



Commissioner Nick Fish
City of Portland

Portland Housing Bureau's Fair Housing Action Plan

INTRODUCTION

1. Our Values

The City of Portland is dedicated to removing barriers to housing choice in our community. We believe our city, county, and state are strongest when everyone has equal access to a safe, affordable place to call home.

Working with our partners, we are committed to enforcing the federal, state and local fair housing laws that prohibit discrimination based on a person's race, color, national origin, religion, sex, sexual orientation, source of income, familial status, marital status, military status, and physical or mental disability. In addition to enforcing fair housing laws, the City and its partners will work to address practices, programs, and behaviors that have the *effect* of restricting housing choice for protected classes.

2. Analysis of Impediments

Every five years, the City of Portland is required to submit an Analysis of Impediments to Fair Housing Choice to the United States Department of Housing and Urban Development (HUD).

In 2010, we established a Fair Housing Advisory Committee comprised of housing providers, community advocates, and civil rights leaders to advise the Portland Housing Bureau (PHB) on its report to HUD. For the first time, PHB commissioned a Fair Housing audit, performed by the Fair Housing Council of Oregon. The test results, released in February, were alarming. The audit showed

that protected class (race and national origin) testers were treated differently from the non-protected class testers in over 60% of the tests.

The complete Analysis of Impediments report was submitted to HUD on June 17, 2011 and is available online for viewing at www.portlandonline.com/phb/fairhousing.

3. The Action Plan

This Action Plan sets forth the specific actions we will take in 2011-12 as the first set of bold steps over the next five years to end discrimination in rental housing. It builds on the visionary work of the Fair Housing Advisory Committee, and provides a comprehensive approach – blending enforcement, education, and increased access to affordable homes and services.

The City of Portland will hold itself and its partners accountable for these outcomes and will monitor the actions set forth in this Plan, and report annually on our results. A sample report can be found at the end of this Plan as *Exhibit A*.

ACTION PLAN

I. End Discrimination In Rental Housing

1. County-wide funding and support to continue and enhance enforcement of fair housing laws.¹

Action Steps:

- A. Work with the Civil Rights Division of the Oregon Bureau of Labor and Industries (BOLI) to ensure that appropriate enforcement action is taken (complete).
- B. Work with the Fair Housing Council of Oregon and Legal Aid Services of Oregon (LASO) and BOLI to streamline the intake and referral process for Fair Housing cases for low-income people.

¹ Select recommendations of the Fair Housing Advisory Committee are referenced throughout this report in italics.

- C. Move to a single point of intake for Fair Housing cases, resulting in LASO's increased ability to screen cases and refer complaints to BOLI.
- D. Convene regular meetings with BOLI, HUD, the United States Attorney, and the Oregon Department of Justice to better coordinate enforcement of our Fair Housing laws.

2. County-wide funding and support to continue and enhance the education of fair housing laws.

Action Steps:

- A. Work with Home Forward and the Fair Housing Council of Oregon to increase Fair Housing education for tenants.
- B. Work with the Community Alliance of Tenants (CAT) and 211Info to improve coordinated information and referral for people experiencing housing discrimination.

Require targeted outreach and educational information sessions for culturally specific community partners representing protected classes and demonstrate an increase in the number of tenants who have been educated about Fair Housing information by June 30, 2012.

- C. Work with Metro Multifamily Housing Association, Oregon Opportunity Network, Home Forward and the Fair Housing Council of Oregon to increase Fair Housing education for landlords.

The increased investment in Fair Housing-specific training to landlords as part of membership in each association will result in a quantifiable increase in training opportunities by the end of the fiscal year.

3. Conduct audit testing to determine discrimination levels for Protected Classes seeking housing, with special focus on homeownership and affordable rental units.

Action Steps:

- A. Contract annually with a HUD-approved agency to conduct Fair Housing testing. At least annually, the newly-formed Fair Housing Advocacy Committee will review the results and release them to the public.

4. Partner with housing providers to modify screening and credit criteria that have an inadvertently higher impact on protected classes, especially persons of differing national origin and women experiencing domestic violence.

Action Steps:

- A. Work with property owners in the City's affordable housing portfolio to review and modify screening criteria to increase access to affordable housing units by protected classes. The City will link housing seekers to Rent Well (as a way to mitigate screening barriers) as well as Housing Connections, an affirmative outreach tool to low-income renters, including people in protected classes.

