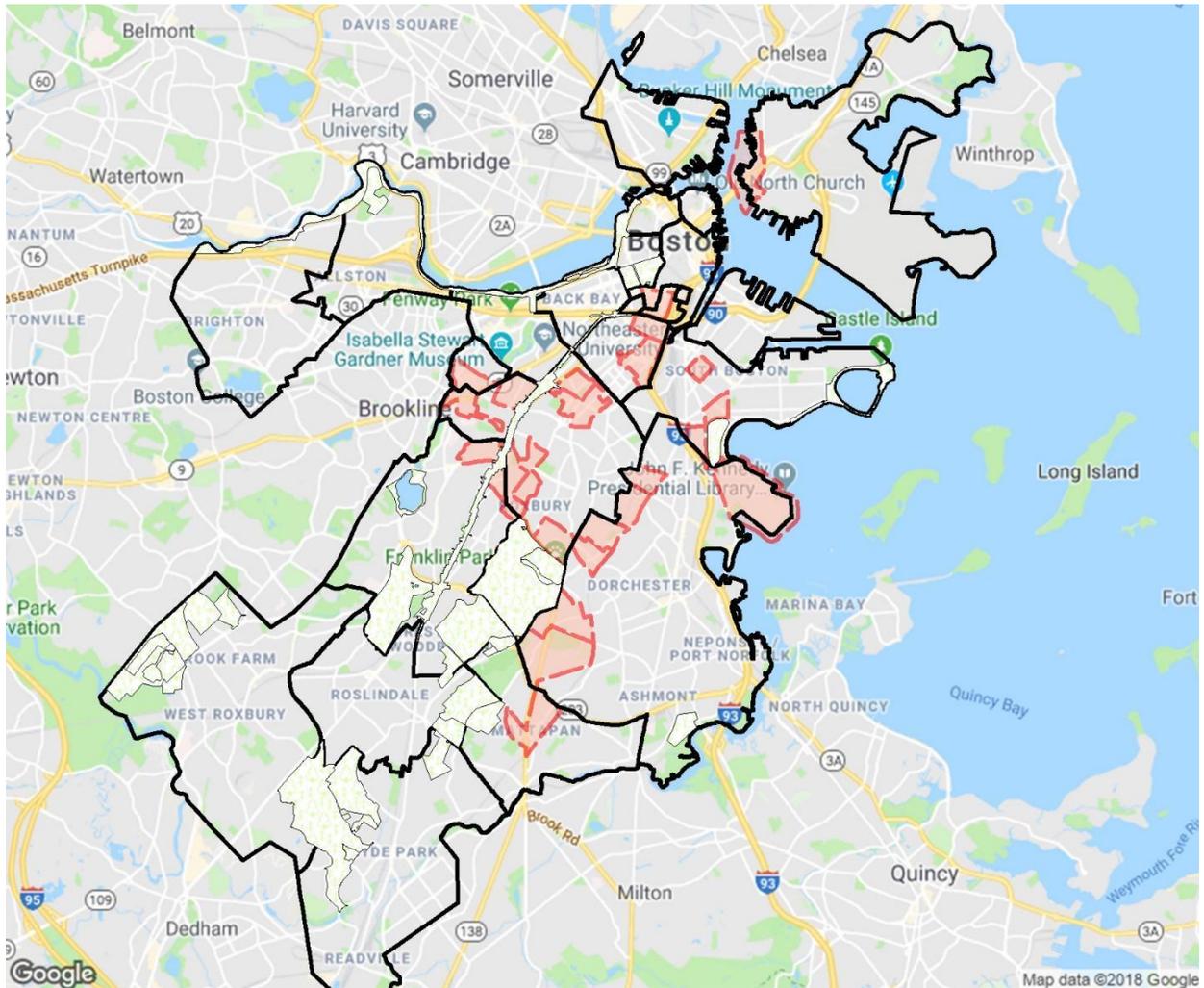
Map 10: Proportion of Latinos by Tracts and Neighborhoods



RECAPs

The following map is shown earlier in this report (see Map 1); it shows the location of RECAPs in Boston.

Map 11: Boston RECAPs 2010 (also Map 1)



The map above shows that East Boston, Chinatown, Mission Hill, Chinatown and Mattapan have one designated R/ECAP. The South End, two; Jamaica Plain, two; South Boston, three; Roxbury, five; and Dorchester, seven. This geographic distribution, as well as recent real estate developments and the current movement of wealthier White households into some of these limits the utilization of RECAPs (versus neighborhoods and tracts) as a tool for analyzing fair housing issues and problems. This means that solely RECAPs should not be used in terms of strategies and policies to reduce residential segregation in Boston.

RECAPs are part of a broader history of segregation and fair housing in Boston and the region. As mentioned earlier Mac McCreight (GBLS) provided a memo outlining the history of some key fair housing issues in Boston and Nadine Cohen (GBLS), also provided a memo outlining the history of redlining, mortgage discrimination and foreclosures in Boston.⁸⁵ As McCreight points out, decades ago certain very large public housing developments in the City were intentionally sited in White neighborhoods to serve those White residents while others were sited in Black neighborhoods to serve that community.

One might ponder that most of the census tracts that are now RECAPs became such due to the flight of White families from the city during the early stages of efforts associated with school desegregation and busing. Yes, but this is only a partial and incomplete explanation. The information provided by MacCreight and Cohen, and others, document that some RECAP areas experienced intentional economic disinvestment, including the denial of home ownership opportunities and community access to financial resources. In some cases, these policies and practices pushed Whites out of communities.⁸⁶ Another factor in the segregation of Boston's residential neighborhoods was the redlining and discriminatory lending policies that resulted in banks refusing to lend to Blacks in certain predominantly White neighborhoods and selectively making FHA loans available to Blacks in targeted neighborhoods such as Mattapan. As Cohen points out, Mattapan went from being a predominantly Jewish neighborhood to a majority Black neighborhood in just a decade due to these kinds of practices.

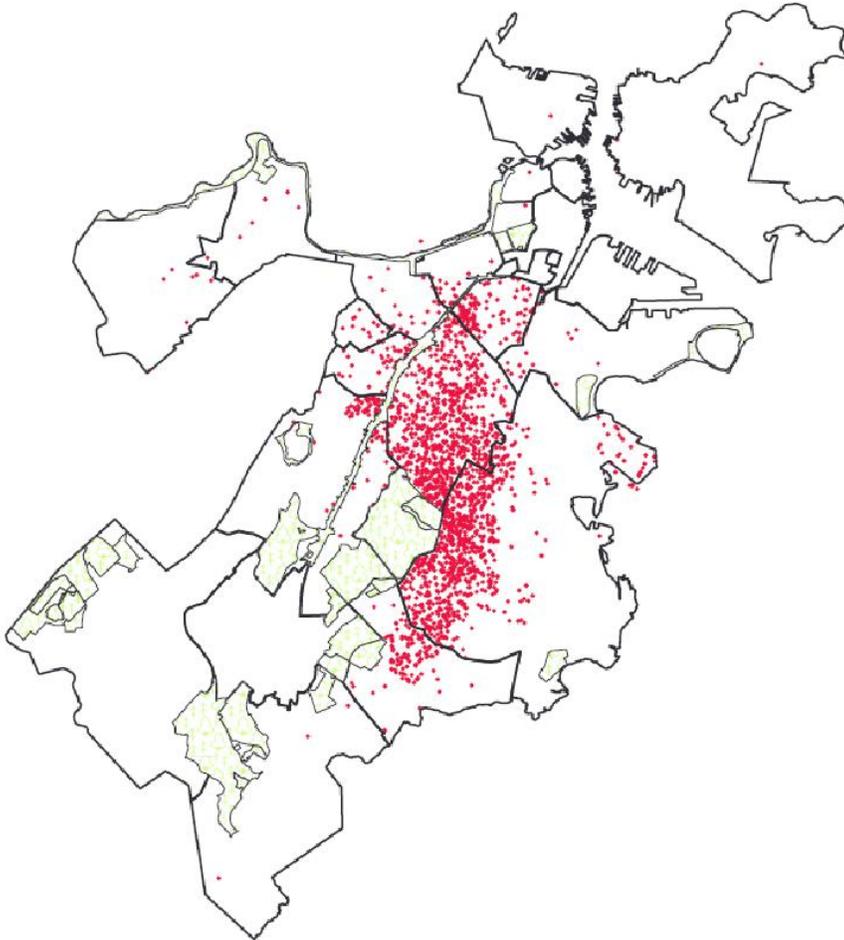
The continuing concentration of Blacks in Boston over several decades is evident in the following three maps; they show Black residential patterns by neighborhoods in 1970, revisited in 2000, and then again with the latest census, the ACS 2012 – 2016.

The map below shows Black residential patterns in Boston, by neighborhoods, in 1970.

⁸⁵ See McCreight, op cit.; and Cohen, op cit.

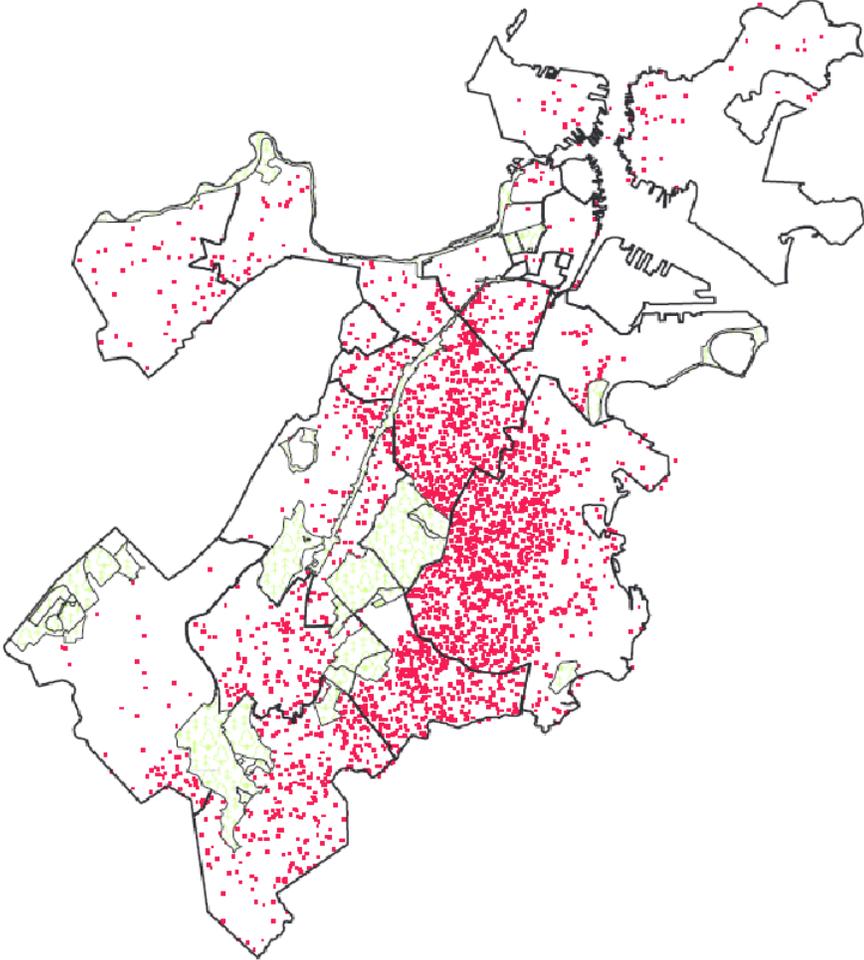
⁸⁶ See, J. Pattison-Gordon, "The Power of Banks" in M.B. Miller, ed., *Boston's Banner Years: 1965-2015: A Saga of Black Success* (Archway Publishing, Bloomington Indiana: 2018).

Map 12: Black Residential Patterns/Concentration in 1970



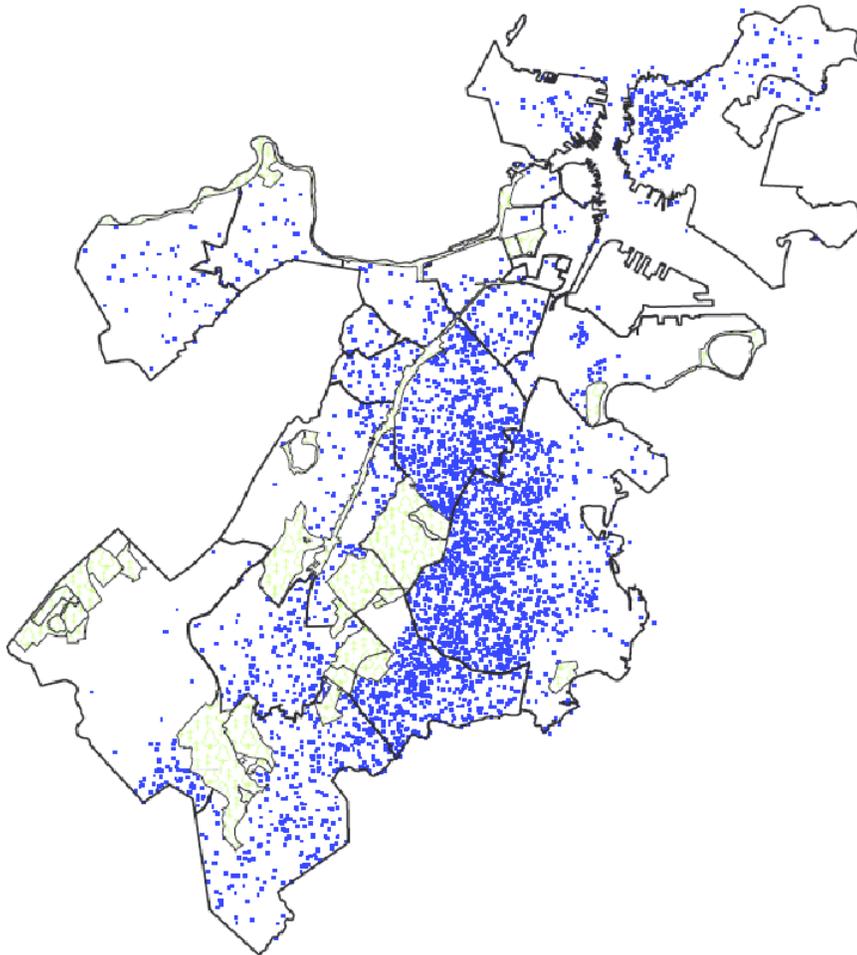
The following map shows Black residential patterns three decades later, in 2010. What is evident here is that the Black population has not become significantly dispersed during four decades; the concentration is larger, to be sure, but still a concentration.

Map 13: Black Residential Patterns/Concentration in 2010



The ACS 2012 – 2016 survey shows that the Black population has started to disperse. For example, more Blacks were residing in East Boston, and parts of Hyde Park, but for the most part there is still a concentration in the same neighborhoods that we saw in earlier decades.

Map 14: Black Residential Patterns, ACS 2012-2016



Currently there are 29,515 households reported for Boston’s RECAPs. Thirty-nine (39.4%) of these households were Black (compared to 18.3% outside Boston RECAPs); 27.7% are Latino (compared to 12.1% outside Boston RECAPs); 16.7% of these households are White (compared to 59% outside Boston R/ECAPs); and 11.9% of all households in the 2010 Boston R/ECAPs are Asian/PI (compared to 8% outside the Boston RECAPs).

Table 27: Households by Race, Ethnicity and RECAPs,

	RECAPS		Boston NOT Incl RECAPS		All Boston Tracts
Total number of households	29,515		218,897		248,412
Total number of White households	4,933	16.7%	128,951	59.0%	133,884
Total number of Black households	11,616	39.4%	39,981	18.0%	51,597
Total number of Asian/ Pacific islander households	3,523	11.9%	17,469	8.0%	20,992
Total number of Native American households	131	0.4%	305	0.14%	436
Total number of Latino households	8,179	27.7%	26,440	12.0%	34,619
Total number of other race households	1,107	3.8%	5,333	2.4%	6,440

Source: This data is provided in Comprehensive Housing Affordability Strategy based on the American Community Survey 2009 – 2013; as noted earlier, the author utilized GIS software to isolate the values of these variables within RECAPs and areas outside the RECAPs by a method known as “block pro-rating.”

There are approximately 8,380 households in all of Boston’s RECAPs with one or more severe housing problems. 42.6% of these households are Black (compared to a Black rate of 22.2% of all households with a one or more severe housing problems outside the RECAPs); 25.7% of all households with one or more severe housing problems are Latino (compared to 16.3% of all similar households outside of Boston’s RECAPs); 13.7% of all households with one or more severe housing problems in RECAPs are White (compared to 49.1% in Boston, outside its RECAPs); and while Asian/PI households represent 13.4% of all with one or more severe housing problems, outside these areas this group comprises 9.2% of all households in this category.

Table 28: Households with Severe Housing Problems by RECAPs

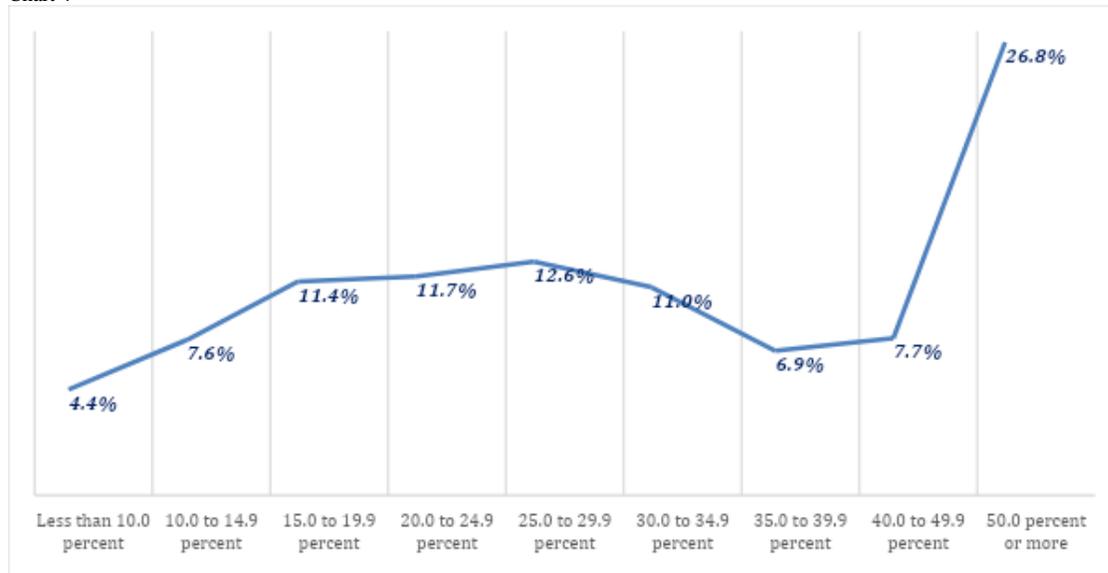
	RECAPs	Boston NOT Incl RECAPs	All Boston Tracts
Total HH with one or more severe housing problem	8,380	54,147	62,527
Total White HH with one or more severe housing problem	1,144	26,627	27,771
Total Black HH with one or more severe housing problem	3,561	12,040	15,601
Total Native American HH with one or more severe	53	123	176
Total Asian or Pacific islander HH with one or more severe housing problem	1,120	4,977	6,097
Total Hispanic HH with one or more severe housing problem	2,148	8,832	10,980
Total other race HH with one or more severe housing problem	342	1,554	1,896

Source: CHAS based on the American Community Survey 2009 – 2013

Disproportionate Housing Needs and Severe Cost Burden Households

The chart below illustrates that more than a half (52.4%) of all households in Boston pay 30% or more of income for gross rent. This includes a quarter (26.8%) of all households with severe housing cost burden meaning that they pay 50% or more of income for gross rent.

Chart 4



Source: American Community Survey 2011 - 2015

Table 29⁸⁷ shows that there are 109,210 households in Boston (and 666,290 households in the CBSA region) with housing problems and severe housing problems.⁸⁸ It also shows that Blacks, Latinos, Asians and other communities of color have significantly higher levels of housing needs and severe housing needs; and the proportion for Blacks and Latinos does not improve in the region.

This same table shows that a relatively high percentage (47.8%) of all households experience disproportionate housing needs. To a certain degree this can be an effect of a college and university student presence in Boston. But two factors make caution necessary with this last presupposition. One is that a spatial view of this variable shows that areas where many low-income, Black, Latino and Asian live, and show a high degree of disproportionate housing needs, may not be where college and university students tend to reside. The other factor to consider is that the figure above is similar to the 46.5% figure reported for the CBSA region; in the latter case the student presence may not be as ‘intense’ as it is in Boston. This issue requires further investigation.

HUD’s *Table 9: Demographics of Households with Disproportionate Housing Needs* shows that 52.5% of 7,615 families with 5 or more persons experience housing with any of 4 problems. The figure for smaller families (less than 5 persons per family) is 39.0%, and for non-family households it is 46.6%. Both in Boston and the region, Non-Latino Blacks, Latinos and Asians have significantly higher proportions of households experiencing any or all the 4 severe housing problems.

⁸⁷ This table is provided by HUD as “*Table 9: Demographics of Households with Disproportionate Housing Needs*”

⁸⁸ HUD provided data for Boston and the CBSA on households with housing problems, severe housing problems and severe Housing Cost Burden by Race/Ethnicity, Household type and size; the data above is based on the latest version provided by HUD: AFFHT0004.

Table 29: Households Experiencing Any of 4 Housing Problems Or Severe Housing Problems by Race and Ethnicity

	(Boston, MA CDBG, HOME, ESG) Jurisdiction			(Boston- Cambridge- Newton, MA-NH) Region		
Households experiencing any of 4 housing problems*	# with problems	# households	% with problems	# with problems	# households	% with problems
Race/Ethnicity						
White, Non-Hispanic	49,410	133,250	37.1	484,020	1,388,020	34.9
Black, Non-Hispanic	27,150	51,575	52.6	57,645	109,814	52.5
Hispanic	19,040	35,960	53.0	70,270	126,940	55.4
Asian or Pacific Islander, Non-Hispanic	9,805	21,085	46.5	39,834	99,401	40.1
Native American, Non-Hispanic	274	424	64.6	1,027	1,994	51.5
Other, Non-Hispanic	3,525	7,110	49.6	13,496	29,510	45.7
Total	109,210	249,415	43.8	666,290	1,755,660	38.0
Household Type and Size						
Family households, <5 people	40,250	103,245	39.0	309,885	964,390	32.1
Family households, 5+ people	7,615	14,490	52.5	60,005	147,135	40.8
Non-family households	61,345	131,690	46.6	296,425	644,190	46.0
Households experiencing any of 4 Severe Housing Problems	# with severe problems	# households	% with severe problems	# with severe problems	# households	% with severe problems
Race/Ethnicity						
White, Non-Hispanic	26,510	133,250	19.9	223,925	1,388,020	16.1
Black, Non-Hispanic	15,455	51,575	30.0	31,835	109,814	29.0
Hispanic	11,375	35,960	31.6	40,905	126,940	32.2
Asian or Pacific Islander, Non-Hispanic	6,055	21,085	28.7	22,474	99,401	22.6
Native American, Non-Hispanic	189	424	44.6	624	1,994	31.3
Other, Non-Hispanic	2,030	7,110	28.5	7,303	29,510	24.8
Total	61,610	249,415	24.7	327,085	1,755,660	18.6

* The four housing problems are: incomplete kitchen facilities, incomplete plumbing facilities, more than 1 person per room, and cost burden greater than 30%. The four severe housing problems are: incomplete kitchen facilities, incomplete plumbing facilities, more than 1 person per room, and cost burden greater than 50%.

The following Table 30⁸⁹ shows the demography of households with severe housing *cost burdens* in Boston. Generally, a quarter (26.4%) of all Black, Latino, and Asian households have a severe housing cost burden compared to 18.6% of White, non-Latino households. As is the case with other variables racial and ethnic groups experience housing cost burdens differently. For example, HUD’s *Table 10: Demographics of Households with Severe Housing Cost Burden*, shows that at least approximately a quarter or more of all Black, non-Hispanic households (26.3%), Hispanic households (25.7%) and Asian households (23.5%) experience severe cost burden compared to slightly less than one fifth (18.5%) of all White, non-Hispanic households.

⁸⁹ This table is provided by HUD as “Table 10 - Demographics of Households with Severe Housing Cost Burden”

Table 30: Number of Households and Household Type and Size, by Severe Cost Burden Number and Proportion

Race/Ethnicity	# with severe cost burden*	# households	% with severe cost burden
White, Non-Hispanic	24,730	133,250	18.6
Black, Non-Hispanic	13,590	51,575	26.4
Hispanic	9,260	35,960	25.8
Asian or Pacific Islander, Non-Hispanic	4,975	21,085	23.6
Native American, Non-Hispanic	190	424	44.8
Other, Non-Hispanic	1,770	7,110	24.9
Total	54,515	249,415	
Household Type and Size			
Family households, <5 people	19,130	103,245	18.5
Family households, 5+ people	2,130	14,490	14.7
Non-family households	33,240	131,690	25.2

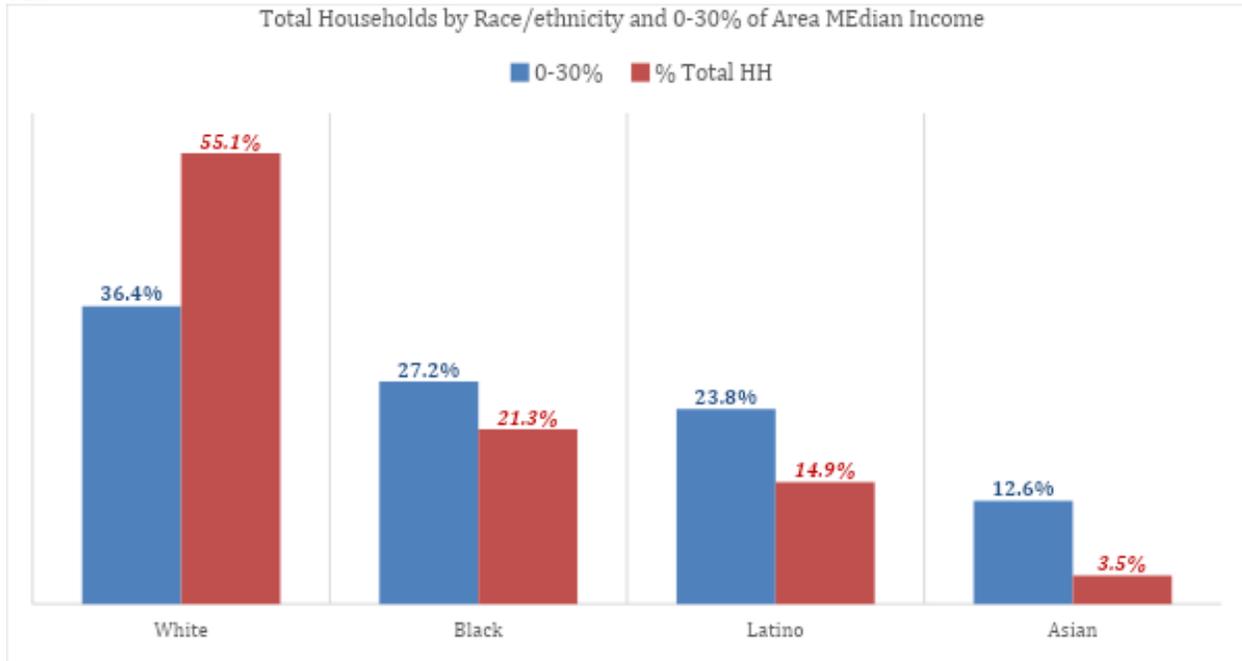
Source: HUD Table 10 Version AFFHT0004

*Severe housing cost burden is defined by HUD as gross rents for housing at 50% or higher of income; gross rent, unlike contract rent, includes housing costs such as utilities.

According to the most recent *Boston 2030 UPDATE* (September 2018), “Of all non-student households in Boston, 22 percent are severely cost burdened households, paying more than 50 percent of their income on housing costs. This burden is exacerbated for low-income renters, who are at higher risk of displacement from their homes. Over 34,000 non-student renter households are low-income and severely cost burdened in Boston.” (p.8). But important to note: “Of these low-income households, two thirds are households of color, demonstrating the deep need among these populations.” (p.9)

The following two charts (ACS 2011 – 2015) also illustrate differentiation in terms of the proportion of households in total household by race and ethnicity, and the share of cost-burden housing these groups hold at 30% or less of the AMI or less of the AMI. In other words, while White, Non-Latino comprise 55.1% of all households, they hold but 36.4% of all households at 30% or less of the AMI; but Blacks are 21.3% of all households, but hold 27.2% of all households at 30% or less of the AMI; the comparable figures for Latinos is 14.9%, but 23.8% of all households at 30% or less of the AMI; and the figures for Asians are 3.5%, but 12.6% of all households at 30% or less of the AMI.

Chart 5



The next chart based on CHAS data (ACS 2010-2014) also shows that severe housing cost burdens are not racially or ethnically comparable in Boston.⁹⁰ This reality requires that universal and neutral strategies for expanding housing and affordable housing be examined in terms of impacts on protected classes. The following Chart 7 shows another illustration of how extremely low, and low-income households carry the burden of housing costs exceeding 50% or more of household income.

⁹⁰ This chart was provided in correspondence from Kathy Brown (BTC) to the AFFH Team for Developing the City of Boston/BHA Assessment, “Preliminary Input on City’s Assessment of Fair Housing” (July 19, 2017).

Chart 6

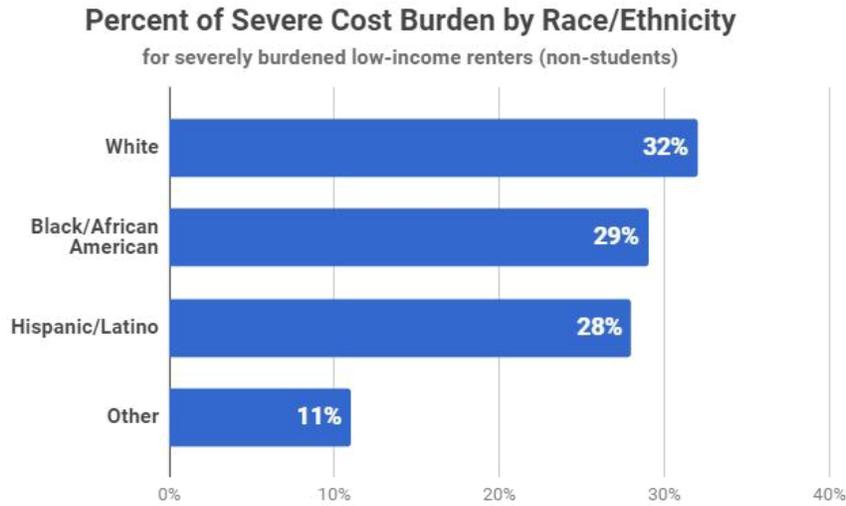
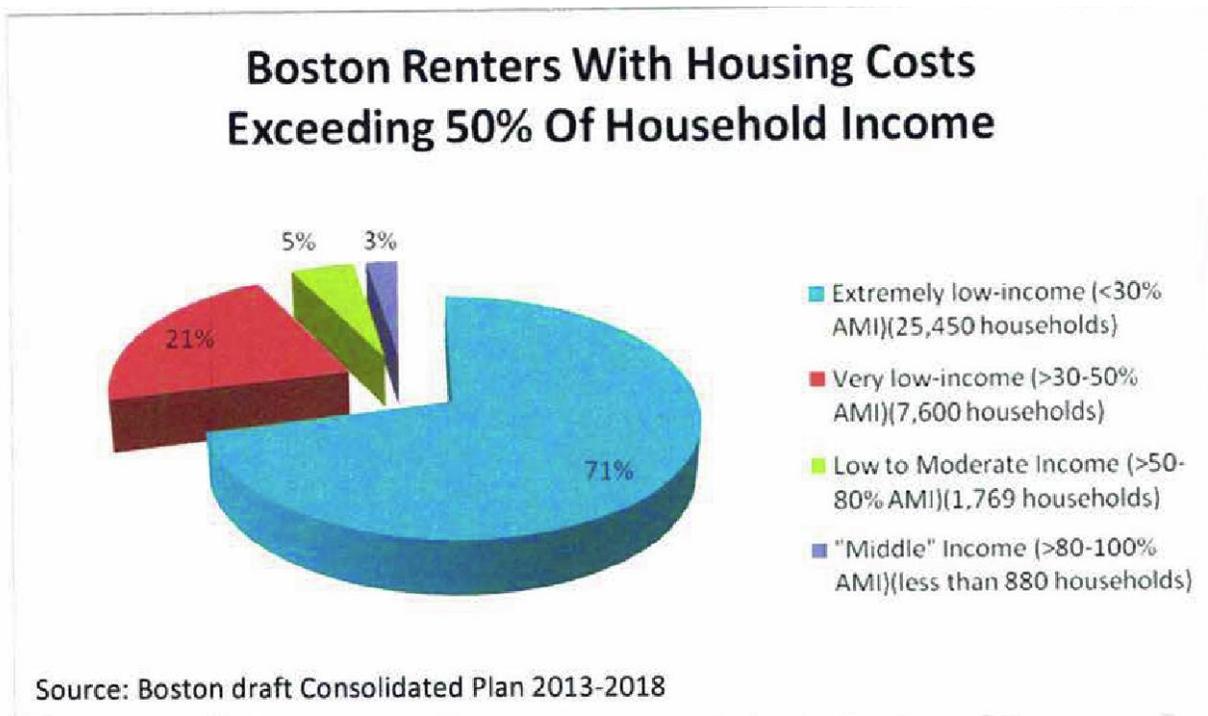


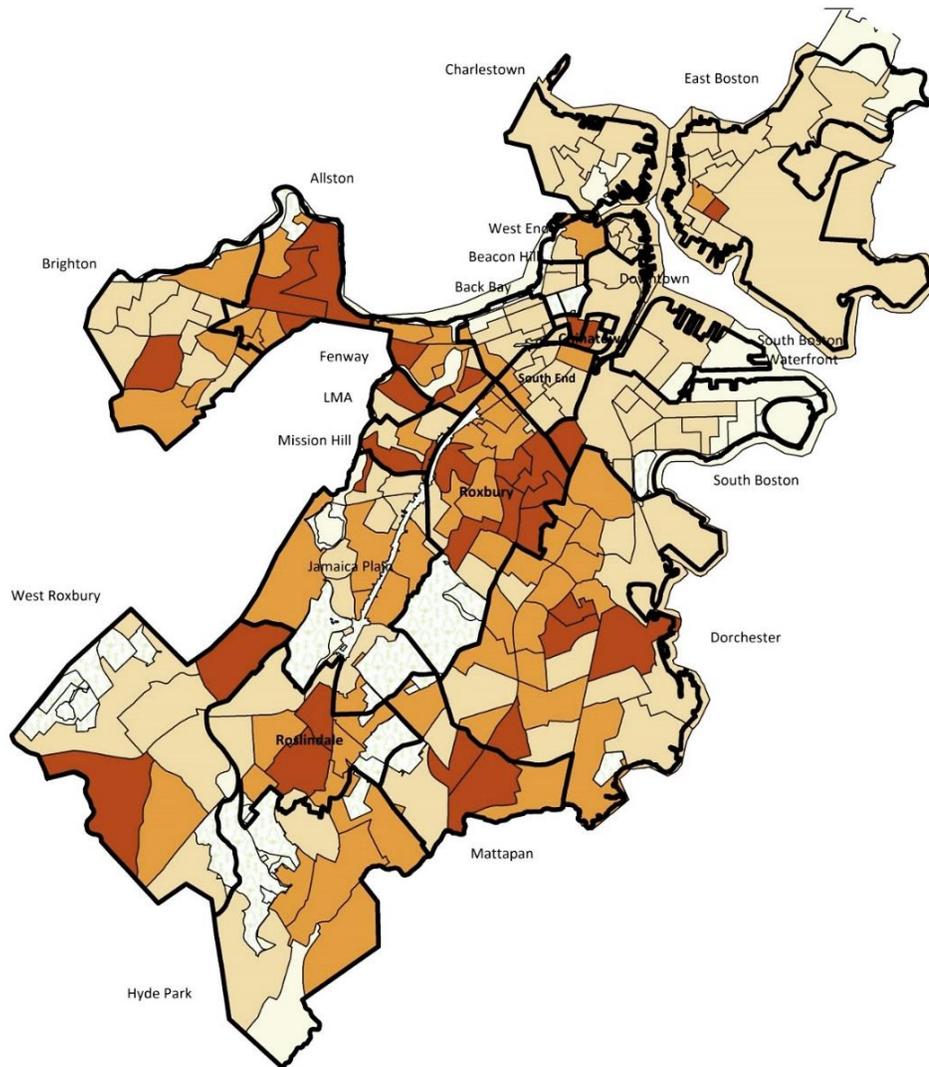
Chart 7



The next map shows Boston tracts and neighborhoods by various proportions of household income spent on gross rent. As stated above housing cost burdens is a major challenge for the entire city. Still, however, some of the lowest-income areas and neighborhoods of the city are in tracts where the housing cost burden exceeds 30% of household income paid as gross rent, and even 50% or higher in places.⁹¹ Numerous tracts in Roxbury, Dorchester, Mattapan, Chinatown, East Boston, Mission Hill show a clustering of a high percentage of households spending enormous amounts of household income on gross rents. Predominantly White neighborhoods such as South Boston and West Roxbury have relatively lower percentages of households with housing problems and these neighborhoods are also very segregated as shown with a series of earlier maps.

⁹¹ Generally, these kinds of racial and ethnic differences in the gross rent as percentage of household income is also reflected in “monthly owner costs”. See, https://factfinder.census.gov/help/en/selected_monthly_owner_costs.htm: “Selected monthly owner costs are calculated from the sum of payment for mortgages, real estate taxes, various insurances, utilities, fuels, mobile home costs, and condominium fees...This item is used to measure housing affordability and excessive shelter costs...”

Map 15: Percentage of Household Income Towards Gross Rent, 30%, 50% or More by Tracts and Neighborhoods

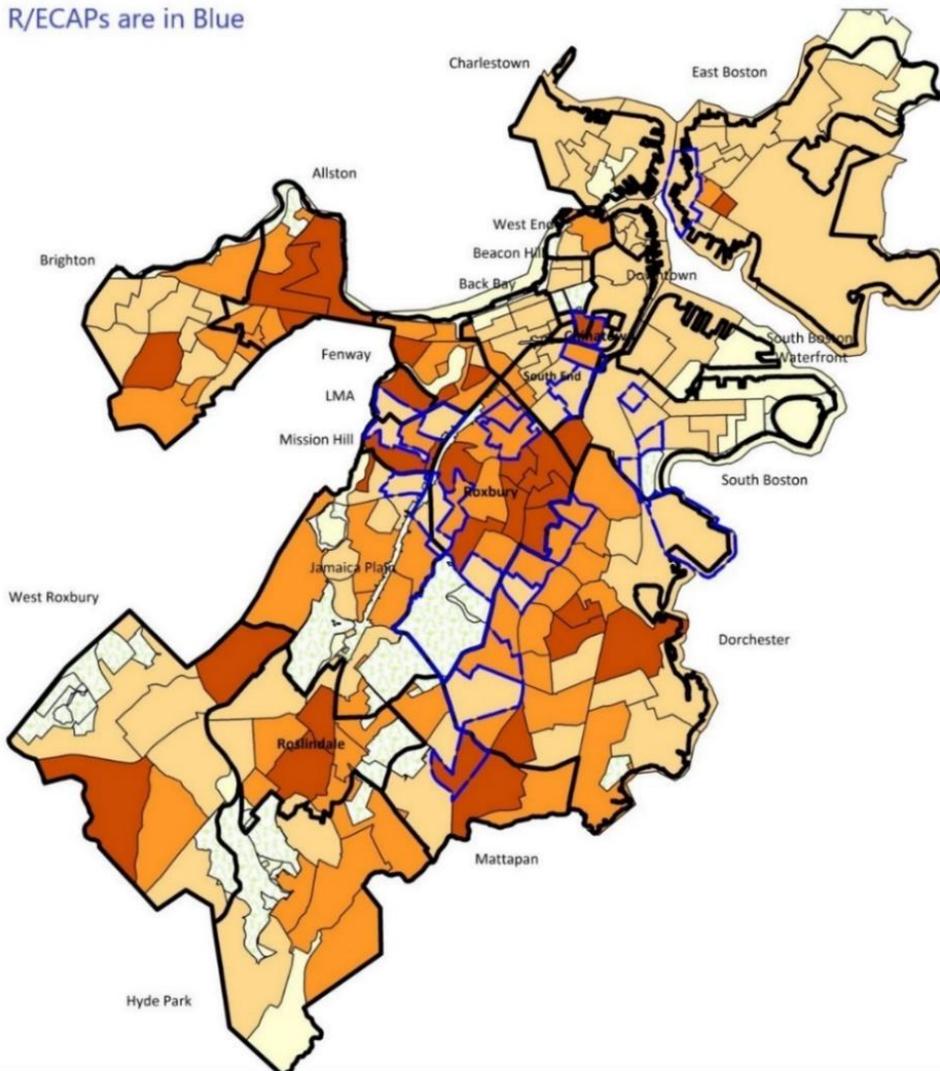


Gross Rent as Percentage of HH Income
by Tracts, ACS 2011 - 2012

- 0 to 30% of Income Paid as Gross Rent
- 30% to 50%
- 50% to 60%
- 60% or Higher

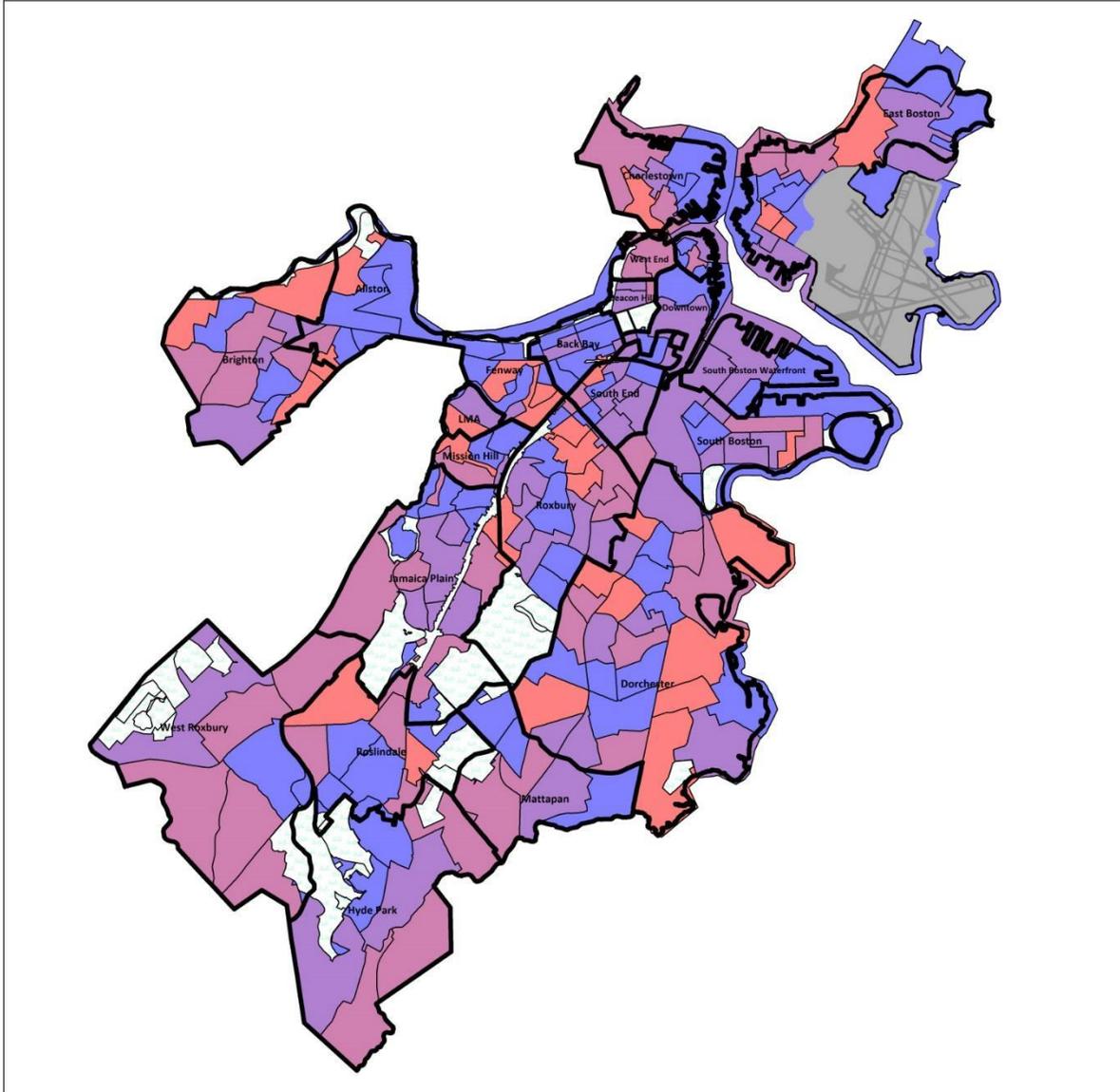
Map 16 is the same as the previous one but shows the information in relation to the city's RECAPs. These same RECAPs are located in parts of the city that are also experiencing rapidly rising rents and increasing the housing cost burden of renters and homeowners.

Map 16: Percentage of Household Income Towards Gross Rent, 30%, 50% or More by Tracts, Neighborhoods and RECAPs



The information above shows major differences in households with severe cost burdens for housing by race and ethnicity, and by neighborhoods. The next Map 17 shows that the problem of severe cost burden for housing is especially acute in some areas where a majority, or super-majority of owner-occupied households in this category also report incomes at 30% or less of HAMI based on CHAS data for 2011 – 2015. There are 40 census tracts in Boston where between 50 and 75% of all owner-occupied households with severe cost burdens have incomes less than or equal to 30% of the HAMFI. There are another 28 census tracts where 75% or more of all owner-occupied households with severe cost burdens report income at less than, or equal to 30% of the HAMFI.

Map 17: Owner-Occupied Households with Severe Housing Cost Burden and at 30% or Less than HUD's Area Median Family Income (HAMFI)

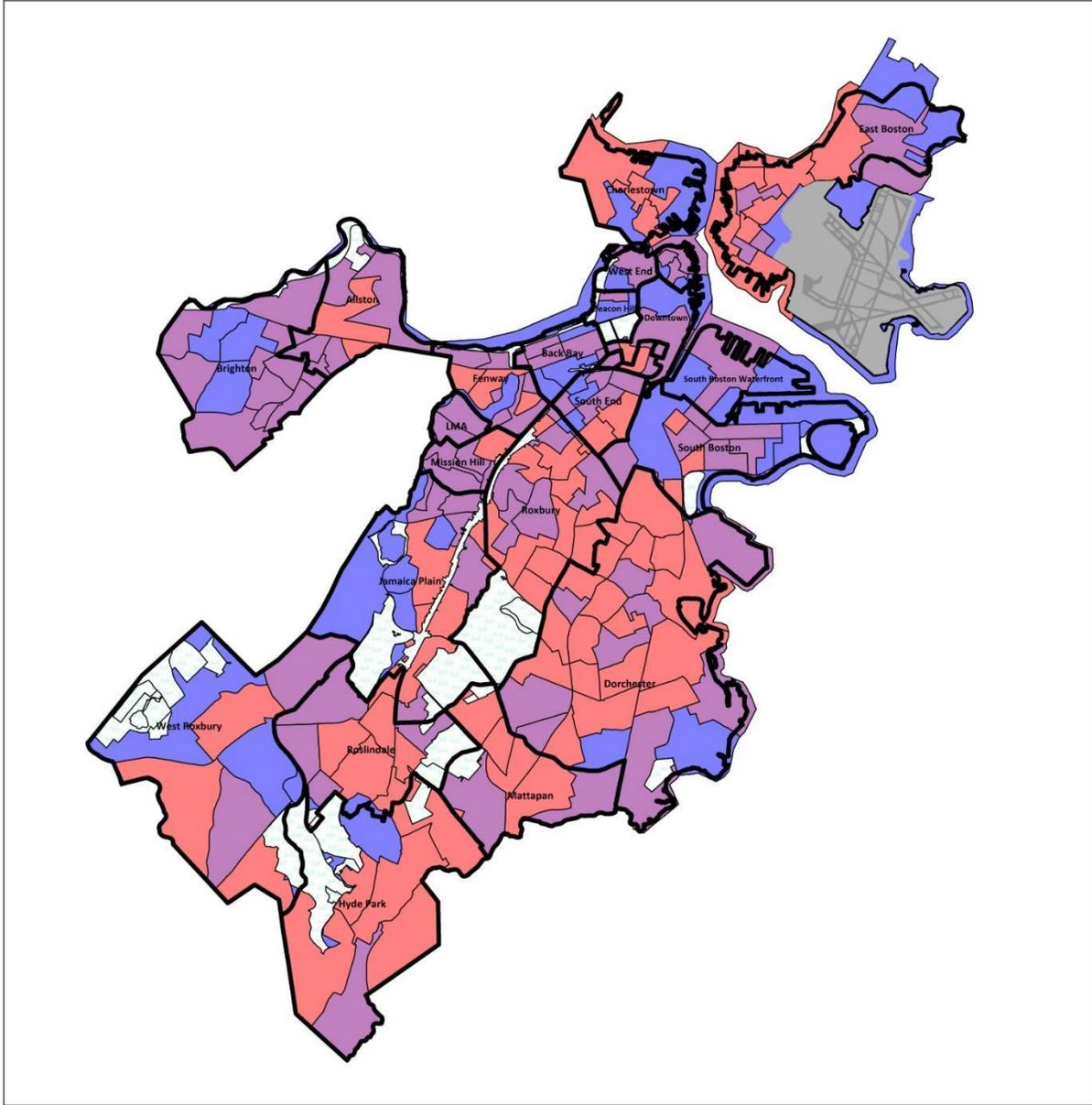


Owner Occupied HH with Severe Housing Cost Burden and Income Less Than or Equal to 30% of HAMFI

0 to 25%	(70)
25 to 50%	(41)
50 to 75%	(40)
75% or Higher	(28)

The next Map 18 shows that among renter households that are severe cost burdened, the proportion of these households with income at less or equal to 30% of HAMI is even more stark. There are 70 census tracts in Boston where households with incomes less or equal to 30% of the HAMI comprise between 52% and 80% of all such households in those tracts. In another 70 census tracts this figure increases to 80% or more comprising all renter households with severe cost burden for housing. A large number of these tracts are located in predominantly Black, Latino and Asian areas of Boston.

