

## Annual Actions Performed Regarding the Fair Housing Activity Statement – Texas by Harris County

In September 2011, Harris County submitted its original Fair Housing Activity Statement – Texas as a requirement to apply for Hurricane Ike Disaster Recovery CDBG funding. Since this submission, Harris County has performed suggested and recommended actions in regard to the FFAST. Below find actions performed by Harris County during 2012 and 2013 and planned activities for 2014.

**Impediment #3: The public is not sufficiently aware of their Fair Housing rights and how to obtain the assistance necessary to protect those rights.**

1. Consistent with the Fair Housing Act, the State of Texas, and funded sub-recipients should continue to promote and conduct events to celebrate April as Fair Housing Month, and direct sub-recipients to do the same. These events can demonstrate support for fair housing and build awareness.

We will commit to undertake Fair Housing Month activities. [Check all that apply.]

- Passage of a resolution by our governing body. (To be done in 2014)
- Activities in schools.
- Placing posters in public buildings. (see below update)
- Governing body will hold a special hearing to solicit input from the community. (see below update)
- Other. Please specify.

When will you undertake these activities?  2011  2012  2013

- Not Applicable [Explain]

**2012 Update:** In April of 2012, Harris County conducted events to celebrate Fair Housing Month. These events included displaying posters/flyers in offices, posting information on the HCCSD website, and posting information on the Housing Resource Center website <http://www.hrc.hctx.net/discrimination.htm>. The Housing Resource Center (HRC) is a service provided by the county through Harris County Community Service Department (HCCSD) that provides information on affordable housing and community resources to the public. As a part of its Harris County Consolidated Plan, HCCSD held a series of meetings, interviews and a public hearing, including meetings and interviews in April 2012, with local stakeholders in affordable housing, fair housing, and integrated housing to solicit their input into the state of housing and housing choice in the county. The information gathered during these meetings/interviews, in addition to demographic, economic, and social data, assisted the county to develop the Consolidated Plan and Fair Housing Plan/Analysis of Impediments during 2012.

**2013 Update:** In April of 2013, Harris County once again celebrated Fair Housing month by placing flyers in Harris County public offices and updating information on the Housing Resource Center regarding housing rights and affordable housing in the county. The HCCSD staff also

conducted a study of activities performed by HCCSD from March 1, 2012 to February 28, 2013 to eliminate barriers to affordable housing and affirmatively further fair housing as identified in our Consolidated Plan, and reported the findings of the study in the County's PY2012 Consolidated Annual Performance and Evaluation Report (CAPER) that was submitted to HUD in May 2013.

Currently HCCSD is working on its 2014 Fair Housing month activities, which will include but not limited to a resolution to Commissioners Court, updates to the HRC website educating on Fair Housing, and an email blast to over 500 local stakeholder organizations regarding the importance of fair housing and housing choice in our community.

2. Consistent with the Fair Housing Act, the State of Texas and funded sub-recipients have historically conducted fair housing activities at various times of the year and should continue to fund, depending on sufficient appropriations, or collaborate with public and private agencies, organizations and groups to plan and conduct fair housing activities.

We will conduct/sponsor/fund in fair housing activities at various times of the year other than "April as Fair Housing Month." Attach a description of these activities and identify the organizations and agencies you have worked with.

When will you do this?  2011  2012  2013

Not Applicable [Explain]

**2012 Update:** In 2012, Harris County conducted/sponsored/funded fair housing activities within the county through:

- the dissemination of information via the Harris County CSD Housing Resource Center (HRC) website;
- distribution of fair housing materials at approximately 36 community outreach events during the year;
- worked with local families, particularly low-income households, to search and locate safe and adequate housing in the county using a free online housing search tool housed on the HRC website;
- discussion of fair housing rights with clients and referrals to local fair housing advocate agencies and HUD regarding possible fair housing issues, including complaints by tenants regarding possible housing discrimination by landlords; and
- maintaining a log of fair housing concerns and complaints that are received by HRC.