Oregon Opportunity Network will lead a review by members and other affordable property owners of screening criteria to develop modified criteria and educate members about their use.

II. Create A Fair Housing Advocacy Committee

1. Create a fair housing advocacy committee that meets on an at least quarterly basis to focus on fair housing issues and to be a strong advocate voice for Multnomah County. Committee needs a clear, focused champion in a strong leadership and decision-making position, as well as a diverse representative membership.

Action Steps:

- A. Work with jurisdictional partners to form a permanent county-wide Fair Housing Advocacy Committee.

Select and confirm committee members by no later than September 30, 2011 and provide them with clear roles and responsibilities.

The Committee will report to the City of Portland, the City of Gresham, and Multnomah County. It will be charged with reviewing annual data and progress made by the City of Portland and its partners under this Plan.

III. Strengthen Public Awareness Of Fair Housing Laws

1. Partner with landlord trade associations and other community organizations to ensure frequent and accurate trainings for property managers, owners, regulators and social service providers to understand Fair Housing law and reasonable accommodations and modifications.

Action Steps:

- A. Actively participate in regular meetings with BOLI, HUD, the United States Attorney, and the Oregon Department of Justice to better coordinate enforcement of Fair Housing laws.

Better coordinated enforcement will increase the number of litigated Fair Housing cases referred by PHB contractors by the end of the June 2012.

2. Commit resources for a public information campaign about Fair Housing rights and current issues to change attitudes, practices and public policies, using culturally and linguistically appropriate methods to reach all members of the public.

Action Steps:

- A. Work with jurisdictional partners and the Fair Housing Advocacy Committee to launch a public information campaign no later than December 31, 2012.

Commissioner Fish and partners will raise public and private funds in support of the campaign.

IV. Improve Access To Housing Opportunity

1. Develop opportunity mapping as a foundation of housing policy development to illustrate areas of Multnomah County where there is limited access to opportunity and transportation. Commit resources including transportation resources to these areas to increase opportunity and equity, and tie the mapping into the update of Portland's Location Policy.

Action Steps:

- A. Develop a Citywide Housing Strategy. Opportunity Mapping will be a primary tool used to inform the housing strategy.

PHB and the Bureau of Planning and Sustainability will identify key partners, data and the methodology for mapping no later than December 31, 2011. Maps to be completed in 2012 will provide a basis for budget prioritization and for the City's Comprehensive Plan update, to be published in 2012.

V. Expand Fair Housing Testing

1. Fund audit testing for all areas of the county using the most expanded list of protected classes to determine levels of discrimination.

Action Steps:

- A. Contract annually with a HUD-approved agency to conduct Fair Housing testing. Each year the Fair Housing Advocacy Committee will review the results and release them to the public.
- B. Direct the contracted agency to expand testing for protected classes to determine levels of discrimination in aid of enforcement and litigation. The Fair Housing Advocacy Committee will oversee all testing.

VI. Expand The Supply Of Accessible, Affordable Homes

1. Increase the number of affordable/accessible housing choices for all household sizes, especially family-sized housing with three or more bedrooms.

Action Steps:

- A. Provide federal and local funding in support of development and preservation of affordable housing. Funding will increase the number of units in the City's affordable housing portfolio.
- B. Work with housing providers to track the current utilization by protected classes of family sized units in the City's affordable housing portfolio and develop strategies to increase access and utilization by protected classes.

Increasing housing choices will result in an increase in protected classes living in family sized units in the City's affordable housing portfolio by FY 2012-13. Data will be reported the Fair Housing Advocacy Committee.

VII. Address And Mitigate The Unintended Consequences Of Gentrification

1. Make public investments that mitigate the effects of displacement and that encourage diversity through mechanisms including, but not limited to, "community agreements," housing development linked to schools/transportation/employment, mixed income housing, and rental assistance tied to market rate units.

Action Steps:

- A. PHB is committed to strategically investing in programs and services to address disparities and the unintended displacement caused by public investment in redeveloping neighborhoods.

PHB has begun tracking the utilization of its housing programs by communities of color and has published those results. The reports showed disparities in access to housing and housing services for these

communities. This data will be used to develop specific targets for improved access for those communities from FY 2009-10 levels.