Map 18: Renter Households with Severe Housing Cost Burden and at 30% or Less than HUD's Area Median Family Income (HAMFI)



Renter HH with Severe Cost Burdens
and Income Less Than or Equal to 30% HAMFI

0 to 52%	(39)
52 to 80%	(70)
80% or Higher	(70)

Overcrowding

Overcrowding (1.01 or more occupants per room) impacts approximately 4.3% of Black occupied units in Boston; for Asians the rate is 5.1%; Latinos, 6.6%, and for Whites who are not Latino it is a relatively low 1.4%.

Table 31: Occupants Per Room by Race and Ethnicity

	Blacks		Asians		Whites Non-Latino		Latino	
Total Units	57778		22288		133361		40144	
1.0 or Less Occupants per room	55276	95.7%	21147	94.9%	131434	98.6%	37511	93.4%
1.01 or more Occupants per room	2502	4.3%	1141	5.1%	1927	1.4%	2633	6.6%

Source: American Community Survey 2011 - 2015

The proportion of non-relatives in a household could also suggest possible overcrowding. The proportion of non-relatives in Latino married couple families is 3.6%, much higher than that for White Non-Latino married couple families (0.9%). Among Asian female-headed families the proportion of non-relatives is 7.3%, followed by White Non-Latino female-headed families at 5.0%; for the same type of Latino families it is 5.3%, and for Black families 3.9%.

Table 32: Households by Relatives and Nonrelatives, by Race and Ethnicity

	Black	Asian	White Non-Latino	Latino
Total Households	157697	54155	272161	113717
In family households:				
In married-couple family:				
Relatives	98.7%	97.7%	99.1%	96.4%
Nonrelatives	1.3%	2.3%	0.9%	3.6%
In male householder, no wife present, family:				
Relatives	90.8%	92.4%	89.9%	85.9%
Nonrelatives	9.2%	7.6%	10.1%	14.1%
In female householder, no husband present, family:				
Relatives	96.1%	92.7%	95.0%	94.7%
Nonrelatives	3.9%	7.3%	5.0%	5.3%
In nonfamily households	26706	18238	130588	21499

Source: American Community Survey 2011 - 2015

In what could be some sign of significant overcrowding for foreign-born households, 6.8% live in housing with 1.01 or more occupants per room; this rate is especially high for foreign-born persons who are not citizens (8.4%). The rate for native-born population is 1.6% of persons with 1.01 or more occupants per room.

Table 33: Nativity, Citizenship and Housing Tenure, Boston

	Total	Native-born	Foreign-born	Foreign-born; Naturalized citizen	Foreign-born; Not a U.S. citizen
Occupied housing units	259,324	178,320	81,004	46,078	34,926
Owner-occupied housing units	34.7%	37.5%	28.4%	38.3%	15.3%
Renter-occupied housing units	65.3%	62.5%	71.6%	61.7%	84.7%
1.01 or more occupants per room	3.2%	1.6%	6.8%	5.6%	8.4%

Source: American Fact Finder, American Community Survey 2012 - 2016

Part B: Publicly Supported Housing

This section includes information and data about Public Housing Communities; Housing Choice Vouchers; Project Base Section 8; Other Multi-Family Housing; and Low Income Housing Tax Credits.⁹² Almost a fifth (19%) of Boston’s housing units qualify as subsidized units for low-income households, not including mobile vouchers.⁹³ Thus, although Boston has just 10% of the state’s total housing units, it has almost a fifth of the state’s total inventory of subsidized housing units.

Table 34: Total and Subsidized Units

	Total Units (2010)	Subsidized Units	%
Boston	269,482	51,283	19.0%
Massachusetts	2,692,186	262,223	9.7%
Boston as % of Massachusetts	10.0%	19.6%	

Source: Massachusetts Department of Housing and Community Development, 40-B Subsidized Housing Inventory (9/14/2017)

The City’s *Consolidated Plan* includes an overview of the Boston Housing Authority and who it serves:

“The Boston Housing Authority has 63 developments: 36 are designated as elderly/disabled developments and 27 are designated as family developments. The BHA currently owns approximately 12,500 units of housing in Boston and houses about 25,000 people under the public housing program. Nearly all of BHA public housing family developments were built before 1955 and are at or near obsolescence. The BHA estimates it has a capital backlog of between \$500 and \$750 million dollars and an equal or greater expenditure of funds would be necessary to restore all its public housing units to long-term viability. Public housing accounts for about 4.6% of Boston’s 273,118 year-round housing units and about 23% of Boston’s affordable housing units. In addition to public housing units, the BHA administers approximately 14,000 rental assistance vouchers that allow families to rent in the private market and apply a subsidy to their rent. With this assistance, residents are able to pay approximately 30-40 percent of their income toward rent and the BHA pays the remainder. The BHA helps provide housing to approximately 29,000 people under this program.” (p.68)

⁹² HUD provided data on the number of publicly-supported housing by program categories: public housing, project-based Section 8, Housing Choice Vouchers and other multifamily units, data on the Racial/Ethnic composition of households living in publicly supported housing by program category, data on the number and % of households in publicly supported housing located in and outside of RECAPs by program category, and project level data on the demographics of households living in public housing, project-based section 8 developments and other multifamily developments.

⁹³ See, Massachusetts Department of Housing and Community Development’s Chapter 40-B Subsidized Housing Inventory; Chapter 40-B is a Massachusetts state law that allows developers seeking to build an affordable housing project in a community that has not met Chapter 40-B’s 10% subsidized housing threshold to request state authorization to override local zoning restrictions.

This agency "...serves households with incomes at or below 80% of area median while Section 8 Housing Choice Voucher Program serves households with up to 50% of area median for initial eligibility. At least 75% of Section 8 vouchers go to households that have incomes less than 30% of area median." (p.69).

The BHA also owns and manages as part of its housing portfolio 2,267 units of state aided public housing. This segment of the housing portfolio consists of 9 family public housing developments with 2005 units, 2 elderly disabled developments with 133 units and 129 condominium units. The BHA also administers a state funded voucher program composed of 793 Massachusetts Rental Voucher Program (MRVP) and Alternative Housing Voucher Program (AHVP) vouchers.

According to the 2018 Annual Plan the BHA waiting list is 34,949 persons, and 1102 persons on waiting list for Section 8 Housing Vouchers. Over 90% of the waiting lists are composed of persons with extremely low-income, or where household income is under 30% of AMI. 39% on the public housing list are Black, Non-Latino; 17% are White Non-Latino (and 13% on the Section 8 list); and 25% on the public housing list are Latino (and 31% on the Section 8 list). And, "...approximately 23% of the Section 8 waiting list and 27% of the public housing list identify as a family with a member who has a disability..." (*Consolidated Plan...*, p.44).

It is reported in HUD's *Table 5 - Publicly Supported Housing Units by Program Category* (Table 35 below) that there are 272,481 housing units in Boston, including 10,285 public housing units, 19,801 Project Base Section 8 units, 1,540 Other Multi-Family and 16,336 Housing Choice Vouchers; thus approximately 17.6% of all housing units in Boston can be classified as publicly-supported housing.

Table 35: Publicly Supported Housing by Type

Total housing units	272,481	
Public Housing units	10,285	3.8%
Project-based Section 8	19,801	7.3%
Other Multi Family	1,540	0.6%
HCV Program	16,336	6.0%

Source: HUD AFFHT0004 version

Table 36⁹⁴ shows the total number of publicly supported housing units by the race and ethnicity of households. More than a third of all households are comprised of Black households (36.9%), similarly for the proportion who are Latino households (37%). Among all Project-based Section 8 housing units, Latinos represent the biggest share at 31.5%, followed by Black households at 22.1%; White households at 22.1%; and Asian households at 16.3%.

White households represent a large plurality of all households in Other Multifamily housing units at 44.4%. Among holders of Housing Choice Vouchers, Black households represent 50.1% of all voucher holders. Black households have a large presence in the HCV,

⁹⁴ This table was provided by HUD as *Table 6: Publicly Supported Households by Race and Ethnicity* (also based on HUD's AFFGT0004 version).

where half of all units are Black households. Latino households reflect similar proportions to Black households in public housing and Project-Based Section 8, and a lower proportion of all households under Other Multi-family. Except for Project Based Section 8 (16.2%) Asian households have comparable proportions in the other categories.

Table 36: Publicly Supported Housing by Type, Race and Ethnicity

Boston	White		Black		Hispanic		Asian or Pacific Islander	
Housing Type	#	%	#	%	#	%	#	%
Public Housing	1,744	17.8	3,620	36.9	3,633	37.0	801	8.2
Project-Based Section 8	4,098	22.1	5,515	29.8	5,822	31.5	3,013	16.3
Other Multifamily	619	44.4	406	29.1	273	19.6	91	6.5
HCV Program	2,432	15.9	7,649	50.1	4,360	28.5	759	5.0

A simple correlation measure was used to examine the relationship between race and ethnicity, the type of publicly-supported housing, and racial composition of census tracts. Based on analysis of the proportion of tenants by race/ethnicity residing in a type of publicly supported housing and the racial/ethnic proportion of the census tract population, correlation values were generated by the type of public supported housing.⁹⁵ The values suggest that the higher the proportion of Whites in public housing, the greater likelihood (.807) that they are in tracts with higher proportions of Whites. This is also the case for Asians (.757), and to a lesser degree for Hispanics, and then Blacks. For Project Based Section 8 and Other Multi-Family, the strongest correlation pertains to Asians: the higher proportion of Asians in Project Based Section 8, the greater likelihood that they are found in tracts with a higher proportion of Asian residents (.803); this is the case, similarly for Asians, for Other Multi-Family (.814).

Table 37: Correlation Between Proportion Race (%) and Tract Race (%)

	Public Housing	Project Based Section 8	Other Multi-Family	LIHTC
Black (%)	0.588	0.582	0.878	NA
Hispanic (%)	0.676	0.412	0.443	NA
Asian (%)	0.757	0.803	0.814	NA
White (%)	0.807	0.547	0.674	NA

⁹⁵ A correlation value shows how one variable might be associated with another; it does not indicate causality between the variables. Here, as one example, the table shows that the proportion of Whites in a census tract seems to have some relationship with the proportion of Whites in public housing (0.807).

Table 38⁹⁶ shows that out of a total of 65,229 persons within RECAP areas Black Non-Latinos comprise the largest population (36.0%) followed by 29.4% who are Latino, then White Non-Latino at 19.0%; and 12% who are Asian. There were 13,651 families living within the RECAP boundaries, and more than half (55%) of this number were families with children.

Table 38: RECAPs by Race and Ethnicity and Families

RECAP Race/Ethnicity	#	%
Total Population in R/ECAPs	65,929	
White, Non-Hispanic	12,522	18.9%
Black, Non-Hispanic	23,791	36.0%
Hispanic	19,386	29.4%
Asian or Pacific Islander, Non-Hispanic	7,908	11.9%
Native American, Non-Hispanic	203	0.31%
Other, Non-Hispanic	650	0.9%
Total Families in RECAPs	13,651	
Families with children	7,435	54.4%

Source: Based on HUD's AFFHT0004 version

The following Table 39 (based on HUD's *Table 7 - R/ECAP and Non-R/ECAP Demographics by Publicly Supported Housing Program Category*, version AFFHT0004) shows greater detail between RECAP and non-RECAP tracts by type of publicly-supported housing, and race and ethnicity; % families with children; % elderly residents; and % residents with a disability.

In the RECAP areas where public housing is located, only 9.3% of the tenants are White, compared to 45.2% who are Latino; 38.7% who are Black, and 6.7% who are Asian. This pattern, where publicly supported housing located in RECAP areas shows a majority of Blacks, Latinos and Asians is not reflected in Other Multi-family Housing where 22.2% of all persons are White. Multi-family housing located outside the RECAP areas shows that half (50.1%) of all tenants are White.

Table 39: Publicly Supported Housing by RECAPs, Race and Ethnicity, Families with Children and Disabilities

Boston	Total # units (occupied)	% White	% Black	% Hispanic	% Asian or Pacific Islander	% Families with children	% Elderly	% with a disability
Public Housing								
RECAP tracts	4,630	9.3	38.7	45.2	6.7	38.1	30.6	30.4
Non RECAP tracts	5,183	25.9	33.9	30.5	9.6	26.2	43.8	45.1
Project-based Section 8								
RECAP tracts	6,085	6.5	41.8	36.1	15.0	38.2	34.4	13.1
Non RECAP tracts	11,985	30.1	23.7	28.8	17.1	22.1	54.0	16.3

⁹⁶ This table was provided by HUD as *Table 4: RECAP Demography*

Other Multifamily								
RECAP tracts	289	22.2	32.4	35.9	9.5	0.3	96.3	3.7
Non RECAP tracts	1,123	50.1	28.3	15.4	5.8	0.2	85.9	15.4
HCV Program								
RECAP tracts	2,795	9.7	50.6	31.0	8.4	42.1	29.5	26.9
Non RECAP tracts	12,465	17.3	50.0	28.0	4.2	46.0	21.8	27.9

The data in the table above is shown in the next two charts: racial and ethnic proportions of tenants in publicly supported housing that is located inside RECAP areas, and proportions of tenants in publicly supported housing outside RECAP areas.

Chart 7

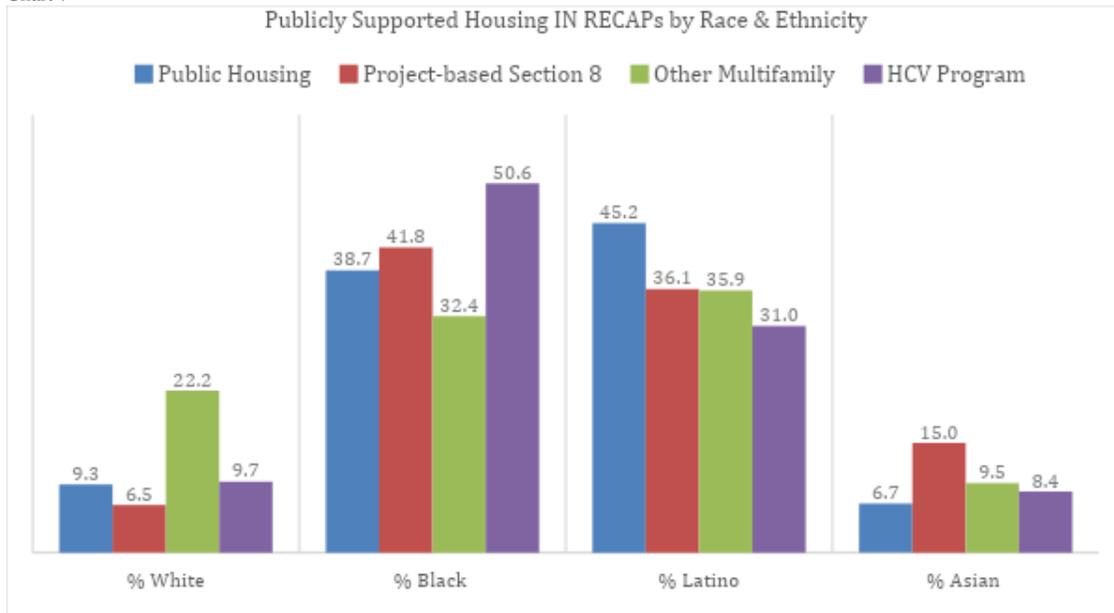
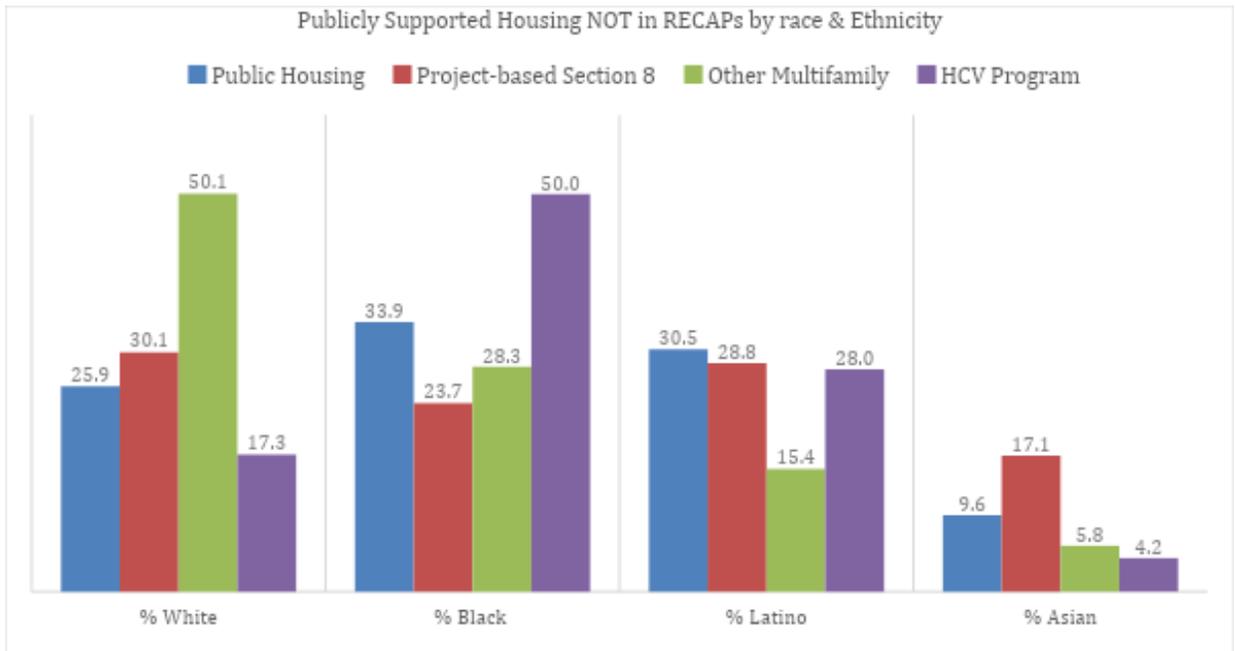


Chart 8



The next series of maps illustrate spatially the location of publicly-supported housing by racial and ethnic composition, residential patterns and RECAP areas. These maps include:

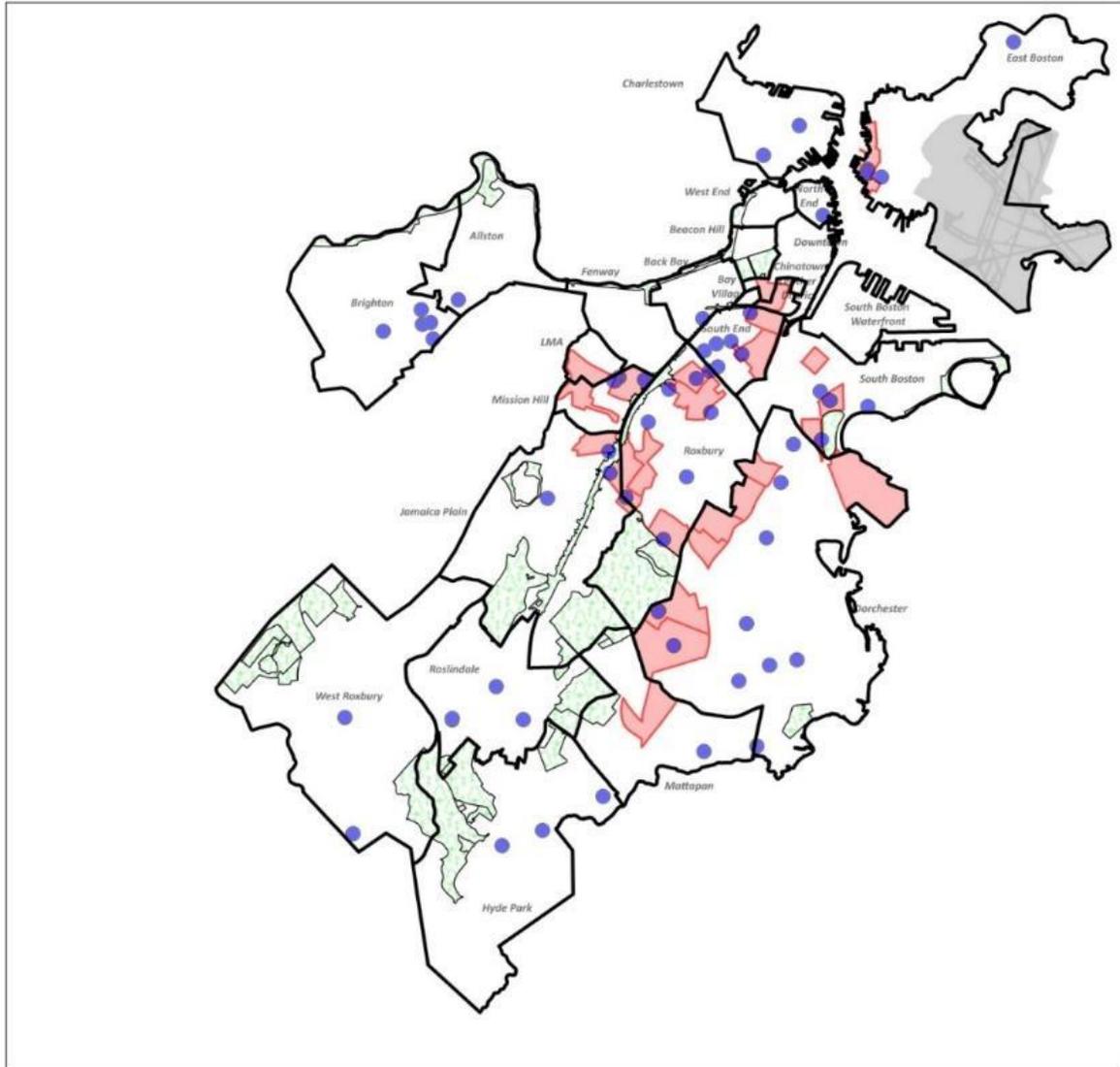
- Location of Public Housing Communities by RECAP areas
- Other Multi-Family Housing by Black, Latino And Asian Proportion and RECAP areas
- Project Base Section 8 by Proportion Black, Latino, and Asian tenants and RECAP areas
- Location of LIHTC by Total Units and RECAP areas
- Location of Housing Choice Vouchers by Tracts, Neighborhoods and RECAP areas
- Location of Housing Choice Vouchers by Black Residential Patterns and RECAP areas
- Location of Housing Choice Vouchers by Latino residential Patterns and RECAP areas
- Location of Housing Choice Vouchers by Asian Residential Patterns and RECAP areas.

As suggested in the correlation analysis presented earlier, these maps generally show that publicly supported housing is least prevalent in areas of the City with higher concentrations of White households and virtually absent from census tracts where Whites exceed 80 percent of the population. These areas include West Roxbury, parts of Charlestown, the South Boston Waterfront, South Boston, parts of Roslindale and Hyde Park, Back Bay, Beacon Hill and North End.

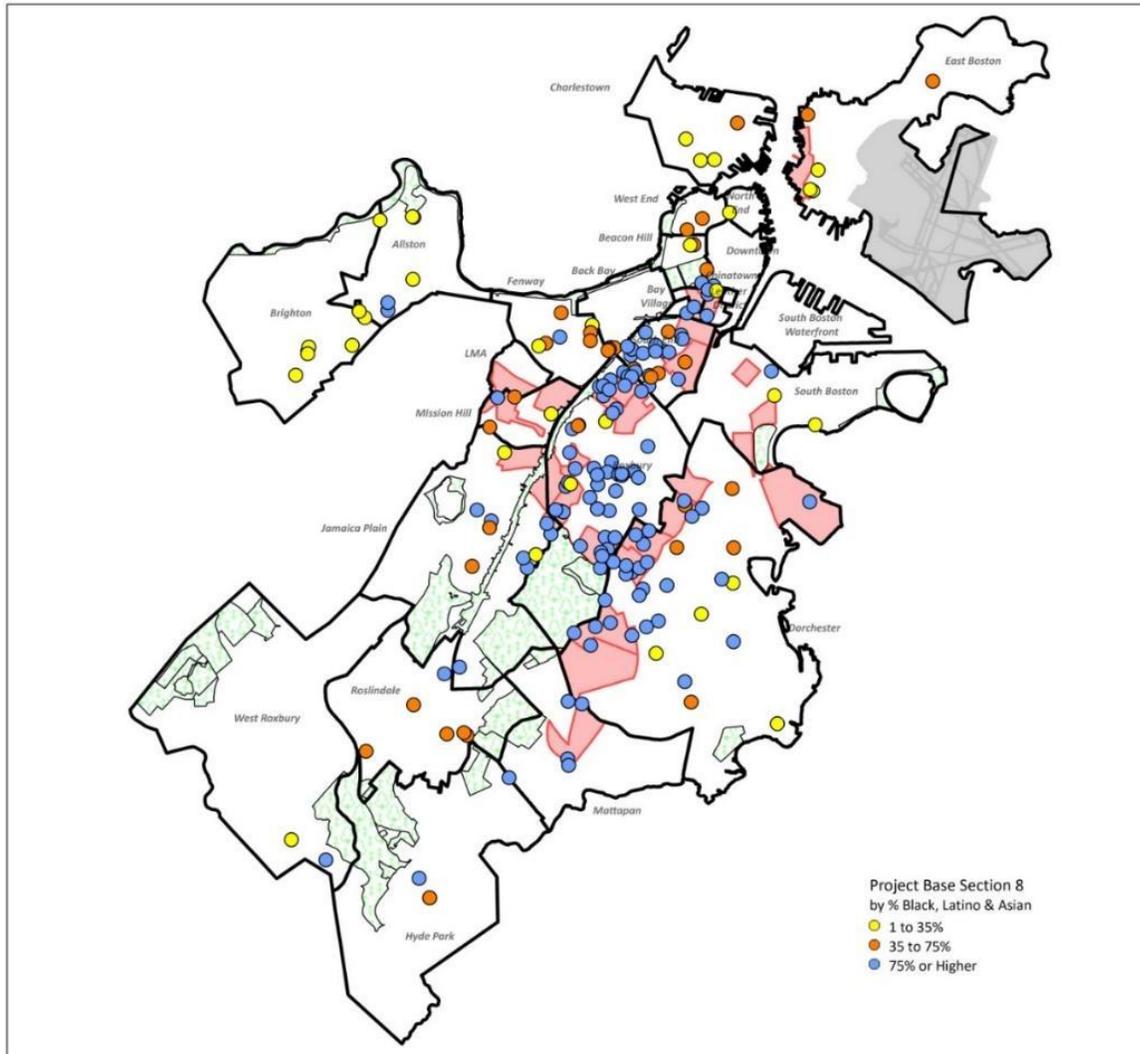
Project Base Section 8 with higher proportions of Blacks, Latinos and Asians tends to be located inside or near the RECAPs. Project-based Section 8 housing is mostly found in the neighborhoods of Roxbury, Dorchester and the South End, and where Blacks and Latinos are a greater proportion of the population compared to Whites and Asians. There is considerable concentration of Black HCV participants in parts of Hyde Park, Mattapan, Dorchester, Roxbury and the South End. In these places the HCV data shows Black participation levels between 50% and 82%. In parts of Roslindale and Jamaica Plain, Latinos comprise between 50% and 97% of HCVs.

In parts of West Roxbury, Hyde Park, Roxbury, and the South End Latinos comprise between 30% and 50% of HCVs. There are 11 RECAPs where 30% to 97% of the HCV tracts are reported as Latino. There are some local tracts that stand out because of the percentage of HCV units occupied by households with disabilities is between 50% and 100%. These include parts of Brighton, Allston, Back Bay, Bay Village, South Boston, South End, Charlestown, East Boston, Dorchester and the West End.

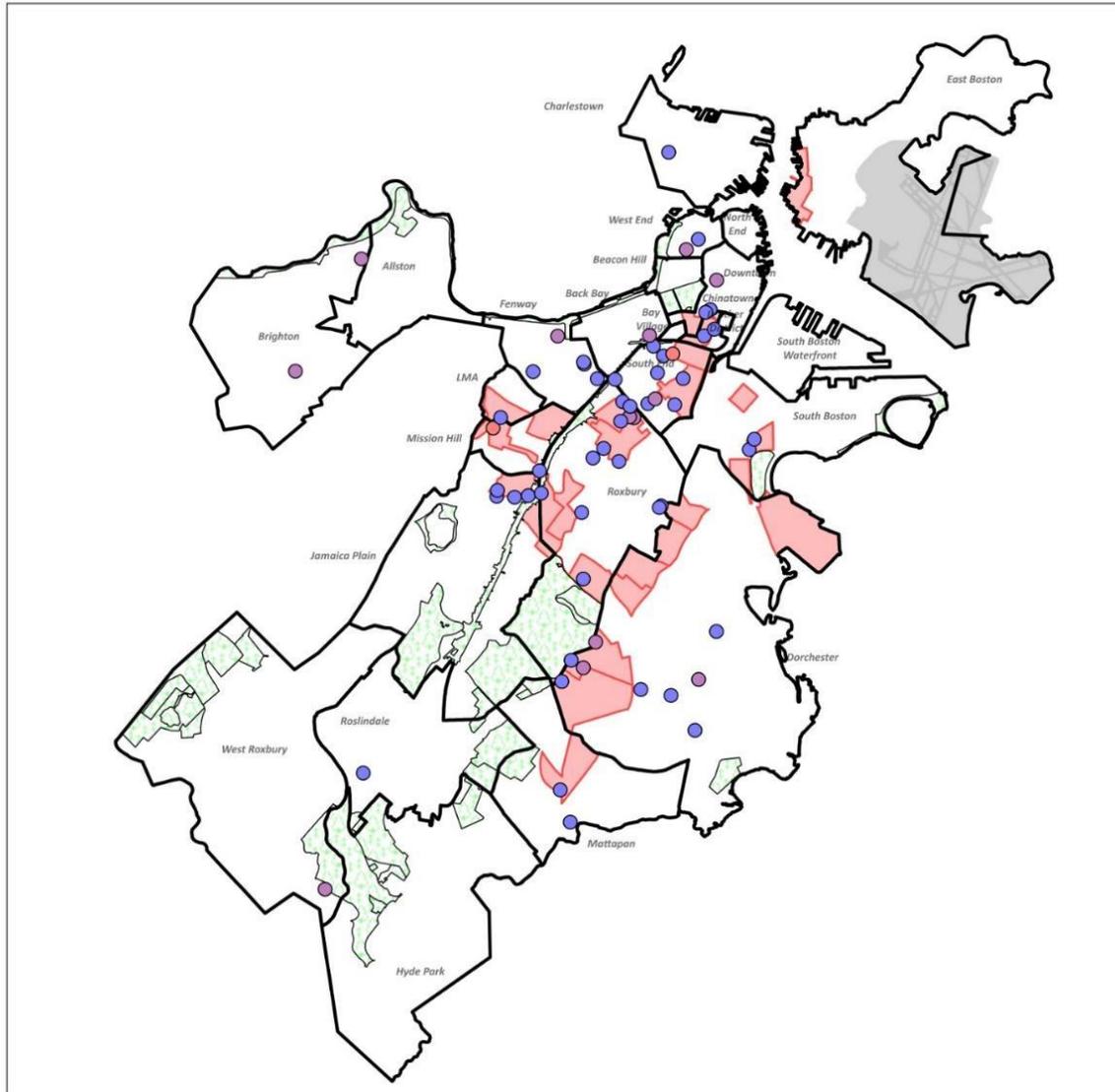
Map 19: Public Housing Communities by RECAPs, 2010



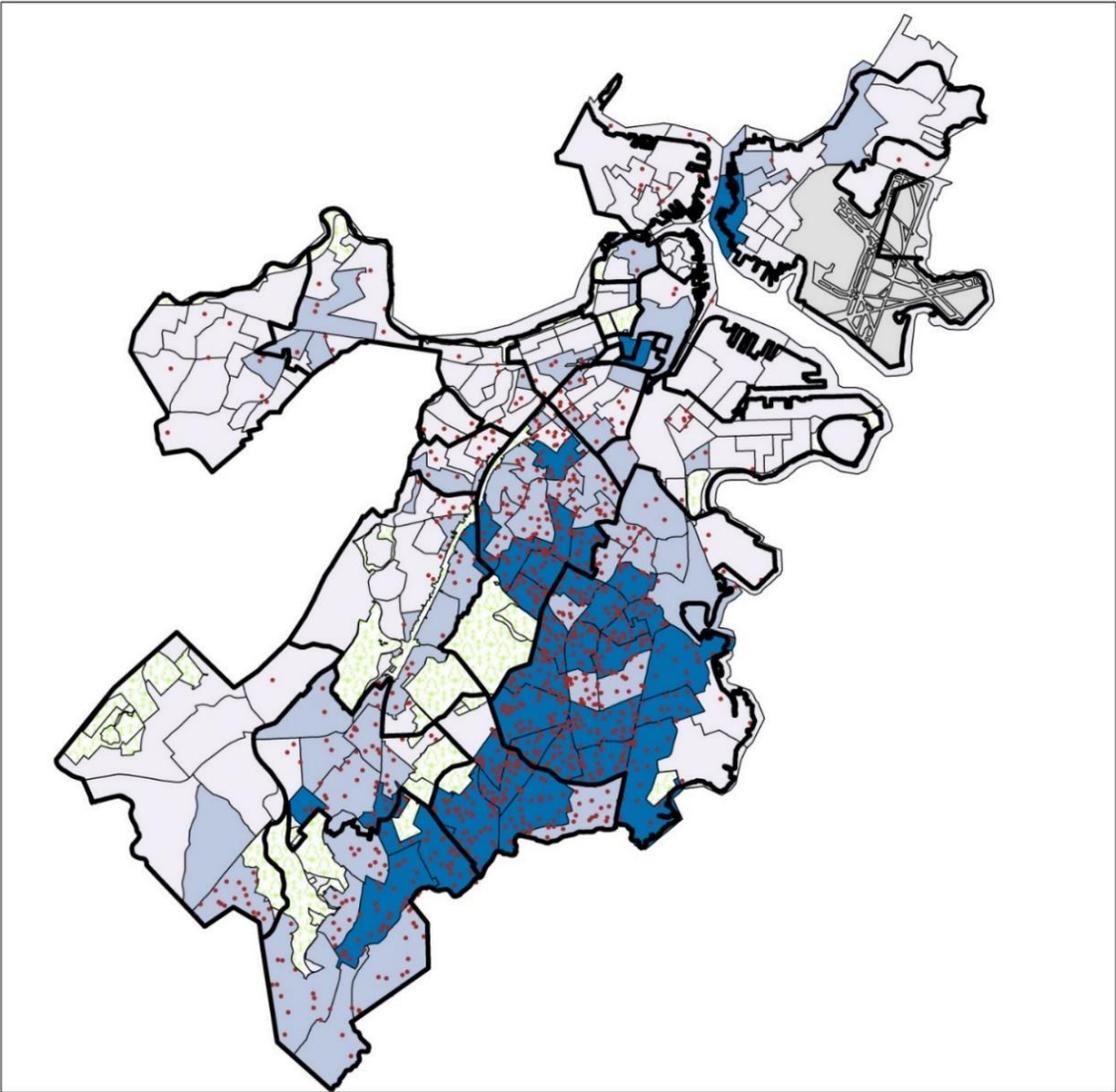
Map 21: Project Base Section 8 by Proportion Black, Latino, Asia and RECAPs



Map 22: Location of Low-Income Housing Tax Credit Developments by Total Units and RECAPs



Map 24: Location of Housing Choice Vouchers and Black Residential Concentration



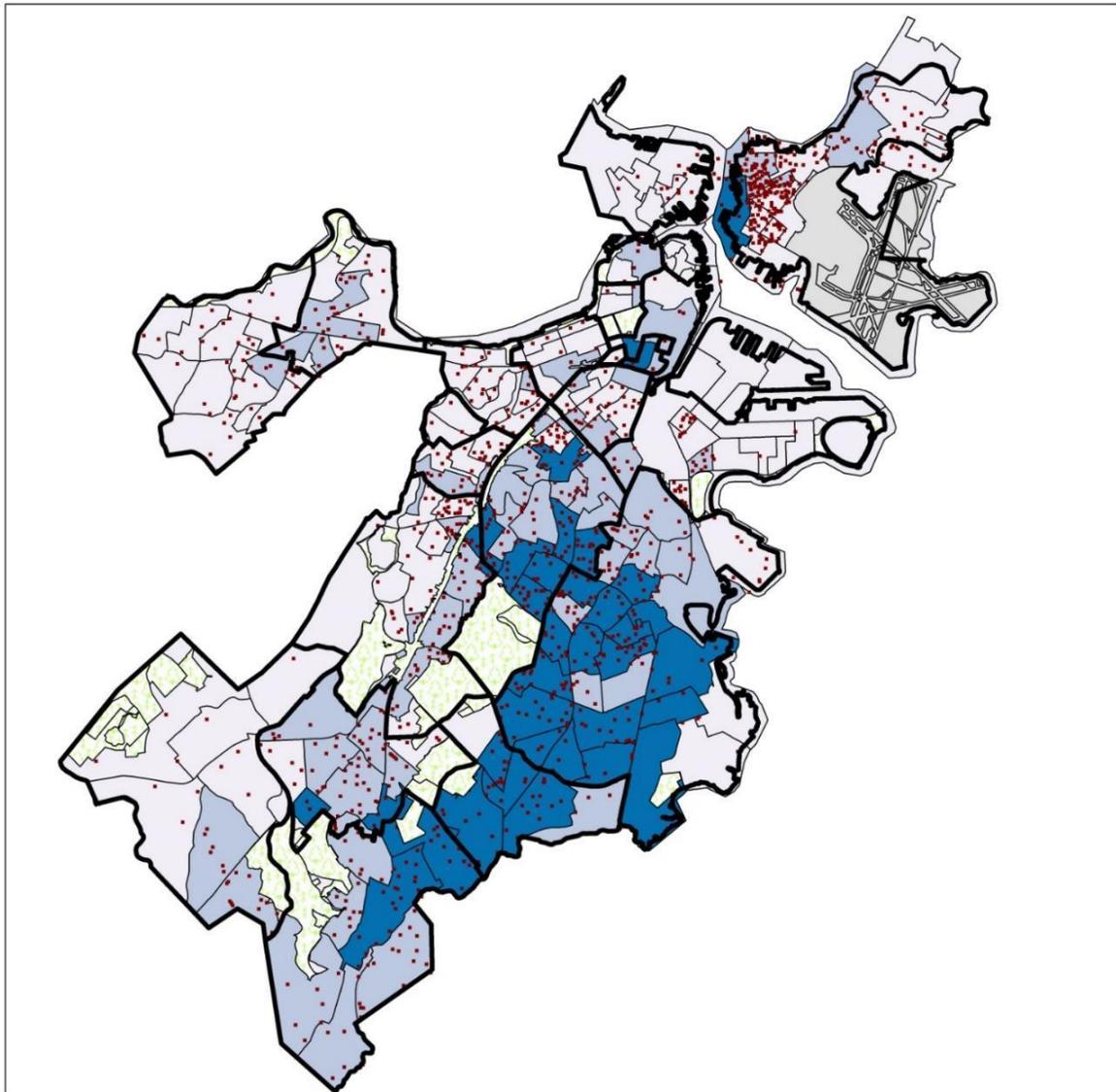
Location of Housing Choice Vouchers
by Tracts, Neighborhoods

188 to 451 HCV Units	(33)
59 to 188 HCV Units	(50)
0 to 59 HCV Units	(96)

Black Concentration



Map 25: Location of Housing Choice Vouchers and Latino Residential Concentration

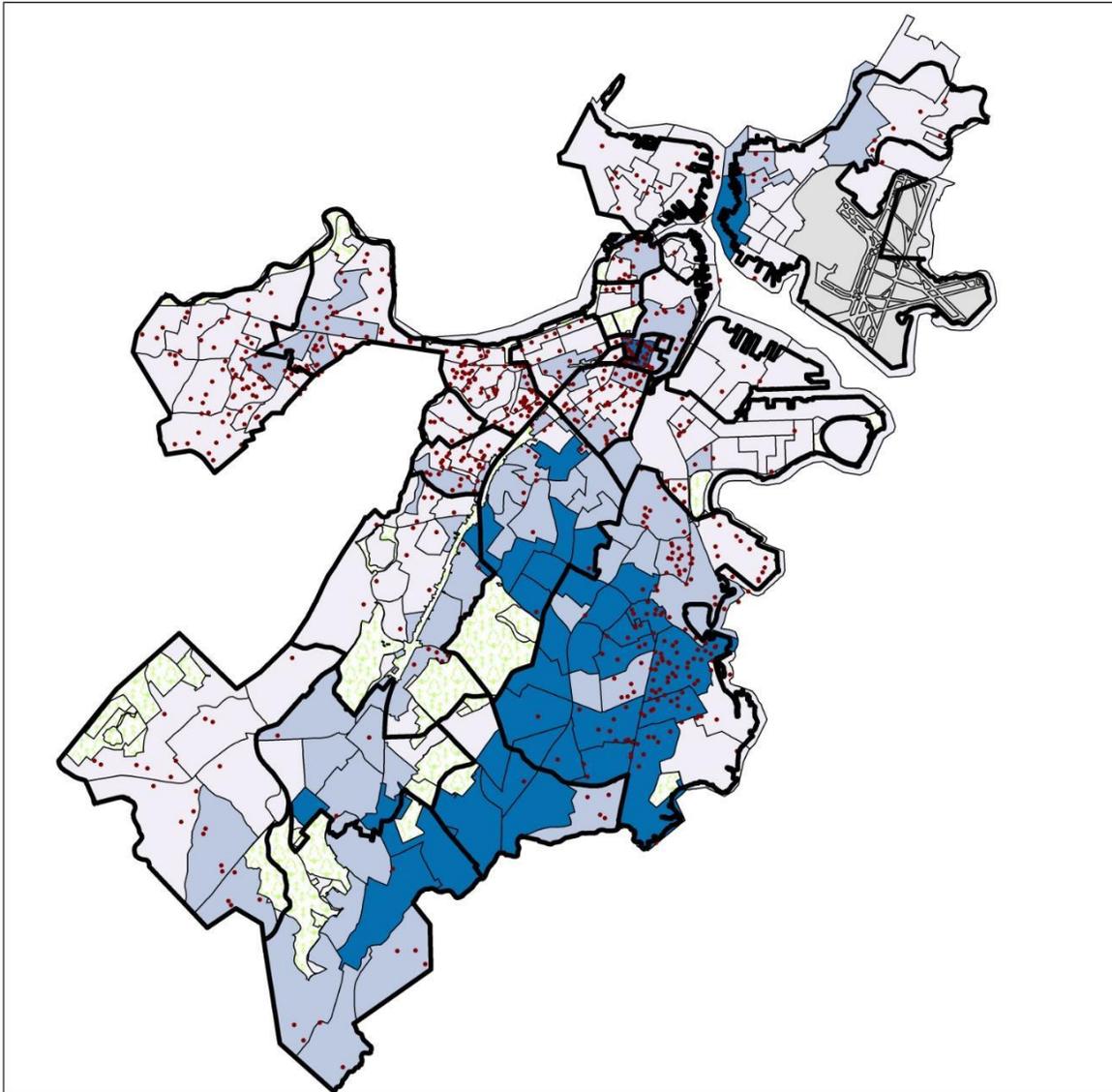


Location of Housing Choice Vouchers
by Tracts, Neighborhoods

188 to 451 HCV Units	(33)
59 to 188 HCV Units	(50)
0 to 59 HCV Units	(96)

Latino Population
Dot Density

Map 26: Location of Housing Choice Vouchers and Asian Residential Concentration



Location of Housing Choice Vouchers
by Tracts, Neighborhoods

188 to 451 HCV Units	(33)
59 to 188 HCV Units	(50)
0 to 59 HCV Units	(96)

Asian Concentration

Part C: Opportunity Barriers⁹⁷

Homeownership Barriers

As described in an earlier section of this report disparities in homeownership are not only based on geography, but race and ethnicity, as well. The *Housing Boston 2030 UPDATE* explains that, “Boston’s homeownership rate is historically lower than the national average for cities of comparable size, ...Still, this homeownership rate is disproportionately low for households of color.” (p.26). The next table shows racial and ethnic gaps in homeownership rates across the city. Latinos have the lowest homeownership rate in Boston at 16.6%; the next lowest are Asians (25.1%) and Blacks (28.5%). Whites who are not Latino not only have significantly higher homeownership rates (43.7%) than communities of color, but also tend to live in areas where the overall rate is 50% or greater as illustrated in the map below.

Table 40: Tenure by Race and Ethnicity

	Black		Asian		White Non-Latino		Latino	
Total Units	57778		22288		133361		40144	
Owner Occupied	16486	28.5%	5587	25.1%	58303	43.7%	6653	16.6%
Renter Occupied	41292	71.5%	16701	74.9%	75058	56.3%	33491	83.4%

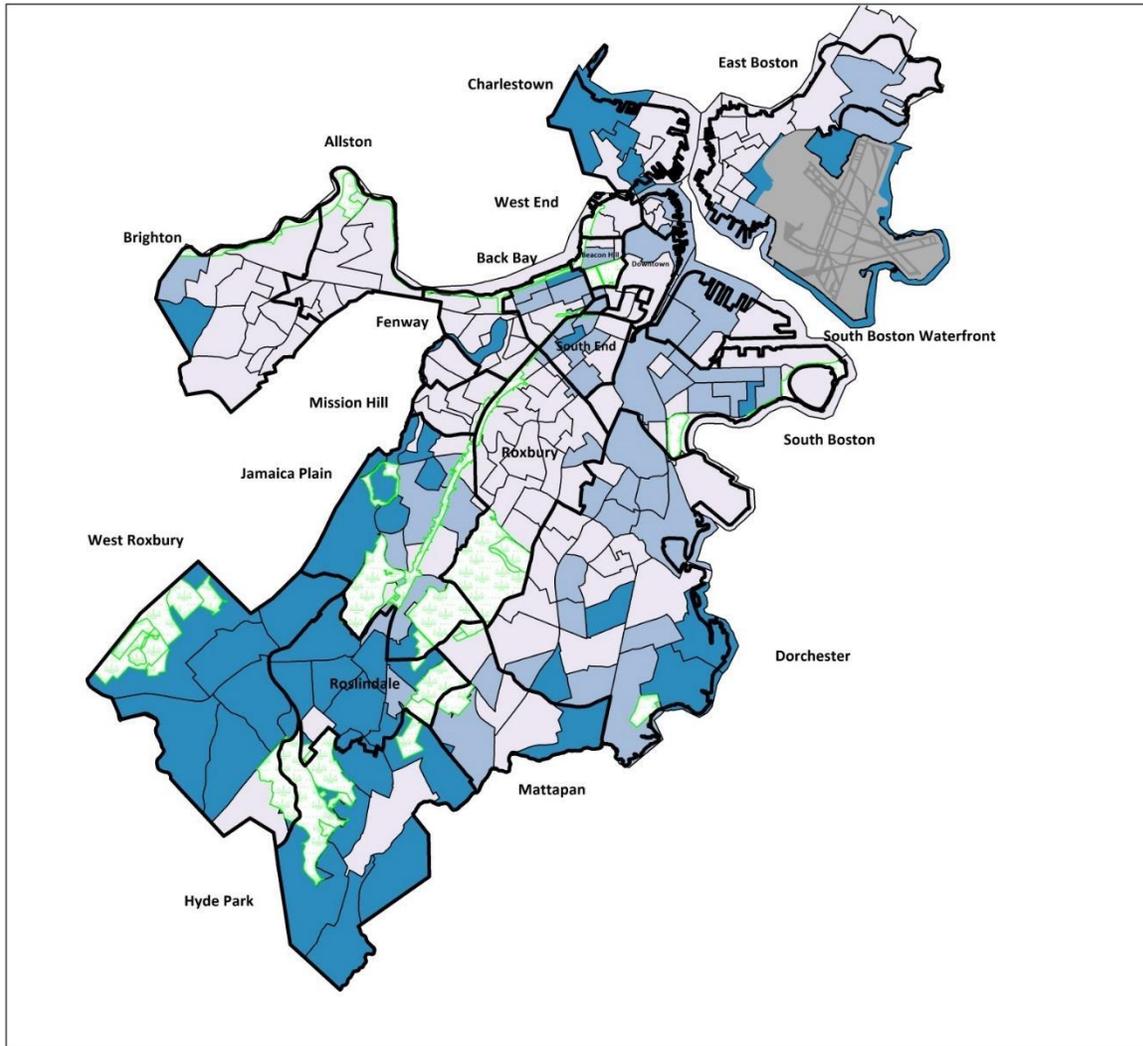
Source: American Community Survey 2011 – 2015

Map 27 shows the distribution of homeownership by census tracts where under 34%, 34% to 50%, and 50% or more of all housing units are owner occupied. The following Map 28 shows housing units owned versus rented by these same census tracts in Boston conjoined with residential patterns of Blacks and Latinos: it shows that generally lower homeownership rates are associated with residential concentrations of Blacks and Latinos.⁹⁸

⁹⁷ HUD provided indices for Boston and the CBSA by Race/Ethnicity on seven opportunity indicators – low poverty, school proficiency, labor market, transit, low transportation cost, jobs proximity and environmental health; these indices were limited and problematic along several dimensions: public testimony was inconsistent with the values of these indices in some parts of the City (see the discussion on transportation); the indices did not reflect local public knowledge about some of the topics as required by HUD; and there were limitations regarding the accuracy of the data.

⁹⁸ Concentration is shown spatially with dot density or thematic maps by Boston census tracts. After the total population by race and ethnicity is determined for each tract, generally, a ‘natural breaks’ methodology is used to see how various groups are ‘bunched up’.