In 2012, the County's Downpayment Assistance Program (DAP) provided homeownership assistance grants to qualified homebuyers. DAP also educates mortgage lenders and local real estate agents who wish to work with the program on Federal laws, such as Fair Housing, and program requirements. During this year, 73 lenders were educated regarding Federal and DAP program requirements. Homeowner buyers participating in the DAP program are required to

attend homebuyer counseling, which includes discussions on fair housing issues such as unethical lending practices. Over 90 homebuyers completed counseling in 2012.

As stated above, HCCSD held a series of meetings and interviews with local stakeholders in the provision of affordable housing, fair housing agencies, social service providers, and many others to solicit their input into the state of housing and housing choice, services, infrastructure/facilities, and the economy in the county as a part of its Harris County Consolidated Plan/Fair Housing Plan. The information gathered during these meetings/interviews, in addition to demographic, economic, and social data, assisted the county to develop the Consolidated Plan and Fair Housing Plan/Analysis of Impediments during 2012. The Harris County Consolidated Plan and Fair Housing Plan can be found on the county's Community Services Department website at [http://www.csd.hctx.net/pr\\_consolidatedplan.aspx](http://www.csd.hctx.net/pr_consolidatedplan.aspx) and includes a detailed list of stakeholders whose input was solicited and meetings.

**2013 Update:** In 2013, Harris County conducted, sponsored, and funded fair housing activities within the county and continued the activities listed in 2012 with the HRC and DAP program. In 2013, Harris County's DAP program also held 7 lender trainings for 90 lenders participating in their program and provided over 80 homebuyers with homebuyer counseling including topics on fair housing.

In addition, county staff also attended several trainings. Listed below are some of the meetings and events attended in which fair housing materials were handed out.

- 7/24/13- TSU Legislative Townhall Mtg.
- 7/25/13- Meet the Blue Book 2013
- 8/02/13- Pct 1 – 2013 Bright Futures Affairs – Street Olympics
- 8/03/13- Children's Health & Resource Day, Almeda Mall
- 8/10/13- The Mayor's 3<sup>rd</sup> Annual Back to School Resource Fair
- 8/10/13- Texas Children's Back to School Resource Fair, Greenspoint Mall
- 8/12/13- 2013 Direct Care Worker's Conference
- 8/16/13- Our Lady of Fatima Resource Fair
- 8/22/13- Bay Area Benefits Fair
- 8/24/13- Veterans Land Board Benefits Fair
- 9/16/13- Criminal & Juvenile Justice Community Resource Exchange
- 9/18/13- HHA – Senior Resources Fair – Bellerive
- 9/19/13- HHA – Senior Resources Fair - Truxillo
- 9/20/13- Veterans Stand Down
- 9/25/13- HHA - Senior Resources Fair – Allen Parkway
- 9/26/13- HHA - Senior Resource Fair – Lyerly
- 9/27/13- HHA - Senior Resources Fair – Irvington Village
- 10/03/13- National Hispanic Council on Aging – 20<sup>th</sup> Annual Baja El Mismo Techo

Harris County fair housing representatives attended an additional 61 other fair housing events and handed out a total of 1,220 fair housing information flyers and brochures. Fair housing staff also worked with the Department of Education - Early Childhood Programs and Neighborhood Centers Inc. - Early Head Start programs across the county to promote fair housing awareness.

In Addition to these events, Harris County developed a new Fair Housing Plan/Analysis of Impediments Plan to replace its PY2008-2012 plan. The Fair Housing Plan and the Analysis of Impediments address barriers to fair housing throughout the county and provide strategies to overcome those barriers. Development of the plan began as discussed above in 2012 with public consultation activities with stakeholders. Before the plan was approved, copies were made available on the CSD website, sent to over 500 community stakeholders, and the Harris County Judge and Commissioners for review. The county held a public hearing and to solicit final input on the plans.