Working with our partners, we will continue to develop strategies to increase utilization of programs by protected classes. This will result in quantifiably increased utilization of reported programs by the end of the 2011-12 fiscal year.

2. *Encourage the renewal of the 30% Tax Increment Funding Policy affordable housing set-aside.*

Action Steps:

- A. PHB and Commissioner Fish will continue to advocate for strict compliance with the 30% TIF Set-Aside.
- B. The 30% TIF Set-Aside is currently under review. A public stakeholder committee is developing recommendations to improve the policy. Information about the review process can be found online: www.portlandonline.com/phb/tif.

3. *Focus on resource development to acquire funding outside of Urban Renewal Areas to develop and preserve affordable/accessible housing in all areas of the County.*

Action Steps:

- A. PHB, the County, Commissioner Fish, and stakeholders will work together to identify new sustainable funding sources for affordable housing.

VIII. Increase Funding For Safety-Net Programs For Low-Income And Vulnerable Populations

1. Continue, and consider increasing funding for, Rent Assistance for low income residents.

Action Steps:

- A. Secure \$1.9 million in City general funds to support short term rent assistance in FY11-12 (complete.)
- B. Multnomah County and Home Forward commit to continued funding for short-term rent assistance and other programs that prevent homelessness and support rapid re-housing.

2. Increase funding for social services known to assist in stabilizing households, including but not limited to addiction services, childcare, employment assistance, and other support services.

Action Steps:

- A. PHB and its jurisdictional partners will advocate for increased resources for supportive services that assist people to achieve stable housing.

3. Continue funding development of subsidized, accessible housing units for individuals and families below 30% MFI, working to increase the number of units available to meet the demand. Develop subsidies or other incentives to encourage private landlords to rent to low-income individuals at little to no risk to them.

Action Steps:

- A. Provide federal and local funding in support of the development and preservation of affordable housing. Funding will increase the number of units in the City's affordable housing portfolio.

CONCLUSION

In Portland, we will not tolerate discrimination in housing. We will not cure this disease overnight. It will take persistence, collaboration, and creativity.

The City of Portland and its partners will regularly review the Action Plan and the recommendations in the Analysis of Impediments to Fair Housing Choice report to identify additional actions or steps needed to keep moving the Fair Housing agenda forward over the next five years.

We commit to be bold in our actions and accountable for results.

Thanks to the Fair Housing Advisory Committee for its groundbreaking work, our partners for joining us in this effort, and the team at PHB for their remarkable public service.

Nick Fish
Commissioner

Margaret Van Vliet
Director

EXHIBIT A: SAMPLE REPORT

OUTCOME AND REPORTING DATA
REPORTING PERIOD FROM: JULY 1, 2011 To: JUNE 30, 2012

BENEFICIARY DATA
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LOW/MODERATE INCOME BENEFIT.

List total number of clients receiving services through your program as well as the breakdowns listed.

PARTICIPANT INFORMATION	Total for Reporting Period	YTD*
No. of individuals		

1. GENDER	Total for Reporting Period	YTD*
Male		
Female		
Total		

2. RACE	Total for Reporting Period	Total for Reporting Period	YTD*	YTD*
Ethnicity	Hispanic	Non Hispanic	Hispanic	Non Hispanic
White				
Black/African American				
Asian				
American Indian/Alaskan Native				
Native Hawaiian/Other Pacific Islander				
American Indian/Alaskan Native & White				
Asian & White				
Black/African American & White				
Am. Indian/Alaskan Native & Black/African American				
Other				
Total*				

*YTD - Year to date including current reporting period

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BENEFICIARY DATA

3. INCOME (Required)	Total for Reporting Period	YTD*
Over 80% of M.I.		
(Moderate Income) 51%-80% of M.I.		
(Low) 31%-50% of M.I.		
(Extremely Low) 0-30% of M.I.		
Total Low/Moderate Income		
Total Income*		

**Total income should add up to the total people served.

4. RESIDENCE	Total for Reporting Period	YTD*
NE Portland		
SE Portland		
NW Portland		
SW Portland		
N Portland		
Total		

5. LOCATION OF VIOLATION	Total for Reporting Period	YTD*
NE Portland		
SE Portland		
NW Portland		
SW Portland		
N Portland		
Total		

6. OTHER	Total for Reporting Period	YTD*
Female Head of Household (Required)		
Elderly Head of Household (Over 65)		
Disabled/Special Needs		
Total		