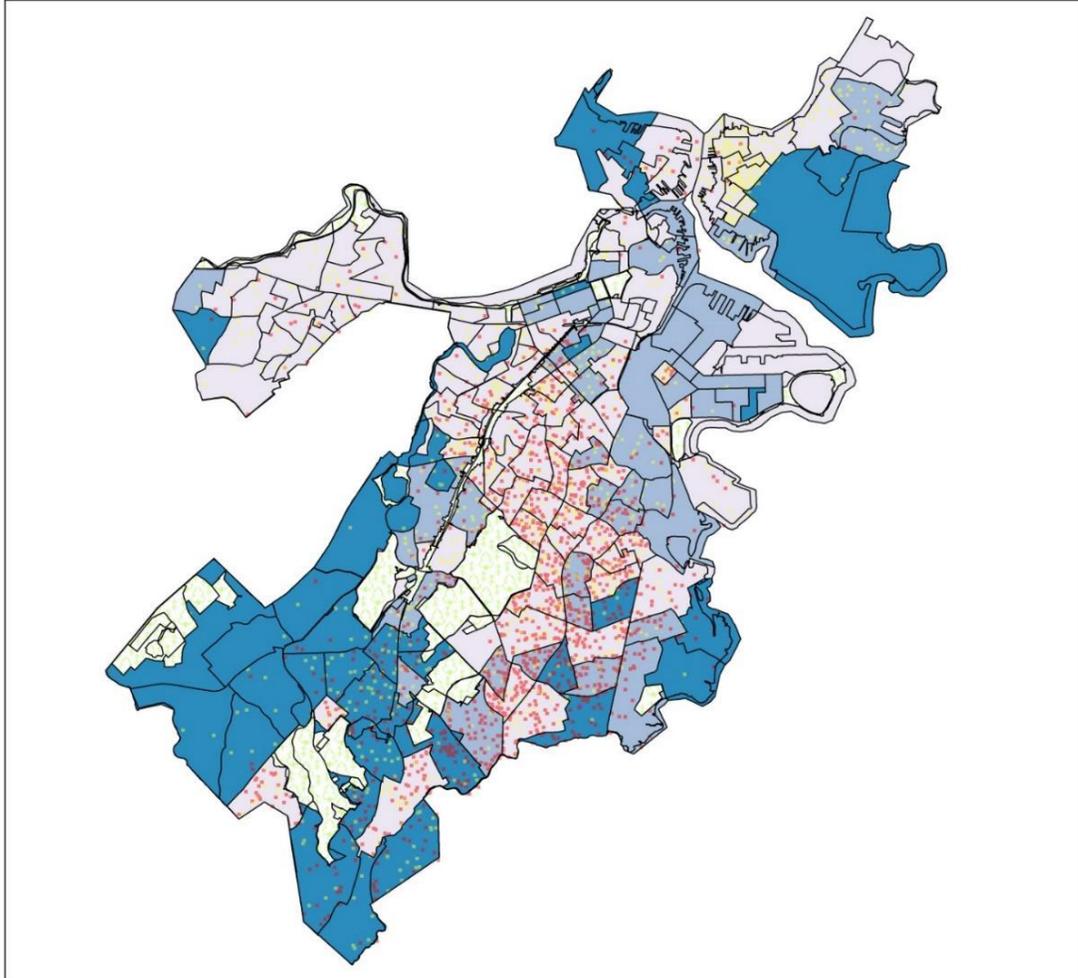
Map 27: Homeownership Rates Greater than City Overall Rate (34%) by Tracts and Neighborhoods



Homeownership Under and Over 34% City Rate
by Tracts & Neighborhoods, ACS 2011 - 2015

- 0 to 34% Homeownership Rate
- 34% to 50% Homeownership Rate
- 50% or Greater Homeownership Rate

Map 28: Homeownership Rates Greater than City Overall Rate (34%) by Tracts and Neighborhoods by Black and Latino Residential Concentrations



Latino Population (Dot Density 1 = 100)
by Tracts, ACS 2011 - 2016



Black Population (Dot Density 1 = 100)
by Tracts, ACS 2011 - 2012



Homeownership Under and Over 34% City Rate
by Tracts and Neighborhoods, ACS 2011 - 2012

0 to 34%

34% to 50%

50% and Higher

It might be suggested that White homeownership compared to that of protected classes could be due to the higher incomes of Whites documented in other parts of this report. However, a recent study of mortgage lending in Boston and the metro area shows that even when income is controlled for, significant differences in mortgage lending by race and ethnicity remain.⁹⁹ In addition, according to a 2015 Federal Reserve Bank of Boston report, *The Color of Wealth in Boston*, households of color (Black, Hispanic, as well as specific communities of Caribbean origin) were less likely to own their homes, and for those who did, were more likely to have mortgage debt.¹⁰⁰ As a result, households of color have substantially lower levels of wealth.

Historically, national economic policies that were meant to address the needs of working class Americans have largely excluded people of color.¹⁰¹ The historical disinvestment in communities of color in Boston and throughout the nation is highly attributed with the current wealth gap experienced nationally. Earlier, the MAPC also reported that "...that people of color—even those who earn a substantial income—face continued discrimination in choosing where to live. In particular, high-income applicants (those earning more than \$118,000 per year) who are Black are more than twice as likely to be denied a mortgage as high-income borrowers, who are White."¹⁰²

Besides mortgage discrimination the *Color of Wealth in Boston* report highlights other financial barriers to homeownership among households of color. The latter are more likely than Whites to have student loans and medical debt and are less likely to have assets such as stocks and bonds. As a result these households have fewer resources that could assist in a home purchases. The result is that difference in net worth of Whites as compared to households of color is staggering, and households of color are more likely to experience very poor long-term housing and retirement outcomes as a consequence of their lack of homeownership, housing-based equity, and retirement savings.

Increasing Boston's homeownership rate is a priority for the City of Boston, especially for low- and middle-income households priced-out of Boston's still hot housing market, but also to address the disparity in homeownership rates between White and non-White households with similar incomes. The latter is a fundamental requirement for pursuit of strategies to affirmatively further fair housing.¹⁰³ Closing this gap is a critical tool not only for building a more racially and ethnically inclusive city, but also to prevent or reduce real estate pressures that can lead to gentrification and displacement of residents and smaller businesses.

⁹⁹ *Changing Patterns XXIII: Mortgage Lending to Traditionally Underserved Borrowers & Neighborhoods in Boston*, Greater Boston and Massachusetts, 2015

¹⁰⁰ Muñoz, Ana Patricia. *The Color of Wealth in Boston*. Federal Reserve Bank of Boston, 2015, www.bostonfed.org/media/Documents/color-of-wealth/color-of-wealth.pdf

¹⁰¹ Katznelson, Ira. *When Affirmative Action Was White: An Untold History of Racial Inequality in Twentieth-century America*. WW Norton & Company, 2005.

¹⁰² Metropolitan Area Planning Council, *State of Equity for Metro Boston Policy Agenda Update* (February 2018), p.14

¹⁰³ See, *Anti-Discrimination Center of Metro New York v. Westchester County: 2009*.

Gentrification

Given such a hot real estate market attracting significant numbers of wealthier persons and households into Boston, a major challenge for the city is the availability of affordable and low-income housing. As noted in the city's *Consolidated Plan...*: "Boston's housing market is a very strong, extremely high cost market, both for rental housing and for ownership housing. The citywide median sales price increased for the seventh year in a row, rising 4% above last year's record high, from \$575,000 in 2016 to \$600,000 in 2017. At the same time, sales volume decreased by 6% (from 8,156 to 7,647) for the first time since 2010-2011. Rents have skyrocketed to a median rent of \$2,037 in 2016. While this is good news for homeowners and the housing industry as a whole, *this is bad news for low-income renters and prospective homebuyers.*" (author's italics, p.55). There is also concern that unless addressed, segregation (though perhaps in a different form than earlier periods) can again reappear; it would take the form of residential pockets (versus neighborhoods) in some parts of Boston.

Despite robust supply and demand strategy to increase the supply of housing to lower rents, the situation remains potential bad news for affordable housing:

"The result is a city that now has a greater share of its housing stock set aside as affordable housing than any other major city in the country. Boston currently has 53,313 units of affordable housing, comprising 19 percent of its housing stock. Given Boston's growing population and desirability as a place to live combined with the high cost of new construction and the drastic reduction in the amount of funding available for subsidized housing development, we can only expect housing affordability to get worse over the next five years." (*Consolidated Plan...*p.63)

The *Housing a Changing City: Boston 2030* (2014) report states that: "Gentrification puts increased pressure on moderately priced existing housing, making it less and less affordable to low- or middle-income households. This can quickly change the nature and economic dynamics of a neighborhood and make it difficult for long-term residents to stay in their community. It is not acceptable that residents who worked diligently to strengthen their community could potentially be priced out of their neighborhoods." (p.88). Gentrification is having a significant and disparate impact on communities of color in several of Boston's neighborhoods, including Chinatown, East Boston, and parts of Dorchester and Roxbury. There is major angst about gentrification and displacement, as well as housing affordability across the city, and particularly in low-income and communities of color. Again *Housing a Changing City, Boston 2030*: "Today, there are only four neighborhoods with no significant signs of gentrification. Ensuring that long-time residents are able to remain in their homes is critical to the stability of our neighborhoods." (p.16).

Ironically, for a long period of time Black and Latino areas of Boston were overlooked in terms of private and public investments. Now, these same neighborhoods are exploding with development. Across the city, but especially in these neighborhoods, residents reflect anxiety and concern, and a sense of vulnerability that they may not only lose their homes, but their communities, as well. Market pressures are creating exploitive opportunities for landlords of unsubsidized low rent properties to sell their properties or empty out the buildings, renovate them and either rent them to a higher-income households or convert the properties to condominiums. The context includes rapidly rising rents for all income levels, but especially burdensome for low-income households who are not served by affordable housing programs. This adds to the demand for publicly supported housing in a situation where the supply is limited and where there is already significant amount of income-restricted housing, including public housing. The context

feeds into neighborhood anxiety about displacement in low-income areas of the city where major portions of the Black, Latino, and Asian population live.

This scenario is placing enormous pressure on the City and its partners to adopt a multi-pronged approach to mitigating the impact of gentrification. Current strategies include working with tenants and non-profits to acquire existing unsubsidized rental properties in order to convert them to permanently affordable housing, expanding homebuyer assistance programs to enable renters in impacted areas to buy homes in the neighborhood, and opening an Office of Housing Stability to provide case management services for individual tenants. Another strategy alluded to earlier is to slow the market in these areas by increasing the total supply of housing, including the number of affordable units. The City is also seeking legislation to regulate evictions, provide tax incentives to landlords to keep rents affordable and provide tenants with a right to counsel in eviction cases.

There are community revitalization anti-displacement strategies across the city. A neighborhood lens should be utilized to ensure that all neighborhoods, especially the most economically distressed, partake of the benefits of community revitalization. Participants in Boston's city-wide survey discussed earlier in this Report were asked: "what do you think the City of Boston can do to address racial and ethnic segregation in housing?" The strongest response was for adopting restrictions on rent increases; other responses included making affordable housing truly affordable to Boston incomes; more resources and assistance for homeowners and small landlords- including de-leading; promoting Community Land Trusts as an anti-gentrification tool; using city-owned parcels to create more affordable housing; and to build more family friendly housing in all neighborhoods, and also more testing and prosecution of landlords and realtors who engage in discrimination. Private investments should also be guided by a public framework of pursuing fair housing and equity across racial and ethnic lines.

Added to this situation some suburban communities have local zoning regulations that make it difficult to build multi-family housing in these places that could be affordable even to moderate-income households of color. As a result, persons of color living outside of the City of Boston are largely concentrated in older, formerly industrial cities such as Brockton, Lawrence, Lowell, and Lynn, where there are fewer opportunities for higher paying jobs. There is also racial and ethnic inequality in the suburbs. For example, in many places outside of the Boston jurisdiction, Black and Latino unemployment rates can be 2 or 3 times higher than the White unemployment rate, based on a review of data reported in the American Community Survey 2010 – 2014 5 Year estimates. This same data shows that poverty rates in these places also reflect racial and ethnic poverty rates between Blacks and Latinos, and Whites that can be greater than is the case for Boston.

Efforts must be made to expand housing choice as BHA is attempting in providing more comprehensive information to Housing Choice Voucher holders, but also a need to revitalize parts of Boston especially in a context of accumulation of land wealth as a major cause of displacement of long-time residents. In fact, rapidly rising rents and speculative land values in gentrifying neighborhoods may lead to further concentration of low-income persons of color in the small number of lower-rent neighborhoods in Boston and other metro region communities such as Brockton, Lawrence and Chelsea which tend to be areas that already have large populations of persons of color.

Private market gentrification is not only threatening equal access of fair housing for protected classes, but also poses a threat to small neighborhood-based businesses that have helped to guarantee a degree of economic vitality to many neighborhood areas in Boston. It is also

threatening the cultural contributions to Boston society which emerge from even, economically distressed areas. The Chinese Progressive Association submitted an insightful report on gentrification in Chinatowns in Boston, New York and Philadelphia.¹⁰⁴ In 1990 Asians were 70% of the total population in Chinatown. From 1990 to 2010 the Asian population of Chinatown grew by about 950 or 20%, but the White population grew by nearly 6000 or 86%. As a result, by 2010 Asians made up just 46% of the total population of Chinatown and Whites made up 41% of the population. Further, according to the report, while median household income of the area has increased substantially, but this prosperity is not shared by Chinatown's Asian population. The median household income for Asians dropped from a little less than \$17,000 in 2000 to just a little more than \$13,000 by 2009. As the report emphasizes this "desegregation" of the neighborhood is coming at the expense of a vibrant and grassroots, genuine cultural and linguistic community. The same case can be made for the Italian-American, and Central America-American in East Boston, or the African-American community in Roxbury, or the Caribbean-American community in Mattapan.

Severe Housing Costs Burden

Residents in Boston also have an extensive problem with severe housing costs (households paying 50% or more of their household income for housing costs). Households affected by severe housing costs vary by race and ethnicity. Concern about disproportionate severe housing needs by race and ethnicity was cited in AI (2010): "City departments should examine current policies for setting eligibility standards in Boston's housing programs and evaluate strategies to balance the needs of the city's lowest income families against considerations of cost and the creation of stable mixed income developments. Although the City must ensure that there are affordable housing rental and homeownership opportunities for a wide range of households that are priced out of market rate housing, clearly low-income households and many households of color face this problem acutely. Boston acknowledges that this is a problem for very low-income groups, especially: "Practitioners in the housing field usually define anyone paying more than 30 percent of their income to housing costs as "housing cost burdened," while those who are paying more than 50 percent of their income on housing are considered "severely housing cost burdened." The City acknowledges that a figure lower than 50% will take focus and attention, away from "those who are at highest risk for displacement."¹⁰⁵

Again, this is a challenge for the entire city, but Black, Latino and Asian low-income households are especially saddled with severe housing cost burdens. Strategies for lessening housing cost burdens are critical for Boston's livability but the proportionality of the problem is greater for households with lower incomes. The latter is illustrated powerfully in data collected and organized by Nancy McArdle: the tendency towards severe housing cost burdens is not spread evenly by ratios of income to the area median income. Among both renters and home owners the lesser the ratio, the greater degree of experiencing housing cost burdens.¹⁰⁶

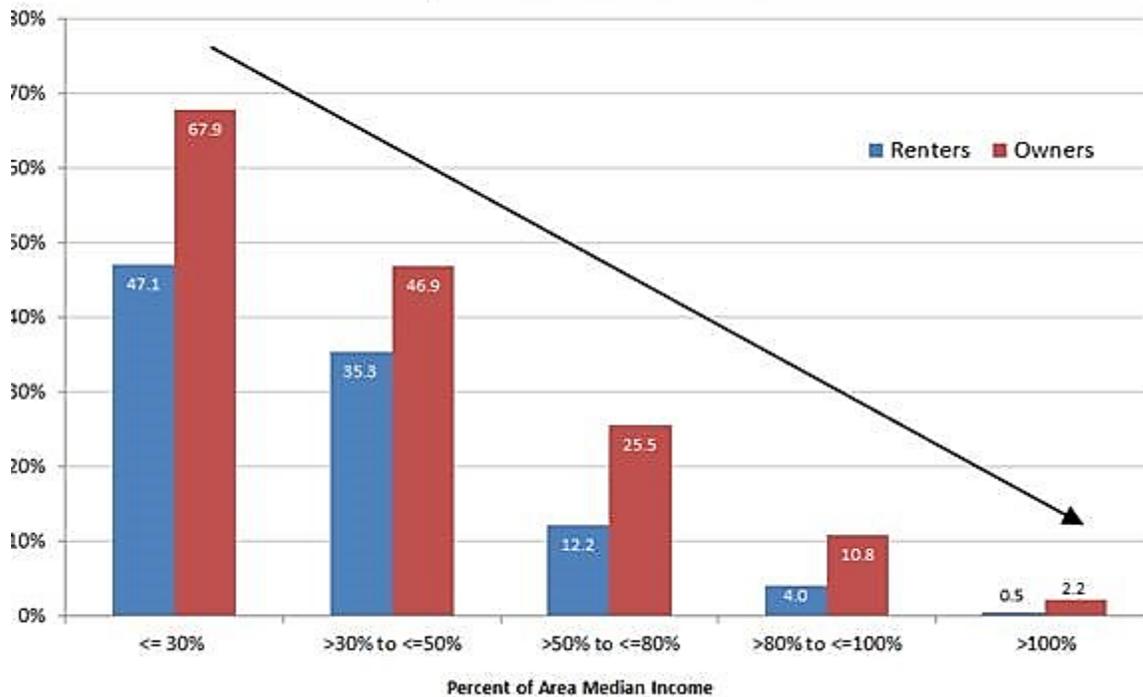
¹⁰⁴ xxx

¹⁰⁵ See, *Housing Boston 2030: UPDATE*, p.36.

¹⁰⁶ See Boston Tenant Coalition correspondence to AFFH Team for Developing City of Boston/BHA Assessment Report (July 19, 2017)

Chart 9

**Percent of City of Boston Households with Housing Cost Burden over 50%,
by Tenure and % of HAMFI**



Source: Tabulations of HUD Comprehensive Housing Affordability Strategy (CHAS) data, based on 2010-2014 American Community Survey.

This is also supported with data and information in *Resilient Boston: An Equitable and Connected City*; the report states that – “21% of Boston households spend more than half their incomes on housing. Low-income neighborhoods with sizeable communities of color- notably East Boston, Mattapan, and Roxbury- feel the effects of this trend most acutely” (p.87). While unintentional, this generally disadvantages Black, Latino and Asian residents because it: a) considerably expands the pool of who qualified for affordable housing, and b) continues to reflect inequality by lowering the opportunities available to people of color.

The City has acknowledged receiving comments from many organizations and individuals regarding the income levels used by its housing programs. The City is trying to balance this challenge with that of expanding opportunities to middle-income renters and potential new homeowners. Advocates and residents have argued that the metro area-based

income limits are higher than the actual median income for some Boston neighborhoods.¹⁰⁷ HUD has encouraged a review of any criteria that could disparate impacts on protected groups.¹⁰⁸

Homelessness

Homelessness is in many forms: the chronically homeless individual, chronically homeless family; veterans; adult individuals, unaccompanied homeless youth under 18 years, unaccompanied youth between 18 and 24 years, students; people with disabilities; people with health challenges, sheltered and unsheltered homeless people and families, and others.¹⁰⁹ There has also been increasing attention to the number of youth in the BPS who experience homelessness. Boston's *Consolidated Plan...* reports that based on the most recent Point in Time count the Continuum of Care (CoC) served "1,733 families in emergency shelter, consisting of 5,317 people with 3,130 children. 50% of the family households include a child/children under the age of twelve. 77% of the families have a female head of household and 20% of these are headed by a female aged 18-30. Household size varies: a 2 person household = 30%; 3 person household = 25%; 4 person household = 19% and 5 person or greater = 25%." (p.72).

In 2017 HUD reported an estimate of approximately 6,135 persons as homeless in Boston and approximately 233 homeless veterans.¹¹⁰ The City's *An Action Plan To End Veteran And Chronic Homelessness In Boston: 2015-2018* reports that "Boston's network of providers serves 1,720 homeless individuals in shelter on a single night and shelters 10,883 homeless individuals over the course of the year." (p.4).

DND is the lead agency for the Boston CoC and is the main architect of the Boston's Way Home – An Action Plan to End Veteran and Chronic Homelessness.¹¹¹ The plan calls for an end to Veteran and Chronic Homelessness by the end of 2018 and expanded tools to achieve coordinated entry and rapid exit from shelters. This information is tracked through HUD's System Performance Measures which include: "...length of time (LOT) persons remain homeless; whether persons who exit homelessness for permanent housing return to homelessness (recidivism); the change in the number of homeless persons through the annual Point In Time Count; the growth in employment and income for homeless persons in CoC-funded programs; the number of persons who become homeless for the first time and successful placement from Street Outreach to permanent housing." (*Consolidated Plan...*,p.7). Boston's Continuum of Care

¹⁰⁷ For a brief explanation of "How Does Inclusionary Development Work?", see *Bridging the Gap: Creating Middle Income Housing through Inclusionary Development* (2016 Annual Report): "When a land owner seeks to develop a piece of property, the uses and size of the building are restricted by the zoning code. Under Boston's IDP, whenever a developer of a project with ten or more units seeks to deviate from what is allowed by the zoning code (this is referred to as a "zoning variance"), the IDP applies to the project. Under the current, citywide policy, a developer is required to commit to making 13 percent of their on-site units as affordable. In some instances, the developer is allowed to create the units off-site, make a contribution to the IDP Fund, or provide a combination of the options. For some projects, the feasibility of a project is improved and/or the outcome for the City affordable housing goals improves if the off-site or contribution option (or a combination) is undertaken. The requirements for these options vary, depending on the neighborhood." p.2; Also, <http://www.bostonplans.org/news-calendar/news-updates/2017/08/08/first-ever-idp-report-details-how-private-developm>.

¹⁰⁸ See, HUD's Final Rule of Implementation of the Fair Housing Act's Discriminatory Effects Standard (February 2013).

¹⁰⁹ See, "Part 1: Point-in-Time Estimates of Homelessness" *The 2017 Annual Homeless Assessment Report (AHAR)* to Congress, HUD (December 2017)

¹¹⁰ *Ibid.*, p. 18; p.60

¹¹¹ Appreciation is extended to Kristin Hass, Data and Policy Coordinator at Project HOPE and Sonja M. Spears, Chief Equity and Inclusion Officer at the Boston Health Care for the Homeless Program for providing important information about homelessness in Boston (Email Correspondence: Nov. 6, 2018 and Nov. 7, 2018).

includes numerous organizations working collaboratively to prevent or reduce homelessness. These are described briefly under Section IV's goals to reduce homelessness in Boston.

There are also indications that as is the case nationally, Blacks (but also Latinos) tend to have a likelier possibility of experiencing homelessness than non-Latino Whites. According to the Center for Social Innovation "Although Black people comprise 13% of the general population in the United States and 26% of those living in poverty, they account for more than 40% of the homeless population,^{3,4} suggesting that poverty rates alone do not explain the over-representation." Further, "High rates of homelessness among Black Americans is documented across all age groups, including youth, families, and single adults, and across geographic diversity."¹¹² As stated in the *Consolidated Plan...*, "...The racial and ethnic composition differs for homeless families and individuals. For homeless families in emergency shelters or transitional housing 46-50% are black or African American; 10-11% are White non-Hispanic/non-Latino; 19% identified as multi-racial and race and ethnicity is unknown for about 20%. For Homeless individuals, 43%-49% are White, non-Hispanic/non-Latino; about 37% are Black/African American, 12% are multi-racial and 8% are other or unknown. About 45% of homeless families are Hispanic and 20% of homeless individuals are Hispanic." (p.47).

Expiring Use

Expiring use properties are privately-owned multi-unit properties that were developed with subsidies through one of several state and/or federal programs, in exchange for guarantees that units would be offered at affordable rents for periods typically lasting 20 to 40 years. At the end of that period, these "expiring use" units can be converted to market rents if steps are not taken to preserve them which usually require substantial tenant organizing and access to new sources of subsidy.

This is a challenge across Massachusetts but particularly acute in Boston given its proportion of all subsidized housing in the state: As observed in the *Special Senate Committee on Housing Report*: "As we work to address the housing crisis in our Commonwealth, we will need to also focus our efforts on preserving existing units. Foreclosures, expiring use restrictions and affordability controls, and natural physical deterioration have all caused significant loss to our affordable housing stock. According to the Community Economic Development Assistance Corporation (CEDAC) nearly 20,000 privately owned affordable apartments alone could go market rate by the end of this decade. Furthermore, the high cost of development, has made it cost-prohibitive to build affordable housing. Therefore, preventing the loss of existing affordable units is even more critical to assist with our already limited housing supply."¹¹³ Some organizations such as HomeStart, Project Hope and the Massachusetts Coalition Against Homelessness and others have noted that evictions from subsidized housing can contribute to homelessness.

Boston has over 30,000 units of privately-owned subsidized housing. Many of these unit are at risk due to expiring use restrictions, termination of rent subsidies or strong market conditions incentivizing owners to convert properties to market-rate housing. Currently, it is estimated that over 10% of these units are at elevated risk for conversion to market-rate housing over the next 10 years. Many of these units are located in high opportunity areas and could not be

¹¹² Jeffrey Olivet, Marc Dones, Molly Richard, Catriona Wilkey, Svetlana Yampolskaya, Maya Beit-Arie, Lunise Joseph, *Supporting Partnerships for Anti-Racist Communities*, Center for Social Innovation (March 2018), p.7.

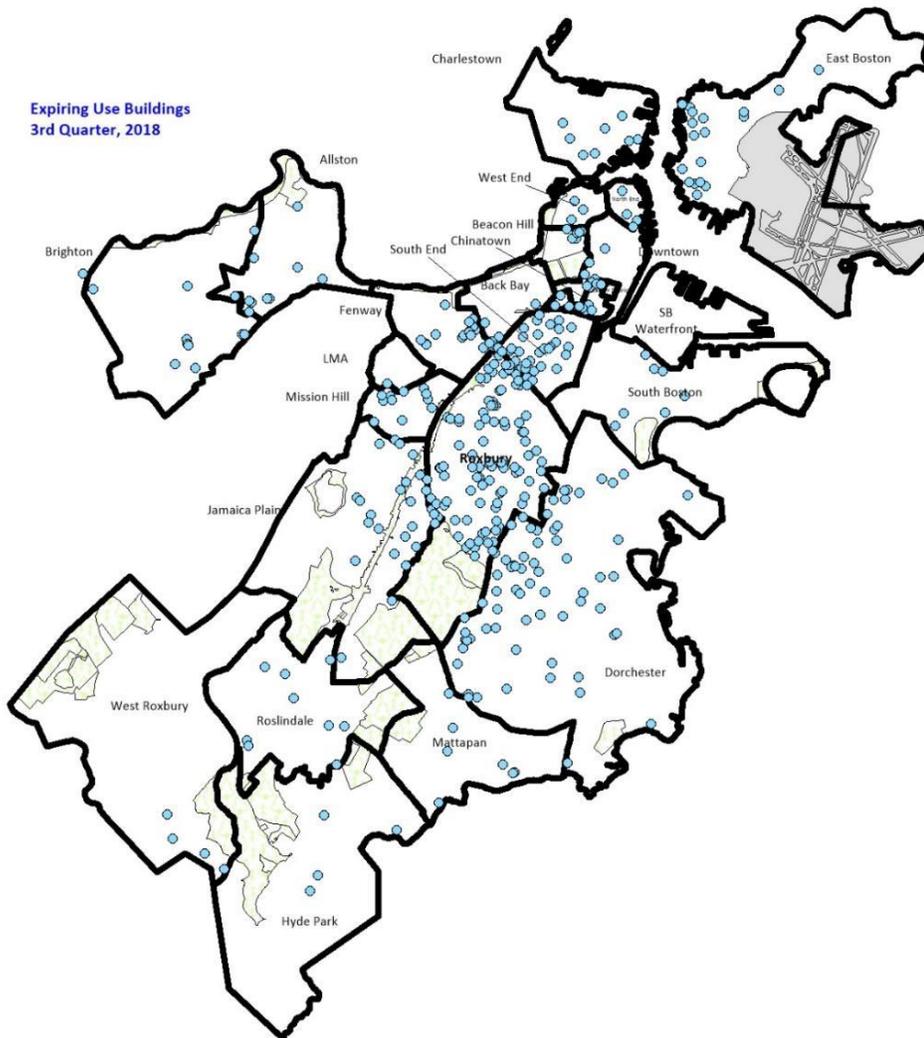
¹¹³ *Facing Massachusetts' Housing Crisis: Special Senate Committee on Housing Report* (March 2016), p.17.

replaced in their current market areas. Despite the need for new housing, the city and its partners must dedicate a significant amount of the available resources to preserving these existing affordable housing units. The City is committed to preserving all existing affordable housing, but the projects most at risk are those “expiring use” properties in high opportunity/downtown neighborhoods (typically financed under the former state program, “13A”).

As the next Map 29 shows, there are numerous such properties in Roxbury, South End, Chinatown, and Dorchester.¹¹⁴ Many of these properties (many are multiple housing) may not currently be at risk but still vulnerable to being lost as private owner subsidies expire.

¹¹⁴Information on expiring use properties was obtained in October 2018 from CEDAC which is not responsible for any errors. Source data is obtained from multiple third party agencies.

Map 29: Expiring Use Buildings, 3rd Quarter 2018, by Neighborhoods



Zoning as Barrier to Fair Housing

In many places current zoning represents a major dynamic in maintaining racial and ethnic segregation: “Massachusetts continues to struggle with high levels of racial, ethnic and income segregation, a legacy of many years of public and private actions. We must recognize that restrictive local zoning and permitting decisions are a contributing factor to this persistent segregation, often limiting the development of both deed-restricted and market rate affordable units, especially for families with children. Real estate and finance practices often have the additional impact of making it difficult for low-income households and people of color to purchase homes, even when they could otherwise qualify to do so. Massachusetts must clarify that such practices are a violation of state law and must take stronger steps to advance fair housing throughout the state.”¹¹⁵

Effective housing mobility must be coupled with aggressive challenges to zoning prohibitions against multi-family housing. The critical role of the latter in enhancing housing choice and mobility is emphasized in the *Special Senate Committee on Housing Report*: “With significant multifamily housing in great demand, 207 of our 351 cities and towns have permitted no multifamily housing with more than 5 units in over a decade and over a third of our communities have permitted only single family housing. The lack of multifamily zoning is the most significant barrier to building affordable and market rate housing, and is so basic a requirement that no other long-term production goals can be achieved successfully without it.”¹¹⁶

Current zoning regulations also limits families with housing vouchers in finding adequate housing of their choice outside of Boston. Community opposition or Nimbyism in high opportunity areas further limits affordable housing opportunities in Boston's surrounding suburbs. This holds true for the metro region as well as for higher opportunity areas within the City of Boston. Rental voucher holders are seldom able to obtain housing in low poverty/high opportunity areas because these areas often have very few units available at rents under HUD's Fair Market Rent (FMR) levels. These areas often have their own zoning restrictions against multi-unit or multi-level apartment buildings.

*Continuing Prejudice and Discrimination Barriers*¹¹⁷

Under the Massachusetts Antidiscrimination Law, M.G.L. c. 151B, it is illegal to discriminate against someone in the sale or rental of housing because of a person's membership in one of the following protected classes: Race; Color; Religious creed; National origin; Ancestry; Sex; Marital status; Veteran status; Age; Handicap/disability; Gender Identity; Sexual orientation; Children; Public assistance; Children/Lead Paint; Public Assistance Recipient (e.g., Section 8 voucher holder or MRVP voucher holder). State law prohibits discrimination in advertising, public housing, and actions taken by realtors, landlords, mortgage lenders and brokers. M.G.L. c. 111, s. 199A prohibits landlords from discriminating against families with children under the age of six because a unit does or may contain lead paint. Landlords have an obligation to abate lead

¹¹⁵ Metropolitan Area Planning Council, *State of Equity for Metro Boston Policy Agenda Update*, (February 2018), p.22.

¹¹⁶ *Facing Massachusetts' Housing Crisis: Special Senate Committee on Housing Report* (March 2016), p.22.

¹¹⁷ Also see, Appendix G: List of Judicial Decisions and Actions in “Fair Housing Case Law” Report issued by the Metropolitan Area Planning Council; Current Open Cases; and Independent and Public Agencies Charged with Enforcing Anti-discrimination law and policies.

hazards if a child under the age of six lives in a unit. Landlords may not reject a family to avoid their obligations under the lead paint laws.¹¹⁸

As explained in *Analysis of Impediments to Fair Housing Choice: Access To Opportunity In The Commonwealth*, Massachusetts Department of Housing and Community Development (2013):

“Discriminatory housing practices include: refusing to rent, sell, negotiate, or otherwise make unavailable or deny a dwelling; steering; discriminatory terms, conditions, or privileges or discriminatory provision of facilities or services; discriminatory statements, notices, and advertising; misrepresenting availability; blockbusting; refusing to make reasonable accommodations and/or modifications for persons with disabilities; non-compliance with federal and state accessibility design and construction requirements; discriminating in residential real estate related transactions, credit, and brokerage services; sexual harassment; and interfering, coercing, intimidating, or threatening any person in the exercise or enjoyment of their fair housing rights. Additionally, the Massachusetts law also prohibits denial of housing and discrimination against families with children under six years of age because of the existence of lead paint.” (p.17).

Administrative enforcement of housing discrimination laws in Boston is the responsibility of a number of agencies: the Office of Fair Housing and Equal Opportunity (FHEO) of the U.S. Department of Housing and Urban Development, the Massachusetts Commission Against Discrimination (MCAD), and the Office of Fair Housing and Equity’s Boston Fair Housing Commission (BFHC). The jurisdiction of these offices is overlapping but not identical and depends on the authority delegated by the underlying laws, the classes of people protected by each law, and the size or type of the housing involved in a complaint of discrimination.

This is not just an issue for Boston, but the entire Boston Metropolitan Region. A review of complaints filed by MCAD shows that there were 1,272 complaints regarding some form of discrimination. And as noted in Section II of this report there have been increasing incidents of discrimination against immigrants; the BFHC “...reported there has been an increase in discrimination in the race and national origin categories. To date for 2017, race and national origin is 36% of the open cases.” Many immigrants have limited English-speaking skills as noted in Section III of this report. Not presenting information or materials in the dominant languages of many immigrant groups is also a form of discrimination, whether intentional or not.

¹¹⁸ For a concise review of how fair housing is applied in various categories, see the Metro Housing Boston Fact Sheets, under its Fair Housing and Civil Rights section on its website: www.metrohousingboston.com

Table 41: Complaints Filed with MCAD by Type

Basis # Times Cited		% of Total
Disability	467	27.5%
Race or color	333	19.6%
Children	193	11.4%
Public assistance	148	8.7%
National origin	139	8.2%
Lead paint	98	5.8%
Other	64	3.8%
Sex	58	3.4%
Family status	53	3.1%
Marital status	47	2.8%
Sexual orientation	41	2.4%
Age	25	1.5%
Creed	24	1.4%
Veteran	6	0.4%
Military service	3	0.2%
Total bases cited and % of metro bases	1,699	100.0%
Total # of complaints		1,272]

Source: "Table 3.17: Bases of Complaints Filed with MCAD in the Metropolitan Boston Region, January 1, 2007 to April 30, 2012

Several reports have documented continuing prejudice against people and families due to their race, ethnicity, gender, age, or sexual orientation. Discrimination against families with children is consistently between 35 and 40% of the Boston Fair Housing Commission’s (BFHC) caseload. Most of familial status discrimination cases the BFHC receives are related to the presence of lead paint in the unit. While state law requires property owners to remove lead hazards from homes occupied or to be occupied by children age six and under, landlords are incentivized not to rent to this cohort to avoid lead abatement costs.¹¹⁹

There is also significant prejudice against Lesbian, Gay, Bi-Sexual and Transgender (LGBT) persons nationally and locally.¹²⁰ A major concern is that LGBT persons are not a protected class under the Fair Housing Act, though are under Massachusetts law, as noted earlier. As part of the community engagement process for developing an Assessment of Fair Housing, the Suffolk University Law School organized a consultation meeting with a group of LGBT seniors to solicit their input for the AFH. The presentation for that meeting included a summary of the results of *Transcending Prejudice: Gender Identity and Expression-Based Discrimination in the Metro Boston Rental Housing Market*. The study found that transgender and gender non-conforming people received discriminatory differential treatment 61% of the time. In addition, they were 27% less likely to be shown additional areas of the apartment complex, 21% less likely to be offered a financial incentive to rent, 12% more likely to be told negative comments about the apartment and the neighborhood, and 9% more likely to be quoted a higher rental price than people who were not transgender and conformed to typical gender standards.¹²¹

There are local resources for filing housing discrimination complaints and advocacy, but there is also consensus that the demand for these kinds of programs generally outpaces the

¹¹⁹ See Victoria L. Williams, Boston Fair Housing Commission, City of Boston *Analysis of Impediments to Fair Housing Choice*, p.74-75 (2010).

¹²⁰ See, Samantha Friedman, et al., *An Estimate Of Housing Discrimination Against Same-Sex Couples* Prepared for U.S. Department of Housing and Urban Development, Office of Policy Development and Research (June 2013).

¹²¹ Langowski, Jamie and Berman, William and Holloway, Regina and McGinn, Cameron, *Transcending Prejudice: Gender Identity and Expression-Based Discrimination in the Metro Boston Rental Housing Market* (March 27, 2017). Forthcoming, to be published in *Yale Journal of Law & Feminism*, Vol. 29, No. 2, 2017; Suffolk University Law School Research Paper No. 17-9. Available at SSRN: <https://ssrn.com/abstract=2941810>.

capacity and funding received by any one of these organizations. There is considerable demand for free and or low cost legal advocacy services for the majority of pro se complainants that FHAP agencies see. The complainants are often low income with a myriad of social needs beyond legal representation including but not limited to: housing search and application assistance, other legal representation for housing eviction, immigration assistance, and or criminal records sealing. Since the burden of evidence is on the complainant and FHAPs are neutral agencies, there is also agreement that increased capacity at legal advocacy services could increase the amount of charges issued by FHAP agencies.

Public Education

It should be noted that a comprehensive assessment of the quality of public education requires far more data than is presented in this discussion. In addition to using data pertaining to race and ethnicity (African-Americans, Latino/as, Whites, Asians), other academic achievement variables, retention and graduation rates, suspensions, college attendance on the part of high school graduates, and still other factors, would be necessary to assess education quality issues. Furthermore, ESE is currently is still in an ongoing transition phase regarding assessment of quality and progress towards quality and higher standards on the part of individual schools, and school districts. While this report is not a comprehensive review of BPS academic successes and challenges, it is widely accepted that educational failure whether due to poor student performance or underperforming schools can limit an individual's future educational options, ability to access quality employment options and ability to afford to live in low poverty/higher opportunity areas. It is clear from multiple data sources that these future opportunities are even more limited for Black and Hispanic/Latino low income youth.

Boston's school system now serves a population that is primarily lower-income families of color, having the effect of essentially re-segregating Boston's school system. According to a Diversitydata.org brief, when comparing the 100 largest metro areas in the U.S, Boston came in fourth for most segregated amongst Hispanic/Latino primary school students.¹²² Boston's public schools faces significant challenges that schools in more affluent communities do not face. The battles over court-ordered busing to desegregate Boston's schools resulted in many White and middle-class families leaving the public schools system at the same time that education resources and supports for remaining students did not remain at adequate levels. The latter scenario does not negate a nexus between housing and public education that should be continually on the radar screens of many agencies and community-based organizations, and that would be prominent if a fair housing lens were adopted and sustained.

Resilient Boston...also reports that in 2015 White fourth-graders scored 27 points (13%) higher on the National Assessment of Educational Progress reading scale than their Black and Latinx/Hispanic peers. Boston residents experience significant and persistent achievement gaps along racial lines. In 2015 White fourth-graders scored 27 points (13 percent) higher on the National Assessment of Educational Progress reading scale than their Black and Hispanic/Latino

¹²² McArdle N., Osypuk T., & Acevedo-Garcia D., (2010, Sept). *Prospects for Equity in Boston's School Assignment Plan* (Issue Brief). Retrieved from http://diversitydata.org/Publications/Prospects_for_Equity_in%20Boston_Schools.pdf

peers, a gap that has only grown in the past 12 years.¹²³ The Boston Public Schools high school graduation rate reached an all-time high of 72.4 percent in 2016, but White and Asian students still graduate at a significantly higher rate (82.5 percent and 88.2 percent, respectively) than their Black and Hispanic/Latino peers (69.3 percent and 67.1 percent, respectively).¹²⁴

Black and Hispanic/Latino students are also disciplined at a higher rate than their White and Asian peers. In the 2015–16 school year, Black and Hispanic/Latino students received out-of-school suspensions at rates of 7.5 percent and 4.3 percent, respectively, while only 1.3 percent of White students and 0.8 percent of Asian students received out-of-school suspensions.¹²⁵ We know that early childhood education can be the key to closing these gaps. While Boston has enough Pre-K seats citywide to meet overall demand, only 75 percent of Boston’s four-year-olds have access to a high-quality seat, and those seats are not evenly distributed across neighborhoods.¹²⁶

Income / Employment / Poverty Barriers

Within a context of a robust economy, racial and ethnic inequalities persist along several dimensions associated with labor force characteristics. These inequalities represent an impediment to fair housing for protected groups and others because it inhibits the economic means for these groups to pursue decent and affordable housing. The pursuit of affirmatively furthering fair housing should be intertwined with strategies for overcoming racialized income and wealth inequalities in Boston. Affirmatively furthering fair housing, in other words, must consider that the degree of racial and class inequalities is significant in Boston. The latter cannot be ignored to ensure that even neutral policies do not have income, racially and ethnically disparate results.

This observation is supported with the following table and chart showing that Non-Latino Whites have considerably higher median income than Blacks, Asians or Latinos. It should be noted that the disparities shown in Table 42 remain even controlling for the level of education, occupation or family structure.¹²⁷

Table 42: Median Income by Race and Ethnicity

	Median Income*
Black	\$38,454
Asian	\$38,802
White, Non-Latino	\$79,802
Latino	\$30,883

* Median household income in the past 12 months (in 2015 Inflation-adjusted dollars)
Source: ACS 2011 -2015

¹²³ Office of Data and Accountability. Report on 2015 Trial Urban District Assessment (TUDA) National Assessment of Educational Progress (NAEP): Grades 4 and 8 Reading and Mathematics. Boston Public Schools, Oct 2015, <https://www.bostonpublicschools.org/Page/714> (all years)

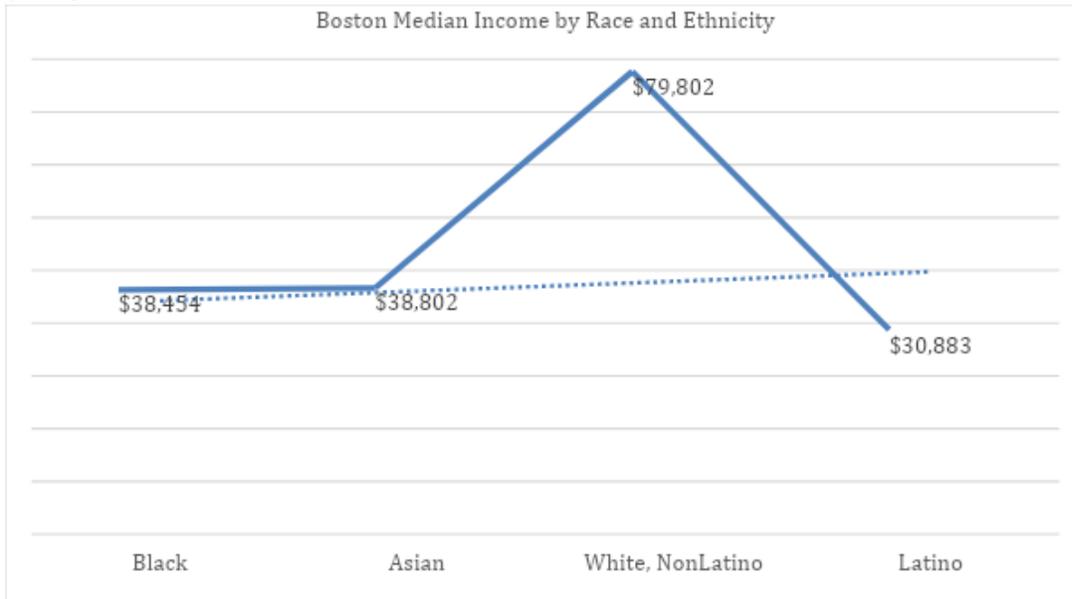
¹²⁴ Boston Public Schools. 4-Year Graduation Rate By Cohort Group. Office of Data and Accountability. <https://www.bostonpublicschools.org/Page/694> (all years).

¹²⁵ Massachusetts Department of Elementary and Secondary Education. 2015-16 Student Discipline Data Report.profiles.doe.mass.edu/ssdr/default.aspx?orgcode=00350000&orgtypecode=5&leftNavId=12565&TYPE=DISTRICT&fycode=2016. Accessed 26 June 2017.

¹²⁶ *Imagine Boston 2030*, op cit., p.275.

¹²⁷ See, James Jennings, *The State of Black Boston: A Select Demographic and Community Profile*, Commissioned by the Urban League of Eastern Massachusetts, the NAACP – Boston Branch and the William Monroe Trotter Institute (2010); also, Current Population Survey, March 2018 for Massachusetts.

Chart 10



Another way to understand the degree of racial and ethnic inequality in Boston is the per capita income of various racial and ethnic groups. The PCI, or average income per person, for Whites who are not Latino \$53,147; but for Latinos its considerably lower at \$17,786; the PCI for Blacks is \$20,584, and for Asians it is \$26,581.

Table 43: Per Capita Income by Race and Ethnicity

Blacks	\$ 20,584.00
Asians	\$ 26,581.00
White (Not Latinx)	\$ 53,147.00
Latinx	\$ 17,787.00

Source: American Community Survey 2011-2012

Poverty

Poverty is a major barrier to economic opportunity and quality housing by the city. Mayor Walsh’s report, *Economic Inclusion and Equity Agenda* (February 2016) observes that “Poverty continues to be a problem in Boston: for the past four decades about 20% of the population has been living in poverty.” Poverty gaps by race and ethnicity that are presented below have persisted in Boston over a long period of time. In 2016 the City’s poverty rate was 21.1%; for Whites (which can include Latinos here) it was 15.4%; Blacks, 21.1%; Latinos, 32.8%; and for Asians it was 31.0%.

The family poverty rate for Whites who are not Latino is 6.1%, but more than 3 times higher than this rate for Blacks and Asian, and astonishingly 5 times higher for Latinos.

Table 44: Family Poverty Rate by Race and Ethnicity

Blacks	21.0%
Asians	21.4%
Latinos	31.7%
Whites Non-Latino	6.1%

Source: American Community Survey 2011 -2015

Approximately 38.8% of all Latino households received SNAP/Food Stamps, compared to almost a third (32.9%) of all Black households, and slightly more than a fifth (22.9%) of all Asian households; this compares to 7.5% for Whites who are not Latino.

Table 45: Total Households by Supplemental Nutrition Assistance Program (SNAP), Race and Ethnicity

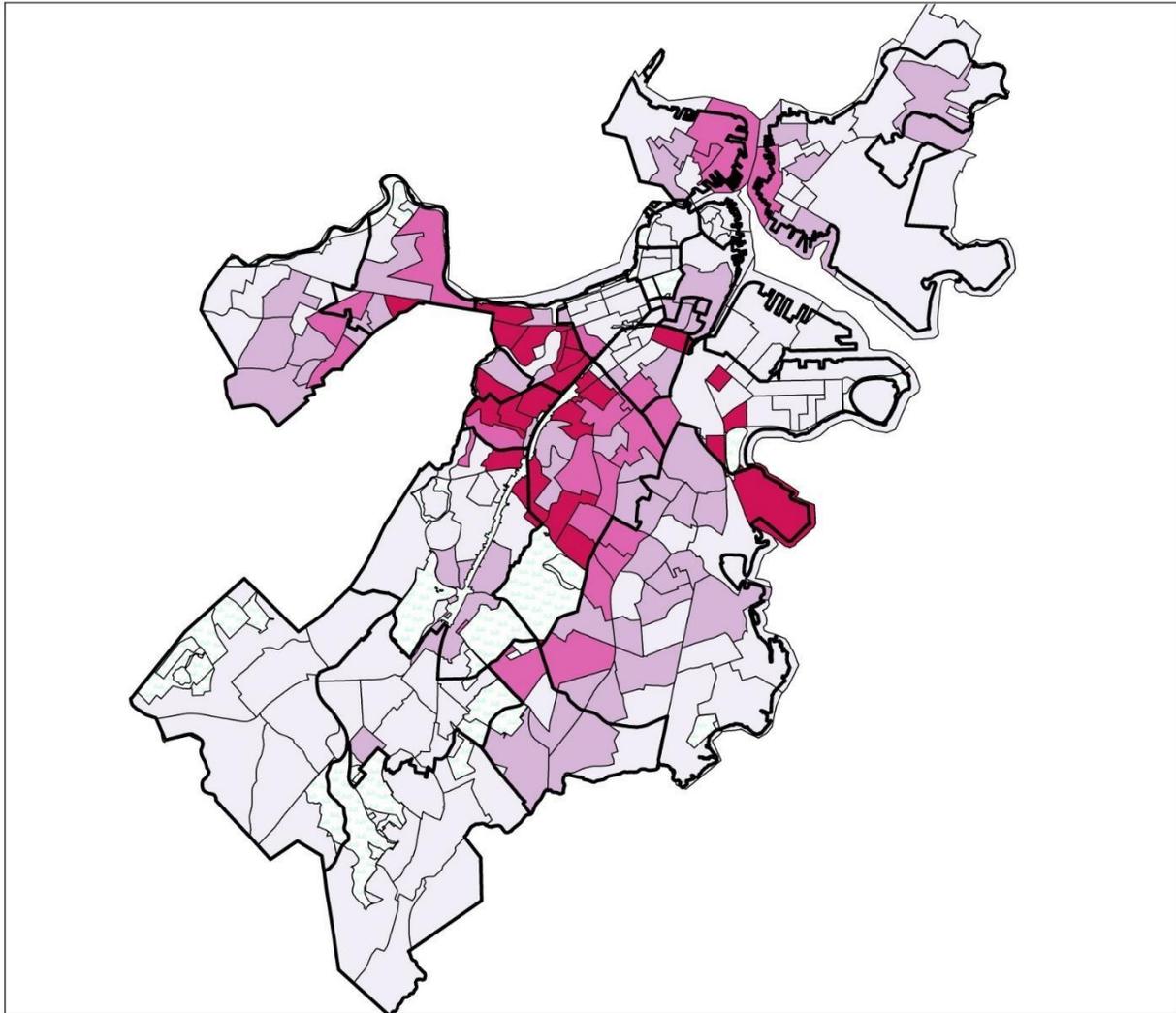
	Total Households	SNAP	
Black	57778	19012	32.9%
Asians	22288	5099	22.9%
White-Non Latino	133361	10055	7.5%
Latino	40144	15593	38.8%

Source: American Community Survey, 2011 - 2015

The presence and persistence of poverty in Boston has some association with the earlier maps showing segregation patterns by census tracts. To a degree, segregation and poverty can go hand-in-hand. Not fully and effectively addressing segregation and racial inequity in terms of housing and economic opportunities makes the of reducing poverty more difficult.