<p><b>Impediment #4: “Not in my Backyard” [NIMBY] may be an impediment for fair housing in Texas Communities.</b></p>
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1. NIMBY opposition needs to be anticipated and planning and outreach should occur on the front end of projects. To mitigate defensive and reactive responses, planning should include strategies for education, outreach and marketing that provide accurate information and promote the positive aspects and benefits of affordable housing to build support among community residents.

**2012-2013 Update:** The anti-NIMBYism actions have been incorporated into the Harris County CSD Request for Proposals process. Those developers of housing who are applying for county HUD funding are required to conduct public meetings with local civic associations and residents to promote the positive aspects and benefits of their proposed project to the community. In October 2013, one of the county’s proposed developers conducted an extensive community event, where neighborhood leaders and residents, a State Senator, local businesses, and other interested parties toured the proposed project and then gathered to discuss the merits of the project. Attendees had an opportunity to learn more about the benefits of the project to their neighborhood, dispel myths about affordable housing, and give their input on the proposed design of the project.

Currently, the HCCSD is working on an Anti-NIMBYism plan to include in its Harris County Affordable Housing Standards, which can be found on the HCCSD website at <http://www.csd.hctx.net/housingpolicies.aspx>.

2. The Department of Housing and Urban Development [HUD] provides extensive information about Fair Housing and examples at [www.hud.gov](http://www.hud.gov). Generally communities should consider:
  - Working with local officials, editorial boards, religious and civic organizations and other community leaders to initiate education programs.

- Seeking opportunities to present information to community organizations by requesting to be placed on their meeting agendas.
  - Including a visit to the Group Home residence as part of an education program.
  - Answering all questions.
  - Talking with local neighborhood leaders, including elected representatives, and setting up a neighborhood meeting.
  - Setting up a liaison committee consisting of advocates, group residents, and neighborhood residents to discuss issues.
  - Identifying areas that meet AFFH targets where the community supports development, has worked with community groups and potentially uses funds to assist the development of multi-family affordable housing.
- We have developed an anti-NIMBYism action plan. [Attach a copy or description]  
 We will develop an anti-NIMBYism action plan. [Designate who will be responsible for developing this plan.]
- When will you do this?  2011  2012  2013
- Not Applicable [Explain]

**2012-2013 Update:** As stated above, HCCSD has included requirements in its Request for Proposal process to require housing developers to communicate and educate the public on their projects and the county is working on an Anti-NIMBYism plan to include in its Harris County Affordable Housing Standard, which can be found on the HCCSD website at <http://www.csd.hctx.net/housingpolicies.aspx>. This statement will be loaded to the HCCSD website for comments and emailed to over 500 interested parties for the county, including but not limited to housing advocate agencies, housing providers, and community groups.

**Impediment #5: Certain governmental policies and practices may not meet current HUD policy concerning affirmatively furthering fair housing. Jurisdictions should act to ensure that their policies and procedures affirmatively further fair housing, address mal-distribution of resources, and that they do not unnecessarily impact housing choice.**

1. As part of certifying that a community is affirmatively furthering fair housing, jurisdictions that have long-term infrastructure plans should review them to determine if the plan promotes racial concentrations or otherwise inadvertently results in disparate treatment of members of protected classes. While not intended to direct a community to hire a consultant, it is anticipated that a community will review its long-term infrastructure plans as part of this recommended action. In reviewing the project list [Appendix F of the Phase 1 AI] there are many projects that are listed as being of community-wide benefit. The records do not indicate the actual location of projects or provide adequate discussion of how the projects benefit the entire community.

We have a long-term infrastructure plan and will review the plan to determine if it promotes racial concentrations or otherwise inadvertently results in disparate treatment of members of protected classes as it relates to the availability of housing.

When will you do this?  2011 (see below update)

Not Applicable [Explain]

We have already collected information on the locations of protected populations and have adequate information for insuring that new projects with “citywide benefits” will not perpetuate illegal differences in treatment.