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Project Quarterly Report
OUTCOME AND REPORTING DATA
REPORTING PERIOD FROM: JULY 1, 2011 To: JUNE 30, 2012

PARTICIPANT INFORMATION	Goal	Q1	Q2	Q3	Q4	Y-T-D
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1. Performance Measures

Total Cases (Output goal is XX households served for the year)						
Cases w/ sufficient evidence of discrimination	NA					
Cases with in-depth interview	NA					
Cases which proceed until process over	NA					

2. Cases with Sufficient Evidence

Successful Negotiation/ Litigation	80%					
Refer to HUD (monitoring)	NA					
Refer to BOLI (monitoring)	NA					
Total*						

3. Cases Without Sufficient Evidence (Insufficient or No Merit)

Refer to HUD (not monitoring)	NA					
No merit After Investigation	NA					
Refer to BOLI (not monitoring)	NA					
Total*						

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Project Quarterly Report
OUTCOME AND REPORTING DATA
REPORTING PERIOD FROM: JULY 1, 2011 To: JUNE 30, 2012

PARTICIPANT INFORMATION	Baseline	Q1	Q2	Q3	Q4	YTD
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4. Other Case Outcomes

Client withdrew/failed to respond after invest.	NA					
Client failed to appear for int. after intake	NA					
Still Investigating	NA					
Referral (not fair housing)	NA					
Advice Only	NA					
Total*						

5. Referrals

FHCO	NA					
LASO	NA					

Totals in boxes 2, 3, and 4 should be equal to the number of cases.

6. Basis of Complaint

	Baseline	Q1	Q2	Q3	Q4	Y-T-D
Race/color						
National Origin						
Family Status						
Religion						
Gender/Sex						
Mental Disability						
Physical Disability						
Marital Status						
Source of Income						
Age						
Sex- Gender						
Sex- Harassment						
Sex- Orientation						
Military Status						
Domestic Violence Status						
Retaliation						
OTHER						

PARTICIPANT INFORMATION	Prior Year	Q1	Q2	Q3	Q4	Y-T-D
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7. Alleged Act:

Refusal to Rent/Admissions						
Eviction						
Reasonable Accommodation						
Disparate Treatment rent						
Design/Construction						
Redlining						
Illegal Ad						
Refusal to Sell						
Refusal to Permit						
Steering						
Disparate treatment credit						
Harassment/ Discriminatory Statements						
OTHER						

List **OTHER** here:

8. Intake and Referral Outcomes

	Prior Year	Q1	Q2	Q3	Q4	Y-T-D
# of Portland advocacy agencies that receive Fair Housing information						
# of calls screened from Portland citizens						
# of calls screened from Portland citizens related to fair housing						
# of intakes of bona fide allegations						
# of expected referrals						

9. Intake Advocacy

	Goal	Q1	Q2	Q3	Q4	Y-T-D
# of reasonable accommodation assists						
Percent of all favorable cases	80%					
# of reasonable accommodation clients with favorable outcomes.						
Number of cases litigated	increase					
Number of underrepresented intakes	increase					

10. Fair Housing Education

Fair Housing Education	Goal	Q1	Q2	Q3	Q4	Y-T-D
Number of education events to present fair housing information	4 meetings					
Other						

11. Fair Housing Advocacy Committee

	Goal	Q1	Q2	Q3	Q4	Y-T-D
Number of Fair Housing Advocacy Committee Meetings	4 meetings					

12. Fair Housing Campaign

	Goal	Q1	Q2	Q3	Q4	Y-T-D
# of Culturally Specific Groups Contacted	10 groups					
Survey shows % increase in Fair Housing Awareness	increase					
Increase in number of calls from members of each protected class.						

Final Year To Date Data

	Race/colo	National	Family	Religion	Mental	Physical	Marital	Source of	Age	Sex	Gender	Sex	Harassme	Sex	Orientatio	Sex-	Military	Retaliatio	YTD
Refusal to Rent/Admissi ons																			
Eviction																			
Reasonable Accommodat ion																			
Disparate Treatment Rent																			
Design/Const ruction																			
Redlining																			
Illegal Ad																			
Refusal to Sell																			
Refusal to Permit																			
Steering																			
Disparate treatment Credit																			
Harassment/ Discriminator y Statements																			
OTHER																			