Map 30 below shows how poverty is distributed across Boston by tracts, at 0 – 20%; 20 - 30%; 30-40%; and 40% or higher. Those 41 tracts that record poverty rates higher than 30% are found in predominantly Black, Latino and Asian areas of Boston. And for the most part, the 91 tracts with poverty rates below 20% are located in places where the residents are predominantly non-Latino Whites.

Map 30: Proportion Persons in Poverty by Tracts and Neighborhoods



% Persons in Poverty
Tracts and Neighborhoods ACS 2011 - 2015

0 to 20%	(91)
20 to 30%	(47)
30 to 40%	(19)
40%+	(22)

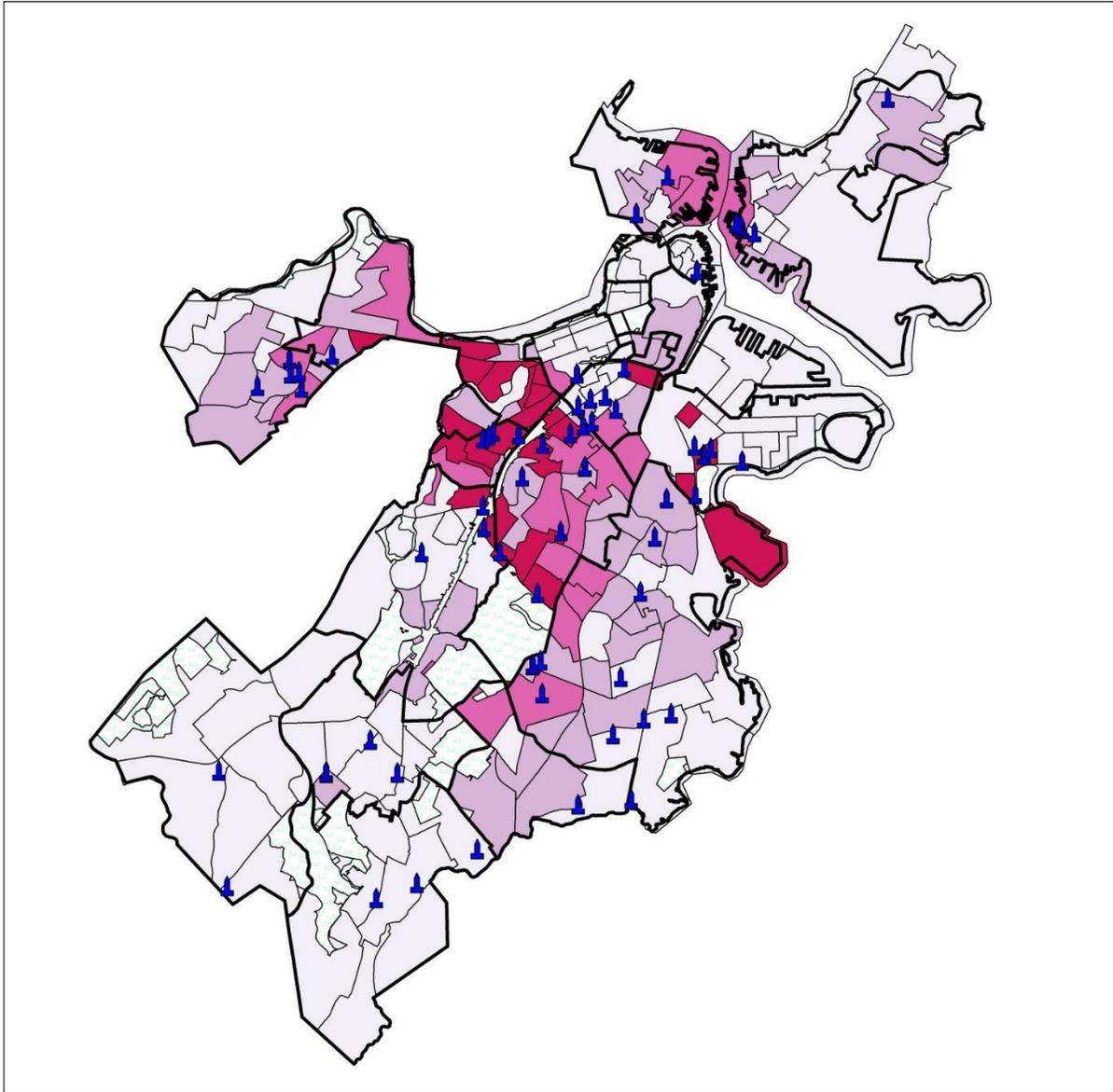
Map 31 below shows these same tracts and the location of public housing communities. There are 15 public housing communities in Boston census tracts where the proportion of person in poverty is greater than 40%. These include a total of 3,781 of which 800 are occupied by persons with disabilities. Approximately 12.6% of the units are occupied by Whites; 41% by Latinos; 42% by Blacks and 4.3% by Asians.

There 10 public housing communities in Boston census tracts where the proportion of persons in poverty is between 30 and 40%. These include 2,407 units of which 427 are occupied by persons with disabilities. Approximately 30.3% of the units are occupied by Whites; 31.7% by Latinos; 25.2% by Blacks and 12% by Asians.

There are 13 public housing communities in Boston census tracts where the proportion of persons in poverty is between 20 and 30%. These include 882 units of which 610 are occupied by persons with disabilities. Approximately 22.2% of the units are occupied by Whites; 22% by Latinos; 40% by Blacks and 7% by Asians.

There are 14 public housing communities in Boston census tracts where the proportion of persons in poverty is under 20%. These include 1,038 units of which 957 are occupied by persons with disabilities. Approximately 26% of the units are occupied by Whites; 18% by Latinos; 50.4% by Blacks and 4.4% by Asians.

Map 31: Public Housing Communities and Tracts by % Persons in Poverty



% Persons in Poverty and Public Housing Communities
Tracts and Neighborhoods ACS 2011 - 2015

- 0 to 20%
- 20 to 30%
- 30 to 40%
- 40%+

Unemployment Barriers

The report, *Boston's Workforce: An Assessment of Labor Market Outcomes and Opportunities* provides in-depth analysis of the barriers to employment opportunities in Boston.¹²⁸ The OWD's labor market study reported that the City's highest rates of unemployment clustered around Dorchester, Roxbury, and Mattapan. These neighborhoods have high percentages of Black and Latino residents.¹²⁹

Black males (16 to 64 years of age) continue to have the highest unemployment rate in Boston, 15.3% as reported in the ACS 2011 – 2015 survey; this is followed by Latino males (11.6%), and a much lower unemployment rate for Asian males (8.1%) and White males who are not Latino (6.5%). While White females who are not Latina report a very low unemployment rate (4.3%), it is higher for Asian women (7.7%), and significantly higher for Black females (13.0%) and Latina females

Table 46: Unemployment Rates for Persons in the Labor Force, 16 to 64 Years

		% Not in Labor Force
Black Males	15.3 %	26.1%
Black Females	13.0 %	26.0%
Asian Males	8.1%	30.9%
Asian Females	7.7%	36.2%
White Non-Latino Males	6.5%	18.8%
White Non-Latino Females	4.3%	22.6%
Latino Males	11.6 %	25.4%
Latina Females	12.9 %	30.5%

Source: American Community Survey 2011 – 2015

Persons with disabilities in Boston face herculean employment challenges. The next table shows that the unemployment rate for persons with a disability is 18.5% compared to 7.5% for persons without a disability. Further, a majority of persons with a disability are not in the labor force (71.2%).

¹²⁸ See, https://owd.boston.gov/wp-content/uploads/2016/03/2015-Office-of-Workforce-Development-Workforce-Report-Booklet_v1_r8_spreads.pdf

¹²⁹ City of Boston, Mayor's Office of Workforce Development. (2016). Annual Report FY16. Retrieved from https://owd.boston.gov/wp-content/uploads/2017/01/DES92-OWD_Annual_Report.pdf.

Table 47: Labor Force Characteristics by Disability

	With a disability	Without a disability
Civilian employed, at work	76.6%	90.7%
Civilian employed, with a job but not at work	4.6%	1.7%
Unemployed	18.5%	7.5%
Armed Forces, At Work	0.3%	0.1%
Armed Forces, With a Job But Not At Work	0.0%	0.0%
Not in Labor Force	71.2%	24.8%

Source: Public Use Microdata Sample 2012-2016

Credit and CORI Barriers

A person's credit history, or lack thereof, can be a major impediment to accessing housing. Relying solely on a credit score for decision making has an adverse impact on recent immigrants and persons of color.¹³⁰ Recent immigrants, blacks, and Hispanic/Latinos are more likely to have no, or a very minimal, credit history, and lack credit scores. A 2015 Consumer Financial Protection Bureau study estimated that while almost 30 percent of African American and Hispanic/Latino consumers were "credit invisible", only about 16 percent of white and 17 percent of Asian consumers were credit invisible.¹³¹ In addition, where a credit score is available, a smaller percentage of African American (33 percent) and Hispanic/Latino (41 percent) consumers have credit scores above 720, compared to whites (64 percent).¹³²

While the above applies to individuals there are also communities that reflect financial disadvantages regarding credit issues. A report issued by the Federal Reserve Bank of Boston found that "Credit report data reveal large disparities in credit scores, debt collection rates, and other measures of financial distress across cities in Massachusetts and between Boston neighborhoods...about 1 in 3 residents of Roxbury and Mattapan have debt collections on their credit reports, compared to just 5 percent in several higher-income Boston neighborhoods."¹³³ This situation contributes to racial inequalities between neighborhoods according to the report.

Individuals with CORI face multi-layered economic and housing barriers to fair housing; but in numerous cases these individuals are also family members, thus impacting low-income households. According to Metropolitan Area Planning Council's *State of Equity for Metro Boston Policy Agenda Update* (February 2018), "Criminal Offender Record Information (CORI) forms continue to be a barrier for individuals who enter or return to the workforce after a criminal case. It is not only an employment barrier but can also limit an individual's eligibility for certain state assistance programs and their economic independence and socio-economic mobility." (p.27). In many cases individuals have CORI for minor offenses, and/or an infraction committed a long time ago. These individuals are denied jobs by employers who refuse to hire anyone with any kind of criminal justice-related record. It has been found that CORI is a major impediment to economic mobility for individuals; but given that in some places there may be more than a relative number of these persons, this is also an economic problem for the entire community.¹³⁴ The number of jobs and degree of adequate housing are unnecessarily dampened in these communities.

This problem was recognized by HUD when it issued a ruling, "Application of Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real Estate-Related Transactions." in 2016. HUD outlined the fact that almost one third of Americans have a record in a criminal record database (both arrests and convictions), and that African Americans

¹³⁰ See, U.S. Department of Housing and Urban Development, "Office of General Counsel Guidance on Application of Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real Estate-Related Transactions", April 4, 2016. Accessed on June 28, 2017 at https://portal.hud.gov/hudportal/documents/huddoc?id=HUD_OGCGuidAppFHASandCR.pdf.

¹³¹ See, Consumer Financial Protection Bureau, 2015. "Data Point: Credit Invisibles." Accessed on July 6, 2017 at http://files.consumerfinance.gov/f/201505_cfpb_data-point-credit-invisibles.pdf.

¹³² See, Urban Institute, 2015. "Tight Credit Has Hurt Minority Borrowers the Most." Accessed on July 6, 2017 at <http://www.urban.org/urban-wire/tight-credit-has-hurt-minority-borrowers-most>.

¹³³ Anmol Chaddha, *The Concentration of Financial Disadvantage: Debt Collections and Credit Report Data in Massachusetts Cities and Boston Neighborhoods*, Federal Reserve Bank of Boston (June 27, 2018), p.3

¹³⁴ See Robert Clifford and Riley Sullivan, *The Criminal Population of New England: Records, Convictions, and Barriers to Employment*, Federal Reserve Bank of Boston (March 2017).

and Hispanic/Latinos are disproportionately affected. Given that many rental housing providers complete checks of an applicant’s CORI (“Criminal Offense Records Investigation”) record it is important that such providers do not use the mere existence of a CORI record to exclude individuals from housing. Instead, a housing provider should consider each applicant on a case-by-case basis, taking into account the nature of the offense, whether the person was convicted, the lapse of time since a conviction, and, other circumstances.

The Office of Fair Housing and Equity has been spearheading an effort to create new tenant selection policies that fulfill the 2016 HUD guidelines. The “Boston Fair Chance Selection Policy,” which is being implemented on Affirmative Fair Housing Marketing plans for both projects funded or monitored by the City of Boston Department of Neighborhood Development or the Boston Planning & Development Agency creates tenant selection guidelines that should decrease the barriers to housing for those with a CORI record, or with poor or no credit.

Veterans Facing Barriers

In Boston Veterans face higher unemployment rates and disability rates than non-Veterans. The American Factfinder reported an unemployment rate of 10.8% in the 2012-2016 survey. And, 29% of all male veterans regardless of period of service, and 18% of all female veterans have one or more disabilities.¹³⁵

As indicated below, veterans also have an extraordinarily high non-labor force participation rate of 41%, surpassing that of many other groups based on the latest census data.

Table 48: Labor Force Characteristics by Veteran Status

Civilian employed, at work*	51%
Civilian employed, with a job but not at work	1%
Unemployed	4%
Armed Forces, At Work	3%
Armed Forces, With a Job But Not At Work	-
Not in Labor Force	40%

Source: Public Use Microdata Sample 2012 - 2016

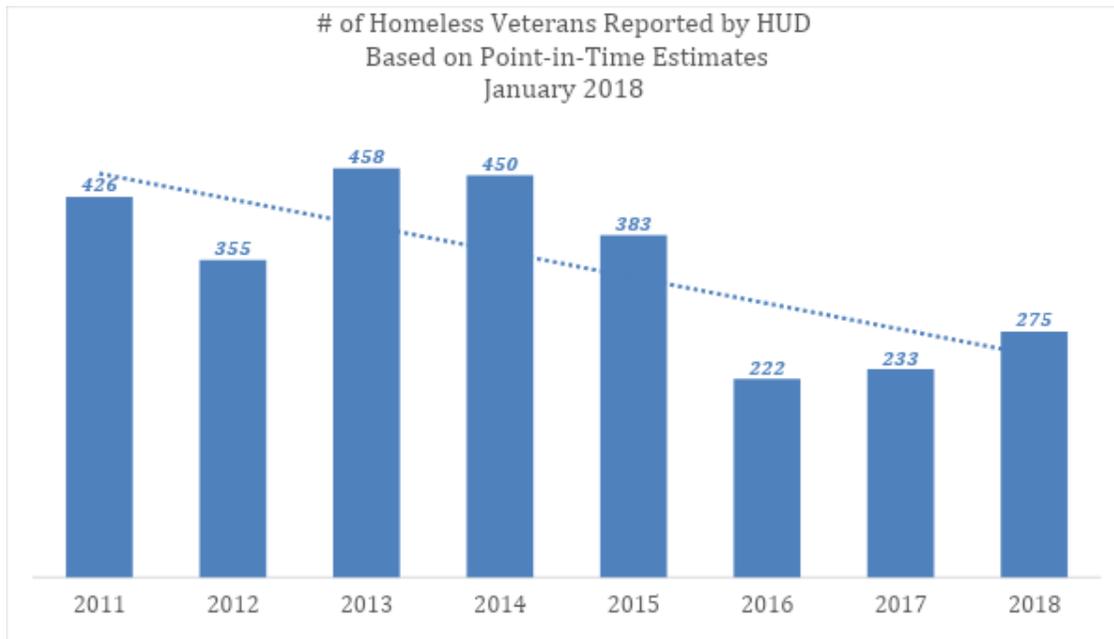
*Only veterans who served in the Vietnam war and later are included to minimize inclusion of older veterans who may no longer be in the workforce due to retirement or age.

Many veterans not only need access to affordable housing but are challenged by lack of economic mobility or not able to access supportive services to respond or overcome mental health issues or substance abuse.

Veteran homelessness in Boston has been vastly reduced over the years from a high 458 homeless veterans in 2013 to 275 in 2018 (based on point-in-time estimates reported by HUD). Continuing to analyze trends and reasons for changes are important for supporting pro-active strategies in projecting who might be likely to become homeless and respond in kind.

Chart 11

¹³⁵ The disability rate is obtained from Public Use Microdata Sample 2012-2016 5 Year Estimates for Boston.



Source: https://www.hudexchange.info/resource/5772/2018-pit-estimate-of-veteran-homelessness-in-the-us/?utm_source=HUD+Exchange+Mailing+List&utm_campaign=2e58cdf5fa-Divide+Veteran+Homelessness+11.1.2018&utm_medium=email&utm_term=0_f32b935a5f-2e58cdf5fa-19466417

Transportation Barriers

The MBTA is the nation's 5th largest public transit system and serves 175-member communities. The system is more effective in getting people from their community or neighborhood to one of Boston's two downtown transit Hubs (South Station and North Station) every morning and back home every evening. It works less efficiently, however, for those who either need to commute in the opposite direction at peak times or who work in evening or off-peak hours. Typically, these are low-income workers, mostly Black, Latino, Asian and foreign-born, who work in certain industry areas and occupations.

Quality public transportation is critical not only for sustaining economically stronger neighborhoods, but also to further fair housing for protected groups. Commentary at some of the public meetings and public hearings held in Boston pointed towards strong concerns about accessibility and availability related issues. In one predominantly Black community, for example, concerns were raised about the absence of public transportation. At another public hearing a predominantly Hispanic/Latino but diverse group of residents raised concerns about the quality of services in terms of delays in getting to work, but also in 'drops' due to buses coming from the better-off parts of this neighborhood are overfilled in the morning routes and bypass the poorer areas of the same neighborhood. It was documented in the city's report, *Go Boston 2030* that non-White groups in Boston generally experience longer commute times; higher transportation costs, and are more likely to disproportionately not own any vehicles, thus a greater reliance on public transportation.¹³⁶

¹³⁶ See, <https://www.boston.gov/transportation/go-boston-2030>

MBTA rapid transit lines are also limited in serving residents of public housing. For example, the Orange Line intersects or is adjacent to approximately 8 to 10 public housing sites; the Green Line intersects or is adjacent to approximately 15 public housing sites (and some overlap with the orange line); the number for the Red Line is approximately 16 or so, but as it travels outside the southeastern part of Boston, it is not proximate to any public housing. The Blue Line intersects or is adjacent to approximately 5 or 6 public housing sites. The Silver Line starts in the Roxbury neighborhood and intersects or is adjacent to more numerous public housing sites compared to the other MBTA rapid lines.

It can also be difficult to get from one adjacent neighborhood to another, often requiring either a trip into a downtown hub to switch to an outbound train on another line or a bus trip between stations. The city's *Resilient Boston* report shows that it is mostly, but not exclusively, neighborhoods with large populations of Blacks and Hispanics/Latinos that have commutes longer than 60 minutes. Over 25% of residents in Mattapan have commutes over 60 minutes. Other neighborhoods with large percentages of their residents with commutes times longer than 60 minutes include Hyde Park, Dorchester, East Boston, Roxbury, Roslindale and West Roxbury.

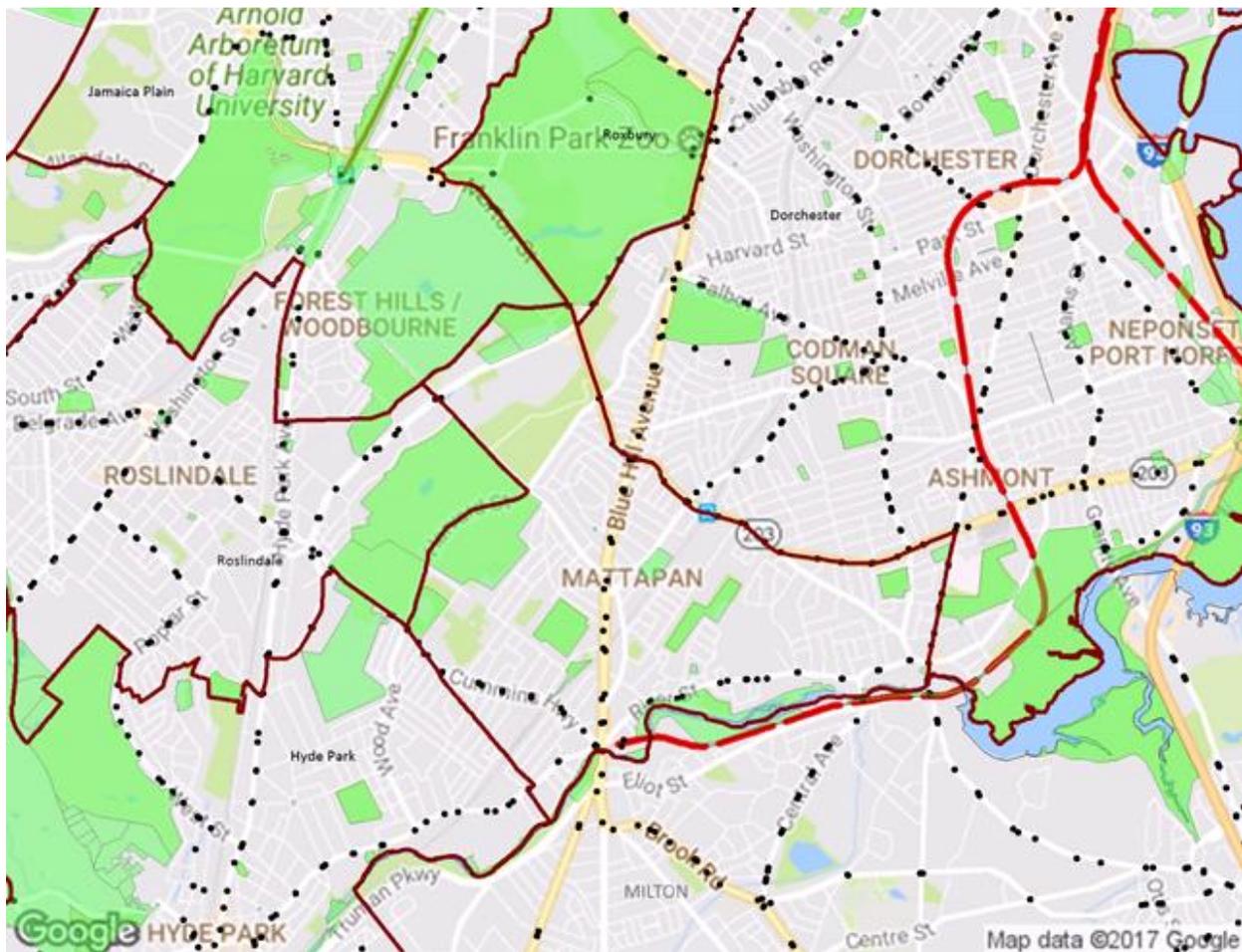
Residents testified that the subways and commuter rail lines (rapid transit) primarily serve upper-income and White neighborhoods while Black and Hispanic/Latino neighborhoods have to rely on slower and less convenient bus service. But they have lower rates of owning vehicles and therefore must rely on poor transportation services. Residents pointed out that transit trips into downtown Boston often originate in the suburbs or wealthier predominantly White neighborhoods and that by the time the bus or train arrives in Boston's poorer, predominantly minority neighborhoods there may be no room or standing room only.

According to another city report, "Communities of color, in particular face significantly higher commute times and less reliable transit options. For example, nearly one in four residents of Mattapan, a neighborhood whose population is more than 90% people of color, spend more than an hour commuting to work each way, and there are limited reliable transit links between the neighborhood and employment centers like the Financial District or the Longwood Medical Area." (*Resilient Boston*...p.27). Transportation inequity is also reported in the MAPC's *Fair Housing and Equity Assessment for Metropolitan Boston* "Residents of racially concentrated sections of Roxbury, Dorchester, Mattapan and Hyde Park face among the longest commuting times, despite their relative proximity to employment centers."¹³⁷

Using the predominantly Black neighborhood of Mattapan as a case study - a neighborhood of 24,268 persons in 2015 (and mostly people of color and foreign born) for example- experience very long commutes via public transportation because of the lack of subway stop access and a heavier reliance on multiple buses per commute compared to other Boston neighborhoods. There are large swaths of housing with no public transportation in Mattapan as shown in the following Map 32. The bus routes (black dots) are not spread throughout the neighborhood, and the only rapid transit (red line) is confined to the southern tip of the neighborhood near the Milton suburb.

¹³⁷ *Fair Housing and Equity Assessment for Metropolitan Boston*, p. 54

MAP 32: Bus Routes in Mattapan



Residents in Mattapan highlighted the relatively long commute from Mattapan into the center city, downtown Boston.

And in another part of Boston low-income residents who happen to be primarily, but not exclusively Latino in Charlestown expressed their feelings of unequal treatment in that buses on routes in Charlestown. The buses would very often be filled to capacity by the time they arrived at the public housing development thus forcing residents to wait for excessively long periods of time particularly during cold winter months. Residents' concerns are borne out by data in *Go Boston 2030*: Boston's Dorchester, Mattapan and Roxbury neighborhoods have large concentrations of Black and Hispanic/Latinos and for the most part, only served by buses. Predominantly White neighborhoods such as Back Bay, Beacon Hill, Fenway and the West End have better access to rapid transit services.

These kinds of concerns and issues are also consistent with a recent presentation at the Dukakis Center for Urban and Regional Policy at Northeastern University.¹³⁸ Two findings from

¹³⁸ See, <https://www.northeastern.edu/csshresearch/dukakiscenter/2018/11/20/closing-the-gaps-in-a-just-city-dukakis-center-convenes-forum-on-public-transportation-inequality-in-boston/>

their analysis of all modes of transportation are that travel by bus consumes the most time and even among similar travelers by race and that White commuters spend less time in bus travel than Black and Hispanic/Latino commuters. The report highlighted that in addition to areas such as Mattapan and Charlestown travel times are also extended for the Roxbury and Dorchester communities.

The City has received many complaints regarding access for persons with disabilities to transportation services administered by the Metro Boston Transportation Authority (MBTA), a quasi-state agency. These complaints touch upon elevators and escalators not working, or complaints about the MBTA’s RIDE service for persons who cannot use subways or trains due to a physical, mental, sensory or cognitive disability. Through testimony presented at engagement meetings conducted in conjunction with the development of this Assessment of Fair Housing and at the Disabilities Community Forum hosted by the City of Boston’s Commission on Disabilities, substantial anecdotal evidence was presented concerning significant problems in access to transportation, education and recreational opportunities. While ridesharing services are becoming a significant part of Boston’s transportation system, they are not adequately meeting the needs of persons with mobility impairments. Uber and Lyft are required to provide an accessible vehicle upon request, but few such vehicles are available. In addition, Uber/Lyft drivers are not trained on reasonable accommodation and or how to assist persons with disabilities in and out of their vehicles. The City of Boston’s Disability Housing task force also issued a report with recommendations to respond to some of these problems and impediments to fair housing.¹³⁹

Disability Barriers

According to the American Community Survey 2011 – 2015 approximately 75,100 people - nearly 12 percent of Boston’s population - have a disability. Of those with a disability, about 48,400 are under age 65. Accessible housing is one of the most important needs of persons with certain types of disabilities, especially the approximately 22,300 non-elderly persons with ambulatory disabilities.

Table 49: Disability by Under 18 years, 18 to 64 Years and Race and Ethnicity

	Black	Asian	White Not Latino	Latino
Total:	162456	60302	292299	121391
Under 18 years:				
With a disability	5.3%	2.3%	4.2%	6.1%
No disability	94.7%	97.7%	95.8%	93.9%
18 to 64 years:				
With a disability	15.4%	5.2%	6.6%	13.8%
No disability	84.6%	94.8%	93.4%	86.2%
65 years and over:				
With a disability	47.0%	41.0%	38.4%	51.8%
No disability	53.0%	59.0%	61.6%	48.2%

Source: American Community Survey 2011 – 2015

In 2008 the Commonwealth adopted the Community First Olmstead Plan which was “designed to maximize the extent to which elders and people with disabilities of all ages are able

¹³⁹ City of Boston, Disability Housing Task Force 2016 Goals and Actions (July 2017).

to live successfully in their homes and communities. The fundamental goals of the Olmstead Plan are to help individuals transition from institutional care; expand access to community-based long-term supports; improve the capacity and quality of long-term supports in the community; expand access to affordable and accessible housing and supports; promote employment of persons with disabilities and elders; and promote awareness of long-term supports.” The Commonwealth is currently undertaking a new community engagement and planning process to develop an updated Olmstead Plan.¹⁴⁰ And, there are multiple nonprofits which provide a range of disability support services.

According to the Americans with Disabilities Act, The Fair Housing Act, and Massachusetts Anti-discrimination law M.G.L. 151B, tenants with disabilities may be able to make a reasonable accommodations request of their landlord. If a housing provider refuses to engage in the interactive process when a request for a reasonable accommodation is made, the complainant (aggrieved party) may file a complaint with its’ local Fair Housing Assistance, FHAP program. For Boston, the FHAP agencies are the MCAD and the BFHC. The housing provider must also engage in the same interactive process for a request for a reasonable modification, even if the cost is such that the tenant may be paying for it themselves. Refusal to engage in this process and or ignoring such requests can result in a housing discrimination complaint at the MCAD or the BFHC. The BFHC provides outreach and education on fair housing rights including reasonable accommodation and modification requests and works with the Commission for persons with disabilities and other non-profit disability advocacy services to raise awareness of the right of a tenant with a disability to make a reasonable accommodation request.

Nearly 38% of federally-funded public housing units in Boston are occupied by persons with disabilities.¹⁴¹ These public housing figures include family developments as well as developments targeted exclusively to elderly or disabled persons. Section 8 Housing Choice Vouchers also have very high rates of participation (28% in Boston, 29% in the metro region) by qualified households with a person with a disability and serve the largest number of such households. While the percentage of disabled households served by Project-Based Section 8’s (15.4% in Boston, 18.2% on the metro region) is lower than those for public housing and Housing Choice Vouchers, the number of such households is larger than the number served in public housing. Finally, HUD’s data shows that the numbers and percentages of disabled households served by other HUD multifamily programs such as Section 202, Section 811, Section 221(d)(3), etc. relatively low compared to the other three programs.

Applicants for BHA public housing are on a housing list without regard to disability. The BHA does, however, grant applicants with disabilities a preference in its priority preference system in an effort to afford these individuals and families equal access to its housing programs. Persons with disabilities may elect to be housed in a family development or elderly/disabled housing. With respect to both programs the BHA is compliant with 24 CFR § 8.22 and 24 CFR § 8.23. Under the BHA’s HUD approved Designated Housing Plan the populations in elderly/disabled buildings are maintained at an 80/20 ratio of elderly/disabled to afford adequate housing opportunities for elderly families. Disabled residents who may be adversely impacted by this Plan are eligible to receive a housing choice voucher.

¹⁴⁰ See, <http://www.mass.gov/eohhs/consumer/disability-services/living-supports/community-first/community-first-olmstead-plan.html>

¹⁴¹ HUD’s figures do not include state-funded public housing units, the Massachusetts Rental Voucher Program (MRVP), and rental vouchers funded under programs such as the Shelter Plus Care program and the Housing Opportunities for Persons With AIDS program.

It is BHA policy to provide accommodations in accordance with the requirements of disability law. The policy also supports BHA's goal of providing stable, quality and affordable housing to low- and moderate-income persons regardless of disability. The BHA has a reasonable accommodation coordinator that residents can speak to about their request. This information is provided on the BHA's website and in their lease agreements.¹⁴² In accordance with the terms of a Voluntary Compliance Agreement between the HUD Office of Fair Housing & Equal Opportunity, the BHA achieved compliance with HUD Section 504 accessibility unit requirement in September 2013. The BHA is required to have 5% of its federally subsidized public housing dwelling units accessible for persons with disabilities. It will be necessary for the BHA to reassess its compliance over the next five to ten years given the proposed disposition of its Old Colony, Mary Ellen McCormack and Charlestown Developments.

Boston has public housing and subsidized assisted housing units set aside for low-income persons with disabilities, but the need for such units far exceeds the supply. There is also a need for accessible units for those who have incomes that are too high to qualify for subsidized rental units, or who are lower-income homeowners needing adaptations to enable them to live comfortably and safely in their homes. Although there are numerous resources aimed at assisting people with disabilities, and only some described above, there is consensus that demand outpaces the services available. Low income residents who speak languages other than English are particularly a group who have disability needs who have a higher demand than the services that are available.

Older adults face barriers to treatment such as lack of transportation, cost of co-pays, co-occurring cognitive issues, high rates of stigma, and ageism among providers. It is estimated that 1 in 5 older adults has a behavioral health condition and, left untreated, they face grim outcomes including the loss of affordable housing, homelessness, increased hospitalizations, and unnecessary placement in nursing homes (older adults with mental health conditions are 3 times as likely to be admitted to a nursing home, and these admissions occur at a younger age).” Further, “The lack of affordable, accessible and safe housing is a major barrier for elderly and disabled nursing home residents who want to and are capable of returning to community settings, contributing to unnecessarily prolonged stays in institutions, impeding their access to a wide range of community-based services, and increasing the costs to the state for Masshealth long-term care.”¹⁴³

The *Disability Housing Task Force Report* states that:

“Seniors who rent are more likely to become rent-burdened, while senior homeowners face the challenges of maintaining aging homes. In addition, older persons of color face specific housing disparities: 31 percent of African American Bostonians over 65 years are paying more than 50 percent of their income on housing costs, compared to 23 percent of the same age group of white households. While the City increases the availability of affordable options for seniors, ensuring that the right housing units are accessible to those in need is also a key challenge. Boston must work to ensure secure, welcoming, and accessible housing for specific groups, such as LGBTQ elders and seniors who are disabled.” (p.18)

¹⁴² For detail about this process, see BHA's [Public Housing](#) or [Section 8/Leased Housing](#); also, <https://www.bostonhousing.org/en/Center-for-Community-Engagement/Civil-Rights/Reasonable-Accommodation-Requests.aspx>.

¹⁴³ See, Memorandum, Betsey Crimmins and Wynn Gerhard, “Fair Housing concerns for elders and disabled adults,” GBLS (July 27, 2017)

With regard to affordable and accessible housing for persons with disabilities, however, there remains a significant shortfall in the supply of available units both in Boston and throughout the metro region. Boston has among the highest percentage of pre-1940 housing stock in the county, including a large number of turn of the century Victorian single-family and triple-decker homes. Most of these homes have narrow doorways, stairs at the entrances and between floors and may not be easily or affordably made accessible. And although the City complies with the Section 504 requirements, we have not maintained an inventory of these units once they are completed and occupied. As part of the recently issued Disability Housing Task Force Report, the City has committed to establishing a centralized database of all City-funded units already created for persons with disabilities. Design staff from the Boston Planning & Development Agency, in tandem with staff from the Commission for Persons with Disabilities, meet with developers to identify areas in which accessibility can be increased, both within a development and in more publicly accessible areas. Boston is implementing a “Complete Streets” effort. Through this effort, streets and sidewalks are being reconfigured to more consistently accommodate accessibility, bicycles, public transit, and autos. The narrowness of many streets, however, remain as an impediment to full implementation

One aspect of the problem is simply the overall shortage of subsidized housing units, especially in many of the suburban communities outside Boston. Units in older subsidized housing developments in Boston and elsewhere may be affordable, but they may not be fully accessible for persons with disabilities or may not be located near accessible public transportation. In addition, over time many accessible subsidized housing units may have become occupied by households with persons without disabilities. The Disability Housing Task Force Report, the City has proposed a number of concrete strategies to increase the shortage of affordable units available for persons with disabilities. These will be discussed in more detail in the Goals and priorities section of the Assessment of Fair Housing.

In addition to increasing the supply of affordable housing for persons with disabilities it is important to improve the ability of persons with disabilities to be able to locate and access information on existing accessible affordable housing units. In 2008 the Citizen’s Housing and Planning Association and the Massachusetts Rehabilitation Commission joined together to launch the Mass Access Registry, a website designed to “help bridge the gap between residents in need of affordable, accessible housing and available apartments across the state.” The website provides access to a searchable database of affordable rental housing in Massachusetts, including accessible and adaptable homes for people with disabilities. The website includes vacancy and waitlist information for all affordable rental housing in Massachusetts, particularly for people with disabilities.¹⁴⁴

There are also challenges in terms of people with disabilities and access to government bodies and deliberations. The City’s Commission on Persons with Disabilities was successful in advocating for an accessible City Council chambers, which involved a renovation to the chamber that made the areas where public testimony and the City Councilor’s sit wheelchair accessible, increasing the area accessible for wheelchair seating, as well as the installation of large screens and closed captioning, provided for the deaf and or hard of hearing. There are still significant barriers for persons with communication disabilities. The City recently passed the Boston Communications Access Ordinance (2016) which guarantees translation, interpretation and assistive technology for access to City services regardless of English language proficiency or communications disability. Implementation of the ordinance is underway. The City just hired a

¹⁴⁴ See, <http://www.massaccesshousingregistry.org/>

communications access coordinator who is housed in the City's 311 program, the City's call center for all City services. The coordinator will be assessing how to streamline and improve language and communication services provided throughout all City services.

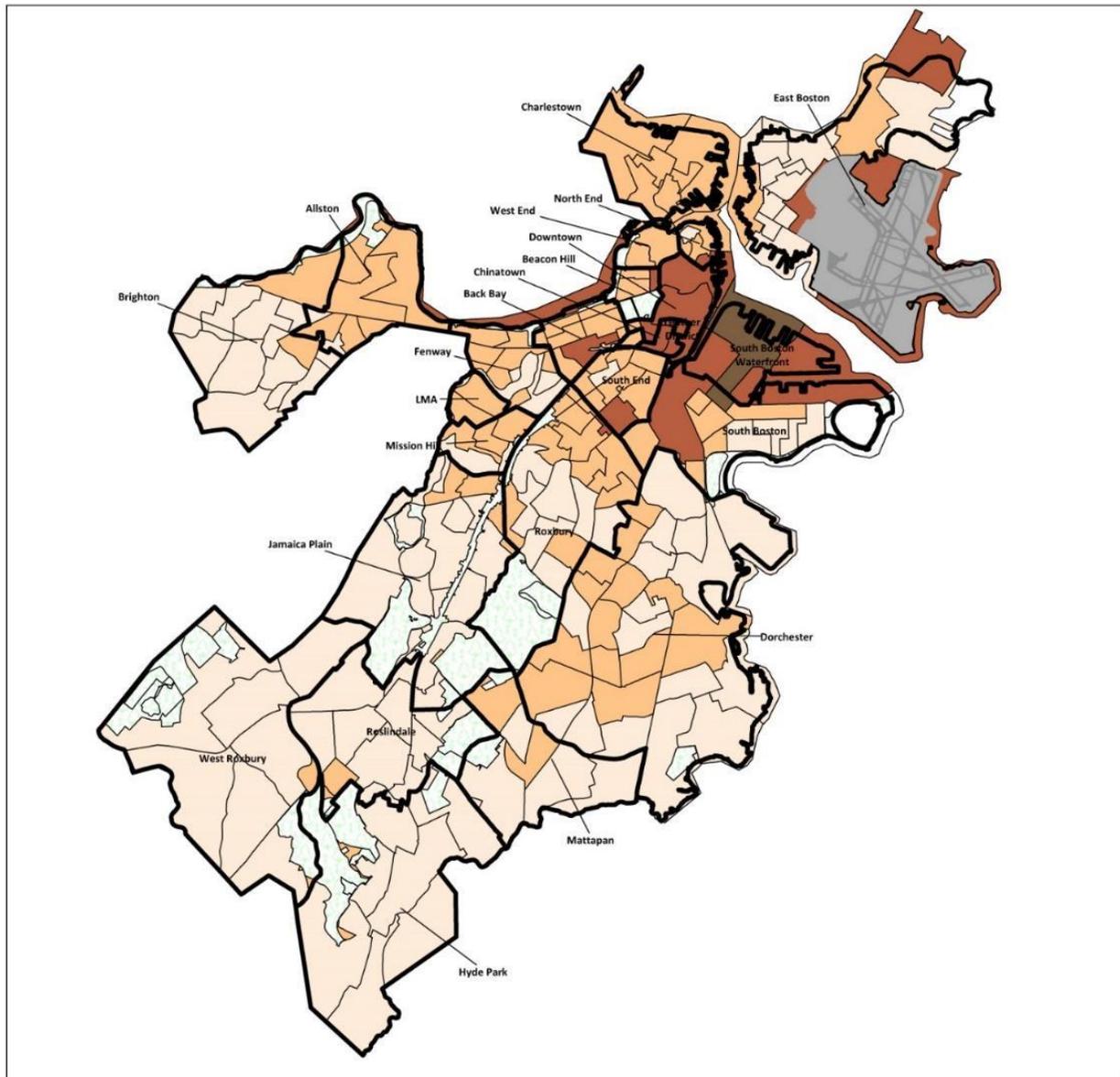
Recognizing the need for increasing access to housing for persons with disabilities, the City of Boston and its nonprofit partners created the Mayor's Disability Housing Task Force (DHTF) to ensure that housing is accessible for persons with disabilities. The DHTF's membership reflects the expertise and experience of housing service providers for persons with disabilities, advocates for these communities, funders, and representatives from City and State agencies. Recommendations of the DHTF are already being implemented. For example, the Boston Planning & Development Agency recently created a policy that requires that where private developers are required to create units built out for persons with a mobility or sensory impairment, 15% of the income restricted, Inclusionary Development Policy units should have such disability features and are tied to a disability preference.

Public Safety and Public Health

There are major public safety and public health challenges that disproportionately impact low-income groups and communities of color. The following provides a summary description of some of these problems, but certainly not all that can be covered in this report. The purpose of the information below is to show how certain neighborhoods and protected groups, including children and youth, do not have access to quality housing if not being safe or healthy. As explained in *Housing a Changing City: Boston 2030* (2014), “The City has identified four key issues that are critical to maintaining strong neighborhoods: mitigating gentrification, foreclosure prevention and intervention, providing a diversity of housing choices, and strengthening the connection between homes and health.” (p.87).

Violence is both, a public safety and public health issue. The next two Maps 33 and 34 focus on crime and shows Boston census tracts by the latest FBI Crime Indices for Personal and Property Crimes. The first shows that there are 11 tracts where crimes such as burglary, larceny and motor car theft are between 2 and 3 times greater than the national rate for urban areas. There are 74 tracts where the rate for these crimes is between 1 and 2 times the national rate. The map which follows, regarding personal crimes (murder, rape, robbery and assault) shows there are 29 tracts where these crimes occur 2 to 3 times higher than the national rate, and 43 tracts where the rate is 3 times or higher. Many of the latter tracts are found in the same tracts with the highest poverty rates.

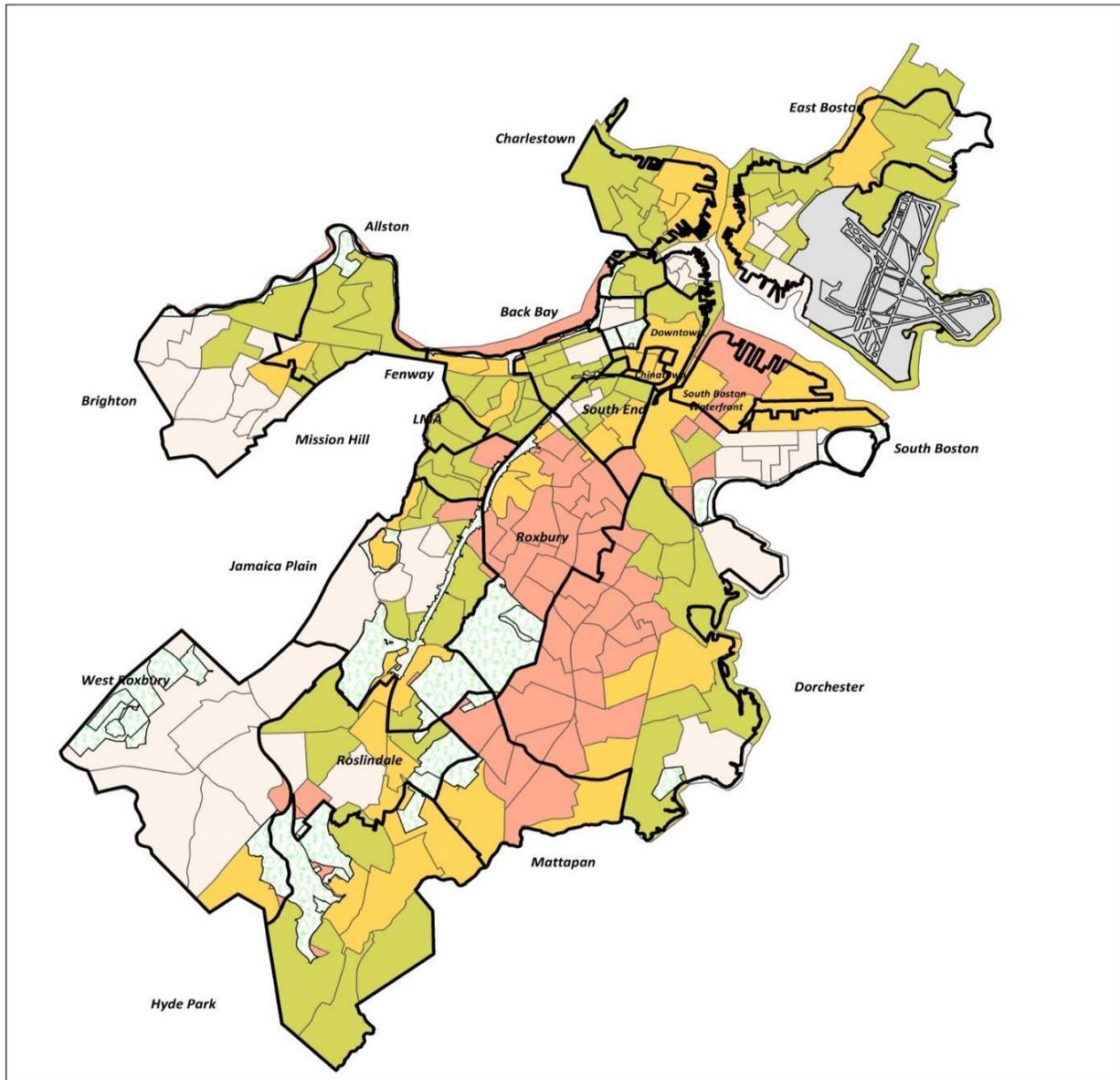
Map 33: FBI Crime Property Index by Tracts and Neighborhoods, 2017



FBI Property Crime Index 2017
by Tracts (Burglary; Larceny; Motor Vehicle Theft)

0 to 100 Index	(90)
100 to 200 Index	(74)
200 to 300 Index	(11)
300 or Higher Index	(1)

Map 34: FBI Crime Personal Index by Tracts and Neighborhoods, 2017



**FBI Personal Crime Index 2017
by Tracts (Murder, Rape, Robbery, Assault)**

0 to 100 Index	(41)
100 to 200 Index	(63)
200 to 300 Index	(29)
300 or Higher Index	(43)

Violence impacts negatively a range of environmental health patterns. Public testimony indicated that violent crime and/or gun violence was cited numerously throughout the city as an impediment to safe neighborhoods. In a question in the city-wide survey (August 2017) respondents were asked: “Are you concerned about high levels of any of the following in your neighborhood?” This was flagged affirmatively 145 times out of 287 responses. Violence in neighborhoods was identified as a major concern, especially Roxbury, Dorchester, and Charlestown. The Boston Public Health Commission works proactively with violence intervention and prevention coalitions in five Boston neighborhoods and neighborhood trauma teams in five neighborhoods as well. This is an enormous challenge that will require coordination and collaboration across many agencies. There is also a need to expand focus on peer influences associated with youth and violence, but also -and very critical- to connect youth to jobs and in complement with school and after-school hours.¹⁴⁵

The opioid epidemic was also cited as a major concern. Although Boston has instituted programs and actions to reduce the incidents of death due to opioids, residents were concerned that the problem is still a serious one in terms of the number of people and families affected.¹⁴⁶ Wide-ranging testimony about the opioid crisis and violence was offered in public meetings as part of the assessment of furthering fair housing. In Boston some neighborhoods are seeing the effects of this crisis more than others. In response to this, the city is working with thirteen different neighborhood coalitions, spread across the city, on substance use prevention efforts.¹⁴⁷ While the city is doing significant work in response to this crisis, it remains a crisis in terms of the numbers of persons involved and resources needed to assist them.

Elevated Blood Lead Levels (EBLL) varies widely by neighborhood. The highest rates are in certain census tracts in East Boston, Allston, Roxbury, Dorchester, Mattapan and Hyde Park. These neighborhoods have large populations of Black and Hispanic/Latinos and smaller but significant populations of Asians. The MEPHT’s EBLL data does not provide breakouts of the data by racial/ethnic, national origin or family status groups. However, by sorting the data by census tracts with the lowest to the lowest highest percentage of white, non-Hispanic population, you can see that most of the tracts with higher rates/thousand of EBLLs are in tracts with a high percentage of persons of color and Hispanic/Latinos. Of the 74 tracts with a 50% or more persons of color 52 tracts (70%) have an EBLL rate that is statistically higher than the statewide average rate compared to 26 out of 65 tracts (40%) in tracts with a majority white, non-Hispanic/Latino population.

Asthma hospitalization and Emergency Room (ER) visit data by race and ethnicity and by neighborhood was provided by the Boston Public Health Commission. Blacks have asthma ER visit rates that are five times the rate for Whites, and hospitalization rates that are four times the rate for White. Hispanics/Latinos also have higher asthma ER visit and hospitalization rates (three times the rate for Whites, on both measures). Asians, however, have lower ER visit rates than Whites, and similar hospitalization rates. As a matter of fact, “Racial health disparities continue into childhood. In fact, in the case of childhood asthma, disparities have become more severe over time. Data from 2008-2012 show a 10% increase in overall youth asthma

¹⁴⁵ Appreciation to Dr. Lisette DeSouza, Postdoctoral Scholar, Wellesley Center for Women, Wellesley College for sharing some important insights about empowerment work with youth.