We will use the information in the AI to ensure that proposed projects do not perpetuate illegal differences in treatment. (see below update)

When will you do this?  2011

Not Applicable [Explain]

**2012-2013 Update:** In 2012, the county completed its Fair Housing Plan and Analysis of Impediments for submission to U.S. HUD in early 2013. HUD has approved the plan and the county is currently working to review its long-term infrastructure plan in 2014.

2. As it has been determined under federal law that Fair Housing applies to all federal housing and community development funds, to reduce “siloing” the fair housing component into only housing-related programs, fair housing should be considered in all activities for all local community planning staff.

- We have determined that consideration of Fair Housing implications has already been incorporated into all aspects of planning in this jurisdiction. [Please attach supporting documentation.]
- We will review and insure that Fair Housing implications are addressed in all aspects of planning in this jurisdiction in a manner consistent with the guidelines provided by the state at the FFAST form training and maintain documentation of that review.  
When will you do this?  2011  2012  2013
- Not Applicable [Explain]

**2013 Update:** In 2013, Harris County considered fair housing in all community development efforts. The PY2013-2017 Fair Housing Plan/AI is utilized by the entire department as a guide and reference to locations of protected classes and fair housing issues to be aware of when conducting planning activities. The Harris County Multi-family Housing Concentration Policy is one instrument used by HCCSD to evaluate multi-family complex developments so as to avoid concentrating tax-credit and federally subsidized affordable housing.

3. It would be beneficial for local elected officials to require senior staff of any subrecipient such as a city or county—including managers and attorneys—to receive available Fair Housing training within the first 12 months of their employment or engagement.

- We have a policy in place providing for all senior staff – including managers and attorneys – to receive Fair Housing training within their first 12 months on the job, and for long-term senior staff to receive regular updated training. [Attach copy of policy]
- We do not have such a policy and will develop and implement one.  
When will you do this?  2011  2012  2013
- Not Applicable [Explain]

**2013 Update:** Harris County has a policy and tiered training schedule that encourages fair housing training for all HCCSD staff which includes senior level staff. Training is attended and required based on the availability of training courses and budget constraints.

Below are the trainings that staff attended:

4/2013	2013 Fair Housing Training for Entitlement Grantees-2 staff attended
7/2013	2013 National Alliance to End Homelessness-1 staff attended
9/2013	2013 TX Conference to End Homelessness-8 staff attended
6/2013	HUD Fair Housing/Section 3 Training-4 staff attended
6/2013	NCDA 44th Annual Conference-1 staff attended
10/2013	HUD Training-Moving CDBG Forward-2 staff attended

- 3/27/2013 Techniques and practices to better serve vulnerable populations including the disabled and homeless families-4 staff attended
- 4/11/2013 Section 3 training-8 staff attended
- 5/9-10/2013 Working with disabled clientele to find rehabilitation and assistance service-6 staff attended
- 6/25/2013 Fair Housing and Section 3 training-4 staff attended

4. No local action is required for this item.
  
5. Local communities should consider limiting the concentration of infrastructure improvements like wastewater treatment, solid waste disposal, or similar necessary but not desirable infrastructure projects in residential areas where there are concentrations of protected classes.
  - We have an official policy that limits the concentration of certain infrastructure improvements. [Attach a copy.]
  - We have official policies and procedures that take the location of protected classes into account when deciding where to locate undesirable infrastructure improvements. [Attach a copy.]
  - We do NOT have limits on the concentration of undesirable infrastructure improvements or policies and procedures that take the residential location of members of protected classes into account, but will develop formal limits or official policies and procedures.
  - Not Applicable [Explain]

**2013 Update:** Harris County is in the process of determining limits and official policies to reduce the concentration of necessary but undesirable infrastructure projects. Due to the limits on county powers by the State, this project will require additional time and consultation with the County Attorney and Public Infrastructure Department. The county works with Local Municipalities and Utility Districts, who operate and maintain infrastructure facilities such as wastewater treatment.

