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**Title:** CONSIDERATION AND APPROVAL OF THE UPDATE TO THE CITY OF CARSON'S ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE REPORT REQUIRED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

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Date	Ver.	Action By	Action	Result
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**Report to Mayor and City Council**

Tuesday, April 04, 2017

Discussion

**SUBJECT:**

**CONSIDERATION AND APPROVAL OF THE UPDATE TO THE CITY OF CARSON'S ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE REPORT REQUIRED BY THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**

**I. SUMMARY**

Adoption of an Analysis of Impediments (AI) to Fair Housing Choice report is one of the requirements that the United States Department of Housing and Urban Development (HUD) places on local governments as a condition of receiving HUD funding. These reports are typically required every five years, on the same cycle as the Five-Year Consolidated Plans. The City prepared and submitted its most recent AI to HUD in May of 2015 along with the Five Year Consolidated Plan. However, the 2015 AI was not approved by HUD due to a number of unaddressed deficiencies, and in January, 2016 HUD ordered that the City redraft and resubmit the AI. This update is that amended report.

**II. RECOMMENDATION**

APPROVE the update to the City of Carson's Analysis of Impediments to Fair Housing Choice.

### III. ALTERNATIVES

TAKE another action the City Council deems appropriate.

### IV. BACKGROUND

As a condition of receiving housing and community development funding from HUD, local governments are required to take steps to affirmatively further fair housing within their jurisdictions. One way in which this mandate is fulfilled is by preparing an Analysis of Impediments, a report documenting the existence of conditions within the community impacting the availability of fair housing, and outlining action steps to address the identified impediments.

As a result of a civil rights compliance review by HUD's Office of Fair Housing and Equal Opportunity conducted in 2014 (a follow-up to a review initially conducted in 2011), the City of Carson was found to be out of compliance in several areas related to Section 504 of the Rehabilitation Act of 1973, Title VI of the Civil Rights Act of 1964, and Section 109 of the Housing and Community Development Act of 1974. As a consequence, HUD placed the City under a Voluntary Compliance Agreement (VCA) dated June 30, 2014. One major area of noncompliance cited was the City's AI, which HUD found to be deficient in the 2014 VCA.

HUD's 2011 compliance review also cited deficiencies in the AIs that the City had prepared in 2003 and 2010. After the 2014 VCA, the City's next scheduled AI was prepared and submitted in May, 2015. However, in this case HUD did not approve the 2015 AI and directed the City to redraft and resubmit the 2015 AI, addressing all of the previously unaddressed impediments (Exhibit No. 1 is the new AI, though its title reads "Analysis of Impediments to Fair Housing 2015").

The primary reason the previous AIs were found deficient by HUD is that they did not address, nor was the City able to demonstrate that it had taken action to address, a number of previously identified impediments extending as far back as the first known fair housing study conducted in Carson in 1996-1997. This updated and revised AI documents those previously identified impediments (many of which were impediments that were carried forward from previous years because they were unaddressed) and outlines a set of action steps to address each one (in several cases, multiple related impediments can be addressed by the same action steps).

Several of the impediments relate to reporting of discriminatory activity in the housing sector, some of it racially-based and some related to other factors, such as family status. Nearly all of the largest ethnic groups in Carson - African-Americans, Hispanics, Asians and Pacific Islanders - had at least statistical evidence of some form of housing discrimination, or at least evidence of less-than-full participation in the housing market as shown by mortgage approval rates or percentage of homeownership. The AI does not generally contain specific remedies for these impediments, but it requires the City to address these issues in some manner prior to the next AI.

To complete this revision of the 2015 AI, the City enlisted the assistance of Community Development Services, of Alcoa, Tennessee, a specialist in CDBG activities and AIs. Their

report goes beyond the current AI standard, and incorporates elements of the new standard being implemented by HUD, the Assessment of Fair Housing (AFH). Carson will be required to prepare and submit its first AFH in the fall of 2019.

In some cases, the steps to address the impediments will require amendments to the Carson Municipal Code. Other steps will require additional action on the part of the City and on the part of the City's provider of fair housing services (currently the Los Angeles-based Housing Rights Center).

HUD requires that the Analysis of Impediments as submitted to it be signed by the jurisdiction's chief elected official (in this case, the Mayor). There is a signature page at the end of the report for this purpose.

## **V. FISCAL IMPACT**

As noted above, the action steps outlined in this Analysis of Impediments to Fair Housing Choice will require considerably more activity on the part of the City, and in particular, the Housing Rights Center). Staff has requested a proposal from HRC that would outline the cost impact of those additional services, but that proposal has not been received as of the writing of this report. Staff will bring to Council a separate item regarding these services and costs once such a proposal has been received and reviewed. Currently the plan is to fund the additional cost of the Housing Rights Center from the City's Public Services allocation under CDBG, once that allocation is known and the City can adopt the Annual Action Plan for 2017-18. That would reduce the funds available for other applicants in that category of CDBG funding, though the amount of the contract and the amount of any CDBG reduction are both unknown.

## **VI. EXHIBITS**

1. Analysis of Impediments to Fair Housing Choice (pgs. 4-155).

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