¹⁴⁶ See, Data Brief: Opioid -Related Overdose Deaths Among Massachusetts Residents. Boston, MA. Retrieved from: <http://www.mass.gov/eohhs/docs/dph/stop-addiction/current-statistics/data-brief-overdose-deaths-aug-2017.pdf>

¹⁴⁷ Also see, Massachusetts Department of Public Health. (August 2017). Data Brief: Opioid -Related Overdose Deaths Among Massachusetts Residents. Boston, MA. Retrieved from: <http://www.mass.gov/eohhs/docs/dph/stop-addiction/current-statistics/data-brief-overdose-deaths-aug-2017.pdf>

hospitalizations, compared to data from 2003-2007. This increase was driven by statistically significant increases in Black and Latino youth rates. Black youth in the more recent data experienced a rate of asthma hospitalization 2.7 times higher than the regional average, and climbing. While the rates for Latino youth were closer to the regional average, they increased 22% over the five year interval.”¹⁴⁸

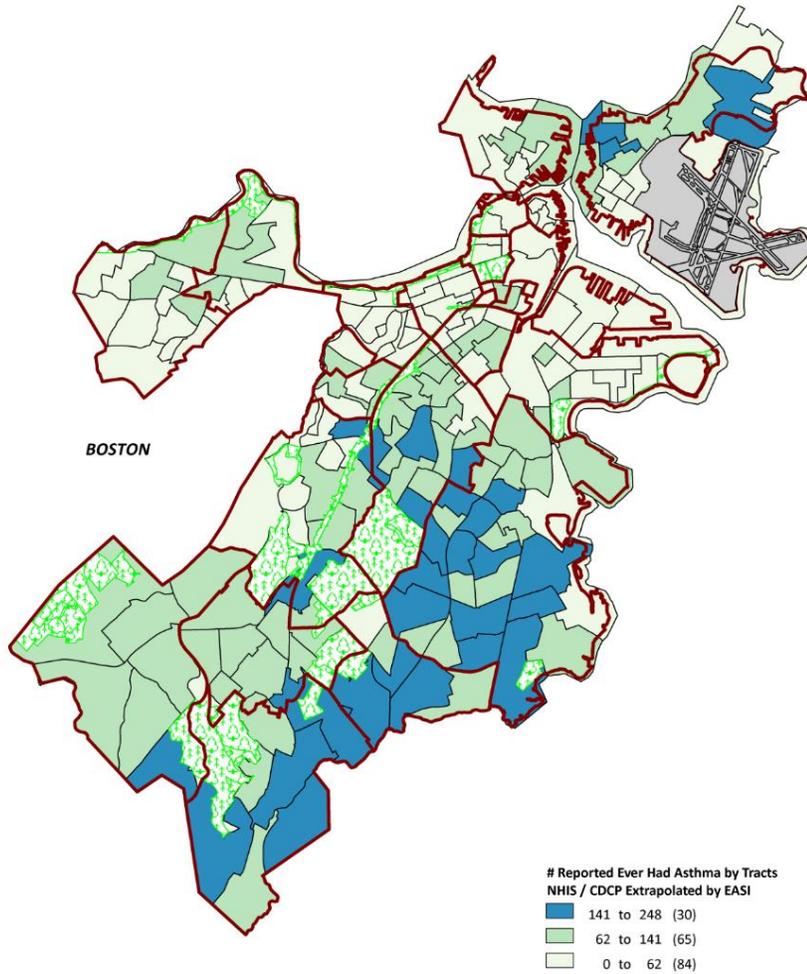
The neighborhoods with higher rates of asthma ER visits and hospitalizations are Mattapan, Dorchester (North & South), Roxbury, and the South End, all neighborhoods that have large Black and Hispanic/Latino populations. Information in the City’s *Resilient Boston...* report noted that “Black and Latinx/Hispanic residents experience high rates of hospitalization due to asthma, heart disease, diabetes, and nonfatal gunshot/stabbing incidents than white residents. These disparities are even more pronounced at the neighborhood level where premature mortality rates in Dorchester are nearly twice as high as in West Roxbury (246 and 1236 per 100,000 residents under 654, respectively).” (p.24)

The latter is reflected in the following Map 35 with data collected by the Center for Disease Control and Prevention under its National Health Interview Survey and extrapolated by EASI.¹⁴⁹ The data is based on ‘self-reported’ asthma incidents in 2015 by households with children 17 years and under.

¹⁴⁸ Metropolitan Area Planning Council, *State of Equity for Metro Boston Policy Agenda Update* (February 2018), p.13

¹⁴⁹ Also see, the National Health Interview Survey extrapolation by U.S. Census Bureau at <https://www.iPublic Use Microdata Sample.org/healthsurveys.shtml>

Map 35: Reported Incidents of Asthma by Households by NIHI, Tracts and Neighborhoods, 2017

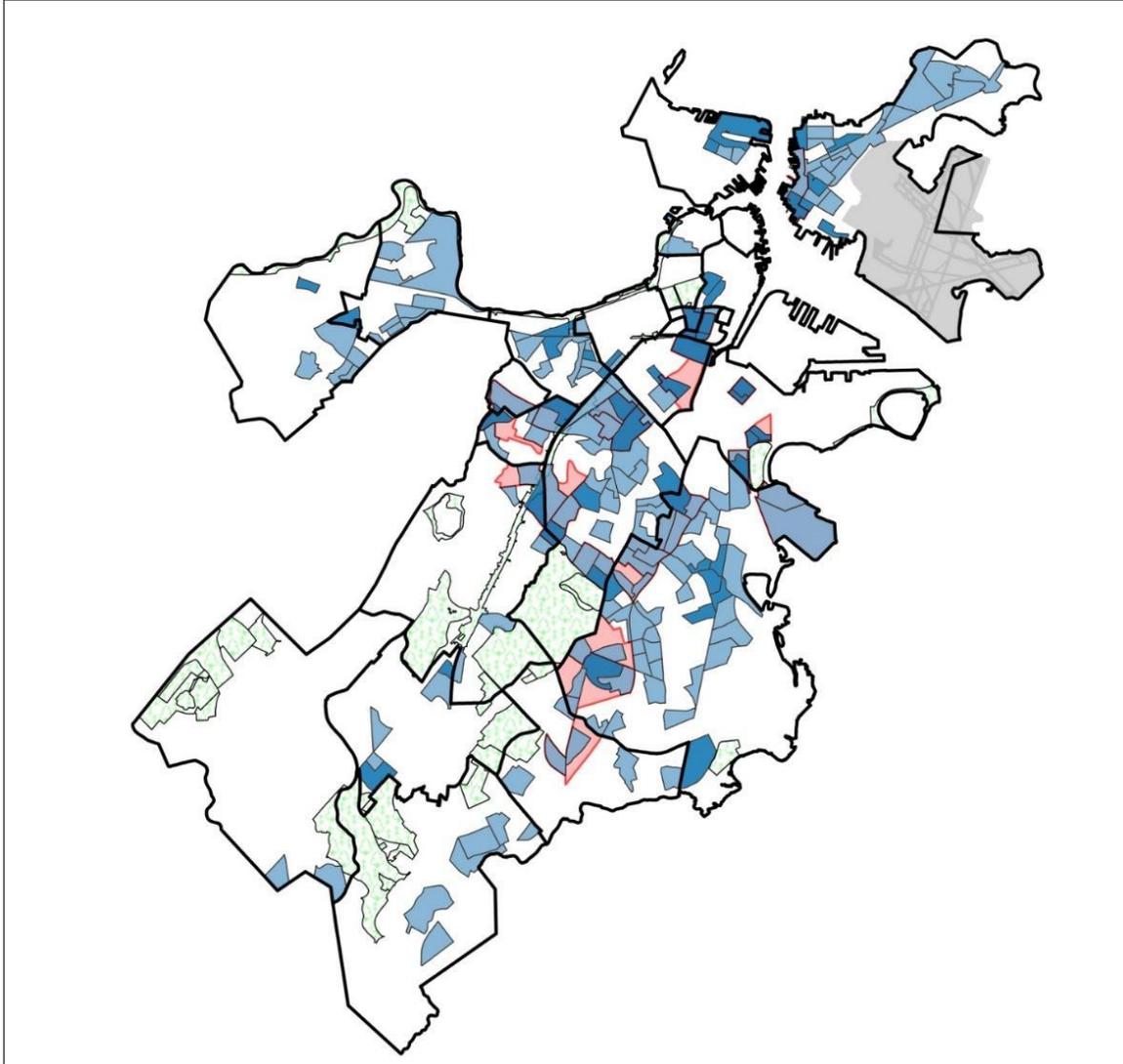


According to the Environmental Justice Policy of the Massachusetts Executive Office of Energy and Environmental Affairs, environmental justice populations include areas based on census block groups where “[25 percent of households within the census block group have a median annual household income at or below 65 percent of the statewide median income for Massachusetts; or 25 percent or more of the residents are minority; or 25 percent or more of the residents have English Isolation]”¹⁵⁰

The next Map 36 shows the location of tracts in Boston where either 2 of the 3, or all 3 criteria are associated with the local population. The location of the City’s environmental justice populations shows that they are primarily in Black, Latino, and Asian neighborhood areas. Related to another discussion in this assessment report, the patterns also show that the location of environmental justice populations can be inside, or outside designated RECAPs.

¹⁵⁰ See, <https://www.mass.gov/environmental-justice>

Map 36: Tracts, by Neighborhoods where Tracts Reflect 2 or 3 of Criteria for Environmental Justice Characteristics for Environmental Justice Groups



Analysis of fair housing variables and description of the opportunity barriers above confirm that while Boston's is becoming one of America's most diverse cities racially, culturally, and economically, there are still racial/ethnic and economic separations that inhibit the affirmatively furthering of fair housing. Based on certain variables Blacks are the most disadvantaged and in others it is Latinos. But certainly, those neighborhoods with larger populations of Blacks and/or Latinos, and Asians reflect a lower quality of life and face greater fair housing impediments regarding housing, income, employment, poverty, public health and public safety, and public education. These represent major impediments to guaranteeing fair housing for all protected groups and all residents. The next section is a summary of the goals proposed by DND, BHA, BPHC and many housing advocacy and community organizations, and reflecting public testimony, to address the impediments and barriers to fair housing in Boston.

Section IV: Goals for Affirmatively Furthering Fair Housing in Boston, Massachusetts

This section describes goals that have been proposed as a response to the analysis of fair housing issues and barriers, public testimony and community input reported earlier. The goals are based on extensive public testimony as well as meetings with housing advocates over a two-year period. Previously city-issued reports were reviewed for information that could inform the development of goals in this section; in fact, some of the goals are reiterated in documents such as the *Analysis of Impediments 2010*; *Imagine Boston 2030*; *Housing Boston 2030* and *Housing Boston 2030 UPDATE*; *GO Boston 2030*; BHA Annual Reports; *The Blueprint: A Preview of the Principles and Framework for Boston's Resiliency Strategy* (2016); and the 2nd draft version of Boston's *Assessment of Fair Housing Report*. There is some overlap with the 23 goals adopted by Boston and reported in the City's *Consolidated Plan: July 1, 2018 to June 30, 2023*.¹⁵¹ Boston's *Consolidated Plan* describes with detail, challenges and responses, and timelines, goals that are relevant to enhancing fair housing in Boston. Most of the goals can be adopted and implemented once this Report is final; others may take longer, but not more than 3 to 5 years. After this Report is final, there should be annual reviews of the implementation and progress of the goals.

As described throughout this report there are major barriers towards ensuring that all persons are treated within a framework of affirmatively further fair housing. These barriers include can include community opposition to affordable housing or greater racial/ethnic diversity; displacement of residents in places like Boston due to economic pressures, including real estate speculation; lack of community revitalization strategies; lack of private investments in some neighborhoods; lack of, or not ample regional cooperation; land use and zoning laws; lending discrimination; location and type of affordable housing; occupancy codes and restrictions; lack of access to higher opportunity areas; and private discrimination; sitting selection policies for publicly supported housing; lack of vigorous enforcement for fair housing violations resulting in significant financial penalties; and source of income discrimination.

These goals are aimed at eliminating or reducing the impacts of opportunity barriers which impede the furthering of fair housing in Boston. The goals are organized by the following categories:

1. HOUSING FOR PEOPLE WITH DISABILITIES AND AGING POPULATION
2. REDUCING AND PREVENTING HOMELESSNESS
3. BUILDING AND STRENGTHENING REGIONAL FAIR HOUSING STRATEGIES
4. EXPANDING HOUSING CHOICE

¹⁵¹ See Appendix F for a list of the 23 goals adopted and reported in the City's Consolidated Plan.

5. REDEVELOPMENT AND PRESERVATION OF EXISTING PUBLIC HOUSING, AND PRIVATELY-OWNED SUBSIDIZED HOUSING, AND IMPROVING THE QUALITY OF HOUSING

6. ENHANCING FAIR HOUSING AND ECONOMIC OPPORTUNITY

7. ZONING AS A FAIR HOUSING TOOL

8. EXPANDING HOMEOWNERSHIP WITHIN A FAIR HOUSING LENS

9. CHALLENGING RACIAL INEQUALITIES, INEQUITIES AND BUILDING CIVIC / NEIGHBORHOOD CONNECTIONS

10. REDUCING AND ELIMINATION DISCRIMINATION, INTENTIONAL OR UNINTENTIONAL

11. PUBLIC SAFETY AND PUBLIC HEALTH

12. ENSURING EQUITABLE DISTRIBUTION OF CITY RESOURCES BASED ON NEED AND PROVIDING SUPPORTS FOR RENT-BURDENED RESIDENTS, AND RESIDENTS FACING POTENTIAL AND ACTUAL DISPLACEMENT

Each goal below describes the agency or organizations which can take the lead in the planning and implementation of the goal. Only what might be the immediate lead agencies or organizations are identified; in other words, sub-departments or programs within these lead organizations are not included. The latter should be determined by the lead organization. As suggested earlier some of the goals listed here are being pursued by city agencies to various degrees and might also be implementing programs that are not listed in this report. Nevertheless, the goals are presented here because they have been identified as key in the City's affirmatively furthering fair housing efforts.

General actions are proposed for each goal. Most of the goals, as noted in City documents reviewed can be planned and implemented in the short range (between 1 and 2 years), while others may take longer (between 2 and 4 years). Adopted goals should be completed within these timeframes; goals that are adopted but cannot fall within this timeframe should be reviewed regarding obstacles to implementation.

1. HOUSING FOR PEOPLE WITH DISABILITIES AND AGING POPULATION

1.1 Goal: Increase in the supply of affordable and accessible housing and city funded affordable and accessible units for persons with disabilities.¹⁵² Expand and support the use of Accessory Dwelling Unit zoning as a tool to allow elder homeowners to remain in place, and in their communities. And, periodically review *2018 Massachusetts Olmstead Plan* to assess impacts and/or changing needs.

Housing Boston 2030 UPDATE describes how some activities related to this goal will be expanded. For example, there is a call to “Increase housing production for low-income, non-elderly households by creating 8,300 new low-income affordable housing units by 2030”, also to “Ensure that 1,900 units are accessible to extremely low-income households.” (p.12). The City will continue “to support the Senior Housing Assistance Network” (p.19); assist with promoting “Promote housing affordability and stability for vulnerable populations by working with senior households to complete energy efficiency improvement projects including heating system replacement through the Senior Home Repair program.” (p.32), and other actions described in *Housing Boston 2030 UPDATE*.

LEAD AGENCY OR ORGANIZATIONS: DND; BPDA with Elderly Commission, Now the Age Strong Commission – monitor numerical performance criteria described in *Housing Boston 2030 UPDATE* on a yearly basis; BPDA reviews its amended policy to ensure that the 15% goal described above is being implemented fully. DND has adopted a policy to increase the minimum percentage of units in City-funded projects required to be accessible for disabled households from 7% (5% for mobility impaired plus 2% for vision or hearing impaired) to 10% (8% for mobility impaired plus 2% for vision or hearing impaired). The BPDA has amended its Inclusionary Development Policy (IDP) to ensure that new construction projects subject to both the state law requiring 5% accessible units and the IDP policy make some of the required number of affordable IDP units accessible. Specifically, the policy requires that 15% of the number of required Inclusionary Development Policy units must be built out for a person with a mobility or sensory impairment. The City and the BPDA should continue to track and report annually on the number of units created for and occupied by persons with mobility impairments, hearing impairments and visual impairments through these programs and policies.

Boston has initiated and is implementing programs to increase the number of housing units, including affordable housing units, available to persons with disabilities. These efforts should be continued and expanded. Information about the Additional Dwelling Unit (ADU) program should be widely shared. DND should continue to work with the state Department of Housing and Community Development to encourage non-profit development partners in Boston to apply for funding for additional housing units under the Section 811 Supportive Housing for Persons with Disabilities program.

Bring the Housing Innovation Lab, which operates under DND’s auspice, more directly into this conversation both to educate and to share results of the viability of ongoing pilots. The Housing ILab is currently pursuing several promising pilots and ideas that aim to increase both supply and affordability: Urban Housing Unit (UHU), the previously mentioned ADU, Intergenerational Homeshare, and Compact Living, to name a few. In addition, infill or other vacant lots that are City owned present opportunities to increase affordable housing supply and

¹⁵² See also DND Goal 1.1

affordability by building on sites too small or limiting for traditional development but ideal for the smaller footprint of a UHU (385 sq/ft). One aspect of the housing crisis and an important vulnerable demographic that is often not mentioned in these conversations are young adults who are increasingly challenged by the cost of rent never mind buying to own. Providing that cost remain low relative to Neighborhood Median Income (NMI) or Boston Median Income (BMI) UHUs could be a more affordable homeownership opportunity for both the young adult and senior population when compared to the current standard of affordability, which is 80% Area Median Income (AMI). The affected City agencies would be DND, Housing ILab, Age Friendly Boston, and Inspectional Services Division (ISD).

Periodically review Boston initiatives to ensure compliance with the *2018 Massachusetts Olmstead Plan* calling for “an expansive view of the various interrelated obstacles that may limit the ability of individuals with disabilities to remain within the community, such as needs for services, housing, employment, and transportation.” (p.3) This expansive view includes 4 major goals: “[Expanding Access to Affordable, Accessible Housing with Supports; Enhancing Community-Based Long-Term Services and Supports; Promoting Community-Integrated Employment of People with Disabilities; and Investing in Accessible Transportation for Individuals with Disabilities]” (p.4/5)

To satisfy the goals in *Housing Boston 2030 UPDATE* the BPDA should review how to increase the proportion of new affordable units going to persons with extremely low (30% of AMI), and low-incomes (50% of AMI) from 17% and 8% respectively. Increasing these kinds of distributions will benefit protected groups including elderly and people with disabilities.

1.2 Goal: Consistent with Housing 2030 and the city’s Disability Housing Task Force, ensure that the City and other providers reasonably accommodate the disabilities of disabled Bostonians even in shelter or other temporary settings, e.g., ensure placements that allow for ongoing medical treatment and support.

1.3 Goal: The City should fund affirmative trainings on reasonable accommodation to landlords, management agents, real estate brokers, judges, housing agency personnel or others who may interact with the elderly/disabled. Signs could be posted on transit or other public places promoting fair housing and in particular including information on the reasonable accommodation requirement.

1.4 Goal: Explore access to behavioral health treatment for elders and others with disabilities to maximize the possibility of retaining affordable housing.

Access to affordable, accessible, and safe housing for low income people is often the most important social determinant of health. For low income elders as well as disabled adults, this is even more true. In eviction defense work on behalf of elderly clients, the predominant issue at the root of the legal problem is a mental health issue which is often undiagnosed, unacknowledged, and untreated. While elders are the fastest growing segment of our population, they are the least likely to receive behavioral health treatment. Older adults face barriers to treatment such as lack of transportation, cost of co-pays, co-occurring cognitive issues, high rates of stigma, and ageism among providers. In addition, untreated behavioral health conditions in elders are associated with higher use and hospitalization; development of preventable health problems (e.g., poor self-care leading to unmonitored diabetes or blood pressure); suicide; social isolation, and increased vulnerability to being victimized – whether due to an increased dependence on others who take advantage (and often have mental health issues as well) or self-neglecting behaviors which often jeopardize an elder’s health status, housing, and income

stability. The key to addressing the problem is the provision of geriatric mental health services that meet people where they live. These services need to be provided in the most comfortable and accessible settings, including in elders' homes. Disabled adults who may not yet be elderly may also need such services. Wraparound services, such as intensive case management and supports to maintain tenancy, should be provided to those who need it. Services must be culturally competent and linguistically appropriate as well. There are a few successful models in other communities including Mystic Valley Elder Services in Malden, Massachusetts that already deliver accessible mental health services which generate both cost savings for communities and health care providers as well as provide a higher quality of life for elders who access the services. DND Office of Housing Stability will work with ETHOS, representatives of the Community Support Program, legal services, and other elder- and disability-support organizations to develop a mechanism by which elders and others with disabilities whose tenancies are threatened as a result of their disabilities can be referred as quickly as possible to wrap-around supports to maximize their ability to stay in their homes, drawing on resources like Community Support Program workers.

1.5 Goal: BHA to consider establishing priority for public housing placement for nursing home residents seeking to return to housing.

The lack of affordable, accessible and safe housing is a major barrier for elderly and disabled nursing home residents who want to and are capable of returning to community settings, contributing to unnecessarily prolonged stays in institutions, impeding their access to a wide range of community based services, and increasing the costs to the state for MassHealth long-term care.

The Olmsted decision gives Elderly and disabled residents a right to the least restrictive setting. Access to housing in the community is crucial. In order to facilitate transition to the community, a priority could be established for public housing placement for nursing home residents.

The BHA will take this idea under advisement and consult with its Housing Programs and Occupancy Departments to determine the best method for assisting nursing home residents. If necessary the BHA will amend its Admissions and Continued Occupancy Policy to reflect this change.

1.6 Goal: Encourage age-friendly development and alternative housing options which serve to connect seniors and those with disabilities with their communities.¹⁵³

Implement universal design principles and features to allow for aging in place, paying attention to the layout of kitchens and bathrooms. Also, encourage the development of common areas and shared spaces to reduce social isolation; and accessibility into the homes of seniors with disabilities should reflect the principle of visitability. Supportive resources should be available for common area activities.

LEAD AGENCY OR ORGANIZATIONS: DND and BPDA should require developers who are seeking funding from the City for senior housing to either have services embedded in the housing or to have a plan for connecting people to services. Also, expand the "Homeshare" network, matching older homeowners with rooms to rent with others who need to rent a room, such as graduate students or other older adults.

¹⁵³ *Age Friendly Boston Plan 2017*, City of Boston (June 2017); see also DND Goal 2.2

1.7 Promote access to homeownership opportunities for persons with disabilities. ¹⁵⁴

Many persons with disabilities have extremely low incomes, supported only by SSI and other forms of disability payments. Consequently, they (and many elderly persons) do not have sufficient income to qualify for a mortgage even with down payment and closing cost assistance. There is a very strong association between extremely low-income persons and severely housing costs burden.¹⁵⁵ Many middle-income households with a disability (or disabilities) face barriers in the homeownership market due to the limited number of accessible units without stairs at the entry or between floors, lack of accessible doorways and bathrooms in older housing units, etc. Further, as described in an earlier section there are reported instances of blatant discrimination against persons with disabilities by realtors and rental agents. City will also look at how tax policy - including tax foreclosures impact people with disabilities.

LEAD AGENCY OR ORGANIZATIONS: DND with Elderly Commission- report how the recommendations made by the Housing Disability Task Force are being monitored and reported on yearly basis. The Housing Disability Task Force made several recommendations with the purpose of increasing opportunities for persons with disabilities to have access to affordable housing. Two of the recommendations or strategies are related to gentrification and housing displacement and should be monitored frequently on a continual basis: these include the strategy to “Work with the Office of Housing Stability to prioritize non-elderly people with disabilities who are at high risk of losing their housing and becoming homeless.” The other is: “Provide support and resources for people with disabilities who have been chronically homeless and are seeking permanent housing.”

1.8 Goal: Develop a summary of services available to assist elders with tax arrears and refrain from tax foreclosures so that elders can remain in their homes.

1.9 Goal: Support legislation reducing the amount of down payment owners must make on tax arrears payment plans.

1.10 Goal: Make resources accessible and translated to different languages to meet the needs of those with disabilities. As indicated in Chart 1 and in other places discrimination against people with disabilities and based on national origin was reported as significant by the Massachusetts Commission Against Discrimination.

1.11 Goal: Increase the supply of affordable housing units for Seniors.¹⁵⁶

¹⁵⁴ City of Boston, Disability Housing Task Force 2016 Goals and Actions. City of Boston. July 2017.

¹⁵⁵ For a national and local overview of the relationship between ‘extremely low-income’ households and severe housing cost burdens see, Bill Brauner, “An In-depth Look Into Extremely Low Income Renters in America’s Central Cities” INSITES, published by CEDAC (August 23, 2018).

¹⁵⁶ See DND Goal 2.1; see also DND Goals 5.2, 5.3

2. REDUCING AND PREVENTING HOMELESSNESS

2.1 Goal: Continue and further expand collaborative initiatives to end homelessness and seek to increase the impacts of ongoing programs such as Boston’s Way Home and Boston Youth.

Homelessness represents a major challenge in Boston, affecting children, families, veterans, older adults and people with disabilities. There are a host of programs and initiatives responding to this daunting challenge. Metro Housing Boston, for example, serves more than 20,000 households annually; there are also city initiatives such as Boston’s Continuum of Care. Healthy Start in Housing is a collaboration between The BPHC and the BHA to provide case management to families at risk of homelessness. The collaborative nature of these programs and initiatives should be strengthened and expanded by coupling them with services, legal representation and mediation. Individual public schools should also be invited to join these kinds of collaborative strategies to end homelessness.

As noted earlier, there are thousands of BPS students who experience homelessness at some point. BPS should aggressively work with nonprofits like Grove Hall’s Higher Ground, HomeStart, Project Hope and other organizations to provide services to these students, but also to work to prevent homelessness among BPS students. Project HOPE’s Kristin Hass highlights the work of the: “[The Family-Led Stability Pilot (FLSP) is a citywide initiative that aims to help homeless BPS students and their families obtain stable affordable housing]”; the BHA is assisting with this pilot program. The Boston Foundation’s Health Starts at Home Initiative is funding housing and health-care organizations to work collaboratively across these two sectors.

This goal should include an assessment of Boston’s Landlord Guarantee Program which incentivizes landlords to work with nonprofits to provide housing to homeless individuals and families. This pilot program could prove critical in ensuring that homeless individuals and families have access to decent and affordable housing – and sustained housing.

LEAD AGENCY OR ORGANIZATIONS: Health and Human Services; Boston Continuum of Care; BPS; BPHC; BCYF; nonprofits such as HomeStart, Project Hope, and others – there should be a periodic review of strategies utilized to end homeless and how organizations are working together on this issue. The BPS should expand services and case management references to unaccompanied youth. Annual action plans should be reviewed yearly. Opportunities should be planned and designed to encourage the participation of youth and families experiencing homeless to provide input regarding effective or best practices in reducing homelessness. Make sure that there is a robust community outreach plan.

The Coordinated Access Platform to link with Permanent Supportive Housing, part of Mayor Walsh’ “Action Plan to End Chronic Homelessness Among Individuals in Boston” should be reviewed periodically to continue the matching of housing needs to individuals and families in, or in danger of homelessness, remains effective. The Action Plan also includes 8 goals and strategies that are critical for reducing or preventing homelessness; these goals should also be reviewed and evaluated in terms of completion and impacts.

The City will also support the Right to Counsel, providing legal representation to low income residents facing eviction as a strategy to reduce homelessness and end displacement.

2.2 Goal: Continue to build data and collect information about homelessness and how it is connected to other facets in the lives of individuals, children and families and where racial and ethnic differences are significant.

Recently HUD issued a report, *Using HUD and Other Data Resources to Help End Homelessness*. The report states that “Many communities are using their **local school data** which broadens the population to include children in school who are doubled up (“Doubling up” can mean many things and sometimes refers to multigenerational households or to people who share housing on a long-term basis in order to save on housing costs). More partnerships are forming to show the intersection of **health care** and homelessness. Communities across the country continue to see that permanent supportive housing more effectively meets the needs of persons living on the street – especially those who are chronically homeless – and costs less. Similarly, communities are sharing homelessness and **criminal justice** data to better target people exiting the corrections system before they become homeless.”¹⁵⁷

This kind of comprehensive approach has already been endorsed by Boston; the next step is to push the envelope further and ensure that agencies involved with collecting data directly or indirectly relevant to homelessness are sharing and evaluating data. Information about the demography, particularly by protected groups, should be collected systematically and reported frequently; this should include circumstances and residential patterns before homelessness occurs. For example, is there an association between evictions and homelessness? Or, how might homelessness be triggered with rising housing costs, and in what areas of the City?

LEAD AGENCY OR ORGANIZATIONS: The BFHC can trigger an initial meeting for representatives of the BPS; DND; BPHC and the BPD to begin a discussion about how data can be shared with the aim of providing more targeted services to youth and families who are in danger of facing homelessness. The BMC should also have a role with this goal since it has been involved in furthering housing opportunities through efforts to link housing and health among vulnerable populations. The United States Interagency Council on Homelessness (USICH) has issued a series of briefs about best practices related to youth homelessness (and other groups). Reports such as *Criteria and Benchmarks for Achieving the Goal of Ending Youth Homelessness* (Version 2, February 2018) and successive reports should be reviewed periodically to make sure Boston is pursuing best practices and new innovations in preventing homelessness.¹⁵⁸

2.3 Goal: Expand local and state housing, employment and education opportunities for veterans.

Boston offers an array of services for Veterans (this should include veterans with other than honorable or lower discharges -- they are disproportionately veterans of color and low-income and don't get access to the same services other veterans do). Recently new state initiatives have been passed such as the BRAVE Act, as well as initiatives such as Operation Money Wise, and the Statewide Advocacy for Veteran's Empowerment (SAVE). It is important to connect these resources as wrap-around services for veterans who face the possibility of being homeless. Access to affordable housing for low-income and vulnerable populations is not complete without the availability of supportive services as observed in Massachusetts's *Special Senate Committee on Housing Report*: “It is imperative that housing for those with low incomes be accompanied by services so they can maintain their housing stability and create pathways to economic mobility.

¹⁵⁷ *Using HUD and Other Data Resources to Help End Homelessness*, HUD EXCHANGE (October 04, 2018).

¹⁵⁸ See, https://www.usich.gov/resources/uploads/asset_library/Youth_Homelessness_Coordinated_Response.pdf

Despite the Commonwealth's efforts to help households afford housing, the culmination of low wages, high housing costs, and a shortage of supports have caused housing instability for thousands of households, preventing them from increasing their economic mobility... Thus, investing and providing services that support people in increasing their housing stability and economic mobility is critical in addressing the need for housing that people can afford."¹⁵⁹

LEAD AGENCY OR ORGANIZATIONS: Office of Veteran Services - should continue and expand efforts to make Boston veterans aware of how to take advantage of these new opportunities for housing, jobs, health services and educational opportunities. Veterans should be housed with wrap-around services that provide health supports and environments in which opportunities for economic mobility are made available. Therefore, also provide an update and outreach about the wrap-around and educational opportunities are available to veterans. There should not be undue delays in the delivery of veteran benefits.

2.4 Goal: Review need for additional shelters, including specific shelter needs for youth, the disabled, couples and families, and also rapid rehousing and report findings to the state regarding this issue.

2.5 Goal: Work with Housing Court and District Courts to develop strategies to avoid unnecessary homelessness and support the right to counsel.

Many tenants facing eviction have disabilities that are the cause of their eviction, and they have the right to have their disabilities reasonably accommodated. In many cases, a reasonable accommodation of the disability may obviate the reason for the eviction. In other cases, private charitable funds or state funds can be used to pay unpaid rent when a tenant falls behind in rent, and a landlord's refusal to take the payment as satisfaction of the rent owed may violate G.L. c. 151B, section 4(10). Proactive judges who see their role as preventing unnecessary evictions may be able to make sure that these types of solutions are suggested to the parties, encouraged and required where the law so provides. Attorneys present in the court as a result of right to counsel requirements would often be able to prevent involuntary evictions.

¹⁵⁹ *Facing Massachusetts' Housing Crisis: Special Senate Committee on Housing Report* (March 2016), p.29.

3. BUILDING AND STRENGTHENING REGIONAL STRATEGIES

3.1 Goal: Continue to support the strengthening of regional partnerships aimed at growing a diverse housing stock and municipal timelines to achieve such.¹⁶⁰

This goal seeks to strengthen regional cooperation and overcoming/reducing community opposition to building affordable housing in some suburban communities. Recently, a coalition consisting of the following 14 communities was formed: Boston, Braintree, Brookline, Cambridge, Chelsea, Everett, Malden, Medford, Melrose, Newton, Quincy, Revere, Somerville and Winthrop. The metro Mayors outlined a pledge to: increase the pace of housing construction in every community throughout Metro Boston; sharing the burden of production in order to increase housing affordability for all household types and incomes; create more housing, both renter- and owner-occupied, in a variety of sizes, including units with two or three bedrooms suitable for families with children; locate housing near transit and in walkable areas; utilize design standards that increase physical accessibility for all ages and abilities; reduce evictions, eliminate unfair rental practices, mitigate displacement, create permanent housing for the homeless, and ensure safe, stable housing; and abolish discrimination against both tenants and buyers, and advance fair, equitable access to housing opportunity.

LEAD AGENCY OR ORGANIZATIONS: The BHA and Boston should work closely with the new *Housing Choice Initiative Communities* in identifying housing for Section 8 Voucher Holders.

BHA, through our new ECHO Pilot Program, has already made plans to reach out to housing providers throughout Metropolitan Boston and in particular those cities and towns that have expressed interested in and support for the Housing Choice Initiative. By doing so the BHA hopes to cultivate additional housing units in the private market that will be accessible to its Section 8 voucher holders.

DHCD can assist in developing collaborative agreements in sharing information about housing plans and the building of diverse housing stock. Boston should report one year after the formation of the Coalition information about ongoing obstacles and challenges to greater regional cooperation, and efforts “to dramatically boost construction” and potential strategies for overcoming these obstacles.

¹⁶⁰ See also DND Goal 3.1

4. EXPANDING HOUSING CHOICE

4.1 Goal: Design and implement a mobility program to educate and assist families and BHA housing choice voucher holders in identifying and relocating to housing in areas with increased opportunity, including opportunity areas in Boston.¹⁶¹

Housing choice requires that families have access to a range of neighborhoods. Choice has been limited by discrimination towards Section 8 holders, reduced affordable housing stock in some suburban communities and lack of information about opportunities in cities and towns outside of Boston.

LEAD AGENCY OR ORGANIZATIONS: BHA – The BHA’s ECHO Pilot Program, which is currently in its start-up phase, will provide the necessary pre-search, housing search and post-search services to enable participating voucher holders in identifying the communities that best fit their needs. The voucher holders will be provided information about the quality of public schools, the location of medical facilities and other kinds of resources so they can make an informed decision as to where they want to live while maintaining familial or former community ties that may be advantageous. Voucher holders will also be provided with family self-sufficiency supports, such as financial literacy and information about career mobility. The BHA has proposed using Small Area Fair Market Rents to increase mobility for Section 8 voucher holders and to avoid a negative inflationary impact on unsubsidized tenants in neighborhoods where rents are typically lower than the Section 8 FMR. The City and the BHA should continue to reach out to the state and other housing authority Section 8 providers to ensure geographic consistency in FMRs/payment standard levels.

4.2 Goal: Establish a BHA working group to explore revisions to admissions and continued occupancy policy and/or examine effectiveness of marketing outreach under existing policy.¹⁶²

The demographics of BHA publicly supported housing are substantially determined by the income of its applicants and composition of its wait lists. The mix of protected classes is influenced by the various priorities and preferences based on the urgency of need for housing but is tempered by individual choice. The final determination of site selection is an applicant's indicated choice of location. While this may contribute to the varied demographics in BHA developments and buildings it is essential to ensure equal access to available housing resources. This working group should collect and examine data on the impact of its policies on the demographics of tenants who successfully obtain public or project-based housing units or mobile subsidies and those who tend to have extended time on waiting lists, including the impact of setting aside many resources for simultaneous relocation/redevelopment of many sites.

LEAD AGENCY OR ORGANIZATIONS: BHA will establish a working group of BHA staff and residents to monitor all of its commitments under this Assessment of Fair Housing, including but limited to, its admissions and continued occupancy policy, affirmative marketing plans, additions to the Annual Plan, research on communities not highly represented in the BHA resident population, etc.

4.3 Goal: Create a comprehensive centralized list and digital portal of all available affordable housing, affordable housing programs and related information necessary for interested families

¹⁶¹ DND Goal 4.2

¹⁶² DND Goal 4.3

and individuals to apply, participate and be informed of the availability of newly constructed or redevelopment affordable housing.¹⁶³

Due to rapid gentrification in some parts of Boston as well as limited affordable housing for members of Protected groups, it is important that any information regarding the availability of housing is immediately available. The creation of a centralized list of all affordable housing available in the City and the region, and a concerted effort to publicize the availability of such housing will greatly improve access by all groups throughout the City and the region. The wider distribution of information and a highly publicized primary source of such information will help to reduce disparities and inequities in access to opportunity but also serve to challenge continuing segregation in Boston.

LEAD AGENCY OR ORGANIZATIONS: DND and BFHC will work to expand and facilitate the use of *Metrolist*, a portal for affordable housing searches. These entities will also evaluate how this portal is being utilized and how it can be improved, and also consider its impact on providing access to affordable housing over a given year. Analysis of the data should include the types of housing choices and units requested and reasons.

4.4 Goal: Expand outreach to incentivize willingness of landlords to take voucher holders by increasing the ability of landlords to obtain funding for housing accessibility modifications and de-leading. Consider establishing a set-aside for voucher holders seeking housing to help with upfront security deposit costs, application fees, and similar charges that may be a barrier to voucher holders obtaining housing, sometimes a conscious effort by the landlord or landlord's agent to discourage applications by subsidy recipients.

Prospective Section 8 landlords, including some owner-owner-occupants of 1-4 family properties, may not qualify for or be able to afford funding/financing needed to make accessibility repairs for themselves or disabled tenants under Massachusetts' Home Modification Loan Program. This effort includes the removal of lead paint as a barrier to housing.

LEAD AGENCY OR ORGANIZATIONS: DND will explore the possibility of using additional dwelling zoning to facilitate increased housing accessibility for persons with disabilities and families who are in danger of becoming homeless. Further, the City should continue to provide gap financing to qualified landlords, including owner-occupant owners of 1-4 family properties, to obtain funding needed to make modifications to their own unit and/or to one or more rental units in their property to expand the inventory of accessible rental units for persons with disabilities, and to delead the unit. DND should maintain a central registry for any landlords receiving funding/financing provided by the City to help eliminate barriers so that persons needing accessible units can secure housing, or families with children aren't turned away because of un-remediated lead paint hazards, or any incentive offered for owners to take Section 8 vouchers. The registry should indicate which addresses have received this funding/financing, and the commitment the owner has made to provide affordable housing in exchange for the City grant/loan, above and beyond a commitment not to discriminate. Contracts with owner receiving these grants/loans should be written in a way so there is an ability to enforce the landlord's commitment, including against any successor purchaser during the applicable time period, and there should be a complaint mechanism, which should be made known to families applying for or living in those units.

¹⁶³ DND Goal 4.4

Under its ECHO Pilot Program, the BHA will make individuals and families aware of both responsibilities and rights regarding damages to residences as part of its pre-search educational workshops and again during the leasing process, and voucher holder's rights under federal, state and local anti-discrimination laws in seeking housing. The BHA will conduct workshops for landlords to encourage them to participate in the Section 8 Voucher Program and make them aware of resources for lead paint removal, energy-efficiency and accessibility, utilizing local and state funds.

4.5 Goal: BOSTON FAIR Housing Commission should consider pursuing enforcement powers to bring legal suits germane to Section 8 discrimination, such as landlords refusing to take voucher holders and other illegal actions against voucher holders, including more subtle discriminatory actions, such as charging a high up-front application fee that operates to discourage voucher holders from applying, or improperly failing to consider the benefit of the subsidy in tenant screening.

There is continual discrimination in Boston and the region against participants in the Housing Choice Voucher Program. Contained in the results of a survey conducted by the BHA are a significant number of responses which report incidents of discrimination in seeking to rent an apartment because the respondent had a HCV. Results of the BHA Resident Survey described earlier indicates a need for creation of a protocol to investigate and prosecute incidents of discrimination for Section 8 vouchers seeking to rent apartments in general, and to rent apartments in areas of higher opportunity in Boston and other places.

LEAD AGENCY OR ORGANIZATIONS: BFHC, MCAD and Resiliency and Equity Office - will develop procedures for reporting, responding to and investigating incidents of discrimination encountered by voucher program participants in seeking to rent apartments. The goal's implementation will require: a) building of a digital infrastructure and software for reporting and data collection; and b) drafting program policies, procedures, forms, and marketing materials. BFHE and BHA and Resiliency and Equity Office will consider first steps in the building of a digital database. The Fair Housing Commission will take the lead on bringing enforcement actions for violations of the fair housing laws. In conjunction with the Fair Housing Commission, BHA will provide information to voucher holders and tenants about their rights under federal, state and local housing discrimination laws. BHA will encourage tenants and voucher holders seeking housing to report discrimination on the basis of receipt of rental assistance or based on their membership in any other protected class, and clearly inform voucher holders seeking housing of BHA's policy to extend search time where the voucher holder files an MCAD or BFHC complaint. In situations where a subsidized tenant is facing termination of the housing assistance payment contract because of a landlord's refusal to make repairs, the tenant should be assisted with a coordinated effort between Boston's Inspectional Services Department, BHA and the Fair Housing Commission seeking injunctive relief to require the landlord to make the necessary repairs, or seeking a receivership that could tap into the Section 8 funding if the landlord will not make the necessary repairs, since the landlord's refusal to comply with subsidy program requirements is a form of housing discrimination.

4.6 Goal: Develop a protocol for joint reporting and investigation regarding incidents of discrimination against participants in the Housing Choice Voucher Program.

4.7 Goal: Conduct a survey of BHA resident concerns every two years to assess the concerns and needs of tenants in publicly-supported housing.

Such a survey, conducted periodically, can highlight resident concerns about housing and their neighborhoods for response or resolution. The survey also can be structured to attain more drilled-down information. For example, information about bedroom size or the number of bedrooms can be collected and analyzed. Information can also be gathered about employment or public school experiences establishing a base for better and more effective services. The survey conducted in 2017 can be a basis for a more refined and targeted future survey, which should include questions about experiences with discrimination in the application and housing search process, and as tenants, and building and neighborhood residents.

LEAD AGENCY OR ORGANIZATIONS: BHA - will review the 2017 survey and use it as a base for a follow-up survey in 2019. It will survey family and elderly public housing separately. Results will be shared with residents and others.

4.8 Goal: Opt In to HUD's Small Area Fair Market Rent Initiative.¹⁶⁴

4.9 Goal: Substantially expand the number of de-leases two or more bedroom units in the City available to families with children under the age of 6.¹⁶⁵

¹⁶⁴ DND Goal 4.1

¹⁶⁵ DND Goal 5.1

5. REDEVELOPMENT AND PRESERVATION OF EXISTING PUBLIC HOUSING, AND IMPROVING THE QUALITY OF HOUSING

5.1 Goal: Continue the redevelopment and preservation of existing public housing through mixed finance development strategies to attract private investment in public housing communities, with careful attention to avoiding displacement or other negative impact on existing residents in the development and surrounding community.¹⁶⁶

This is in response to current conditions but also a long history of lack of private investment in public housing, as well as dwindling federal resources for capital improvements. The expansion of public housing requires mixed finance development of the current stock. In pursuing the goal of redevelopment through mixed finance initiatives and public/private partnerships residents should not be displaced or believe that they will be displaced. This goal should be implemented in ways that reflect HUD's call for a "balanced approach" regarding mobility and community revitalization.

Community benefits or other regulatory agreements should be required to prevent or mitigate the likely gentrification and displacement that will result from the private-public-partnership redevelopment of public housing into mixed-income housing, especially where all the major BHA redevelopment sites are Opportunity Zone designated and will further usher investments which may have unintended adverse gentrification consequences (e.g. commercial uses). The City should take advantage of the significantly increased tax revenue due to redevelopment to create / preserve additional affordable units. IDP requirements and jobs/housing linkage exaction payment requirements must be carefully enforced. The City must ensure that the mixed housing created is truly integrated – e.g., not separate buildings, only on same footprint.

LEAD AGENCY OR ORGANIZATIONS: BHA – has adopted a long-range plan to replace 4000 deeply subsidized rental units and to add 4,500 moderate and market units at a total cost of \$3 billion over the next 12-15 years. BHA is also developing the Whittier Choice Program which includes rehabilitating 150 public housing units and 261 affordable and market rate units, but without displacing public housing tenants. BHA should continue to utilize its current strategy to leverage the wealth represented by public housing-owned land to link developers with requirements to also assist with replacement and renovation of existing units, and continuing affordability for residents; this is an important and creative financial strategy to assist with capital improvements for public housing; also, explore if vacant land can be further used to build low-income housing units for elderly residents, as it is doing with the South Boston Neighborhood Development Corporation. Strategies under this goal can also include expanded economic opportunities for residents and families through various HUD initiatives.

5.2 Goal: Design a multi-lingual reference directory (and web page) of city and state programs and initiatives devoted to providing information and resources aimed at assisting homeowners to make improvements on their homes. Ensure that it is available in multiple languages.¹⁶⁷

There are programs that provide information and resources to low-income and moderate-income homeowners, and elder homeowners, that may not be publicized enough. These include at the state and city level, property tax abatements, deferrals for seniors, and low-interest loans that if utilized fully and widely would represent a resource for maintaining the quality of housing in

¹⁶⁶ DND Goal 7.1

¹⁶⁷ DND Goal 8.1

many parts of the City. These and other initiatives should be ‘silo-ed described’ but part of an online and accessible resource directory.

LEAD AGENCY OR ORGANIZATIONS: DND should assign a point person to collect and summarize information about these kinds of programs and organize into a directory to be shared widely. This goal should be implemented rather quickly; DND’s HOME program might be a place to initiate this effort.

5.3 Goal: Continue to support organizing among residents in expiring use properties and provide information and training, technical assistance about tenant opportunities for preserving and cooperatively owning housing.¹⁶⁸

As discussed in the *Housing a Changing City* plan, the City is committed to preserving 97% of HUD and State supported “expiring use” units. As mentioned in that same report units built under the former State 13A program are especially at risk, both because of their locations in neighborhoods with high rents and due to the fact that these tenants do not have the same protections as HUD provides for landlords leaving Section 8 Project-based programs.

LEAD AGENCY OR ORGANIZATIONS: DND with MHCD; with nonprofits such as CEDAC, BTC, and others - seek to expand the new Acquisition Opportunity Program to acquire both expiring use properties, and properties facing financial insolvency. It should continue to track both types of properties in danger of being lost. The City should also ensure that 1) tenants understand what it means to live in expiring use properties; 2) help to mobilize tenants to purchase properties when possible and to take advantage of Chapter 40T, and other initiatives.¹⁶⁹

5.4 Goal: Prioritize the use of City resources for the preservation of expiring use housing and provide additional funding where necessary by drawing on increased property taxes as a result of the development boom, especially in 13A developments.¹⁷⁰

5.5 Goal: Ensure that residents are aware of public programs designed to assist with purchasing a home or maintaining one’s property (e.g., repair and weatherization loans and grants), including “Tenant Protections in Foreclosed Properties,” and that they are aware of existing protections for tenants under the City of Boston’s Condo Ordinance.

There are programs and initiatives that should be widely publicized with encouragement for members of protected groups to take advantage of. This can include information about the Long-Term Homeowners Tax Deferral Home Rule Petition where owner-occupants age 55 and up who have lived in their properties for at least a decade, who meet certain income guidelines, where property values are sharply increasing, may be eligible to defer tax payments until their death or the property’s transfer. Another: the Condo Ordinance was updated in 2014 and requires advance notification of tenancy termination due to condo conversion, caps annual rent increases during the notification period, gives the tenant limited options to purchase, and provides relocation assistance for elderly, low-income, and tenants with disabilities.

¹⁶⁸ See DND Goal 9.1

¹⁶⁹ For a review of how 40T has worked as a preservation tool, see Emily Achtenberg, EXECUTIVE SUMMARY, *Chapter 40T at 5: A Retrospective Assessment of Massachusetts’ Expiring Use Preservation Law* (January 16, 2015).

¹⁷⁰ 13A Developments are state xxx

LEAD AGENCY OR ORGANIZATIONS: DND; BPDA with nonprofits – develop collaborative strategies to provide information about available resources throughout the City, but especially in areas identified earlier as more economically distressed than other areas; review and analyze how members of protected groups are utilizing or not utilizing this information and if the latter, determine reasons for such. The BPDA should continue working with OFHE to enhance related information to households of color; the use of a more ‘user-friendly application process’ as well as recent commitments to decrease barriers that particularly affect persons of color should be assessed and reported. The Boston Home Center and other foreclosure prevention resources should be publicized so that homeowners facing foreclosure know where to seek help.

5.6 Goal: The Community Preservation Act Commission should review and assess the first year of applications and implementation of Community Preservation Plan goals, especially regarding the Plan’s own first priority, “Construction of more deeply affordable rental housing 50% of AMI or below.”

The Community Preservation Act was approved by voters in 2016. Funding for Community Preservation projects are based on a 1% surcharge on property tax transactions. Addressing homeownership gaps by racial, income and household size and composition was adopted as a key goal. Other goals include: “Affordable homeownership opportunities for moderate income buyers who are under 100% AMI” and “Displacement prevention through acquisition by purchasing at-risk properties in order to maintain tenancies and add to Boston’s affordable housing stock.” There should be readily accessible information about how community organizations and residents can acquire ownership over distressed or abandoned, or vacant properties. These properties can then be eligible for capital improvements (and/or purchase or rehab) with Community Preservation Plan funding.

LEADING AGENCY OR ORGANIZATIONS: Community Preservation Committee (CPC) with DND; BPDA - raise the public awareness about the potential of community preservation funding; a first step might be to change some CPC meeting times to evening or late afternoon hours since the current 12-2pm for all future meetings may not result in maximum public testimony. There should also be planning regarding the potential links between CP funding and a range of homeownership strategies including transferring distressed or vacant properties not on the market to community organizations seeking to maintain deep affordability (income of 50% or less of the AMI) in their neighborhoods.

5.7 Goal: Work with DHCD to establish a preference for residents displaced from 13A developments for housing units in new state-assisted developments.¹⁷¹

¹⁷¹ DND Goal 9.3

6. ENHANCING FAIR HOUSING AND ECONOMIC OPPORTUNITY

6.1 Goal: Use housing redevelopment and preservation as an economic tool to increase employment for residents and for sub-contracts to local and minority-owned businesses. (Also see Goal below, on Section 3).¹⁷²

Raising incomes and employments of low-income persons is a suggested strategy by the City to ensure that low-income and moderate-income residents can afford to buy homes. One way that this can happen is for city agencies to increase significantly its contracts to Black, and Latino, and women-owned businesses, especially those based in low-income neighborhoods. According to information in the *Consolidated Plan...* very little goes to these kinds of firms in the form of contracts or subcontracts; this is a problem because this sector tends to hire local residents and keep dollars in circulation for longer periods of time. Local and minority-owned businesses should be strengthened with lines of credit to facilitate contract work.