6. Communities electing to provide publicly financed housing incentives should be requested to call for recipients to engage in affirmative marketing.
  - We have a policy requiring Affirmative Marketing Plans from developers seeking tax abatements or other supports for new housing.
  - We do not have such a policy and will develop and implement one.  
When will you do this?  2011



Not Applicable [Explain]

**2013 Update:** Policy remains in place, no addition actions have been taken.

7. If a jurisdiction is a non-entitlement community, when working in LMI areas to replace roads or other infrastructure, the jurisdiction should consider making application for additional sources of funding to provide assistance to repair substandard housing associated with the project [i.e., TDHCA or HUD.]

We formally consider accessing supplementary funds when infrastructure proposals are developed. [Attach policies.]

We have not consistently done this in the past and we will develop a process to formally consider making housing funding applications when funds for infrastructure projects are sought.

When will you do this?  2011  2012  2013

Not Applicable [Explain]

Original FFAST statement: Not Applicable as Harris County is an Entitlement community with HUD. The county is a recipient of CDBG and HOME funds which it has used to provide activities such repairs to substandard single family and multi-family housing, homeownership activities, infill housing construction, lead based paint control in single family homes, and the construction of new multi-family units for the homeless and low-income families throughout the county including LMI areas.

8. Most infrastructure projects take into account items like curb cuts, sidewalks, hearing and visually impaired indicators at intersections. When approving non-federally funded projects, similar special needs construction should be required for infrastructure improvements. Projects should also address other legacy discrimination issues, such as accessibility in public areas like courthouses, community centers and other high traffic areas.

We currently require that applications for non-federally-funded infrastructure projects are ADA compliant and address other legacy discrimination issues.

We do not have such a requirement. We will develop one.

Not Applicable [Explain]

**2013 Update:** Harris County currently has an ADA compliance policy, no additional actions taken.

9. Each jurisdiction applying for Community Development Block Grant funds or other federal housing and community development funds should submit a Fair Housing Activities Statement – Texas [FFAST] with their application, reviewing their

infrastructure needs and housing needs and how the proposed activity promotes fair housing or results in more equitable treatment of protected classes. Projects with community-wide benefits should be accompanied by explicit commitments on the part of the local jurisdictions to undertake additional activities to affirmatively further fair housing along with a monitoring and reporting process.

We submit a FFAST form.

When will you begin to do this?  2011

Not Applicable [Explain]

10. As part of the non-housing disaster recovery program, jurisdictions should consider low-income areas and areas populated principally by members of protected classes to determine the potential for flooding and consider making infrastructure expenditures to help protect the impacted communities—including colonias.

We have reviewed LMI areas and areas populated principally by members of protected classes, and prioritized infrastructure expenditures to help protect the impacted communities—including colonias.

We have not done this in the past but will conduct such a review and consider these infrastructure projects in the future.

When will you do this?  2011

Not Applicable [Explain]

**2012 Update:** In preparing its non-housing application for disaster recovery, the county did consider low-income and protected class concentrated areas for improvement of flood control measures and other infrastructure. The State approved more than 75 percent of the Harris County allotted disaster recovery CDBG funding for the improvement of infrastructure projects in low-income areas.

11. If applicable, all policies should be reviewed regarding denying applicants' access to disaster recovery CDBG funds if their residence is located in the flood plain. If the policy does not allow participation by restricting building in flood plains, then the policy should be assessed to see if alternative housing programs could be implemented for the residents. Local jurisdictions should analyze the results and see if protected classes are more frequently harmed by flood plain restrictions. This action does not apply to the GLO CDBG Disaster Relief Fund that limits property purchase "unless TXCDBG receives satisfactory evidence that the property to be purchased was not constructed or purchased by the current owner after the property site location was officially mapped and included in a designated flood plain."

We have completed this review and analysis and will take action on our findings.

- We have not completed this review and analysis. We will do so and take appropriate actions based on our findings for Round 2 programs.