LEAD AGENCY OR ORGANIZATIONS: Office of Economic Development with BHA, DND, and BPDA to review strategies to increase significantly contracts to MBEs and WBEs, as well as the review of obstacles such as bonding capacity or lack of technical assistance. Patterns related to the issuance of contracts should be reviewed yearly. MBEs and WBEs should be periodically audited to confirm legitimacy as such. This effort would include information about what might be preventing greater utilization of MBE and WBE on construction and other industry sectors. Revisit and strengthen the Equity and Inclusion agenda of the Office of Economic Development. Also, revisit strategies and lessons from earlier *Demonstration Disposition Program* (1994 – 2004) which rehabilitated almost 2,000 housing units, kept them affordable and used construction and labor costs to increase opportunities for local and neighborhood-based businesses. It also turned ownership to residents. The key strategy in this program entailed linking housing rehabilitation with expanding business opportunities for local and minority-owned businesses, as well as utilizing local residents in construction and other jobs. The BHA currently engages in such activity. The Office of Civil Rights has mechanisms in place to monitor, tract, and report on all BHA contracts.

6.2 Goal: Explore HUD’s Section 3 for Increasing Access to Construction Jobs and Expanding Opportunities for Minority-Owned Businesses (MBEs) and Women-Owned Businesses (WBEs); for example, HUD calls for expanding use of Section 3 for these purposes (see, https://www.hud.gov/program_offices/fair_housing_equal_opp/section3/section3).¹⁷³

HUD’s “Section 3” has proven to be an effective tool in revitalization efforts as well as generating employment for public housing residents and workers in low-income communities. Boston should aggressively pursue the possibility of using Section 3 to expand economic opportunities; this could possibly be utilized to hire youth and reduce their high unemployment levels among Blacks and Latinos.

¹⁷² DND Goal 10.1

¹⁷³ Also see, Denise Fairchild and Kalima Rose, *Inclusive Procurement and Contracting: Building a Field of Policy and Practice* published by Emerald Cities Collaborative and Policy Link (February 2018): “USHUD’s Section 3 requires that 30 percent of all development investments must use disadvantaged businesses and local residents. This regulatory requirement provides powerful levers for inclusive procurement, but the Section 3 ruling is poorly enforced and implemented...” p.25

LEAD AGENCY OR ORGANIZATIONS: BHA with DND; BPDA; OWD - will establish a Working Group to review strategies for expansion of the Section 3 Program in terms of businesses as service providers, but also as employment opportunities for residents. Outreach and education about Section 3 should be aimed at community organizations, local businesses and community development entities. The Working Group should establish clear and measurable Section 3 goals, and tracking protocols, to assess the impact of this federal regulation. As stated earlier in 4.2, the BHA suggests and is taking steps to create a Working Group to monitor all its AFH commitments.

6.3 Goal: Enhance the Boston Resident Jobs Ordinance to expand monitoring and reporting efforts.

In 2017 this Ordinance was amended to expand the covered project threshold and raise the employment standards. Now, private development projects over 50,000 square feet and any public development project must meet the following employment standards: at least 51 percent of the total work hours of journey people and fifty-one percent of the total work hours of apprentices in each trade must go to Boston residents; at least 40 percent of the total work hours of journey people and forty percent of the total work hours of apprentices in each trade must go to people of color and; at least 12 percent of the total work hours of journey people and twelve percent of the total work hours of apprentices in each trade must go to women.

Given that construction currently is a \$10 billion dollars sector, and with additional billions for future projects, this is an important opportunity for Boston to respond to continual income inequality and to help meet the other half of the equation needed to increase homeownership among protected groups, including low-income households; thus: Thus, “it is important to recognize that housing affordability is essentially an equation with two elements, housing cost and income. It will never be possible to successfully address the problem by focusing solely on reducing the cost of housing through development, purchase or rent subsidies. It is simply too costly and there will never be enough resources available. It will also be necessary to implement strategies to address the other half of the equation by increasing the incomes of lower-income households so that more of them can afford market rate or unsubsidized housing. (*Consolidated Plan...p.21*)

LEAD AGENCY OR ORGANIZATIONS: Office of Economic Development with BPDA, DND and OWD - evaluate current track records and consider what might be obstacles in hiring more Black, Latino and Asian workers, and youth, on construction jobs and address such obstacles. A city agency should be provided with resources to conduct site visits to ensure that companies are not just simply reporting inaccurate data. On-site visits were crucial in the success of earlier large construction projects with responsibility to share contracts or sub-contract with MBE and WBEs.

Another next phase in the strengthening of this Ordinance should be greater monitoring and record-keeping for evaluative purposes.¹⁷⁴ Boston should make sure that construction companies understand and respect how committed is the City in reflecting its racial equity vision and strategies. The NAACP has called for more “creative thinking” regarding BRJP diversity goals that are not being met, including a “working group to research and analyze this issue.” Fines as

¹⁷⁴ See, Catherine McGloin, “Council probes Boston jobs policy - Contractors fail to meet diversity goals” *Bay State Banner* (October 31, 2018).

well as review of how companies report diversity figures can increase the potential for meeting diversity goals.

6.4 Goal: Work to limit the impacts of Criminal Offender Record Information (CORI), poor or non-existent credit histories and eviction records on Boston residents. Design a public information campaign focusing on the problems CORI causes for Boston, and how it prevents fair housing for hundreds of individuals. Ensure that the DND Fair Chance Tenant Selection Policy is highly publicized.

Boston, through its Office of Fair Housing and Equity, implements programs to ensure that individuals with CORIs have access to housing and jobs. These efforts could be strengthened if associated with a public education campaign alerting the general public about CORIs. This campaign should also highlight public service contributions of individuals with CORIs and highlight the public service of businesses that are CORI-friendly. Such a campaign in conjunction with organizations like the Boston Workers Alliance and Greater Boston Legal Services could help in expanding access to jobs and housing for individuals with CORIs. Through such a campaign employers should also be made aware that use of criminal history could be in violation of federal anti-discrimination laws based on guidelines published by the Equal Employment Opportunity Commission in 2012.¹⁷⁵ The guidelines represent a map by which employers can screen a person's criminal record: to wit, the nature and circumstances of the crime; the period of time in which the crime was committed; and whether or not the crime committed is relevant to a particular job.

LEAD AGENCY OR ORGANIZATIONS: BFHC with HHS; OFHE; and BPDA – work with nonprofits to design a public education campaign about CORI. It should include recognition for CORI-friendly businesses. BPDA should continue to work with OFHE to improve processes and policies so that access to households of color is improved. These efforts include new, more user-friendly application processes, and tenant selection policies that decrease the barriers for people who have a criminal record, poor credit, or no credit, problems that disproportionately affect persons of color. There should be a status report about the latter effort. Support the need for eviction sealing so that eviction records, even if incorrect, do not keep people from obtaining housing they are otherwise qualified for.

6.5 Goal: The Boston Fair Housing Commission should design a public information campaign focused on housing providers and banks about their obligations under the fair housing laws. Also see Goal 8.5 regarding this issue.

¹⁷⁵ See, “The 2012 EEOC Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions” Fact Sheet, National Employment Law Project, NYC (August 23, 2017); also see HUD’s Fair Housing CORI Advisory (April 4, 2016).

7. ZONING AS A FAIR HOUSING TOOL

7.1 Goal: Amend the Boston Zoning Code to include comprehensive text setting out the City's fair housing obligations in zoning, as set forth in Boston City Council Docket #2032, "Order Regarding A Text Amendment For Boston Zoning Code Relative To Fair Housing And Integrated Communities." Seek an amendment of Boston's zoning enabling statute, Section 655 of the Acts of 1956, as amended, to increase the membership of Boston's Zoning Commission at least by two additional Boston residents, one nominated by designated fair housing organizations or the Fair Housing Commission or Office of Resiliency, and one nominated by organizations representing those displaced or at risk of displacement in the City of Boston. [NOTE: *Since this edit to the AFH was proposed in June 2019, a measure that would reform Boston's Zoning Board of Appeal so as to ensure representation of fair housing concerns in deliberations of the ZBA was filed in the Boston City Council Docket #0233, A Home Rule Petition for a Special Law re: An Act Relative to the Zoning Board of Appeal. The AFFH Community Advisory Committee supports such measures and recommends similar action with regard to the Zoning Commission to ensure that the composition of both the Board and Commission includes members with knowledge of fair housing, civil rights, affordable housing, and environmental concerns.*] BPDA should hire a staff person or consultant who is an expert in fair housing to do a comprehensive review of its policies and procedures to identify areas in which change is needed to meet the City's obligations under federal, state and local law. Establish a working group to work with and oversee this review of policies and procedures including staff from BPDA, BFHC, Office of Resiliency, BHA and representatives from community, fair housing, affordable housing and other groups.

Zoning is a major impediment to affirmatively further fair housing in Boston and the region -but it can also be an important and critical tool for effectively ensuring affirmatively furthering fair housing. Amending the Boston zoning code is intended to help address of community opposition, land use and zoning laws, availability of affordable units in a range of sizes, location and type of affordable housing and siting selection policies, practices and decisions of publicly supported housing.

The intent with this amendment is to encourage the interpretation and application of the zoning code to encourage the construction and reconstruction, and preservation of housing in a manner which diminishes the effect any other provision of the zoning code which may tend to restrict access to housing; to reduce community opposition; and to create a foundation for the expanded development of affordable housing and low income housing in all areas of the city. This amendment should encourage the development of housing in a manner which does not reinforce existing patterns of segregation and stifle the prospects of increased integration, does not spur displacement in ethnic enclaves, and permits the development of publicly supported, as identified through a robust community process, housing in a wider variety of areas throughout Boston.

Within the next one to two months transmit the proposed amendment to Boston City Council for docketing, review and assignment to committee. City Council Committee to review and schedule for public hearing within two months and report out for vote by full City Council within four months. The following zoning amendment should be reviewed for adoption (only showing Section 1-1; and 1-2):

Section 1-1. - Title.

This regulation shall be known and may be cited as the "Boston Zoning Code."

Section 1-2. - Purpose.

The purposes of this code are hereby declared to be: to promote the health, safety, convenience, morals and welfare, and equity of the inhabitants of the City; to require the most appropriate use of land throughout the City; to prevent overcrowding of land; to conserve the value of land and buildings; to lessen congestion in the streets; to reduce infestation; to avoid undue concentration of population; to provide adequate light and air; to secure safety from fire, panic and other dangers; to facilitate adequate provision for transportation, water, sewerage, schools, parks and other public requirements; to affirmatively further access to housing by all inhabitants of the City consistent with the requirements of federal, state and local fair housing laws in any manner which ameliorates patterns of segregation and the concentration of areas of poverty, and to preserve and increase the amenities of the City.

LEAD AGENCY OR ORGANIZATIONS: City of Boston Zoning Commission, BPDA with DND, BHA and BPHC - the implementation of this goal will begin with a dialogue with Mayor's Office to sponsor or support the proposed amendment. The proposed amendment to the Boston Zoning Code will amend the Code to include among its purposes the purpose of affirmatively furthering access to housing by all inhabitants of the city consistent with the requirements of federal, state and local fair housing laws.

7.2 Goal: Utilize zoning for creative approaches to maintain affordable housing for low-income groups, seniors and persons with disabilities, or to more generally expand the availability of income restricted and naturally occurring affordable housing.

Zoning is a powerful tool that can be used to help Boston resolve some of the challenges emerging from intense real estate activities. By using Inclusionary Zoning to create 'demonstration areas' certain neighborhood areas experiencing significant gentrification can be places where creative tools to prevent displacement can be assessed.¹⁷⁶ For example, the issue of affordability could be approached in terms of neighborhood-level median income versus area median income. Or, it might be a place where there is greater emphasis on establishing community land trusts.

The City has already suggested two approaches to more creative zoning in furthering fair housing in its Boston 2030 UPDATE report: "Explore development models and zoning options in Main Street areas that provide incentives for the construction of senior housing" (p.19), and "Continue residential planning and zoning reform processes with a focus on re-zoning for residential density and affordability around transit nodes." (p.35). These ideas should be pursued with the goal of avoiding the displacement of communities of color and using a racial equity lens, including review of Article 27 in Boston's zoning code allowing for the establishment of Interim Planning Districts.

Related to this goal the BPDA should review tax policies, land use, building codes and zoning ordinances that might be inhibiting the building or providing rental opportunities for protected classes especially in Boston's own high opportunity neighborhoods and areas; such a review should also include reasons, historical or otherwise, that may have led to some areas emerging as opportunity areas in Boston.

LEAD AGENCY OR ORGANIZATIONS: BPDA; DND with BPHC, and the MBTA for state owned land - continue to consider how to implement creative inclusionary zone; this should be treated as an urgent matter given the City's housing pressures.

¹⁷⁶ See Action 4 Equity's proposal Article 91 regarding transit-oriented development.

7.3 Goal: Explore and encourage the MBTA to design and require “transit equity impacts” to identify and mitigate impacts from transit improvements that could contribute to displacement of residents. As noted by *Action 4 Equity*, this is a “response to the displacement in our neighborhoods. Our demand recognizes that improving transit in our neighborhoods has had the unintended consequence of speeding gentrification and exacerbating inequality.”¹⁷⁷ This could also include assessing potential health impacts.

As noted by *Action 4 Equity*, this is a “response to the displacement in our neighborhoods. Our demand recognizes that improving transit in our neighborhoods has had the unintended consequence of speeding gentrification and exacerbating inequality.”¹⁷⁸ This goal is consistent with the idea of *Smart Growth Zoning Districts* in the state’s Chapter 40R (and, Boston’s Article 87). This could also include assessing potential health impacts. Impacts could be considered in terms of housing, but also the cultural history of a neighborhood area, for which a precedent was established recently by community organizers in Chinatown.

LEAD AGENCY OR ORGANIZATIONS: BPDA and DND will review the proposed zoning change regarding transit equity impacts and engage in dialogues with groups like *Action 4 Equity*, *ACE* and the MBTA and others to consider how this innovation could be implemented, along with timelines. Given that youth across the City have been involved with transit justice these and other community-based organizations can help to ensure that youth voices are included in the implementation of this goal.

7.4 Goal: BPDA should further enhance community planning and re-zoning processes to assure that these processes are inclusive of the residents and groups that the zoning changes will affect, that there are opportunities for meaningful community input, and that steps are taken to affirmatively further fair housing.

7.5 Goal: The City will seek legislative authority to incorporate the Inclusionary Development Policy into the City’s Zoning Code and provide the City with the ability to adjust Linkage fees, Inclusionary Development set-asides and payment and covered projects to increase the resources raised by these programs.¹⁷⁹

¹⁷⁷ See, Marvin Martin, “A Pilot Project – Special Protections for Transit Corridors: A multi-issue response to today’s gentrification and inequality and unintended consequences of transit improvements in Boston and region” (June 11, 2015).

¹⁷⁸ See, Marvin Martin, “A Pilot Project – Special Protections for Transit Corridors: A multi-issue response to today’s gentrification and inequality and unintended consequences of transit improvements in Boston and region” (June 11, 2015).

¹⁷⁹ DND Goal 13.1

8. EXPANDING HOMEOWNERSHIP WITHIN A FAIR HOUSING LENS

8.1 Goal: Reduce the disparity in homeownership rates by race and ethnicity; design strategies to keep older homeowners in place as their neighborhoods become gentrified, including by tax relief. Monitor and enforce, and publicize, the December 2018 City Council measure to assist older persons not meeting property taxes by extending payment terms from one year, to five years; forgive up to 50% interest charges. Develop a strategy to consider extending this arrangement for other homeowners, as well, as committed to by the City.

Blacks and Latinos face significant barriers to entering the city's homeownership market according to *Resilient Boston: An Equitable and Connected City*. Recent data indicates that Black Bostonians, for example, were “[denied home-purchase loans at a rate 3.2 times as high as their White counterparts, and Latinx/Hispanic residents were denied twice as often as White residents]” (p. 18). Homeownership programs and services must be targeted -not exclusively- to potential Black and Latino persons and families. The *Resiliency and Equity Report* cited a “[...2015 study by the Federal Reserve Bank of Boston revealed that White households in greater Boston have a median net wealth of \$47,500 while African Americans have a median net wealth of just \$8].” Increasing homeownership among Bostonians of color can help close this gap as homes are typically the largest asset that contributes to a household's overall wealth. It is important to put pressure on banks to meet their CRA goals and provide mortgages to low income homeowners of color.

Implement and prioritize an estate planning program as part of the core offering of the Boston Home Center. Mattapan, for example, has a very large senior homeowners' population. Mattapan United had begun a conversation with the community and partnered with estate planning organizations to educate residents about both the value and need of estate planning as a means of aging in place and preserving the equity they had built by passing on their homes to family. This could act as a barrier to gentrification. While estate planning is important, it does present challenges. It is critically important that the City/DND both implement and prioritize estate planning as a core offering as well as mechanisms to mitigate the challenges for prospective recipients. For a homeowner who either does not have family to pass a home on to or does not want to pass a home on to family, a part of estate planning could be to place that property on a land trust thereby ensuring permanent affordability and increasing the potential for an existing resident of the neighborhood to purchase that property. The Greater Boston Community Land Trust Network (GBCLTN) has been exploring and advocating this option. It is worthwhile for the City to also explore and provide supports that would make this option viable. The affected agency is DND and Boston Home Center.

LEAD AGENCY OR ORGANIZATIONS: DND will publicize widely the tax relief initiative for elders and work with its participating lenders, including MassHousing, to provide down payment and closing assistance to help homebuyers qualify who would otherwise not be able to get a mortgage. While this initiative is broadly aimed at helping 5,000 middle-class households purchase their first home by 2030, it will be necessary to target potential Black and Latino homeowners. This can be done with the following tools: 1) Target homebuyer information and outreach in predominantly Black and Latino parts of the city; 2) Work with BPS to offer homebuyer information sessions for parents during afternoon or evening hours.

8.2 Goal: Support the establishment and growth of cooperatives and community land trusts, in part through the use of city-owned parcels.

Boston 2030 identified CLTs as an important tool to mitigate gentrification: “*Explore the use of community land trusts* - In gentrifying neighborhoods, the City will work with non-profit and quasi- governmental funding entities to help community-based organizations acquire land. This land will then be held for future affordable and mixed-income housing development” (p.94). The idea was also endorsed in *Resilient Boston...*: “Strengthen policies that encourage the production and maintenance of deed-restricted low-moderate and middle-income housing. These policies include the inclusionary development policy and linkage fee, the reuse of surplus City parcels as locations for affordable housing and the Community Preservation Act.” (p.95). Based on strong public support this goal should be pursued *aggressively*. CLTs can be used to expand affordable homeownership and remove housing from speculative exploitation. Funding for seed grants and technical assistance for CLTs was a recommendation of the *Massachusetts Special Senate Committee on Housing* in 2016.

A source of land that could be targeted for CLT’s are Boston’s distressed properties. As reported in the City’s *Consolidated Plan...*, the “most recent survey from 2015 lists 371 distressed properties of which 254 (68%) are residential, 62 (17%) commercial, and (55) 15% were other property-types (exempt, industrial and mixed-use). Of the properties with known/estimated dates of when they became distressed, 90% occurred before 2015” (p.65). Another potential source of land for CLT targeting was identified in the *Consolidated Plan*: “In March of 2018 the Community Economic Development Assistance Corporation (CEDAC) issued a list of subsidized properties in Massachusetts with units at risk through 2022. According to CEDAC’s report, there are 39 properties in Boston with a total of 2,833 assisted units at risk of being lost to the affordable housing inventory through 2022. Preventing the loss of these units is a high priority for the City of Boston. (p.57).

Prioritize Real Estate Owned (REO) properties, which are properties that become bank or government owned after an unsuccessful sale at a foreclosure auction, be placed on a land trust to make them permanently affordable.

LEAD AGENCY OR ORGANIZATIONS: DND; BPDA with nonprofit organizations and interested developers -Continue to provide support and technical assistance, and resources, and work with organizations like COHIF and the Greater Boston Community Land Trust Network, to expand the number of community land trusts. (Also see earlier goal regarding inclusionary zoning).

8.3 Goal: Expand the BHA family-self-sufficiency program with a specific emphasis on homeownership.¹⁸⁰

Family self-sufficiency and homeownership are critical to reducing poverty and helping families from being displaced due to gentrification in Boston. The expected outcome from expanding the participation in the family self-sufficiency program is that families will be enabled to overcome the various contributing factors which tend to limit their access to opportunity. BHA should continue and expand considerably family participation in the family self-sufficiency. This entity should establish numerical goals for reaching and enrolling families, but also develop measures to track the progress of families, as well as obstacles or challenges to expanded self-sufficiency.

¹⁸⁰ DND Goal 6.4

LEAD AGENCY OR ORGANIZATIONS: BHA- with DND and local foundations; - part of this initiative is to partner with foundations and community-based organizations, or other entities to assist in the pursuit of this goal. There should also be a strategy and design for periodic evaluation and feedback

8.4 Goal: Get commitments from banks to meet their Community Reinvestment Act (CRA) obligations to meet the needs of their communities by making mortgage loans to low-income people and not foreclosing before efforts are made to resolve issues with an affordable loan modification.

8.5 Goal: Enforce City of Boston Responsible Banking Ordinance to ensure the City is investing money only in banks that engage in non-discriminatory lending and banking practices. This Ordinance requires yearly reports on the part of banking institutions about activities and actions taken by census tracts that may be contributing to housing discrimination. A Commission within the City's Collector-Treasurer Office is to be appointed to collect this information and report its findings annually to ensure that residents are not being unfairly displaced or burdened with housing costs.¹⁸¹

This Ordinance requires yearly reports on the part of banking institutions about activities and actions taken by census tracts that may be contributing to housing discrimination. A Commission within the City's Collector-Treasurer Office is to be appointed to collect this information and report its findings annually to ensure that residents are not being unfairly displaced or burdened with housing costs. Additionally, information about loans and investments towards affordable housing and small businesses with less than \$1 million in revenue.¹⁸²

8.6 Goal: Increase the number of lower-income households who are able to afford to buy a home.¹⁸³

8.7 Goal: Increase the number of lenders participating in the City's homebuyer assistance program.¹⁸⁴

8.8 Goal: Increase the supply of subsidized homeownership properties.¹⁸⁵

8.9 Goal: Implement a Financial Assistance Program to assist Whittier tenants and residents of Whittier Choice Neighborhoods target area to become homeowners.¹⁸⁶

¹⁸¹ See, *An Ordinance Amending The Municipal Banking Commission And Providing For Responsible Banking Practices In The City Of Boston*, 2013

¹⁸² See, *An Ordinance Amending The Municipal Banking Commission And Providing For Responsible Banking Practices In The City Of Boston*, 2013

¹⁸³ DND Goal 6.1

¹⁸⁴ DND Goal 6.2

¹⁸⁵ DND Goal 6.3

¹⁸⁶ DND Goal 6.4

9. CHALLENGING RACIAL INEQUALITIES, INEQUITIES AND BUILDING CIVIC / NEIGHBORHOOD CONNECTIONS

9.1 Goal: Consistent with the recent mayoral Executive Order *To Promote Racial Equality and Resilience* (January 31, 2019), organize training sessions for public officials, planners, developers and community groups to understand better how to utilize a racial equity and social justice lens in a) adopting policies and strategies; b) communication and outreach; and c) evaluation of policies, strategies or actions. Require all City departments to conduct a searching analysis of racial equity, social justice and issues facing members of classes protected under for housing and other civil rights laws, leading to a proactive plan for equity and social justice.

Boston's Resilience and Racial Equity Program identifies five basic guideposts to evaluate policies through the lens racial equity; these touch upon understanding the impetus for a policy or program; exploring unintended consequences; actions that would help to “avoid or repair these unintended consequences”, and also a query of how communities impacted by unintended consequences participate in any kinds of responses, included policy ones. Additionally, these kinds of training sessions should focus on the implications of otherwise *neutral* public policies on protected classes.

A related goal has already been proposed in *The Blueprint: A Preview of the Principles & Framework for Boston's Resilience Strategy* (November 2016), “Racial equity means closing the gaps so that a person’s race does not predict her or his success, while also improving outcomes for all. It is not just the absence of racial discrimination and inequities, but the presence of deliberate systems and supports to achieve and sustain racial equity through reflective, proactive, and preventive measures.” (p.4).

LEAD AGENCY OR ORGANIZATIONS: Office of Resiliency and Racial Equity with DND; HHS; BFHC; and other agencies - continue to use public meetings and events to encourage discussions about race, racism and racial inequities across neighborhoods to understand that prejudice and systemic racism are different dynamics. A related action is a call for the City to continue monitoring progress towards racial equity priorities in transparent surveys and reports, and encouraging public reviews of the data, data assumptions and interpretations reported.

9.2 Goal: Ensure that City departments are collecting data necessary to evaluate their work through a racial equity/social justice lens. Departments should ensure there is an opportunity for public input on data to be collected and proposed uses of the data. Data analyses should be publicly shared and available. Departments should use the data collected to make decisions on changing policies to ensure equity.

9.3 Goal: Enhance collaborative decision-making in City government by bringing together residents and government to share knowledge and skills to develop more effective and equitable policies, practices, and processes.

Engage -and retain- and fund community-based organizations to organize sessions to solicit both, concerns and suggestions, about challenges facing Boston, within a racial/ethnic equity and fair housing lens. But public officials should also participate in these meetings as listeners and resources for information and data. Open discussions - and even civic debates about ‘wicked issues’ and current or potential strategies should be encouraged.

LEAD AGENCY OR ORGANIZATIONS: Office of Resiliency and Racial Equity with BPDA, BFHC and other agencies - Big picture’ issues/questions facing Boston, as well as information

about neighborhood history, culture and struggles could be raised as non-academic discussions across Boston. Academic centers with strong community-based roots such as John D. O’Bryant Institute at NEU, or the Trotter, Gaston and Asian American Institutes at University of Massachusetts Boston could help to frame and implement these discussions with funding from foundations.

9.4 Goal: Strategies should be considered for making the leadership of various city agencies continually aware of fair housing issues (and changes); these agencies can include the Boston Public Schools (BPS), the Boston Police Department (BPD), the Boston Public Health Commission (BPHC), the Office of Workforce and Jobs (OWD), Boston Center for Youth and Families (BCYF), Boston Planning & Development Agency, and others.¹⁸⁷

A review of the *Analysis of Impediments* (2010) notes that there needs to be a greater degree of collaboration on the part of public agencies in pursuit of affirmatively furthering fair housing. There is still too much of a piecemeal process according to the Mayor’s *Housing a Changing City*... “Currently, housing resources are spread across City agencies, including the Department of Neighborhood Development, the Boston Housing Authority, the Boston Redevelopment Authority, the Fair Housing Commission, the Boston Public Health Commission, and the Inspectional Services Department. Additionally, several important housing services in Boston are coordinated through non-profits as well as programs operated by the Commonwealth. The result is a piecemeal process that can be intimidating to enter, difficult to understand, and too often passes applicants from agency to agency with no common oversight regarding outcomes.” (p.121)

LEADING AGENCY OR ORGANIZATIONS: BFHC with DND, BHA, BPHC, HHS, AND BPS – Enhance coordination and communication to determine the most efficient and effective ways towards completing the goals. There should be some meetings on an annual or biannual basis for city agencies such as Boston Housing Authority, the Department of Neighborhood Development, the Office of Fair Housing and Equity, the Boston Fair Housing Commission, the Boston Planning & Development Agency, Boston Public Schools, and perhaps others just to ‘share notes and observations’ about specific policies, practices and challenges in their own area, that seem or are connected to other areas. Greater coordination can be guided by HUD’s six livability principles adopted as a foundation for interagency coordination: “[Provide more transportation choices; Promote equitable, affordable housing; Enhance economic competitiveness; Support existing communities; Coordinate policies and leverage investment; and, Value communities and neighborhoods]”

9.5 Goal: Encourage BHA and property managers of subsidized housing to pursue greater communication and collaboration with the Boston Public Schools and local community health centers (and nonprofits) to assist in understanding the health and housing-education needs of children.

The goal will provide families and students with a greater understanding of resources in the area of public schooling and housing; collaboration can lead to pedagogical innovations regarding after-school time. The foundation for this kind of collaboration already exists and could be further expanded via periodic meetings or even more formal workshops.

LEAD AGENCY OR ORGANIZATIONS: BHA and BPS -brief descriptions of past collaboration as well as recommendations for expanding communication and potential actions can

¹⁸⁷ Such trainings could be similar to those that were previously conducted by the Fair Housing Center of Greater Boston.

be found for this in a report, *Boston Housing Authority and Boston Public Schools: Exploring Academic Collaboration*.¹⁸⁸ The BHA has long-established relationships with the Boston Public Schools and neighborhood health centers through our Community Services Department and intends to continue and expand such relationships whenever possible.

9.6 Goal: Ensure that education, cultural and health institutions pay the agreed upon Payment In Lieu of Taxes (PILOT) in a timely manner to increase potential funding for deeply affordable housing.

Boston's Assessing Department reported that about \$25 million was uncollected in agreed upon PILOTs in 2018; some of this money, if collected closer to 100%, would serve as an injection of much needed cash/funding that could be targeted to neighborhood areas who are not fully benefiting from Boston's development renaissance. According to information in the *Special Senate Committee on Housing Report* (March 2016), "...there are more than 120,000 graduate and postdoctoral students at area universities of which more than 90 percent live off-campus. In addition, the area's teaching hospitals offer positions to thousands of medical interns and medical residents each year." (p.36). While the latter adds pressure to the city's housing crunch, Boston's PILOT program also acknowledges that these same institutions are making enormous contributions to the City's social and economic well-being, but these acknowledgements have been factored into what institutions could pay, in lieu of property taxes.

LEAD AGENCY OR ORGANIZATIONS: BPDA with Assessing Department - there should be discussion with anchor institutions regarding reasons agreed upon goals are not being pursued; this discussion should lead to more effective collection of PILOTs.

¹⁸⁸ See, Jennings, Gaeta-Coletta and Jankie, *Boston Housing Authority and Boston Public Schools: Exploring Academic Collaboration* (October 2012).

10. REDUCING AND ELIMINATING DISCRIMINATION, INTENTIONAL OR NON-INTERNATIONAL

10.1 Goal: Include affirmatively furthering fair housing clauses with signing of city contracts with developers.

Developers and real estate interests are on the frontlines of housing, and certainly, fair housing issues; it is important that they pursue business interests in ways that do not undermine or weaken fair housing for protected classes. But, some developers may not be aware of the city's fair housing policies and practices. Efforts should be made to encourage a strong understanding of what fair housing entails.

LEAD AGENCY OR ORGANIZATIONS: DND with BPDA; BFHC - include a summary description or clauses that become part of the signing of contracts with developers. This kind of approach is reflected in a recent DND innovation which asks developers to consider ways to reduce the possibility of displacement. Responses to this query are considered in reviewing and evaluating proposals from developers.

10.2 Goal: The Boston Fair Housing (BFHC) should continue to seek to reduce housing segregation and discrimination by aggressively conducting fair housing education, investigations, and enforcement activities, in coordination and with fair housing and civil rights organizations. Special emphasis should be placed on obtaining higher damages for housing discrimination.¹⁸⁹ Given the presence and growth of the foreign-born population and limited English-speaking groups, there should be special emphasis on ensuring that individuals and households in these categories understand their rights.

The systemic problem of racism with consequent segregation and discrimination is not only historical but remains in the current period. Many have expressed concern that public discourse and politics is even more racially and ethnically divisive today, than in earlier periods. Recently, a *Boston Globe* series about race in Boston indicates that in many sectors and institutions, and whether intentional or not, segregation is evident. This is a context which serves to deny members of Protected classes fair housing along many dimensions.

LEAD AGENCY OR ORGANIZATIONS: BFHC should renew membership in the Government Alliance on Race and Equity and continue to consult civil rights agencies nationally on best practices related to the identification and enforcement of fair housing. Also, BFHC should provide information on the agency website regarding resources that are available for people who believe they have experienced discrimination (or about to experience discrimination); a weblink should be added as soon as possible explaining the complaint process outlined by HUD in "Fair Housing Act Complaint Process, 24 C.F.R. part 103). The City should continue to advocate for H.162 - An Act Relative to Promoting Fair Housing Practices. Currently, formalized training in fair housing laws is optional for real estate agent/broker pre-licensing in Massachusetts. H.162 would mandate this training so that real estate professionals who rent, sell or buy property fully understand and are in compliance with these laws. Given the local fair housing agencies are small with limited capacity, collaboration between agencies and supporting the initiatives of each agency is vital to maintaining education, outreach and investigative efforts.

¹⁸⁹ See DND Goal 15.1

10.3 Goal: Emphasize the importance of providing translated materials regarding public notices or announcements, and in-person interpretation, and enforce compliance among city departments, authorities and the BPDA with the Boston Language and Communications Access Ordinance. Increase staff and resources for the BFHC and Office of Fair Housing to ensure investigation, enforcement, and adequate monitoring, reporting and responding to instances of discrimination against protected groups; penalties collected should be utilized to aggressively pursue this goal.

Part of the rationale for increased resources is also to expand data collection and collaboration with other agencies and civil rights organizations. It is important to note the geography of complaints, as well as frequency on the part of guilty parties. This goal resonates with a recommendation made in the *Fair Housing and Equity Assessment for Metropolitan Boston*: "...Agencies must utilize data collection methods and adapt training resources to support integration of fair housing into planning and funding decisions"¹⁹⁰

Part of this goal would have meant working with the Greater Boston Fair Housing Center; but since this organization is not currently operating, we recommend that the duties of a Fair Housing Center (education, outreach, testing, investigation, preparation of legal complaints, organizing legal services resources) be conducted by one or more independent (non-governmental, HUD and City/state funded) nonprofits, located in Boston and familiar with its neighborhoods. The loss of the GBFHC is not a reflection on the value of a nonprofit structure of for such an entity. The independence of the entity is critical, particularly if it's going to employ attorneys and be aggressive in the investigation and enforcement. Give consideration to a nonprofit (NGO) model, rather than a strictly law-school based model (although the collaboration can be good), as the development of local neighborhood knowledge and informational networks for investigative work is better done by local nonprofits and not Boston area law schools.) and others to expand testing programs in Boston and the Boston Metropolitan Region. Based on hundreds of civil complaints (and there are probably discriminatory instances not reported) local governments must be made aware of continuing discrimination to respond appropriately.

LEAD ORGANIZATION: BFHC with DND; BHA - work and coordinate efforts with GBFHC and regional organizations in obtaining resources to continue its testing program. The City and other organizations have acknowledged that testing programs are effective tools for uncovering discriminatory practices that violate fair housing requirements.

10.4 Goal: Coordinate with BHA, Metro Housing and other providers on how to deal with landlords who refuse to take Sec. 8 vouchers.

Hold discriminatory and negatively-acting landlords, developers, contractors, realtors, consultants and other businesses involved in housing or City activities/services to account for their discriminatory or anti-fair housing actions including protected groups, immigrants and persons with CORIs. Consider adopting a tool such as HUD's 2530 *Previous Participation* form to implement this goal. This has been covered earlier in 4.2.

10.5 Goal: Create tools to recognize and encourage landlords, management companies, and lenders to consistently engage in best practices to promote fair housing.

¹⁹⁰ *Fair Housing and Equity Assessment for Metropolitan Boston*, p.10

Create a registry including a record for each business seeking a contract or other benefits from the City in which any unfair, discriminatory or anti-public interest actions are recorded, similar to HUD 2530 clearance structure. Actions like wrongful evictions, discrimination complaints, wage theft, refusing to accept or renew subsidies, violations of the consumer protection law, etc., should be recorded in the registry and bar the offending business from receipt of City contracts or other benefits. Ensure that businesses receive training about how to comply with applicable law-- wage and hour laws, fair housing laws, etc. BFHC should refer realtors who violate the fair housing laws to the licensing board. And they should undertake more aggressive enforcement actions that will result in significant penalties as a way to deter those who would discriminate.

10.6 Goal: The City should support legislative efforts to protect tenants from the inappropriate, harmful use of tenant summary process records.

With the advent of online court records, tenant eviction records are the “new CORI.” Court records often do not make it possible to determine whether the eviction was the fault of the tenant, or a no-fault, retaliatory, or discriminatory eviction. Tenants with any kind of eviction record, even when the eviction case was dismissed, find that it impedes their ability to seek housing. The City should support legislative efforts to protect tenants from this harm.

10.7 Goal: Improve compliance with the Boston Language and Communications Access Ordinance by the importance of providing translated materials and interpretation.

As noted in the fair analysis section of this report there are a significant number of persons in Boston who do not speak English and have little proficiency in the ability to speak English. Not providing translated materials and interpretation can result in the denial of fair housing for such persons. But, “failure to ensure that persons who are LEP can effectively participate in, or benefit from, federally assisted programs may violate Title VI’s prohibition against national origin discrimination.”¹⁹¹ There has to be assurance and follow-up about translated materials and access to interpretation especially in parts of Boston with a significant number of persons who are LEP. LEP compliance must occur in notices for and conduct of meetings involving zoning and planning decisions, project review, resident advisory meetings, etc.

LEAD AGENCY OR ORGANIZATIONS: BFHC with BPDA, Office of Immigrant Advancement - should review or audit city agencies to ensure compliance with Section 601 of Title VI of the Fair Housing Act. This would also include a review of the BPDA’s implementation of *Article 80* to ensure that all LEP have information that is linguistically usable to them.

10.8 Goal: The City will continue to advocate for H. 162—An Act Relative to Promoting Fair Housing Practices.¹⁹²

10.9 Goal: The City will expand its efforts to provide translated materials and in-person interpretation regarding important public notices or announcements, and key housing applications and program material to address the language needs of new immigrants and undocumented persons with Limited English Proficiency.¹⁹³

¹⁹¹ See, “Frequently Asked Questions on the Final LEP Guidance” *Federal Register* (January 22, 2007).

¹⁹² DND Goal 15.2

¹⁹³ DND Goal 16.1

11. PUBLIC & COMMUNITY SAFETY AND PUBLIC HEALTH

11.1 Goal: Target resources to neighborhoods with the gravest public health challenges, including higher rates of cardiovascular disease, infestations, Elevated Blood Lead per thousand and higher rates of asthma emergency room visits and hospitalizations.¹⁹⁴ To the greatest extent feasible, require recipients of City financial assistance who own rental units with more than one bedroom to make such rental units lead-safe whether or not occupied by a child under six to increase the stock of lead-safe housing and to decrease the incentive to discriminate against families with young children in housing rentals.

This is both a health and fair housing issue. There is a concentration of EBL cases in predominantly Black and Latino neighborhood areas. There are also concentrations of asthma incidents and other public health problems in these same places. This is a challenge that has implications for how children perform in school; it has workforce and employment impacts; it causes high levels of stress among some groups. Moreover, families with children aged six and under face rampant discrimination in the housing marketplace. Families with children are the fastest growing demographic among the homeless. It is imperative to require owners to delead wherever possible to ensure equal housing opportunity to families with young children, and to eventually eliminate non-compliant units.

LEAD AGENCY OR ORGANIZATIONS: BPHC with DND – continue and expand plans to abate lead hazards, including seeking additional Lead Hazard Control grant funding from HUD. Continue to monitor the progress of the Boston Lead Paint Initiative - City departments established 5-year goals pertaining to their service area. Assess the progress in meeting the goals and if not reached, examine obstacles to such. Ensure that the City’s homeowner rehab programs is widely advertised, including its code-related issues such as moisture intrusion that contributes to mold and providing education on healthy housing approaches. Require de-leading as a component of any City financial aid, whether for purchasers or homeowners. Provide assistance to purchasers and homeowners in the de-leading process.

11.2 Goal: Explore community health impact analysis that includes an assessment of potential displacement impacts for all development projects above a certain size threshold. Local researchers have started to examine and measure how displacement affects public health, especially among some elderly groups.¹⁹⁵

As reported in *Housing a Changing City: Boston 2030* (2014), “Currently, the Metropolitan Area Planning Council, the Conservation Law Foundation, the Massachusetts Housing Investment

¹⁹⁴ See DND Goals 11.1, 5.1

¹⁹⁵ See the pioneering work of Dr. Linda Sprague Martinez, Asst. Professor of Social Work, at Boston University, including Sprague Martinez, et al., “Nuestro Futuro Saludable: A partnership approach for connecting public health and community development to build a healthy environment”, *The Journal of the Community Development Society*. Special Issue on Community Development Approaches to Improving Public Health, 42(2), 235-247. (2011); and her presentation in 2018, *Increasing resident voice in the redevelopment process: A community practice partnership*. At the 22nd Annual Conference of the Society for Social Work and Research in Washington, DC.; also see the work of Elmer R. Freeman at the Center for Community Health Education, Research and Service (CCHERS) at Northeastern University; but one earlier example of this discussion is R. Batia, “Protecting health using an environmental impact assessment: a case study of San Francisco land use decision making” *American Journal of Public Health*, 97, no. 3 (March 2007).

Corporation, and others are developing tools and metrics to support and track health benefits derived from housing development efforts. These tools should supply new data which will aid informed decision making and support innovation going forward.” (p.92). A community health impact tool could let the public become aware of what health ailments might be produced by specific development projects. This could possibly save the city and state funding if health ailments are prevented before they occur.

LEAD AGENCY OR ORGANIZATIONS: BPHC with DND; BPS - take the lead in developing such an instrument, and with the input from other city agencies; as noted above there are public health researchers who could also assist with the implementation of this goal. This effort should also include a review of how other cities are using community health impact tools as part of environmental justice strategies.

11.3 Goal: Support stronger linkages between housing and health care organizations.

This goal reflects many discussions over the years about the relationship between housing and health. Recently, this was endorsed again, in *Housing Boston 2030 Update*: “Establish partnerships between the health care and housing development community to create programs that connect housing with health outcomes.” (p.25). BPHC can take the lead in communication with BHA and DND to distribute and explain HUD’s toolkit regarding tips for homeowners who want to ensure healthier homes.¹⁵⁶ The latter is reflected in the ongoing and collaborative efforts between city agencies and BPHC to reduce the number of children exposed to lead poisoning. Another example is the Healthy Start in Housing collaboration between BPHC and the BHA. The Healthy Start in Housing (HSiH) Program is providing stable housing and case management for pregnant women and their families who are at high risk of homelessness.

LEAD AGENCY OR ORGANIZATIONS: BPHC and BHA with DND, BPS – conduct a review of these kinds of collaborative efforts to determine if they are operating at the right capacity or should be expanded. This was discussed in Goal 9.5 above.

11.4 Goal: Target resources to neighborhoods with highest levels of violence and justice involved residents (whether incarcerated, recently returned or subject to ongoing oversight)

Public testimony indicated that violent crime and/or gun violence was cited numerously throughout the city as an impediment to safe neighborhoods. In a question in the city-wide survey (August 2017) respondents were asked: “Are you concerned about high levels of any of the following in your neighborhood?” Violent crime and/or gun violence was flagged affirmatively 145 times out of 287 responses. This concern is also reflected in a review of neighborhoods and census tracts showing the FBI Crime Index for property and personal crimes as shown in Map 33 and Map 34.

As noted, violence is both a public safety and public health issue. The city should provide additional funding to and expand the VIP program run by the Division of Violence Prevention at the Boston Public Health Commission and identify other successful violence prevention programs in affected neighborhoods (expanding and disseminating the Commission’s Trauma Resource Guide: (http://www.bphc.org/whatwedo/mental-emotional-health/trauma-response-and-recovery/Documents/Trauma_Resource_Directory.pdf)). This includes non-profits with proven records, especially working with young people, in accord with the initiative’s stated “goals and objectives.” Work with researchers and service providers both within and without government to

develop trauma-informed practices to address violence and its aftermath in neighborhoods identified with high rates of violence (see, for instance: http://www.aceresponse.org/img/uploads/file/Trauma_Informed_Policy.pdf . Closely monitor and consider expanding programs such as the newly announced Grove Hall trauma team, a partnership between Project RIGHT and the Harvard Street Neighborhood Health Center.

LEAD AGENCY OR ORGANIZATIONS: BPHC and Boston Office of Resilience and Equity, as well as local researchers and service providers.

12. ENSURING EQUITABLE DISTRIBUTION OF CITY RESOURCES BASED ON NEED, AND PROVIDING SUPPORTS FOR RENT-BURDENED RESIDENTS AND RESIDENTS FACING POTENTIAL AND ACTUAL DISPLACEMENT

12.1 Goal: Develop and obtain approvals to implement a preference policy in affordable housing units for low-income rent burdened households, especially those determined to be at risk of displacement in gentrifying areas.¹⁹⁶

This initiative can have the effect of reducing displacement but also preserving economic diversity in some areas. When people and families are displaced, there is an impact of small businesses and micro-enterprises, a major employer sector in many communities. This kind of goal can also help to maintain unique cultural and linguistic communities by enabling rent burdened lower-income residents a housing choice to live in affordable housing in their communities. There is data and information available about areas of the city that are gentrifying rapidly; this data and other information (such as eviction patterns and trends) can be used to identify highly vulnerable parts of the city.

This and similar goals are reflected in the city's acknowledgement of how serious the problem of gentrification is: "Anti-displacement policies and forward-looking investments in affordable housing will ensure that existing residents can remain in their homes. Proactive policies to promote affordable, stable neighborhoods will combat challenges associated with increased real estate prices that sometimes accompany investments."¹⁹⁷ Further, "Households in every neighborhood are feeling the strain of rising prices, and many historically affordable neighborhoods, including areas with large low-income populations and communities of color, are becoming less affordable. Boston's high cost of living is a testament to people's desire to live in the city, but these high costs are challenging for the families and communities who have long called Boston home. *Boston must focus on the needs of these residents* (author's italics) as we work to prevent displacement and make Boston affordable for all."¹⁹⁸

Adopt common language across the City, City agencies, developers, the community, legislators, advocates, academics, etc. that better define affordability. Move away from using a regional and flawed construct of Area Median Income (AMI) to define local affordability. This methodology is not representative because each neighborhood in Boston has its own and separate median income so cannot accurately define real affordability for any community. Neighborhood Median Income (NMI) or Boston Median Income (BMI), depending on which is lower, would be more relevant and reflective of real affordability. But, fundamentally, as it relates to the creation of a very necessary and essential preference policy in affordable housing to both combat predictable displacement as well as provide a pathway that allow impacted residents to remain housed in the communities of their choices, the defining principle should be who is most at risk and most in need. This may further require specifically defining risk and need as relating to residents who are low and extremely low income.

LEAD AGENCY OR ORGANIZATIONS: DND with BPDA – continue with the city's aim to "Seek approval to implement a rent burden preference to ensure that affordable housing units serve those with the greatest need." (p.22). Also continue to monitor the design of anti-

¹⁹⁶ See DND Goal 12.3

¹⁹⁷ *Imagine Boston 2030* p.38.

¹⁹⁸ *Ibid.*, p.90.

displacement initiatives: “Preventing displacement requires strategies on multiple levels. Tenants in housing crisis need direct legal and financial assistance, dedicated housing search support, landlord-tenant mediation, and assistance to access the network of housing supports across the City and the State.” (p.23). Given the concerns about displacement and gentrification the City should begin a process for identifying neighborhood areas and where initiatives such as the City’s Diversity Preservation Pilot can be fully implemented.

12.2 Goal: Conduct assessments to assure that City resources are distributed in an equitable manner based on need in order to avoid a disparate impact on protected classes.

Boston’s lowest income residents, those with incomes below 50% of area median income and especially those below 30% of area median income, are overwhelmingly more like to suffer extreme rent burdens (paying more than 50% of income in housing costs) than higher income households. In comparison the proportion of households with incomes over 80% of area median income who are paying more than 50% of income in housing costs is negligible. For the lowest income households, these staggering rent burdens leave them without enough income for other necessities of life. It is a myth that Boston households with the lowest incomes are somehow already taken care of by federal or state subsidy programs.

HUD Con Plan data consistently shows a huge population in these lower income ranges who are not receiving subsidies and are suffering under crippling rent levels. These households often end up living in substandard housing that is unsafe and overcrowded. The households in these lower income ranges are substantially more likely to be members of protected classes than higher income households. A failure to direct City housing resources to these households most in need is causing an ongoing disparate impact on members of protected classes and must be corrected. The City must focus at least its resources for rental housing on these households most in need or run afoul of its duty to affirmatively further fair housing. There is no justification for directing resources to any household over 80% of area median income when tens of thousands of the lowest income, disproportionately members of protected classes, continue to suffer horrendous and unacceptable living conditions.

12.3 Goal: Redirect BPDA focus to providing affordable housing for Boston residents in need of affordable housing, especially those most in need, rather than focusing on the Middle Class. BPDA must explicitly embrace a mission to provide housing for Boston’s neediest households. This is not a zero-sum proposition given the enormous size of the low-income population in Boston. Expanding affordable housing for the latter makes for a more economically vibrant city.

Until a decade or two ago, the BPDA saw its role as entering into and enforcing urban renewal agreements that benefited Boston’s lowest income households, as well as planning and zoning. At some point during the Menino administration, there was a shift in the City’s housing focus to compartmentalize the big three housing agencies in the City, the BHA, DND and BPDA. It is our understanding that the BHA was seen as responsible for housing the lowest income Bostonians, DND was responsible for housing somewhat higher income residents, or those without subsidies, and BPDA was deemed to be responsible for “middle class” households. BPDA went on to create the City’s inclusionary development policy and to direct it at “middle class” households, at least initially to those with incomes up to 120% of area median income and beyond. BPDA has continued to create “community benefit” and Community Preservation Act units at rents well over current IDP rent ceilings.

As a result of this structure, BPDA has presided over the development of units of “middle class” housing that are affordable only to Bostonians with incomes over the City median income, households which have the least housing need as compared to lower income Bostonians. Boston’s middle-class residents and home-seekers from outside the City are disproportionately less like to be members of protected classes than the lowest income Boston residents whom the BPDA no longer sees as part of its institutional mission. A large number of “affordable” units have been created at rents so high that even low-income tenants with housing vouchers paying 110% of the HUD fair market rent cannot pay them. In many cases, units were created with “affordable” rents so high that they exceeded market rents.

This structure, in which the richest City agency has seen its role as providing affordable housing to the relatively most affluent population receiving assistance in the City is inconsistent with affirmatively furthering fair housing and must be corrected. It is critical to fair housing in the City of Boston that the BPDA explicitly see itself as serving *all* Bostonians, with a duty to provide affordable housing for those most in need, who are disproportionately members of protected classes. BPDA must be charged with creating units whose rents are in a range that would in every case allow tenants with Section 8, MRVP and other housing vouchers to occupy them, and other units that are affordable to low-income tenants without subsidies. Recent actions in administering IDP funds to provide housing for Boston’s lowest income households should be the model going forward. BPDA must explicitly embrace a mission to provide housing for Boston’s neediest households.

12.4 Goal: Broaden public understanding regarding the recent decision to include “Development without Displacement” requirements in requests for proposals (RFPs). Also encourage the use of the Neighborhood Diversity Preservation Preference.

This can be an important tool in ensuring that developers become more broadly conscientious about the needs of long-term residents. It is proposed that DND provide some cases of developers who bid successfully and how they intend to develop in ways that minimize displacement. Residents should be informed about the ideas that developers are proposing to do this. Examples or ideas for development without displacement should be shared so that developers understand expectations. But there should also be yearly monitoring of successful proposals as they come to fruition.

LEAD AGENCY OR ORGANIZATIONS: DND, also BPDA

12.5 Goal: Further develop tools for understanding neighborhood changes associated with gentrification and displacement, so as to enhance policies and planning that address displacement.¹⁹⁹

Tools based on census and administrative data for measuring gentrification have been proposed across the country as well as in Boston.²⁰⁰ Gentrification can be an elusive term. By adding criteria to a definition of gentrification *for Boston*, the City can get a more comprehensive understanding of neighborhood changes and causes. Generally, criteria for understanding

¹⁹⁹ DND Goal 14.3

²⁰⁰ For some examples, see, James Jennings, *Development without Displacement: The Spatial Face of Potential Gentrification in Boston, Massachusetts* [DSNI Research Brief](#) (June 2014); also an earlier index for measuring community and economic distress in Boston: “Measuring Neighborhood Distress: A Tool for Place-Based Urban Revitalization Strategies” *Community Development Journal* (2012).

neighborhood change in Boston can include: - Precipitous decline in the Black, Latino or Asian population with long-time residence, juxtaposed with increasing numbers of wealthier Whites and Asians / - Emergence of major differences in family household types by race and ethnicity in the same neighborhood area / - Signs of Black and Latino/a, or Asian household overcrowding, increase in the number of non-relatives, or sub-families / -Relatively high level of impoverished Black, Latino/a, and Asian persons compared to Whites/ - Low Black or Latino homeownership compared to White and Asian persons /- More recent residents tend to have significantly higher income than long-time residents/- White families are considerably wealthier than Black or Latino/a families/- Major occupational differences by race, ethnicity and gender /- High numbers of distressed properties, and evictions /- High number of subsidized housing units facing expiring use /- Substantial proportion of households are rent-burdened /- Rapidly increasing real estate costs and rental rates conjoined with increase in number and size of capital projects /-Growth patterns associated with 1-person households

LEAD AGENCY OR ORGANIZATIONS: DND; BPDA with MAPC – consider what kinds of data can be utilized for proactive responses to neighborhood areas that might be in danger of facing displacement over a period of time and understand how the displacement is taking place.

12.6 Goal: Assess how the income targets of the various programs can be improved to better meet the needs of protected classes, in particular those who are also low-income.

A static approach to the definition of affordability pegged to the area median income could be contradictory to the assertion in *Imagine Boston 2030*: “Neighborhoods will provide housing for Bostonians of a variety of incomes. Existing housing, especially affordable housing, will be stable, and proactive anti-displacement policies will be implemented. Newly developed housing will be responsive to area incomes and support mixed-income communities.” (p.148). It is also inconsistent with data presented earlier in this Assessment. As noted in Goal 12.1: “Move away from using a regional and flawed construct of Area Median Income (AMI) to define local affordability. This methodology is not representative because each neighborhood in Boston has its own and separate median income so cannot accurately define real affordability for any community. Neighborhood Median Income (NMI) or Boston Median Income (BMI), depending on which is lower, would be more relevant and reflective of real affordability.”²⁰¹

There are some examples of how this goal can be implemented. In a recent Request for Proposals DND added language indicating that DND “will prioritize proposals that, in addition to the homeless set-aside, provide some portion of units targeting extremely low-income tenancies (less than or equal to 50% AMI)”. Generally the amount of assistance per project is capped at \$1 million, but language was added to provide an incentive to developers to include more units affordable to households at or below 50% of AMI: “Production applications that propose an additional 10% of the units to be targeted to tenants with incomes up to 50% of AMI may be eligible for additional HOME, CDBG and /or City Operating funds above the \$1 million dollar cap.” Another example is the City’s Diversity Preservation Policy where up to 50% of affordable housing units can be held for neighborhood residents, but only in areas that are already diverse. The City should monitor this important initiative closely to determine its impact on ensuring that long-time residents in diverse neighborhood areas. Ensure adequate funding and monitoring in the implementation of these initiatives.

²⁰¹ See Appendix J: HUD Income and Rent Limits (updated 8/2/18) for the City’s table on required income and rent limits based on HAMI.

LEAD AGENCY OR ORGANIZATIONS: DND with BPDA – explore how affordability pegged to HAMI is impacting protected groups in terms of access to housing.

12.7 Goal: Monitor the Inclusionary Development Policy (“IDP”) “zone” structure for unintended consequences related to impact on members of protected classes and the goal of affirmatively furthering fair housing. Gather and monitor data on those who apply to and/or access Inclusionary Development Policy (IDP) Units so as to assess how the program does or does not promote racial equity and further fair housing goals.²⁰²

The City’s IDP has led to the creation of hundreds of income restricted housing in downtown and high opportunity neighborhoods. Just as with federally and state funded affordable housing projects, units are marketed in conjunction with the Office of Fair Housing and Equity (OFHE), with lotteries held for each new property. In 2015 Mayor Walsh issued an *Executive Order to Create Additional Affordable Housing in Boston* which established Zones for the distribution of IDP funds. Increases in fees collected were also established for Zone A and Zone B. Consider the City’s adoption of a racial equity lens in reviewing policies and practices related to IDP and protected groups.²⁰³

LEAD AGENCY OR ORGANIZATIONS: BPDA with DND – engage in discussions with community potential or actual impacts of particular zone configurations.

12.8 Goal: Monitor real estate patterns and trends such as evictions, foreclosures, rents and sales prices, and condo conversions so as to 1) Understand how protected classes are disparately impacted by forces in the housing market, and 2) Identify tools to intervene in these processes.²⁰⁴

The *Housing Boston 2030* UPDATE proposes the appointment of an “Eviction Prevention Task Force that will focus on tenancy preservation and develop a report of actionable recommendations in 2019.” (p.24) This task force should be appointed as soon as possible and include fair housing, civil rights and housing advocacy representatives. Data necessary to track information about the above goal is not only difficult to track down, but quite expensive. The Warren Group collects and analyzes relevant data, and they have had contracts with Boston in the past. This, or other similar organizations, could be contracted to report this data on a periodic neighborhood and neighborhood-area basis and save the city time and money. The information would be invaluable to community activists and non-profits seeking to help ensure, “development without displacement” as a tool for affirmatively furthering fair housing.

LEAD AGENCY OR ORGANIZATIONS: DND; BPDA - make eviction data available in a user-friendly way that allows observation of the locations and reasons for evictions. Track rent increases; provide resources to residents and community-based organizations to analyze the practices and patterns of real estate actors (brokers, developers, investor landlords), especially in vulnerable areas. Also track real estate transactions which result in unused property and consider demanding fees for such. The report by Jennings, Terrell, Douglas, and Barnett includes an *Appendix E: Community Data Queries for Understanding Potential Displacement* which includes a list of basic questions that can help residents and advocacy groups understand gentrification tendencies in their communities. These questions include information about demographic and

²⁰² See DND Goal 14.1

²⁰³ Also see Boston Tenant Coalition, et al., “Fair Housing Concerns regarding Implementation of New Inclusionary Development Program” and, “Comments on City of Boston’s and Boston Housing Authority’s Second Draft Assessment of Fair Housing (September 25, 2017).

²⁰⁴ See DND Goal 14.2

household changes; income characteristics of older residents and newcomers; real estate developments; information about potential and actual displacement; concentration of distressed properties; impacts on neighborhood-based businesses, and other data that can help residents become more proactive in fighting displacement.

12.9 Goal: Establish fund to help rent-burdened tenants in conjunction with local banks and financial, and medical institutions, tied to the anti-displacement planning prong of current and future RFPs.

12.10 Goal: Support funding for attorneys to represent low-income tenants in evictions tied to the anti-displacement planning prog of current and future RFPs. This should be part of a broader strategy aimed at increased resources for the City’s Rental Acquisition Program, pursuit of state legislation for Right to Counsel, Tenants Right of First Refusal to purchase their homes, increased funding for MRVP, RAFT and re-establish Rent Arrearage Program, Eviction protections, etc.

12.11 Goal: The city should use increases in property tax revenue to help fund anti-displacement efforts for existing residents, including those at risk of displacement from 13A development.

12.12 Goal: Increase the local hotel room tax from 6% to the maximum allowable rate of 6.5% and dedicate the increase to affordable housing and homelessness programs.²⁰⁵

12.13 Goal: Substantially increase the creation of new units affordable to low-income non-elderly households, especially households with children and extremely low-income households (those with incomes under 30% of AMI or who are homeless) to prevent displacement and homelessness, and unmanageable rent burdens.²⁰⁶

12.14 Goal: To ensure that new City-assisted affordable housing units are prioritized for low-income rent burdened households, especially those determined to be at risk of displacement in gentrifying areas, DND and the BPDA have adopted a Diversity Preservation Policy on a pilot basis.²⁰⁷

12.15 Goal: To further ensure that new City-assisted affordable housing units are more efficiently targeted to households with the greatest need, DND will seek approval to implement a city-wide preference for severely rent-burdened households.²⁰⁸

12.16 Goal: DND will provide incentives to developers to increase the number of units affordable to households under 30% and 50% of the Area Median Income.²⁰⁹

12.17 Goal: Obtain legislative approval to increase the State match for the Community Preservation Act by increasing the Registry of Deeds recording fees.²¹⁰

²⁰⁵ DND Goal 13.3

²⁰⁶ See DND Goals 5.2, 5.4

²⁰⁷ DND Goal 12.2

²⁰⁸ DND Goal 12.3

²⁰⁹ DND Goal 12.1

²¹⁰ DND Goal 13.2

12.18 Goal: The City's housing agencies will collect data and monitor program accomplishments to ensure that the City's housing occupant selection policies, including program income guidelines, do not result in discrimination against protected classes.

Appendix A: List of Community Advisory Committee Members

The following list of City representatives and community representatives who provided significant content contributions towards this report and/or the City's community engagement process. This is not, necessarily, a complete list.

City of Boston Agencies

Robert Gehret, Deputy Director, Policy Development and Research Division, Department of Neighborhood Development

Janine Anzalota, LICSW, MPH, former Executive Director, Office of Fair Housing and Equity

Wilbur E. Commodore, former General Counsel, Boston Housing Authority (deceased)

James Jennings, Ph.D.

Professor Emeritus, Tufts University Special Assistant to General Counsel Boston Housing Authority

Diane Marchioni Manager of Research, Department of Neighborhood Development

Tanjirene Smith, Assistant to General Counsel Boston Housing Authority

Christopher O'Donnell Student Intern, Boston Housing Authority

Tim Davis, Deputy Director for Housing Policy, Boston Planning and Development Agency

Monica Valdes Lupi, JD, MPH Executive Director, Boston Public Health Commission

Snehal N. Shah MD, MPH Director, Research and Evaluation Boston Public Health Commission

Margaret Reid RN, MPA, Director of Health Equity and Quality Improvement Boston Public Health Commission

Triniese Polk, MHC, Director of Community Engagement and Partner Relations Boston Public Health Commission

Phyllis Sims, Senior Epidemiologist, Boston Public Health Commission

Dan Dooley, Director of Surveillance and Technology Boston Public Health Commission

Johnna Murphy Epidemiologist, Boston Public Health Commission

Helen Ayanian Program Coordinator, Boston Public Health Commission

Kristen McCosh Commissioner, Commission for Persons with Disabilities

Community Advisory Committee

Kathy Brown Coordinator, Boston Tenant Coalition

Kadineyse Ramize Peña, Program Associate Boston Tenant Coalition

Robert Terrell former Director, Fair Housing Center of Greater Boston

Barbara Chandler, Senior Advisor on Civil Rights and Fair Housing Metropolitan Boston Housing Partnership

Lincoln Larmond, Co-chair Mattapan United

Nadine Cohen Managing Attorney, Greater Boston Legal Services

Nilaya Montalvo, Program Director Homes for Families

Lawyers Committee for Civil Rights

Chinese Progressive Association

Vietnamese American Initiative for Development

David Harris Managing Director, Charles Hamilton Houston Institute for Race and Justice

NAACP, Boston chapter

Roxbury Neighborhood Council New England United for Justice

Appendix B: Dates and Summaries of Public Meetings

On 4/12/17 DND and the Office of Fair Housing and Equity/Boston Fair Housing Commission (BFHC) staff held a roundtable consultation meeting with 7 members of Homes For Families, a non-profit organization advocating for homeless families. The feedback received was used to inform the Assessment of Fair Housing.

On 4/25/17 DND, the BHA, BFHC, the Boston Public Health Commission (BPHC), and a coalition of tenant, civil rights and fair housing organizations jointly organized a large community meeting on Health and Fair Housing in Roxbury at Hibernian Hall. About 100 people attended and participated in one of the 5 breakout groups to explore housing and housing-related health issues. In addition to the breakout sessions, meeting participants also completed a survey. The feedback from the breakout sessions and the survey were used to inform the Assessment of Fair Housing. Leaflets in English and Spanish were distributed to advertise the meeting and interpretation was provided in Spanish and Chinese. Multilingual flyers were prepared for the community meeting and widely distributed to partner organizations, Boston Community Centers and the Boston Public Library network. An email was sent to about 300 subscribers to DND's Policy News and the meeting was posted on the webpage of the City of Boston's calendar. BPHC promoted the meeting electronically by posting on their website, in social media (Twitter and Facebook) and a listserv of approximately 250 organizations and individuals.

On 5/10/2017 DND and BFHC staff participated in a Disabilities Community Forum organized by the City of Boston's Disabilities Commission at Suffolk University Law School. Staff presented an overview of the AFH process, distributed copies of the AFH brochure and invited forum participants to participate in the AFH community participation process. Much of the testimony presented at this forum, especially testimony on transportation obstacles and housing issues was directly relevant to the AFH. There were about eighty people in attendance. American Sign Language (ASL) interpretation was provided as well as Communication Access Real Time Translation (CART). The feedback received was used to inform the Assessment of Fair Housing.

On 5/25/2017 DND held a public hearing on its draft Program year 2017 Action Plan. As part of the agenda for that hearing an overview of the Assessment of Fair Housing and the community participation process was presented.

A citywide public hearing on the AFH draft #1 was held June 22 at the Anna M. Cole Community Center in Jamaica Plain. The hearing is within the 45-day comment period for draft issuance. A second citywide public hearing was scheduled for August 22 at the Boston Public Library in Copley Square; this hearing was within the timeframe of the second 45-day comment period after issuance of the Assessment draft #2. The meetings were posted on the City of Boston's calendar, on the AFH webpage, shared with the AFH network and emailed to a listserv of about 300 organizations.

The BHA made a presentation to the Resident Advisory Board (RAB) on March 17, 2017. The RAB was given an introduction to the Assessment of Fair Housing (AFH), the legal and regulatory background which led to HUD developing and requiring the City of Boston and Boston Housing Authority to present and submit the AFH along with a brief explanation of the assessment tool. The RAB was informed of their expected role in the community participation process and the expectation that they would review and comment on the AFH. The members of the RAB were provided with the HUD data tables, a sample of the maps and a written overview of the assessment process.

On February 8, 2017 the BHA attended a citywide meeting of the BHA- CCECR - Resident Empowerment Coalition and gave a presentation on the BHA and the City of Boston preparation of Assessment of Fair Housing. The HUD provided data to be utilized by the BHA and the City of Boston in completing the AFH was made available to the members in attendance.

On 6/13/17 DND, the BHA, BFHC, BPHC and a coalition of tenant, civil rights and fair housing organizations jointly organized a community meeting on Health and Fair Housing in Mattapan at the Mildred Avenue Community Center. About 30 people attended and participated in one of the 3 breakout groups to explore housing and housing-related health issues. In addition to the breakout sessions, meeting

participants also completed a survey. The feedback from the breakout sessions and the survey will inform the Assessment of Fair Housing. Surveys were provided in English, Spanish and Haitian Creole. Leaflets in English, Spanish and Haitian Creole were distributed to advertise the meeting and interpretation was provided in the following languages: Spanish and Haitian Creole. Multilingual flyers were prepared for the community meeting and widely distributed to partner organizations, Boston Community Centers and the Boston Public Library network. An email was sent to about 300 subscribers to DND's Policy News and the meeting was posted on the webpage of the City of Boston's calendar. BPHC promoted the meeting electronically by posting on their website, in social media (Twitter and Facebook) and a listserv of approximately 250 organizations and individuals. The feedback and surveys received were used to inform the Assessment of Fair Housing.

The BHA made a second presentation to the RAB on 6/15/17 at which time the RAB was provided with the Draft #1 of the AFH. The RAB was given information on the process in preparing AFH, informed that Draft #1 would be available for public comment until July 27, 2017. Each member present at the meeting was provided with a copy of AFH Draft #1 which included all data tables and maps.

On 6/21/17 DND, the BHA and the BFHC held a citywide public hearing at the Anna M. Cole Community Center (adjacent to the BHA's Mildred Hailey Apartments) to take comments on the AFH draft #1. About 20 people attended with 7 providing testimony. In addition, meeting participants were asked to complete a survey. The hearing was posted on the AFH website (www.Boston.Gov/DND/Assessment) as well as the City of Boston's online calendar. The hearing details were shared with about 300 subscribers to DND's Policy News, with community partners in the AFH process and advertised in the Metro Boston. Interpretation was provided in Spanish and American Sign Language. The feedback and surveys received were used to inform the Assessment of Fair Housing.

On 6/28/17 DND, the BHA, BFHC, BPHC and a coalition of tenant, civil rights and fair housing organizations jointly organized a community meeting on Health and Fair Housing in Charlestown at the Harvard-Kent School. About 20 people attended and participated in an open group discussion to explore housing and housing-related health issues. In addition to the group discussion, meeting participants also completed a survey. The feedback from the breakout sessions and the survey were used to inform the Assessment of Fair Housing. Surveys were provided in English and Spanish. Leaflets in English and Spanish were distributed to advertise the meeting and interpretation was provided in Spanish. Multilingual flyers were prepared for the community meeting and widely distributed to partner organizations, Boston Community Centers and the Boston Public Library network. The hearing was posted on the AFH website (www.Boston.Gov/DND/Assessment) as well as the City of Boston's online calendar. BPHC promoted the meeting electronically by posting on their website, in social media (Twitter and Facebook) and a listserv of approximately 250 organizations and individuals.

On 7/11/17 DND, BHA and BFHC presented an overview of the AFH process to a group of nonprofits as well as a coalition of tenant, civil rights and fair housing organizations at Urban Edge offices in Roxbury. About 30 people attended and participated in one of the 3 breakout groups to explore fair housing issues. In addition to the breakout sessions, meeting participants also completed a survey. Surveys were available in English and Spanish. The feedback from the breakout sessions and the survey were used to inform the Assessment of Fair Housing. Leaflets in English and Spanish were distributed by organizers to advertise the meeting and interpretation was provided in Spanish.

On 7/17/17 DND, BHA and BFHC participated in a community discussion on the AFH sponsored by the Roxbury Neighborhood Council and the Boston Chapter of the NAACP at the Dudley Public Library in Roxbury. About 20 people attended and participated in one of the 2 breakout groups to explore fair housing issues. In addition to the breakout sessions, meeting participants also completed a survey. The feedback from the breakout sessions and the survey were used to inform the Assessment of Fair Housing. Leaflets were distributed by organizers to advertise the meeting.

On 8/2/17 DND, the BHA, BFHC, BPHC and a coalition of tenant, civil rights and fair housing organizations jointly organized a community meeting on Health and Fair Housing in the Codman Square neighborhood of Dorchester. About 50 people attended and participated in one of 4 breakout groups to

explore housing and housing-related health issues. In addition to the group discussions, meeting participants also completed a survey. The feedback from the breakout sessions and the survey were used to inform the Assessment of Fair Housing. Surveys were available in English and Spanish. Leaflets in English and Spanish were distributed to advertise the meeting and interpretation was provided in Spanish. Multilingual flyers were prepared for the community meeting and widely distributed to partner organizations, Boston Community Centers and the Boston Public Library network. The meeting was posted on the AFH website www.Boston.Gov/DND/Assessment as well as the City of Boston's online calendar. BPHC promoted the meeting electronically by posting on their website, in social media (Twitter and Facebook) and a listserv of approximately 250 organizations and individuals.

On 8/22/17 DND, BHA and BFHC held a citywide public hearing at the Boston Public Library in Copley Square to take comments on the AFH draft #2. About 30 people attended with 12 providing testimony. In addition, meeting participants were asked to complete a survey. The hearing was posted on the AFH website (www.Boston.Gov/DND/Assessment) as well as the City of Boston's online calendar. The hearing details were shared with about 300 subscribers to DND's Policy News, with community partners in the AFH process and advertised in the Metro Boston. Interpretation was provided in Spanish and American Sign Language. The feedback and surveys received were used to inform the Assessment of Fair Housing.

On 8/29/17 DND and BFHC partnered with the LGBT Ageing project and Suffolk Law School Housing Discrimination and Testing Program to present addressing fair housing for LGBT older adults. About 80 people attended and participated in one of 4 breakout groups to explore housing and housing-related discrimination issues. In addition to the group discussions, meeting participants also completed a survey. The feedback from the breakout sessions and the survey were used to inform the Assessment of Fair Housing. This meeting presented discrimination testing finding from Suffolk Law School Housing Discrimination Testing Program Study, *Transcending Prejudice: Gender Identity and Expression Discrimination in the Metro Boston Rental Housing Market*. DND and BFHC presented the AFFH and themes presented from community meetings thus far. Fliers for the event were sent out via the list serve for the BFHC and the LGBT Ageing Project. The LGBT Ageing project also sent text reminders to all who registered. The meeting was posted on the AFH website www.Boston.Gov/DND/Assessment as well as the City of Boston's online calendar.

On 9/12/17 DND, BFHC, and BPHC and a coalition of local East Boston nonprofit agencies sponsored a meeting in East Boston. The presentation focused on health/fair housing, and community meeting themes thus far. The meeting presentation was conducted in English and Spanish with additional Spanish interpretation provided. The group discussions were held in both English and Spanish. English and Spanish fliers were used to advertise the meeting. DND, BFHC, BPHC, and community partners advertised the meeting via listserv, social media, and the AFH website www.Boston.Gov/DND/Assessment as well as the City of Boston's online calendar. BPHC promoted the meeting electronically by posting on their website, in social media (Twitter and Facebook) and a listserv of approximately 250 organizations and individuals. About 30 people attended and participated in one of 4 breakout groups to explore housing and housing-related discrimination issues. In addition to the group discussions, meeting participants also completed a survey available in English and Spanish. The feedback from the breakout sessions and the survey were used to inform the Assessment of Fair Housing.

On September 14, 2017 the BHA gave a presentation to the RAB regarding the Draft #2 of the AFH. This was a general summary of the analysis from the second draft with the first introduction of the BHA's goals. At this meeting the BHA specifically requested that the RAB schedule a special meeting to discuss the BHA's goals and to gain input from the RAB with respect to issues presented in the AFH and the formulation of the BHA goals.

The RAB scheduled a special meeting on September 28, 2017 to permit an opportunity for the BHA to gain additional input from the members regarding factors that would inform their choice of housing, problems they have encountered in seeking affordable housing and steps that they think the City and the BHA can take to make housing available to low income families and to address the issue of affordability of rental housing.

On 9/18/17 DND, BFHC, and BHA and a coalition of local Fields Corner nonprofit agencies sponsored a meeting in the Fields Corner area of Dorchester. The meeting was hosted by Viet Aide. The meeting focused on the AFFH and themes presented from community meetings thus far. The meeting presentation was conducted in English with Vietnamese, Cape Verdean and Spanish interpretation provided. The group discussions were held in both English with interpretation provided. English, Vietnamese, Cape Verdean, and Spanish fliers were used to advertise the meeting. DND, BFHC, and community partners advertised the meeting via listserv, social media, and the AFH website www.Boston.Gov/DND/Assessment as well as the City of Boston's online calendar. About 40 people attended and participated in one of 4 breakout groups to explore housing and housing-related discrimination issues. In addition to the group discussions, meeting participants also completed a survey available in English, Vietnamese, Cape Verdean, and Spanish. The feedback from the breakout sessions and the survey were used to inform the Assessment of Fair Housing.

On 9/19/17 DND and the BFHC presented to the Chinese Progressive Association, CPA members and community residents in Chinatown. CPA organized this meeting and recruited participation in partnership with Boston tenant coalition. CPA used community flyers in Chinese Mandarin and phone calls to advertise the meeting. DND and BFHC presented on the AFFH and themes presented from community meetings thus far. The meeting was live interpreted into Chinese Mandarin and community conversations on the community survey were facilitated and held in Chinese Mandarin. About 30 people attended and participated in one of 4 breakout groups to explore housing and housing-related discrimination issues. In addition to the group discussions, meeting participants also completed a survey. The feedback from the breakout sessions and the survey were used to inform the Assessment of Fair Housing.

The BHA made a second presentation to the RAB on June 15, 2017 at which time the RAB was provided with the Draft #1 of the AFH. The RAB was given information on the process in preparing AFH, informed that Draft #1 would be available for public comment until July 27, 2017. Each member present at the meeting was provided with a copy of AFH Draft#1 which included all data tables and maps.

Appendix C: City-wide Survey

Question 1: Tell us about the quality of your house or apartment. ²¹¹: 77% meets the needs of household; 67% do not have specific health nor safety (64%) concerns

Question 2: What are the major barriers to finding a safe and affordable home in your neighborhood of choice? Respondents asked to check all that apply; 676 total checks. The highest responses: 27% affordable rents, 12% lack good jobs, 12% credit issues, 10% lack of transit and 7% lack of housing for persons with disabilities.

Question 3 asked respondents about access to quality services and conveniences in their neighborhood and the importance of that service or convenience to them on a scale of 1 to 5: 1 being the most and 5 the least important. Of the 671 number 1 rankings, good jobs and economic opportunities received the highest (19%) followed closely by quality health care (18%), healthy food (17%) good schools (16%), good public transportation (16%) and parks and recreation facilities (13%).

When answering the access of these same services or conveniences in their current neighborhood, respondents indicated 26% had access to good public transit, 17% to quality health care, 17% parks and recreation facilities, 16% good schools, 16% healthy food and 8% good jobs and economic opportunities.

Question 4 asked are you concerned about high levels of any of the following in your neighborhood, check all that apply. There were 1303 responses. The top six greatest concerns noted: rising rent and home prices (18%); lack of affordable housing (18%); poverty (10%); racial segregation/discrimination (10%); violent crime/gun violence (7%); Exposure to environmental hazards 7% (lead paint, air pollution, contaminated soil).

Question 5 asked respondents to make a judgement as to whether their neighborhood is treated fairly when the City of Boston or the Commonwealth make investments (for example in schools, parks, infrastructure, business development or other projects). 43% sometimes their neighborhood is left out; 34% their neighborhood is treated far worse than others; 22% their neighborhood is treated the same

Question 6 asked about experience with discrimination when looking to rent or buy housing. 66% stated they have faced housing discrimination; 40% of them more than once; 29% frequently and 34% responded they had never experienced. Further, the majority of discrimination occurred(61%) during a rental application.

Question 6 also asked respondents to identify the reason they believe they were discriminated against. The top reasons of the 462 indicated were: income level (17%); race/color (16%); low credit score (11%), children in household (10%); having a housing voucher (8%); age (6%); currently or previously homeless (6%); marital status (5%); and national origin (5%).

Question 7 asked what the community needs, in addition to affordable and healthy housing options, to have good health. Respondents provided 779 responses to nine choices plus an other category in a range of 9-14% with public safety being the greatest need followed by healthy food, employment, nice environment/neighborhood and good transportation.

Question 8 asked if respondent had been displaced from a neighborhood. 216 responded with 83% No and 17% Yes

²¹¹ Note that not all survey respondents answered each of the nine questions. Further, some questions specified checking off multiple choices. The results below capture the percentages based on the total responses for each question and each answer choice.

Question 9 asked what the City of Boston can do to address racial and ethnic segregation in housing with 11 options and instructions to check all that apply. There were 1558 responses: 15% create more affordable housing; 12% create more accessible housing; 11%: healthier and more diverse neighborhoods, build family friendly housing, restrict rent increases; 10%, train landlords/realtors about housing discrimination, test and prosecution for discrimination, provide community education about discrimination laws; 7% preserve all affordable housing or convert market rate housing to affordable; 6%, allocate public land for affordable housing, expand land trusts or other tools for affordable housing

Appendix D: BHA AFT Tenant Survey Letter and Survey

August 1, 2017

Re: Assessment of Fair Housing Survey

Dear _____:

The Boston Housing Authority and the City of Boston are engaged in the process of completing an Assessment of Fair Housing. The Assessment of Fair Housing (AFH) is a new planning process that the U.S. Department of Housing and Urban Development (HUD) requires public housing agencies and cities that receive HUD funds to complete to meet their obligation to provide equal access to housing. The purpose of the AFH is to understand and identify local conditions and policies that may limit housing choice; identify concrete priorities and set goals that increase fair housing choice; build opportunity for all residents; and strengthen our community through consultation with community residents and organizations.

The AFH will identify key priorities and goals for the City, the Boston Housing Authority (BHA) and the community to work together on over the next 5 years to support fair housing. These priorities and goals will help guide how HUD/ federal resources are utilized.

In order to identify the priorities and goal, we want to hear from as many people as possible, especially those who might not normally attend meetings. To gain additional input from city and BHA residents, we have prepared a survey to assist us in identifying issues and concerns related to access to housing and opportunities, which are of importance to members of the community. We want to hear from YOU.

Please complete the attached survey and return it to:

Boston Housing Authority
Legal Department
10th Floor
52 Chauncy Street
Boston, MA 02111

Thank you for assisting us in this important effort.

Sincerely,

Wilbur E. Commodore
General Counsel

Boston Assessment of Fair Housing
 Community Survey
 August 1, 2017

The City of Boston (City) and Boston Housing Authority (BHA) are developing a plan to bring equity and fairness to housing issues in Boston. The plan, called an Assessment of Fair Housing (AFH), uses data to examine our neighborhoods' challenges, as well as opportunities. It sets recommendations for future spending and policy actions and it needs your input to make it even stronger. Please use this form to share your thoughts.

Are you a Boston Resident? Yes No Zip Code where you live _____

Your Experiences and Thoughts

1. Tell us about the quality of your house or apartment.
- a. Does it meet your needs and/or your family's needs? Yes No
 - b. Are there any specific problems, such as health concerns? Yes No
- or safety concerns? Yes No Other? (Please specify)

2. What are the major barriers to finding a safe and affordable home in your neighborhood of choice? **(Please check all that apply.)**

- Lack of lead safe housing and/or my landlord is not willing to deled
- Not wanting to rent to families with children
- Affordable rents
- Not willing to accept your rental voucher
- Not willing to rent to you due to sexual orientation or gender identity
- Lack of housing for persons with disabilities and/or my landlord is not willing to make changes to accommodate my disability
- Lack of transit (accessible, affordable, walking distance)
- Lack of good jobs
- Credit issues
- Prior eviction
- Prior homelessness
- Other: _____

3. Tell us about your neighborhood, please complete parts (a) and (b):
- a. Please choose which are the most important to you? **1 being the most, 5 the least (Please circle one)**

1	2	3	4	5	Good schools
1	2	3	4	5	Good jobs and economic opportunities
1	2	3	4	5	Accessible and Quality health care
1	2	3	4	5	Access to healthy food
1	2	3	4	5	Access to public transportation options that work for your family
1	2	3	4	5	Parks, swimming pools or other recreation facilities
1	2	3	4	5	Other:

- b. In your experience, which of the following are generally available either in your neighborhood or close to your neighborhood? **(Please check all that apply.)**

• Good schools
• Good jobs and economic opportunities
• Accessible and Quality health care
• Access to healthy food
• Access to public transportation options that work for your family
• Parks, swimming pools or other recreation facilities
• Other:

4. Are you concerned about high levels of any of the following in your neighborhood? **Please check all that apply.**
- Rising rents or home prices pushing people out of the neighborhood
 - Lack of affordable housing
 - Unoccupied blighted homes or lots
 - Unsafe occupied homes (with mold, leaks, fire hazards, etc.)
 - Violent crime and/or gun violence
 - Exposure to environmental hazards (like lead, contaminated soil, or air pollution)
 - Poverty
 - Racial segregation/discrimination
 - Lack of interpretation/translation

- Lack of accessible housing _____
 - Substandard housing _____
 - Other: _____
5. When the City or State makes investments in Boston (for example, on streets, schools, parks, drainage, business development or other projects), do you think your neighborhood is treated fairly?
- Yes, my neighborhood is treated the same as other neighborhoods
 - Sometimes investments are fair, but sometimes my neighborhood gets left out
 - No, my neighborhood is treated worse than other neighborhoods
 - Other: _____
6. Have you, or anyone you know, ever been discriminated against when looking to rent or buy housing in Boston? (ex: Were you told and/or saw an ad that said “We don’t accept section 8, not dealed, no kids, professionals only) . **If you have been discriminated against please answer questions (a) and (b).**
- Yes
 - More than Once
 - Frequently
 - Never
 - Other: _____
- a. If yes, why? (Check all that apply)
- Because of my race or color
 - Because of my national origin
 - Because of my age
 - Because I have children
 - Because I have a disability
 - Because of my marital status
 - Because of my sex/gender
 - Because of my sexual orientation
 - Because of my gender identity or expression
 - Because I have a voucher (Section 8, MRVP, other)
 - Because of my income level
 - Because I was previously or currently homeless
 - Because I’ve been evicted in the past
 - Because I have a low credit score
 - Because I have a history of arrests
 - Because I have a history of felony convictions
 - Other: _____
- b. What were you trying to apply for?
- Renting an apartment
 - Buying a home
 - Applying for a home loan
 - Applying for home or renter’s insurance
 - Other: _____

7. In addition to affordable and healthy housing options, what else do you need in your community to have good health?
Please check all that apply.

- Affordable and Reliable Transportation Options
- Access to Healthy Food Options
- Access to Employment Opportunities/Living Wages
- Quality Schools / Education
- Environmental Conditions/ Neighborhood Aesthetic elements i.e. trees, good lighting
- Public Safety
- Access to Health Services
- Access to Recreational Settings
- Social Support/ Interactions
- Other: _____

7. Have you been displaced/forcibly moved from a neighborhood? **If you have NOT been displaced please move on to question 9.**
- No
 - Yes
 - a. Where did you live before?

 - b. Where do you live today? (Neighborhood, major intersection, etc.)

 - c. What was the cause of moving (rent increases, building renovations/clear out, eviction, etc.)?

 - d. Please compare your living situation before you moved to today: What's better? What's worse? What's the same? _____
8. What do you think the City of Boston can do to address racial and ethnic segregation in housing? **(check all that apply)**
- Create more affordable housing throughout the City in all neighborhoods
 - Create more accessible housing throughout the City in all neighborhoods
 - More training of landlords and realtors about housing discrimination laws
 - More testing and prosecution of landlords and realtors that discriminate
 - More community education about discrimination laws
 - Create healthier and more diverse neighborhoods
 - Build more family friendly housing across the city in all neighborhoods
 - Preserve all affordable housing or create new affordable housing from existing market
 - Restrictions on rent increases
 - Allocate public land (City, State, MBTA, etc) for affordable rental or affordable homeownership
 - Expand community land trusts and other tools to make permanently affordable housing
 - Other: _____

Please share any additional comments (optional):

Demographics

Please check the box for each category with which you most closely identify. Your response will be kept CONFIDENTIAL.

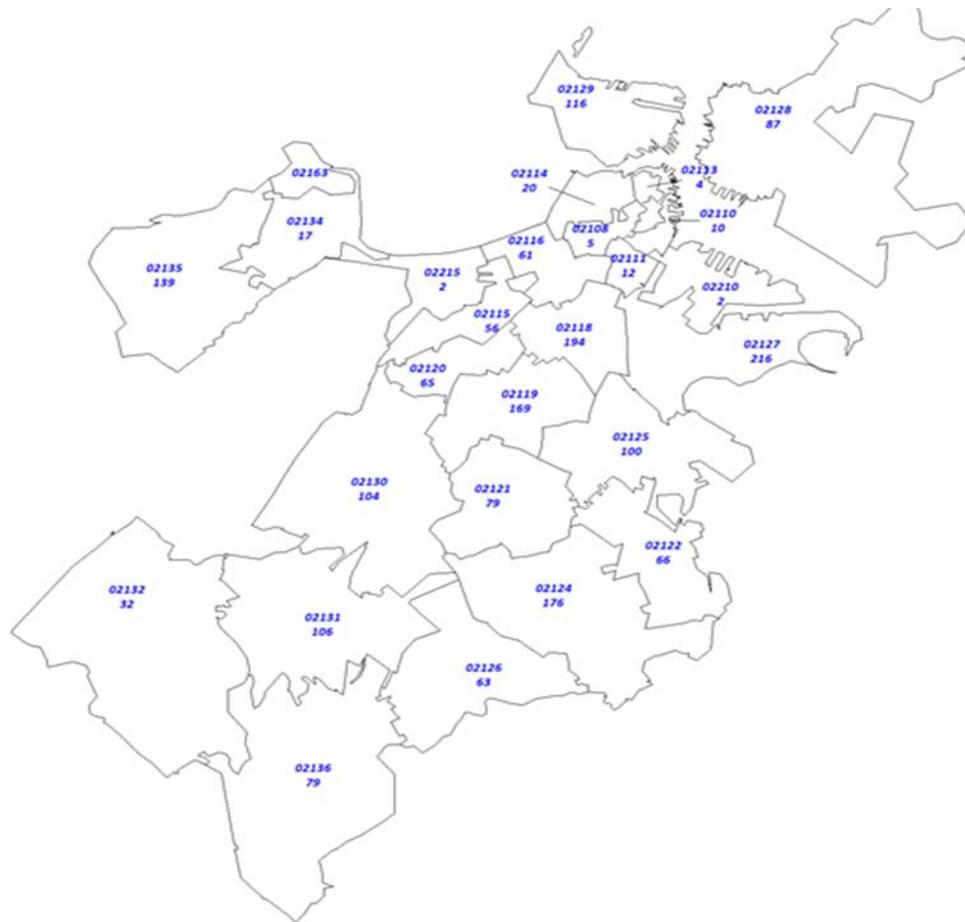
I am: Male Female Transgender/Female Transgender/Male Other: _____

My age range is: 19 or under 20-29 30-39 40-44
 45-49 50-59 60-69 70 or older

Race/Ethnicity

Hispanic or Latino/a	Federal Race Categories	Ethnic Groups
Please check one	Choose all that apply, but please choose at least one	Please choose one or more from the following
I am: <input type="checkbox"/> Hispanic or Latino/a <input type="checkbox"/> Not Hispanic or Latino/a <input type="checkbox"/> Don't Know	I am: <input type="checkbox"/> American Indian/Alaskan Native <input type="checkbox"/> Asian <input type="checkbox"/> Black or African-American <input type="checkbox"/> Native Hawaiian/Pacific Islander <input type="checkbox"/> White <input type="checkbox"/> Other: _____ <input type="checkbox"/> Don't Know	I am: <input type="checkbox"/> Afro-Caribbean <input type="checkbox"/> Dominican <input type="checkbox"/> Cape Verdean <input type="checkbox"/> Colombian <input type="checkbox"/> Haitian <input type="checkbox"/> Portuguese <input type="checkbox"/> Puerto Rican <input type="checkbox"/> Vietnamese <input type="checkbox"/> Other: _____ <input type="checkbox"/> Don't Know

THANK YOU!



Appendix E -Part 1: Review of Past Goals & Actions based on the *Boston Analysis of Impediments to Fair Housing Report (June 2010)*

This section reviews the broad strategies and actions pursued by Boston and other sectors to implement responses to impediments to fair housing identified in the *Boston Analysis of Impediments to Fair Housing Report (June 2010)*. The section focuses on the major areas discussed in the AI report in this city and region. *Please note* that this section is based on the author's 'cutting/copying/pasting' information provided by DND, BHA, BPHC, and BFHC in the earlier AFFH drafts and other documents. The author attempted to describe what agencies have or continue to implement in response to the impediments announced in the AI for 2010. For the reader's benefit, Appendix E provides a list of all the impediments identified and the specific actions adopted in 2010 to eliminate or reduce these impediments.

Major areas of findings and challenges were:

- (1) "disproportionate housing needs among protected classes, and lack of housing affordability and poor housing conditions disproportionately affecting households of color,"
- (2) "disproportionate share of project-based assisted housing in Boston is located in racially concentrated area[s],"
- (3) "barriers to housing choice" in the housing market,
- (4) "expanding access to privately-owned housing by people in protected classes",
- (5) "prejudice and bias...as an impediment to fair housing choice", and
- (6) "land use and zoning policies preclude a fair and equal distribution of housing types in and among the region's communities, including rental and for sale housing, multifamily and single-family housing, and affordable and market rate housing"

The following are the goals and actions that were established to resolve the above challenges and related issues; a descriptive status of how the goals were or are being addressed is included.

(1) "disproportionate housing needs among protected classes, and lack of housing affordability and poor housing conditions disproportionately affecting households of color"

The following includes the three goals established in response to this challenge accompanied with a status report.

1. "[City departments should examine current policies for setting eligibility standards in Boston's housing programs and evaluate strategies to balance the needs of the city's lowest income families against considerations of cost and the creation of stable mixed income developments]." Although the City must ensure that there are affordable housing rental and homeownership opportunities for a wide range of households that are priced out of market rate housing, clearly low-income households and many households of color face this problem acutely.

2. Boston proposed advocating with DHCD for the provision of state housing assistance to provide additional capital assistance to units targeted at the lowest income families. DHCD has provided significant capital funding, including Low-Income Housing Tax Credits, that it has awarded for affordable housing projects. Currently, one of the top priorities is to obtain additional capital and rental assistance to preserve at-risk projects originally funded under the state's 13-A program, which, unlike Federally assisted (Section 8) expiring use projects have few tenant protections.

3. A goal also included continue (and expansion of) collaborations between City housing agencies and non-City agencies with housing resources for the purpose of leveraging a greater number of units serving the lowest income households. Over the last few years the BHA has regularly reached out to various organizations and advocacy groups working to assist applicants in gaining access to BHA public housing. While each of the groups tend to work with a selected population they share the common goal of providing assistance to applicants in gaining access to affordable housing. While the BHA has been successful in reaching out and meeting regularly with these organizations the success of these meetings in making housing available to increased numbers of applicants is indeterminate. The BHA also works closely with the City to make a limited number of housing vouchers available as project-based rental assistance for priority City-funded affordable housing projects. The BFHC is a critical partner in enforcing local and other preferences through its Affirmative Marketing program.

DND has taken inventory of its housing to better monitor turn-over of homeless units; also, it has revised its' homeless set aside policy to ensure it is housing the most vulnerable low income homeless residents who also fit HUD's definition of chronic homeless. DND is also collaborating with the BFHC to develop a rent burden preference for City funded projects. This will also ensure that low income and moderate-income renters are able to stay in the City. In a related issue, there are ongoing discussions and public debates regarding the most effective way to define affordability for city and neighborhood residents. This discussion emerges due to the fact that median incomes are very different at the metropolitan, city and neighborhood levels.

Boston also established a goal of 97 percent or higher occupancy rate in BHA housing. As a result of revisions to its Admissions and Continued Occupancy Policy, the elimination of multiple housing offers and the reduction of the number of offers for transfer and new admissions and with increased emphasis on working with residents to reduce evictions for nonpayment of rent the BHA has been successful in achieving and maintaining a cumulative occupancy rate in excess of 97.8% for its federally funded developments and in excess of 98.2% for its state-aided developments.

(2) "disproportionate share of project-based assisted housing in Boston are located in [a] racially concentrated area[s]"

A key goal established for resolving this issue was a call to support the creation of mixed-income developments and neighborhoods. Since 2010 the BHA has continued to move forward with efforts to modernize and redevelop its existing housing stock. The redevelopment of Washington Beach and Franklin Hill created mixed income housing developments while continuing to provide housing accessible to extremely low-income households. The effort continues with the redevelopment of Old Colony which is in progress. Phases 1 and 2 have been completed and Phases 3 and 4 are in the planning stage.

In 2015 the BHA issued a request for proposals for developers for various sites. The sites include the modernization of existing housing developments as mixed finance, mixed income

developments. Development partners have been selected for Charlestown, Amory Street, Mildred Haley Apartments and Mary Ellen McCormack. The BHA also obtained final approval for a Choice Neighborhoods Grant to not only develop the Whittier Street Housing Development as mixed finance housing, but to utilize strategies that will enhance the vitality of the surrounding neighborhood and community.

More recently, the BHA proposed and has started to implement a counseling program for families receiving Housing Choice Vouchers during relocation to assist such families in accessing housing in high opportunity areas.

(3) “barriers to housing choice” in the housing market

Key goals were established to overcome “barriers to housing choice”: One was to establish a comprehensive fair housing testing and enforcement program and initiate enforcement actions to identify instances of discrimination based on receipt of public assistance. To help in accomplishing this goal the Office of Fair Housing and Equity and the Boston Fair Housing Commission (BFHC) partnered with Suffolk University Law School Housing Discrimination Testing Program (SULS HDTP or HDTP) in 2012 to test for housing discrimination in federal and Massachusetts protected classes.²¹² In December of 2013 the HDTP published *Lingering Lead: Strategies for Eliminating Familial Status due to Lead Paint*.²¹³ The HDTP found that Section 8 discrimination (receipt of public assistance), is highly correlated with the presence of Lead Paint and familial status discrimination. In March 2014 (to August 2016) the BFHC and SULS HDTP received a partnership grant from HUD Fair Housing and Equal Opportunity. Some of the deliverables for the partnership grant related to the goal above included: testing for federal and Massachusetts protected class housing discrimination complaints; testing and reporting findings related to systemic discrimination. It also included funding for increasing community outreach and education about Fair Housing and all protected classes.

Another initiative was the convening of a multi-agency and multi-disciplinary lead paint work group, which facilitated a lead paint study outlining recommendations for addressing familial status and source of income discrimination. In 2015, the SULS HDTP offered a Fair Housing Law course at SULS that included federal and Massachusetts protected classes. HDTP also offered fair housing trainings for SULS students. As part of the above partnership grant deliverables SULS HDTP completed a gender identity discrimination study for the Boston Metro area. The study sites Federal Bureau of Investigations hate crime statistics confirming transgender and gender nonconforming people are the most vulnerable to prejudice and discrimination in the United States. The study’s key finding was, “When comparing the treatment of individual pairs of transgender and/or gender non-conforming people versus cisgender and gender-conforming people, the HDTP found discrimination in the form of disparate treatment in over 60% of the tests.”²¹⁴

²¹² The HDTP is a HUD-funded fair housing initiative program that seeks to eliminate housing discrimination through testing, enforcement, education and outreach, and academic study.

²¹³ Berman, W., Langowski, J., and Urbanowski, S. *Lingering Lead: Strategies for Eliminating Familial Status due to Lead Paint*. Suffolk University Law School Housing Discrimination Testing Program, Dec. 2013.

²¹⁴ Langowski, J., Berman, W., Holloway, R., McGinn, C. *Transcending Prejudice: Gender Identity- Based Discrimination in the Boston Rental Housing Market*. Suffolk University Law School Housing Discrimination Testing Program, Nov. 2016

Another goal established under the challenge above was the convening of a working group to assess compliance with federal language access requirements and plain language techniques among agencies and their grantees, and to develop strategies for pooling resources to improve language access. The BFHC, DND, BHA, the Commission for Persons with Disabilities, BPHC and the Mayor's Office for Immigrant Advancement (MOIA) are among some of the City of Boston Departments who have been convening since 2014 to provide guidance on best practices on language and communications access for those with limited English proficiency and those with disability related communication needs. Towards this end in March 2016 Boston City Council President Michele Wu and City Councilor Tim McCarthy filed the City of Boston Communications Access Ordinance, which was passed by the Council and signed by Mayor Walsh in September 2016.

The Mayor's 2017 budget provides additional resources through the City's 311 office to translate newsletters, press releases, and other notices in a variety of languages, as well as additional interpretation services for those calling the City through 311. This allocation also supports a citywide Language Access Coordinator, which the City hopes to hire by the Fall of 2017. This investment will be extremely powerful in improving access to city services for Boston residents speaking a wide variety of languages and with a wide variety of communication accessibility needs. The City will be monitoring use of interpretation and translation through 311 to assess need for additional resources in the future.

In November 2016 Boston voters approved the Community Preservation Act (CPA) appearing on Ballot Question 5. After this approval the City created a Community Preservation Fund. The City finances this fund with a 1% property tax surcharge, beginning in July 2017, and the State provides matching funds. The City will use this revenue to fund the following types of initiatives, consistent with State CPA guidelines: affordable housing; historic preservation; open space and public recreation. Each funding area receives a minimum of 10% of the funds (30% of the total funding), with the remaining 70% to be spent among the three priorities. It is anticipated that affordable housing will get the a major portion of this funding. The Boston City Council is currently appointing the committee that will oversee how CPA funds are distributed among these categories. CPA funds set aside for affordable housing will continue to support Boston's efforts to support low to moderate income residents in obtaining affordable housing in Boston.

(4) "expanding access to privately-owned housing by people in protected classes"

There are two major goals established in response to this challenge: One goal addresses the problem that families with children using the Section 8 Housing Choice and the Massachusetts Rental Voucher Program (MRVP) are often denied housing when housing quality inspections detect the presence of lead-based paint. Massachusetts has the 2nd oldest housing stock in the nation and housing discrimination against families with children or vouchers due to the presence of lead paint account for 30% of the Office of Fair Housing and Equity's Boston Fair Housing Commission caseload. Receipt of Public Assistance, including Section 8, is protected under Massachusetts anti-discrimination Law (M.G.L. ch.151B). Many of the Section 8 discrimination complaints BFHC receives are associated with the presence of lead paint.