When will you do this?  2011

- Not Applicable [Explain]

Original FFAST statement: After reviewing the county's housing policies governing access to disaster recovery CDBG funds, neither Harris County's disaster recovery single family housing rehabilitation/reconstruction nor the rental housing programs restrict participation due to residence's location in the 100 or 500 years floodplains. Harris County has State approved housing policies and procedures that allow for the provision of disaster recovery TX CDBG funds to be allocated to eligible applicants whose housing units are located in the floodplain. The single-family housing rehabilitation and reconstruction program in Harris County's Round 1 contract has served many homeowners in the 100 and 500 years floodplains with most of these, in addition to the repair of their homes, receiving elevation services to lift their homes 24 inches above base flood elevation. The Harris County Buyout program seeks eligible repetitively flooded homes, often in the floodway or floodplain, for acquisition to assist homeowners to move to areas outside the 100 years floodplain.

12. When an entire community is in a flood plain, the community should establish clear standards that allow for proper elevation or relocation, and that also allows for visitability/special needs considerations consistent with state [3] and federal law.

- We have established clear standards that allow for proper elevation of homes or for relocation, and also allow for visitability/special needs considerations consistent with state and federal law. [Attach documentation.]

- We have not developed these standards but will do so for Round 2 programs.

When will you do this?  2011

- Not Applicable [Explain]

**2012-2013 Update:** Harris County used previously established standards for elevation in its CDBG disaster recovery housing program as 2 feet above base flood elevation as stated in the county's Hurricane Ike Recovery Program General Construction Matters document in Part II item 13 (pg. II-3) and also directs the addition of visitability/special needs elements to reconstructed single family units as required by Federal and State law. Excerpt of Housing Standards on this topic is attached. These standards were approved by the State during Round One.

13. Local jurisdictions that accommodated the relocation of disaster survivors resulting in concentrations of protected class survivors in specific areas should establish Moving to Opportunity Programs and include renters in their Moving to Opportunity Programs as defined under Round 2.

- This action step applies to our jurisdiction. We will establish a Moving to Opportunity Program for disaster survivors as part of our Round 2 housing recovery program

When will you do this?  2011

- Not Applicable [Explain]

**2012-2013 Update:** Harris County established a Moving to Opportunity Program in 2012. In 2013 the Homeowner Opportunity Program (HOP) that provides options up to and including the “buyout” of a home that has been destroyed by the hurricane and the subsequent relocation to a location that is safer and a higher opportunity neighborhood. In addition, the program will be coordinated by the Houston Galveston Area Council (H-GAC).

14. Consistent with the process established in the Conciliation Agreement, local jurisdictions and state agencies should work together to determine a demographic and economic profile of victims of the natural disaster and establish goals for assisting these populations in no less that the proportions they were impacted by the disaster. These goals should be performance goals and disaster recovery funds should be extended incrementally in a manner to ensure that these populations are equitably assisted with benefits.

- We will cooperate with state agencies to carry out this action step.

When will you do this?  2011

- Not Applicable [Explain]

**2012-2013 Update:** Harris County has and continues to cooperate with state agencies to carry out this action step.

15. All infrastructure programs funded with disaster recovery funds should be designed so that any publicly accessible infrastructure projects and associated facilities are fully accessible to persons with disabilities.

- We have established clear policies and procedures to insure that all infrastructure programs funded with disaster recovery funds will be designed so that any publicly accessible infrastructure projects and associated facilities are fully accessible to persons with disabilities. [Attach documentation.]

- We have not developed these standards and policies; we will do so for Round 2 infrastructure projects. The person or entity responsible for developing these standards will be Harris County Community Services Department.

When will you do this?  2011

- Not Applicable [Explain]

**2013 Update:** HCCSD has developed these standards and policies for Round 1 & 2 infrastructure projects that include full accessibility to persons with disabilities. These can be referenced in our Harris County Guidelines.