Mayor Martin J. Walsh launched the Boston Lead Paint Initiative in October of 2014 with two objectives: reduce the number of children exposed to lead paint and the number of families victimized by housing discrimination related to lead paint; and increase the number of lead safe units and renovations through public education about lead and lead-related resources. The Boston Lead Paint Initiative is a multi-city agency collaboration led by the BFHC aimed at

protecting families with children from the dangerous effects of lead exposure and housing discrimination. The Boston Lead Initiative seeks to reduce housing discrimination families face related to lead paint, increase education on lead paint related tenant rights and the responsibilities of landlords, increase lead safe housing, lead safe renovations, and reduce the number of children with elevated lead levels. The BFHC's framework reflects that housing discrimination is a bulwark to barriers to housing opportunity for Section 8 and MRVP voucher holders. Although existing laws make it illegal for housing providers, including realtors and brokers, to discriminate against families with children because of the property's lead status, we continue to find that discrimination against families due to the presence of lead paint all too common, particularly in online advertisements. The BHC Environmental Health Department also refers constituents to the FHE for housing discrimination complaints related to Section 8 or familial status and the presence of lead paint in a home.

In 2014 targets were adopted by various city agencies; the Department of Neighborhood Development (DND) Lead Safe Boston program will "de-lead" 400 housing units (80/year); the Office of Fair Housing and Equity (FHE) will educate 2,500 at risk residents on fair housing and lead awareness (500/year); the Inspectional Services Department (ISD) will conduct 325 lead determinations in high risk units (65/year); and the Boston Public Health Commission (BPHC) will train and license 500 contractors in lead safe renovation (100/year). These targets have been met: The Department of Neighborhood Development has funded the de-leading of 164 owner and renter occupied units; the Boston Fair Housing Commission has educated 15,777 households about fair housing rights, state lead law, and City de-leading resources; the Inspectional Services Department has inspected 128 rental units for lead paint; and the Boston Public Health Commission has trained 91 contractors and 143 home owners in lead safe renovations. BFHC has also investigated housing discrimination complaints against Section 8 voucher holders that are not related to lead paint but based on prejudice towards Section 8 voucher holders. BFHC continues to sponsor education and information activities to inform the public about their fair housing rights.

A second goal in this area was the Build on the Healthy Homes initiative where connections between housing and health agencies would be supported. Working with various organizations such as the Boston Foundation, the BHA has greatly expanded and strengthened its partnerships with healthcare and academic partners, such as the Department of Public Health, Boston Medical Center, Northeastern University and the Harvard School of Public Health. With the completion of de-leading work at some of its scattered site properties over the next year the BHA will have achieved full de-leading compliance with respect to all of its federally and state funded properties.

BHA has also worked with City of Boston agencies, including the Boston Public Health Commission, as well as with Boston area academic centers to address pest control issues, utilizing, integrated pest management, and to increase the availability of smoke free housing to reduce the incidence of asthma related events in his housing population and the incidents of emergency room visits and hospitalizations. The Authority also participates in housing programs designed for families with specific housing needs such as families with children who are housing insecure or homeless expectant mothers with high-risk pregnancies.

The Healthy Start in Housing Program (HSiH) seeks to curb low birth weight by addressing homelessness, and is a collaboration between BPHC and BHA. The program provides stable housing and case management for pregnant women and their families who are at high risk of homelessness. At least one of 3 criteria must be met: the mother has a chronic health condition; the mother has had a previous poor birth outcome like a pre-term birth or low-birth

weight; and the family includes a child under age 5 with a complex condition requiring specialty care.

In addition to the above, FHE collaborates closely with the Boston Public Health Commission's Healthy Homes Division, which refers constituents with asthma, and other health needs related to a reasonable accommodation need to the office for investigation of housing discrimination complaints. The annual Safe and Healthy Housing Collaborative Convention convenes over one hundred and fifty inspectors, as well as staff and managers from the Department of Inspectional Services-Housing Division, the Boston Housing Authority, the Boston Public Health Commission, the Office of Fair Housing and Equity, and the Boston Commission on Affairs of the Elderly to work together on improving housing and health for all Boston residents especially the most vulnerable. This collaborative has been meeting annually since 2010 and focuses on improving coordination and alignment of resources related to housing to deliver better and more effective services to residences. Under the tagline "Working Together to Keep our City Healthy!" attendees can network, problem solve and celebrate successes. This annual meeting also provides participants the opportunity to learn about other successful City of Boston agency collaborations, resources, and best practices that improve the wellbeing of Boston residents.

As part of these collaborative efforts the Mayor's Office and FHE have supported the following Massachusetts state legislative initiatives since 2014 a House Bill 1301 proposing to include survivors of domestic violence as a protected class under state fair housing laws (bill did not pass, and is under study); House Bill 2049, An Act Relative to Lead Abatement(<https://malegislature.gov/Bills/189/House/H2049>): (passed in the following session as S2462) proposing to lower the level of public health intervention from 25 micrograms per deciliter to 10 micrograms. The current level of concern recommended by the Centers for Disease Control is 5 micrograms. This bill also proposed to double the allowable tax credit for building owners who pay for the containment or abatement of lead paint, doubles the fines for housing discrimination related to lead paint, and adds a small surcharge to housing related agency licensure renewals. Should the bill pass, BPHC would have more mandatory lead inspections and follow up activities to conduct. The increase in fees would offset the anticipated increased costs.

House Bill 162, An Act Relative to Promoting Fair Housing Practices proposes an hour requirement of fair housing continuing education for realtors and brokers. Currently, formalized training in fair housing laws is optional for real estate agent/broker pre-licensing in Massachusetts. H.162 would mandate this training so that real estate professionals who rent, sell or buy property fully understand and are in compliance with these laws. This will help to ensure that tenant and prospective tenants' rights to non-discriminatory treatment are protected and ensure that clients purchasing homes as rental income properties understand their legal obligations. H.162 proposes 2 hours of mandatory fair housing education during pre-licensing and 1 hour of fair housing education during each subsequent 2-year continuing education cycle for real estate brokers and agents. Requiring fair housing training for pre-licensing and continuing education will increase awareness of fair housing laws and contribute to a reduction in incidents of housing discrimination.

To better serve Boston's residents with disabilities, The City's Disabilities Commission brought together City agencies and community partners to develop the Disability Housing Task Force report. The report outlines several goals and strategies under three categories: Increasing the supply of housing for persons with disabilities; Improving information about existing housing and programs; Increasing housing support services for persons with disabilities. The report also outlines that Boston does have a significant amount of public housing and subsidized assisted

housing units set aside for persons with disabilities. However, the need for these units far exceeds the supply. The report also outlines the needs of individuals with disabilities whose income is too high to qualify for a subsidized rental unit and low income homeowners who need adaptations to enable them to continue to live safely in their homes²¹⁵

The City received written testimony from a local disability advocacy group that shared stories about its' members reflecting the following experiences and concerns: Some program participants are housed inappropriate to their accessibility needs; for example, some program participants live on the third floor of a triple decker with very narrow stairs. Leaving the apartment requires the residents to crawl up and down the stairs, leaving them without a mobility device when they leave the house. Some program participants cannot afford to make the reasonable modifications needed. Some program participants have a difficult time finding affordable housing that has a second room for a personal care attendant. Some program participants have a range of disabilities including physical, sensory, and mental health needs. Some program participants face barriers to accessing housing related to prior arrests and convictions. Some participants have been able to have their criminal records sealed, but now face difficulty finding a fully accessible unit using a mobile voucher. For many low-income program participants, a constant source of stress is not being able to find a unit as a voucher holder in the time allotted. Not being able to find a unit that is covered by the costs of the voucher, or having other assistance needs that are not covered by health insurance, afforded in their current housing, or they cannot afford to pay out of pocket.²¹⁶

Testimony has been provided regarding the lack of affordable accessible homeownership opportunities for persons with disabilities, including for middle-income households who do not qualify for subsidized housing programs but are still priced out of Boston's housing market. We will solicit additional community input on these issues. In addition, the City has also committed to the following strategies: Increase the percentage of City-funded affordable units available to persons with disabilities. Increase the number of Inclusionary Development Program affordable housing units accessible to households with members who have disabilities.

The City's Boston Planning and Development Agency now requires the completion of an accessibility checklist for use in the article 80 approval process fund to assist families developing an Additional Dwelling Unit (ADU) in their home for the use of a family member.

(5) "prejudice and bias...as an impediment to fair housing choice"

The broad goal adopted here was to address unfounded assumptions and fears about members of protected classes. While prejudice and bias are not solely based on unfounded assumptions and fears, but also systemic racism, this does play a significant role in undermining fair housing choice for protected groups. Several initiatives were established to highlight the existence of this problem and its impact on fair housing, but also strategies for diminishing prejudice and bias in Boston. In October 2015 the BFHC brought the Center for Social Inclusion's Government Alliance for Race and Equity to Boston to provide its workshop on the role of racial equity work in government. Titled, "Advancing Racial Equity: The Role of Government", the workshop provided an introduction to the role, responsibilities and

²¹⁵ City of Boston, Disability Housing Task Force 2016 Goals and Actions (July 2017).

²¹⁶ Boston Center for Independent Living. Participant Case Studies. (2016)

opportunities for government to advance racial equity based on national best practices.²¹⁷ The workshop convened 150+ government and community leaders from Boston and surrounding communities to introduce the work of the Government Alliance on Race & Equity (GARE), a national network of government agencies working to achieve racial equity and advance opportunities for all. This workshop provided an opportunity for City leadership to learn how to apply an equity analysis to their work.

This kick off workshop led to the formation of the Boston Alliance for Racial Equity (BARE). BARE is a collective of partners from housing, transportation, public health and environmental justice working together to advance racial equity and racial justice in the Greater Boston area. BARE partners include the City of Boston's Office of Fair Housing and Equity, Southern Jamaica Plain Health Center, Action for Regional Equity, Boston Public Schools, Boston Public Health Commission, the Boston Tenants' Coalition, Somerville Community Corporation, the Boston Racial Justice and Equity Initiative, and On the Move (OTM). In partnership with GARE and the Haas Institute, the BARE partners organized the day-long Advancing Racial Equity training in October 2015, with a shared goal of developing a larger conference and summit in 2016. In April of 2016 BARE and its partners convened a two-day summit on Race and Equity: A Call to Government and Community. Over 600 people were in attendance. During the Summit, Mayor Walsh convened cabinet and department heads in a private session to discuss the importance of racial equity to the City of Boston. This discussion was facilitated by Dr. Atyia Martin, former Chief Resilience Officer of the Mayor's Office of Resilience and Racial Equity. The Summit held workshops on racial equity in employment/contracting, housing, education, criminal justice, environmental justice, public health and other areas that impact fair housing. The current Chief Resilience Officer is Lori Nelson, a community activist who has worked with and provided leadership to the NAACP-Boston Branch's Housing Committee and has also worked with BHA.

The City of Boston became a Government Alliance for Race & Equity member in July 2016. The Office of Fair Housing and Equity, the Office of Workforce Development, the Boston Public Health Commission, and the Office of Resilience and Racial Equity all participate in internal meetings on racial equity initiatives for these departments. The Office of Resilience and Racial Equity is leading citywide racial equity initiatives as part of the City's 100 Resilient Cities efforts. Boston is the only 100 Resilient Cities member to have an explicit racial equity focus as its theme.

In November 2016 The Mayor's Office of Resilience and Racial Equity (MORRE) hosted "Boston Talks About Racism," a public forum attended by hundreds of residents, which served as the kick-off to a citywide conversation about racism. As part of the event, Mayor Walsh released *The Blueprint: A Preview of the Principles and Framework for Boston's Resilience Strategy*, "a report outlining how racial equity lies at the heart of the forthcoming Resilience Strategy. MORRE and the Mayor's office have partnered with the Hyams Foundation to launch a series of race dialogues in Boston neighborhoods, as a continuation of the work started to acknowledge systemic racism and work toward racial equity.

MORRE and the Mayor's office released *Resilient Boston: An Equitable and Connected City* in July 2017. The City's resilience plan explicitly points out Boston's history of institutional

²¹⁷ The workshop was led by Julie Nelson, Director of the Government Alliance on Race and Equity, and Glenn Harris, President of the Center for Social Inclusion. These individuals were instrumental to the success of Seattle's Race and Social Justice Initiative and the launching of the Government Alliance on Race & Equity.

and structural racism and that the common theme among the resilience challenges discussed strategy is that the challenges outlined all disproportionately impact Boston's communities of color. This becomes an even greater issue when we look at how Boston has grown, and current demographics. As Boston has grown in recent decades, we have become increasingly more racially diverse with Boston's population becoming predominantly people of color in 2000.²¹⁸

Other city-based initiatives to reduce racial inequities include My Brother's Keeper; the Mayor's Safety Initiative; the Resilient Cities Challenge; the Mayor's Mentoring Movement. The city also established its first Chief Diversity Officer position in 2014 to help ensure that local government would reflect the growing diversity of Boston.

(6) "land use and zoning policies preclude a fair and equal distribution of housing types in and among the region's communities, including rental and for sale housing, multifamily and single-family housing, and affordable and market rate housing"

There were two major goals adopted to ensure that land use and zonings policies do not dampen or reduce fair housing in terms of equitable and equal distribution of housing types, including rental, for sale, single and multi-family, and affordable and market rate housing: Supporting the creation of mixed-income developments and neighborhoods. Both BHA and DND have pursued strategies and initiatives to achieve this broad goal. The BHA has been active in redevelopment of many of its housing developments as mixed finance/income housing, but with the aim of preserving all existing publicly funded units while introducing market rates units as a tool for insuring the long-term survivability of the publicly supported units.

Based on past experiences the BHA proposes that merely improving public housing sites (as important as this is, for the quality of daily lives of tenants) is not enough; strategies must also be present for redeveloping public housing as mixed-finance, mixed income communities, and without generating fears of displacement on the part of tenants and residents. The latter is a framework that capitalizes on more economically diverse communities pointing to benefits for long-time residents and especially youth whose employment prospects could improve. The latter does not conflict with also encouraging job training programs and programs for advanced educational advancement coupled with expanding housing mobility with increased access to areas of high opportunity. This reflects HUD policies and 'encouragement' regarding "balanced approaches."²¹⁹

A recent example of this effort is the Mildred C. Hailey Apartments, located in a HUD identified Racially and Ethnically Concentrated Area of Poverty (R/ECAP), described later in this report. On August 9, 2017 BHA announced that Centre Street Partners - comprised of The Community Builders, Jamaica Plain Neighborhood Development Corporation and Urban Edge - had been designated as the developers to restore and rebuild the Mildred C. Hailey public housing

²¹⁸ City of Boston. *Resilient Boston: An Equitable and Connected City*. (July 2017).

²¹⁹ *The Federal Register*, Vol. 80, No. 136 (July 16, 2015), p.42279; a balanced approach is especially important given that by itself, mobility strategies and programs are not ipso facto effective responses to racism and discrimination against Protected groups, even in what might be considered opportunity neighborhoods. Children and youth in METCO schools, for example, have experienced racial and ethnic tensions in some communities with excellent public schools or low poverty rates. In data prepared for the BHA General Counsel and based on the American Community Survey 2010 - 2014, Dr. James Jennings reviewed Black, Latino, Asian and White poverty and unemployment rates in many Massachusetts cities considered high opportunity and found continuing racial and ethnic gaps. In these same places there were also major racial and ethnic unemployment gaps.

community. The Hailey Apartments, located in the Jackson Square neighborhood of Jamaica Plain will be rebuilt as a mixed-income community and with a commitment to preserve all the existing affordable housing units. The proposed redevelopment would replace the five existing, high-rise residential buildings along the Centre Street edge of the property with five new residential and mixed-use buildings.

Redevelopment plans calls for a total of approximately 625 rental apartments, including one-for-one replacements of the 232 subsidized apartments that comprise the Phase One area of the development, and 393 new construction market rate apartments. In addition, four of the five buildings are proposed as mixed income housing, with a 2:1 ratio of market rate to affordable units. The final building will serve elders in the Mildred C. Hailey community. Demolition and construction will be done in phases, and will include 14,800 square feet of non-residential space, incorporating a centrally located, new Anna Mae Cole Community Center.²²⁰

DND is also working to create new affordable housing in high opportunity and low poverty areas, including projects such as the Mosaic, a 145 unit mixed-income building with both condominiums and rentals, adjacent to one Boston's largest employment centers, the Longwood Medical Area. Although the amount of city-owned land, as well as the cost of private land, can represent potential obstacles to building new and affordable housing, DND has an important and effective tool in its Inclusionary Development Policy (IDP). This policy is managed by the Boston Planning & Development Agency (BPDA). Since December 2015 developers of new housing with 10 units or more who require zoning relief (95% of all developments with ten units or more) must meet certain affordable housing goals. While the on-site requirement of 13% of units was not changed in 2015, requirements for fulfilling the requirements through off-site units and/or through a contribution to an affordable housing fund (managed by DND and in conjunction with other affordable housing funds) were increased significantly in downtown and near downtown neighborhoods. As a result, an increasing number of developers are choosing to provide income-restricted/affordable units on site, furthering the goal of creating both mixed-income buildings and neighborhoods.

A second goal broad goal that was established to ensure fair and equal distribution of housing types focused on establishing a comprehensive fair housing and fair lending testing and enforcement program and initiate enforcement actions. To meet this goal and funded with federal dollars in 2012, the FHE and the BFHC partnered with the Fair Housing Center of Greater Boston (FHCGB) to expand housing testing to include mortgage lending. The national evidence base for this type of testing is rigorous and requires significant resources. The FHCGB did not receive a renewal for some of its existing funding and with no current new funding, it is unable to expand to mortgage discrimination testing. The BFHC also supported Suffolk University Law School's HDTP in its pursuit of new funding sources to expand its program to include mortgage discrimination testing. At this time, the HDTP has not received new funds to expand its current testing program.

²²⁰ City of Boston. (2017). Center Street Partners Chosen to Complete Phase One of the Mildred C. Hailey Apartment Redevelopment. [Press Release]; see *Latest City of Boston news*, [View news and press releases](https://www.boston.gov/news) from before July 20, 2016, <https://www.boston.gov/news>

Appendix E – Part 2: Summary of Impediments to Fair Housing and Corresponding Actions in City of Boston, *Analysis of Impediments to Fair Housing Choice* (June 2010): Challenges and Proposed Actions

***An Ongoing Voice for Fair Housing:* Furthering fair housing requires an ongoing effort focused on carrying out the objectives of the AI, constant attention to fair housing conditions, adjustments to fair housing strategies when conditions change, and collaboration with other important key holders.**

- Establish a Fair Housing Advisory Committee for the City of Boston based on the scope of interests represented in the AI Advisory Committee to monitor and evaluate the work carried out under the AI, to provide ongoing advice and supports to BFHC, and to monitor changing fair housing conditions.
- Take steps to assure that the Fair Housing Advisory Committee collaborates with other fair housing stakeholders operating in other communities and on a regional level, including DHCD, and the Metropolitan Area Planning Council.

***Housing and Structures of Opportunity:* Fair housing choice allows a family to choose a residence that offers access to opportunity outside the home such as healthy communities and good schools; impediments to choice are barriers to opportunity.**

- Establish partnership between BFHC and Boston Public Health Commission to bring a fair housing voice to the implementation of the recommendation seeking a review of practices of City departments to improve health conditions in neighborhoods of color.
- Work with BPHC to seek funding to expand current neighborhood capacity building efforts to address poor housing conditions, and public safety concerns in housing.
- Establish partnership with Boston Public Schools to advocate to restore state funding for city schools.
- Work with BPS to implement school improvement strategies in neighborhoods of color.
- Work with BPS to revive discussions about changes to school assignment policies to improve school choice for children in neighborhoods of color.
- Establish partnership with state Department of Housing and Community Development to implement recommendations in Affirmative Fair Housing Policy to promote the development of affordable housing in opportunity locations.
- Advocate to restore funding cuts to Metco program, and to increase funding in future years to address a lengthy program waiting list.

***Housing and Structures of Opportunity:* Fair housing choice allows a family to choose a residence that offers access to opportunity outside the home such as healthy communities and good schools; impediments to choice are barriers to opportunity.**

- Encourage Commonwealth Corporation's Regional Workforce Strategies Initiative to conduct research into any mismatch between workers in segregated neighborhoods and jobs.

- Encourage Commonwealth Corporation to incorporate strategies to enhance job opportunity for workers in segregated neighborhoods as part of the Regional Workforce Strategies Initiative.
- Advocate with the MPO to study and make recommendations to address any current mismatch between workers of color and the location of jobs.

Disproportionate Housing Needs Among Protected Classes: Lack of housing affordability and poor housing conditions disproportionately affect households of color.

- City departments should examine current policies for setting eligibility standards in Boston’s housing programs and evaluate strategies to balance the needs of the city’s lowest income families against considerations of cost and the creation of stable mixed income developments.
- Advocate with DHCD for the provision of state housing assistance to provide additional capital assistance to units targeted at the lowest income families
- Continue and expand on collaborations between City housing agencies and non-City agencies with housing resources in order to leverage a greater number of units serving the lowest income households.

Housing for People with Disabilities: The Supreme Court decision in *Olmstead v. L.C.* requires that people with disabilities (including people with significant disabilities) have the opportunity to receive supportive services in the most integrated setting appropriate for their individual needs; affordable, accessible housing is an essential component of this mandate.

- Advocate for funding to continue ADA planning; establish a working group at the state level to create a comprehensive community-based housing plan for people with disabilities in institutions or at risk of institutionalization.
- Urge DHCD to adopt a set-aside of units in general occupancy LIHTC developments for non-elderly people with disabilities, and to adopt best practices from other states in its QAP to facilitate the development of integrated housing for people with disabilities.
- Support DHCD effort to amend relevant statutes to allow for-profit entities to participate in CBH and FCF programs.
- Advocate for the restoration of budget cuts to programs that provide supportive services to people with disabilities in community-based settings.
- Advocate for amendments to MAAB rules or state law to ensure that Massachusetts dwelling units are constructed under standards that are either substantial equivalent to federal law or provide a greater level of accessibility.
- Advocate for the changes to the Home Modification Loan Program and similar programs, to make funds available to enable tenants to pay for required structural modifications in small properties

Discrimination in Mortgage Lending, Predatory Lending, and Foreclosures: The combined effect of discrimination in mortgage lending, predatory lending practices targeted at people and neighborhoods of color, and the resulting wave of foreclosures deprive households of color equal access to homeownership.

- Establish a comprehensive fair housing and fair lending testing and enforcement program and initiate enforcement actions
- Establish a research project using HMDA data to identify lenders with high rates of loan denials involving members of protected classes and utilize the Community Reinvestment Act to influence lender conduct.
- Incorporate enforcement of new federal laws regulating subprime lending into the comprehensive fair housing and fair lending testing and enforcement program.
- Continue targeted use of NSP funds to stabilize racially identified neighborhoods.
- Expand resources for foreclosure counseling
- Gather data on loan modification programs available to households in Boston, examine the number of modifications that stabilize families in their homes and prevent foreclosure, and determine if loan modifications are available on an equal basis to homeowners of color and other protected classes

Assisted Housing: Significant numbers of people within protected classes either need or reside in housing with local, state, or federal assistance; access to assisted housing, and the locational characteristics of assisted housing affected access to opportunity.

- Convene a working group to develop strategies for the use of City housing resources to address issues of land availability, zoning barriers, and other impediments to the siting of affordable housing in neighborhoods lacking a fair share of the City's affordable inventory.
- Urge DHCD to establish a project-based voucher program specifically targeted at offering the City's public housing families with children assisted housing in racially integrated, low poverty areas, including municipalities outside Boston
- Establish working a working group including planning departments and local housing authorities in high opportunity communities outside of Boston to leverage local resources with state and federal resources to support the construction of assisted family housing in opportunity locations.
- Advocate for repeal of local resident selection preference in state public housing programs where there is a discriminatory effect on protected groups.
- Condition receipt of state housing assistance on repeal of local resident selection preferences in federal housing programs.
- Complete a survey of rental costs in the housing market to understand the purchasing power of HCV and MRVP in opportunity areas and advocate for increases in fair market rents.
- Continue the *Leading the Way* priority on preservation of assisted units
- Monitor implementation of new state preservation legislation and expand the commitment of state resources for preservation activities

Barriers to Housing Choice: Furthering fair housing includes activities that expand choices in the housing market.

- Convene a working group to assess compliance with federal language access requirements and plain language techniques among agencies and their grantees, and to develop strategies for pooling resources to improve language access.
- Reestablish a mobility counseling program using a programmatic structure similar to the Gautreaux program and the Regional Opportunity Counseling program, supported with new allocations of Housing Choice Vouchers, and administrative fees to pay for counseling and related costs. Include MRVP in these efforts, and consider collaborations with Housing Consumer Education Centers.
- Establish a comprehensive fair housing testing and enforcement program and initiate enforcement actions to identify instances of discrimination based on receipt of public assistance.
- Restore full funding to Housing Consumer Education Centers
- Continue Metrolist and Affirmative Marketing programs to inform home seekers about housing options.
- Establish a working group of metropolitan CDBG entitlement communities, and communities with Community Preservation Act funds to develop affirmative fair housing marketing guidelines and list units with Metrolist.

Fair Housing Enforcement: Vigorous and comprehensive enforcement of fair housing laws is an essential feature of furthering fair housing.

- Conduct in-depth file reviews of fair housing complaints to determine the reasons for the high rates of unfavorable complainant outcomes, and adopt strategies to address the findings.
- Secure additional resources to fund expanded fair housing outreach and education activities.
- Establish a comprehensive, regional design and construction testing and enforcement program involving multiple agencies
- Secure additional resources to fund expanded fair housing outreach and education activities, aimed especially at design and construction.
- MCAD should conduct a review of its policies for public interest provisions, and revise as needed to align them with practices by other FHAP agencies.
- MCAD should coordinate with local fair housing agencies to leverage resources for the inclusion of public interest provisions in conciliation of individual cases
- Establish a working group including HUD to examine HUD practices regarding concurrent investigations, and revise practices as needed.
- Support efforts to increase FHIP and other funding for fair housing enforcement, including resources that provide representation to victims of discrimination.
- Support DND efforts to seek a waiver of the 15% limit on public service activities in the CDBG program in order to use more CDBG funds for fair housing activities.

- Encourage implementation of language assistance planning at MCAC, BFHC, and other fair housing agencies.
- Review and revise written materials used by fair housing enforcement agencies to a plain language standard.
- Engage in a coordinated, targeted enforcement effort focused on discrimination based on source of income, sexual orientation, and gender identity, and cyber discrimination.

Private Housing: Expanded access to privately owned housing by people in protected classes is an essential feature of affirmatively furthering fair housing.

- Continue targeting federal funds for lead paint hazard reduction to neighborhoods with greatest percentage of EBL cases, and highest rate of EBLs.
- Create a program to coordinate targeted use of lead hazard reduction funds in units with HCV and MRVP.
- Establish a comprehensive fair housing-lead paint testing and enforcement program and initiate enforcement actions to identify instances of discrimination based on receipt of rental assistance.
- Fund and carry out fair housing education and training activities targeted at real estate professionals, landlords (including small landlords), and housing and planning departments in regional communities.

Prejudice and Bias: Unfounded assumptions and fears about members of protected classes are an impediment to fair housing choice.

- Create and carry out a curriculum promoting diversity for BPS students.
- Form neighbor networks in Boston neighborhoods to promote inclusive, welcoming neighborhoods for newcomers
- Work with local housing partnerships to establish neighbor networks outside Boston to promote inclusive, welcoming communities for newcomers
- Work with state agencies to promote fair housing in the region.
- Develop a press strategy to promote press coverage that enhances public understanding of fair housing.
- Fund and carry out LEP education and outreach targeted at housing and planning departments in regional communities
- Develop LEP materials for CDBG communities

Land Use and Zoning: Land use policies preclude a fair and equal distribution of housing types within and among the region's communities, including rental and for-sale housing, multifamily and single family housing, and affordable and market rate housing.

- Establish a working group to develop collaborative strategies to promote access by extremely low income and very low-income households to IZ [Inclusionary Zoning] units by providing additional capital or rental subsidy, by granting additional zoning concessions, and similar mechanisms.
- Market IZ units through the City's Home Center The collaborative working group should examine strategies for addressing the lack of land, and the cost of acquiring parcels for off-site IZ units in low poverty, integrated areas of the city.
- Fund an exclusionary zoning initiative to track the progress of land use applications for affordable housing in opportunity areas and use the initiative to insert fair housing considerations into land use decisions as a counterbalance to NIMBYism.
- Advocate for City zoning officials and DHCD to limit the circumstances where age restricted housing and housing with small bedroom sizes are permitted in affordable units.
- Join existing advocacy efforts to campaign against the repeal of Chapter 40B.
- Advocate for additional legislation that will create stronger imperatives for suburban communities to encourage the development of affordable housing.
- Support DHCD's study of effects of local resident selection preferences in housing that qualifies for the State Subsidized Housing inventory.

Federal Policies: Federal housing programs influence the availability and location of assisted housing, and exercise profound effects on housing choice.

- Advocate for federal agencies to adopt policies in existing programs that encourage the use of affordable housing resources like NSP and Low Income Housing Tax Credits in high opportunity locations as well as revitalizing places (including policies that address the additional costs of developing in high opportunity locations).
- Advocate for federal agencies to adopt policies in new programs like the Tax Credit Assistance Program and the Capital Magnet Fund, that balance the use of affordable housing resources in areas of high poverty and racial concentration targeted for revitalization and areas that will expand housing choice in high opportunity areas
- Support the Choice Neighborhoods Initiative, the Sustainable Communities initiative, and the Transforming Rental Assistance initiative and advocate for policies that expand housing choice for low income families who are members of protected classes in areas of opportunity.
- Advocate for HUD to quickly adopt rules for affirmatively furthering fair housing.
- Establish a comprehensive fair housing and fair lending testing and enforcement program and initiate enforcement actions.

Appendix F: Goals Adopted by City and Reported in City of Boston, *Consolidated Plan*:

July 1, 2018 to June 30, 2023

1. “[Improve the Quality of Owner Housing
2. Increase Supply of Lead Safe Housing
3. Improve Quality Existing Affordable Rental Housing
4. Increase Supply of Affordable Housing
5. Housing Related Services to Homeless
6. Increase Housing Options For HIV/AIDS
7. Support Development Community Gardens
8. Abate Brownfields Sites for Redevelopment
9. Increase Self-Sufficiency Low-Income Residents
10. Improve Quality of Neighborhood Facilities
11. Improve Neighborhood Storefronts
12. Increase Employment Opportunities
13. Improve Access to Affordable Owner Housing
14. Support CHDOs
15. Provide Housing Stabilization Services
16. Prevent Loss Subsidized Housing Stock
17. Revitalize Business Districts
18. Provide Business Technical Assistance
19. Reduce City’s Inventory Buildings and Land
20. Maintain City-Owned Buildings and Lots
21. Demolish Blighted Buildings
22. Expand Fair Housing Choice
23. Provide Research and Reports]”

plan, EOCD participation in affirmative fair housing marketing activities, and improving mobility in MRVP).

- Other Relevant Legal Rulings
- Anti-Discrimination Center of Metropolitan New York v. Westchester County, 06 Civ. 2860 (S.D. N.Y., February 24, 2009)
- Boston Housing Authority v. Cassio, 428 Mass. 112 (1998)
- Gardner v. Quincy Housing Authority, C.A. No. 82-3873-N (D. Mass., Settlement Agreement, March 25, 1985)
- Heritage Homes of Attleboro, Inc. v. The Seekonk Water District, 648 F.2d 761 (1 Cir. 1981).
- Olmstead v. L.C., 527 U.S. 581 (1999)
- Weeks v. Waltham Housing Authority, C.A. No. 76-402-F (D. Mass., Entry of Judgment, July 22, 1977)]”

Open Cases post Cause Determination involving allegations of violations of fair housing law as of August 1, 2017:

Case name: Keyles v. DEJ Realty Trust

BFHC Number: 2016-BFHC-028

HUD Number: 01-17-5554-8

Basis: disability

Allegation: Refusal to grant a reasonable accommodation, refusal to rent.

Case status: Judicial determination elected, case transferred to Massachusetts Attorney General’s Office for enforcement.

Case name: McMillan v. Acker, et al.

BFHC Number: 2017-BFHC-010

HUD Number: n/a

Basis: receipt of rental assistance.

Allegation: Discriminatory statements by Owners to prospective renter.

Case status: Conciliation, pre-hearing is pending.

Case name: Bellegarde v. Advanced Realty Management

BFHC Number: 2015-BFHC-007

HUD Number: 01-15-0282-8

Basis: disability.

Allegation: Refusal to grant a reasonable accommodation.

Case status: Conciliation, pre-hearing is pending.

Case name: Bullock v. Sullivan

BFHC Number: 2017-BFHC-015

HUD Number: n/a

Basis: receipt of rental assistance.

Allegation: Refusal to negotiate for rent, discriminatory statements.

Case status: Cause Determination is with MCAD for a substantial weight review.

Case name: Stokel v. Linder

BFHC Number: 2007-BFHC-028

HUD Number: 01-07-0522-8

Basis: national origin.

Allegations: Inquiry into prospective tenant’s national origin by Broker.

Case status: Decision on liability issued post administrative hearing in 2010, Respondent appealed to Superior Court and then Appeals Court. The decision remanded to the Commission for a review of the damages award, decision on liability was upheld on appeal.

The following represents Massachusetts Commission Against Discrimination, MCAD unresolved charges.

Case name: Walsh v. Clement
HUD Number: 01-07-0533-8
Basis: familial status, lead paint
Allegations: Familial Status and Lead Paint discrimination
Case Status: Hearing officer ruled for Respondent. Case was reversed and remanded by full Commission.

Case name: Garcia v. Zak
HUD Number: 01-11-0314-8
Basis: national origin
Allegations: Mortgage discrimination based on national origin.
Case Status: Hearing Officer favors Complainant. Respondent appeals to the full commission.

Case name: Bolivar v. Zak
HUD Number: 01-11-0312-8
Basis: national origin
Allegations: Mortgage discrimination based on national origin
Case Status: Hearing Officer favors Complainant. Respondent appeals to the full commission

Case name: Brown v. Bay Cove Community Services
HUD Number: 01-16-4492-8
Basis: Disability
Allegations: Failure to make reasonable accommodation
Case Status: Open Post Cause

There are no pending enforcement actions against public entities for the BFHC or the MCAD.

The following are short descriptions of independent and public agencies charged with enforcing anti-discrimination laws and policies.

- The FHAP agencies listed also investigate other types of discrimination under local and state law. If FHAP agencies had more investigators dedicated to housing discrimination, FHAP agencies would better meet the management milestones set by HUD. Local FHAPS drive the majority of their own investigations. The MCAD and the BFHC currently complete their own intakes for cases referred by HUD. Local FHAPS drive the majority of their own complaint referrals through outreach and local partnerships. Between 2010 and 2017 the MCAD received five complaint referrals from HUD. The BFHC received thirty complaint referrals. In hot housing markets, systemic discrimination is a growing concern. Without an increase in investigative resources, it is difficult for FHIP/FHAP and other non-profit agencies to dedicate more resources to systemic discrimination cases.
- The BFHC collaborates with all the FHIP and FHAP partners who serve Boston and the greater Boston area through fair housing educational activities, conferences, trainings, and monthly/quarterly meetings sharing fair housing trends, best practices and discussing other fair housing relevant issues. The BFHC advocates on behalf of the Mayor's office on legislative priorities that have a fair housing impact. The City of Boston Office of Fair Housing and Equity, Boston Fair Housing Commission is a HUD funded FHAP. The office expands access to equitable housing opportunities through investigations of housing discrimination, enforcement, public education, oversight of the Affirmative Marketing Program and fair housing policy consultation to City of Boston departments. <https://www.boston.gov/departments/fair-housing-and-equity>
- Both the Massachusetts Commission Against Discrimination and the Boston Fair Housing Commission are authorized to act on complaints of housing discrimination arising under Chapter 151B and Title VIII. The Boston Fair Housing Commission has its' own ordinance covering many of the protected categories included under federal and state fair housing law. The BFHC has Home Rule. The BFHC Home Rule petition updated the enabling legislation for the BFHC, rendering it

consistent with current state and federal housing discrimination laws. The law ensures that any additional protected classes that may be added to state or federal law in the future will fall under BFHC's enforcement authority.

- The Fair Housing Center of Greater Boston is a HUD funded FHIP program that provides housing discrimination testing, policy advocacy, and advocacy to complainants in court and FHAP agencies throughout the greater Boston region. ²²¹ <http://www.bostonfairhousing.org/>
- Suffolk University Law School Housing Discrimination and Testing Program, HDTP is a HUD funded FHIP program. The HDTP is funded by a grant from HUD to work in partnership with the BFHC to eliminate housing discrimination in the Boston metro area through testing, enforcement, and education.²²² The HDTP recently released *Transcending Prejudice: Gender Identity and Expression-Based Discrimination in the Metro Boston Rental Housing Market*. The study uncovered significant housing discrimination against transgender and gender nonconforming people.²²³
- Greater Boston Legal Services (GBLS) provides free legal assistance and representation on civil (noncriminal) matters to hundreds of the neediest residents in the city of Boston and 31 surrounding cities and towns.²²⁴ <https://www.gbls.org/>
- The Disability Law Center (DLC) of Massachusetts is the Protection and Advocacy agency for Massachusetts. DLC is a private, non-profit organization responsible for providing protection and advocacy for the rights of Massachusetts residents with disabilities. DLC receives federal, state and private funding but is not part of the state or federal government.²²⁵ <http://www.dlc-ma.org/>
- Metro Housing Boston, MHB is a nonprofit dedicated to connecting the residents of Greater Boston with safe, decent homes they can afford. MHB empowers families and individuals to move along the continuum from homelessness to housing stability. Serving more than 20,000 households annually, and working seamlessly to bridge the gaps among government, nonprofits, and corporations to continually increase impact. MHB is a Massachusetts Rental Voucher Program Administrator for the state. MHB is the state's largest regional provider of rental housing voucher assistance. MHB serves homeless, elderly, disabled, and low- and moderate-income individuals and families. Their services span Boston and 32 surrounding communities. ²²⁶ <http://mbhp.org/>
- The Lawyers Committee for Civil Rights and Economic Justice Fair Housing Project promotes housing equality by taking legal action against fair housing violations and by partnering with other advocacy groups to promote policies and practices that encourage equal housing opportunities in Massachusetts. The Lawyers' Committee predominantly focuses on fair housing violations based on either race or national origin discrimination. They also handle cases involving discrimination based on family status, citizenship status, disability, and Section 8 status.²²⁷

²²¹ Fair Housing Center of Greater Boston. (2017, August 3) Retrieved from <http://www.bostonfairhousing.org/>

²²² Suffolk University Law School, Housing Discrimination Testing Program. ((2017, August 3) Retrieved from <http://www.suffolk.edu/law/academics/59759.php>

²²³ Langowski, Jamie and Berman, William and Holloway, Regina and McGinn, Cameron, *Transcending Prejudice: Gender Identity and Expression-Based Discrimination in the Metro Boston Rental Housing Market* (March 27, 2017). Forthcoming, to be published in *Yale Journal of Law & Feminism*, Vol. 29, No. 2, 2017; Suffolk University Law School Research Paper No. 17-9. Available at SSRN: <https://ssrn.com/abstract=2941810>.

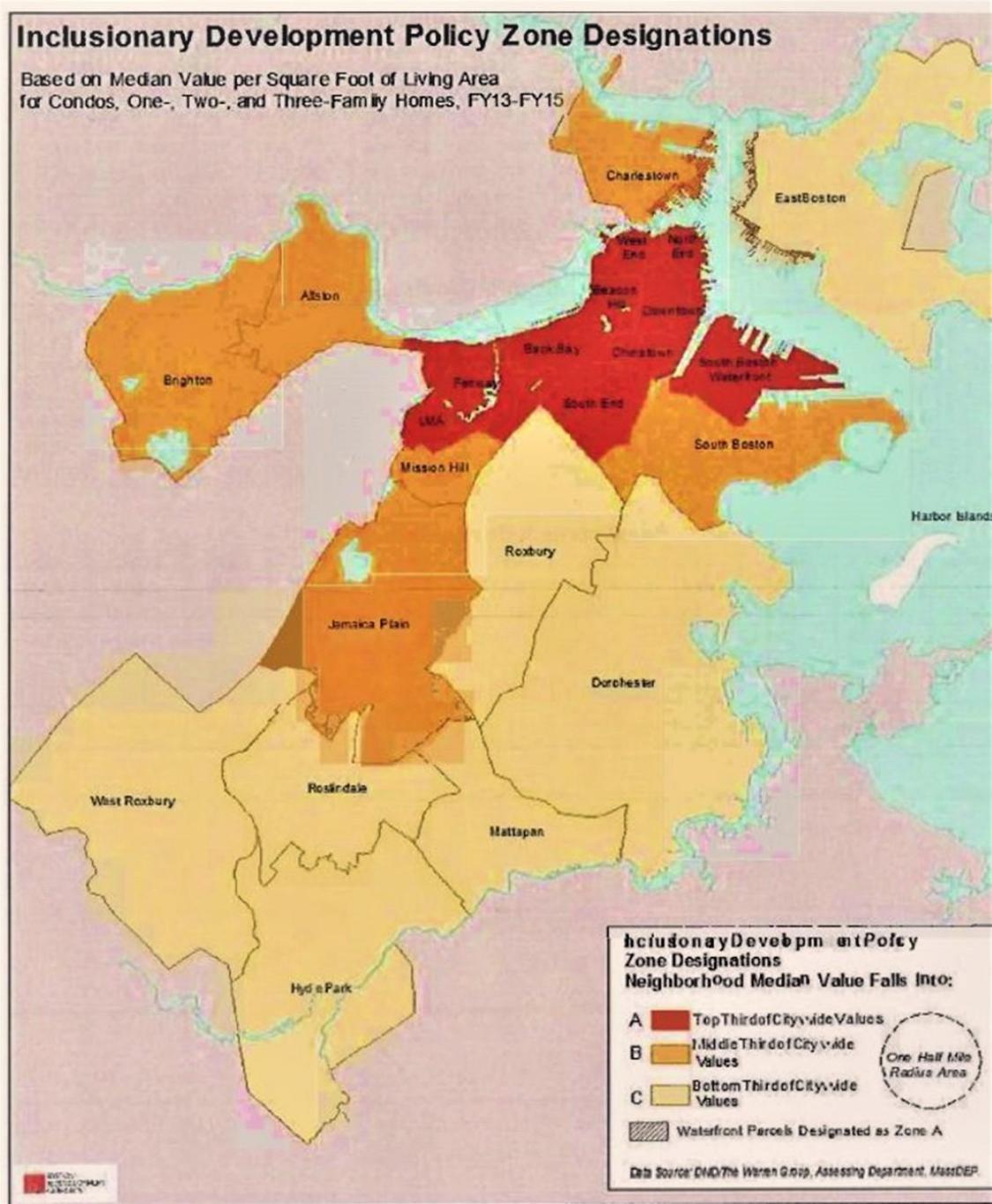
²²⁴ Greater Boston Legal Services. (2017, August 3) Retrieved from <https://www.gbls.org/>

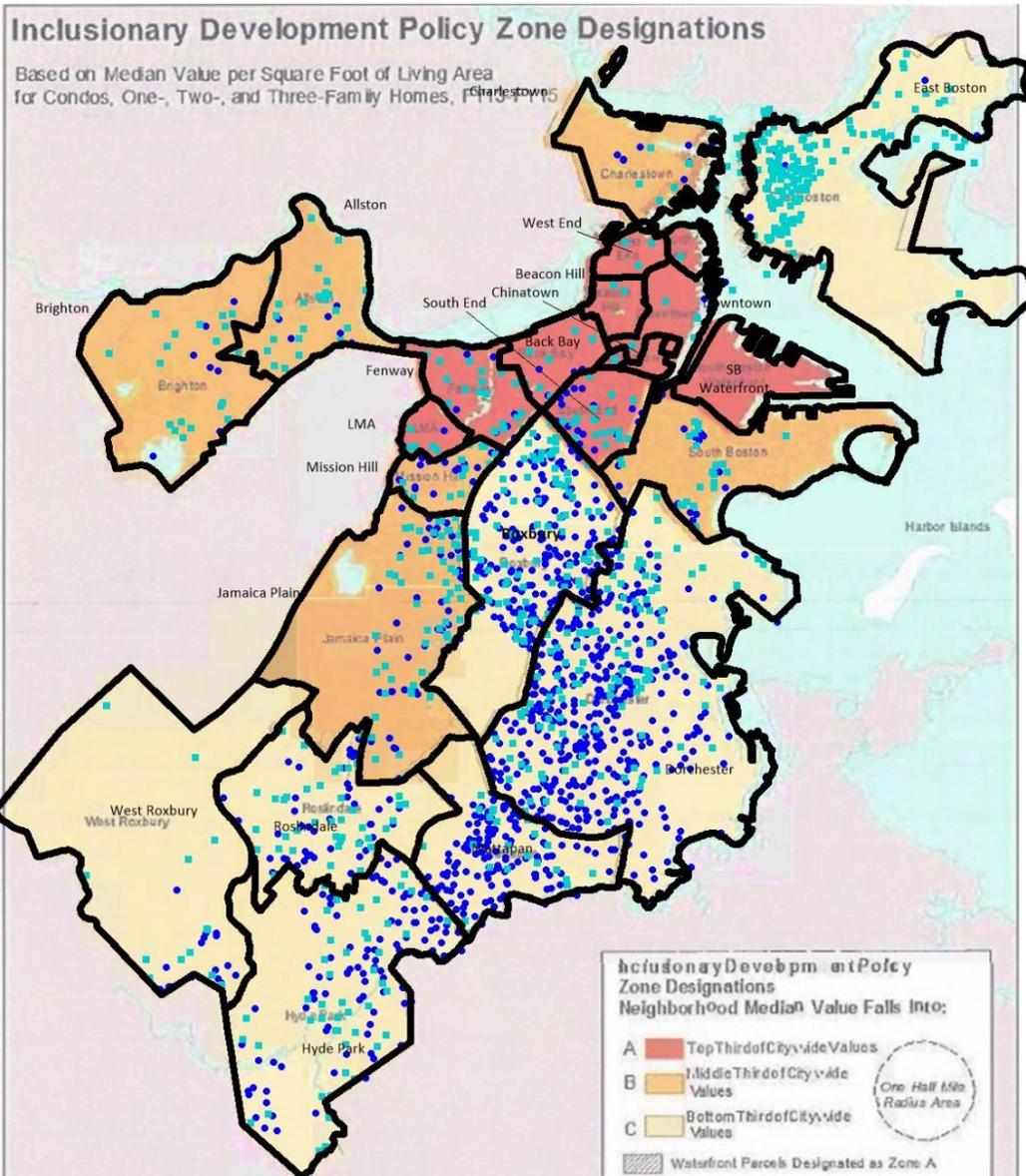
²²⁵ The Disability Law Center of Massachusetts. (2017, August 3) Retrieved from <http://www.dlc-ma.org/>

²²⁶ Metropolitan Boston Housing Partnership. (2017, August 3) Retrieved from <http://mbhp.org/>

²²⁷ The Lawyers Committee for Civil Rights and Economic Justice. (2017, October 31) Retrieved from <http://lawyerscom.org>

Appendix H: IDP Zones A, B and C and Black and Latino Residential Patterns





Appendix J: HUD Income and Rent Limits (updated 8/2/18)*

HUD Income & Rent Limits (updated 8/2/18)													
Annual Household Income													
Household Size	(1) HOME 30% (Extremely Low)	(1) HOME 50% (Very Low)	(1) HOME 60%	(2) CDBG Low-Mod 80% Median; Same as HOME Low-Income	(4) 80% of median	(4) 95% of median	(4) 100% of median	(4) 110% of median	(4) 120% of median	(4) 135% of median	(3) Inclusionary 80% Ownership limits	(3) Inclusionary 100% Ownership limits	(3) Inclusionary Rental Limits (70% AMI)
1 person	22,650	37,750	45,300	56,800	60,350	71,700	75,450	83,000	90,550	101,850	60,400	75,500	52,850
2 persons	25,900	43,150	51,780	64,900	69,000	81,950	86,250	94,850	103,500	116,400	69,000	86,250	60,400
3 persons	29,150	48,550	58,260	73,000	77,600	92,150	97,000	106,700	116,400	131,000	77,650	97,050	67,950
4 persons	32,350	53,900	64,680	81,100	86,250	102,400	107,800	118,600	129,350	145,550	86,250	107,800	75,450
5 persons	34,950	58,250	69,900	87,600	93,150	110,600	116,400	128,050	139,700	157,150	93,150	116,450	81,500
6 persons	37,550	62,550	75,060	94,100	100,050	118,800	125,050	137,550	150,050	168,800	100,050	125,050	87,550
7 persons	40,150	66,850	80,220	100,600	106,950	127,000	133,650	147,050	160,400	180,450			
8 persons	42,750	71,150	85,380	107,100	113,850	135,200	142,300	156,550	170,750	192,100			

- (1) Issued by HUD effective 6/01/18, and calculated in accordance with the IRS guidelines for consistency with HOME & LIHTC Programs.
 (2) Issued by HUD effective 6/01/18. Note, CDBG @80% is same as HOME Program Low Income
 (3) Issued by the BPDA for 2018
 (4) Incomes calculated based 4.1.18 HUD median for a family of 4 in Boston area, adjusted for family size and rounded to nearest 50.

Monthly Rent Limits											
Bedroom Size	Homeless Set-Aside (30% of median)	(1) Low HOME (50% of median)	(1) High HOME (85% of median)	(3) DHCD LIHTC (50% median)	(3) DHCD LIHTC (60% median)	(2) CDBG Affordable (80% median)	(1) Section 8 FMR	Section 8 110% FMR (BHA 10.2.17)	(4) Inclusionary Rent Limits (70% median)	Max Rent 100% median	NSP Maximum rent 120% Median
SRO	407	707	940	707	849	1,034	940	1,034	984	1,406	1,688
0-BR/Eff	542	943	1,253	943	1,132	1,378	1,253	1,378	1,094	1,563	1,876
1-BR	581	1,011	1,344	1,011	1,213	1,521	1,421	1,583	1,277	1,824	2,188
2-BR	697	1,213	1,614	1,213	1,456	1,824	1,740	1,914	1,459	2,084	2,501
3-BR	806	1,401	1,857	1,401	1,681	2,107	2,182	2,400	1,642	2,345	2,814
4-BR	900	1,563	2,051	1,563	1,876	2,351	2,370	2,607	1,823	2,605	3,125

- (1) Issued by HUD, effective 6/01/18
 (2) Calculated by DND based on lower of 75.2% of AMI or 110% FMR (10/2/17)
 (3) Issued by HUD effective 6/01/18. For units in service prior to 6/01/18, use calculator at <http://www.novoco.com/tenant/rentincome/calculator/z2.jsp>
 (4) Set by BPDA for 2018

* See, https://www.boston.gov/sites/default/files/hud_income_rents_10-5-18_181015.pdf