16. Consistent with the Conciliation Agreement, family and elderly public housing units damaged or destroyed by the disaster should be reconstructed or repaired in a manner that affirmatively furthers fair housing utilizing disaster recovery funds within 24 months of approval of the initial application for disaster recovery assistance for the local jurisdiction.

We affirm that family and elderly public housing units damaged or destroyed by the disaster will be reconstructed or repaired in a manner that affirmatively furthers fair housing utilizing disaster recovery funds within 24 months of submission of the initial application for disaster recovery assistance by the local jurisdiction.

Not Applicable [Explain]

**Impediment #6: Governmental entities at all levels do not appear to have been proactive in the enforcement of both the Fair Housing Act and the obligation to affirmatively further fair housing. The State and subrecipients should implement a robust and effective structure for identifying and pursuing suspected violations.**

1. Given the potential for increase in Fair Housing enforcement action by federal and state agencies and private organizations, an ongoing fair housing testing program for areas that receive federal housing and community development funds could be beneficial to protect state agencies and sub-recipients from potential repayment. Fair housing enforcement is a valid use of CDBG funding and can be used to establish testing programs by agencies trained in HUD testing procedures. The state, or local jurisdictions combining together, should consider conducting tests in areas that include the following: steering in sales and rental; the denial of and different terms and conditions based on race, national origin, familial status, and disability in sales and rental; predatory and disparate terms and conditions in lending and insurance; and foreclosure modification schemes targeting minority neighborhoods. The state should also consider education to applicable entities on self-testing and self-correction.

We currently have a testing program for Fair Housing violations.

We do not have a testing program for Fair Housing violations and plan to establish one.

When will you do this?  2011  2012  2013

Not Applicable [Explain]

**2012 Update:** Harris County does not have an official testing program. The Harris County Housing Resource Center (HRC) does take complaints for families seeking housing who believe they have been discriminated against. Harris County staff seeks to resolve the issues between the parties, however, if no resolution can be found, cases are documented and referred to the Department of Housing & Urban Development (HUD) Fair Housing section. The County plans to establish a partnership with the numerous non-profit organizations that are testing to share data. This will be a part of the county's Fair Housing Plan and Analysis of Impediments due to HUD in 2013.

**2013 Update:** The county partnered with the Greater Houston Fair Housing Center (GHFHC) and the Urban League. Both organizations have testing programs and share their data with the county. Harris County also utilized the 2013 Fair Housing Plan/Analysis of Impediments (AI) to ensure funds are being used in a way that affirmatively furthers fair housing. The county also continued the work done by the HRC to assist families who believe they have been discriminated against.

2. No local action is required for this item per the State.
3. Impacted agencies that provide certification that they are affirmatively furthering fair housing as required by federal law, should consider publishing a public document on enforcement that provides the public and communities with a clear description [and chart] of the state and Federal Fair Housing Act.

On documents concerning housing and community development programs that are provided to the public, we will list fair housing enforcement contacts and procedures consistent with the State suggested language when it is provided in 2011.

When will you do this?  2011

Not Applicable [Explain]

**2012-2013 Update:** As a part of its HUD entitlement funding, Harris County submitted in 2013, the Harris County Consolidated Plan and Fair Housing Plan to HUD. In addition to these plans, annually Harris County submits the Annual Action Plan and Consolidated Annual Performance and Evaluation Report (CAPER) to HUD which reports fair housing activities that have been accomplished by the county. These reports are presented to the public during a prescribed public comment period, which is advertised in the local papers, including in Spanish and is loaded to the HCCSD website. Over 500 local stakeholder organizations are notified via email of the documents and their review is solicited. A public hearing for each document is held within the comment period and the documents are submitted to Commissioners Court for approval.

4. Each community should place on its website [if one is available] the contact, at the local, state, and federal levels, for reporting a Fair Housing complaint, if citizens believe they were victims of housing discrimination.

We have published the contact information – at the local, state and federal levels – for reporting a Fair Housing complaint. [Attach a copy or URL.]

- We have not developed these standards and policies; we will do so for Round 2 infrastructure projects. The person or entity responsible for developing these standards will be Harris County Community Services Department.

When will you do this?  2011

- Not Applicable [Explain]

**2013 Update:** Harris County addressed this issue and the information is readily available on the website located at: <http://www.hrc.hctx.net/discrimination.htm>. This website is also available for reporting fair housing complaints.

5. Each local jurisdiction should publish on its website a clear statement, approved jointly by TDHCA, expressing the jurisdiction's obligation to affirmatively further fair housing and providing a method for reporting suspected noncompliance to the state and to HUD. The jurisdiction's contact person should be able to refer to clear local Fair Housing procedures for the complaint process, keep logs and records of all inquiries, allegations, complaints and referrals. These reports should be sent to the appropriate funding agency. Where these reports show that a jurisdiction has administered programs inconsistently with the AI and had the effect of discouraging applications from members of protected classes who are deemed eligible under the plan for assistance, affirmative marketing plans should be developed and submitted to the appropriate agency.

- We have published a policy statement expressing our jurisdiction's obligation to Affirmatively Further Fair Housing. [Attach a copy or URL.]

- We will publish a policy statement consistent with the language the State provides in 2011. (see below update)

When will you do this?  2011

- Not Applicable [Explain]

- We have developed clear procedures for the Fair Housing complaint process. [Attach a copy]

- We will develop clear procedures for the Fair Housing complaint process once more guidance is given by the State in 2011. (see below update)

When will you do this?  2011

- Not Applicable [Explain]

- We keep complete logs and records of all Fair Housing inquiries, allegations, complaints and referrals and have a policy statement about these legal records. (see below update)

- We will begin keeping required logs and records.

When will you do this?  2011

- Not Applicable [Explain]

- We have remedial procedures for developers, landlords, home sellers and others whose actions may be inconsistent with Fair Housing laws and regulations.
- We do not have remedial procedures but will develop them. The agency or person who will be responsible for developing these procedures is Harris County Community Services Department. (see below update)  
When will you do this?  2011
- Not Applicable [Explain]

**2012 Update:** In 2012, Harris County Community Services Department (HCCSD) published policy statement on the HCCSD website. HCCSD also developed procedures for logging and maintaining complaints and referrals.

**2013 Update:** In 2013, HCCSD continued to follow the policy guidelines for processing, logging and recording all fair housing inquires allegations and complaints. Harris County used remedial procedures regarding tenant fair housing complaints for a local rental property management group. HCCSD staff met with the management team to beneficially resolve the complaint.

**Impediment #7: Many local jurisdictions have zoning codes, land use controls, and administrative practices that may impede fair housing choice and fail to affirmatively further fair housing.**

1. The law anticipates that ordinances creating disparate impact should also be reviewed for change. If a disparate impact is determined to exist by the local jurisdiction, it could repeal or amend the restriction, use public funds to offset the cost through homebuyer assistance programs, or waive fees or other offsets to make the home more affordable.
  - We recently conducted or updated a Fair Housing Review of our ordinances and codes.
  - We have not done so but will conduct a review
  - We have a policy statement/guidance for those responsible for developing codes/ordinances that reminds them to consider and document the Fair Housing/AFFH implications of any new rule.
  - We do not have such a policy/guidance but will develop one when suggested guidelines are provided by the State in 2011.  
When will you do this?  2011
  - Not Applicable [Explain]

**2012-2013 Update:** The County only has the powers directly given to them by the State of Texas. Counties have limited land use control options, often involving health and safety measures. The Harris County Consolidated Plan PY2013-2017 (replaced the PY2008-2012



Consolidated Plan) and the Harris County Affordable Housing Standards are the plans that offers some encouragement to developers toward mixed income affordable housing via general housing goals and objectives. The Consolidated Plan discusses the county's goals and objective over a five year period toward improving the quality of life in the low- and moderate-income areas of Harris County. The plan offers some encouragement to developers toward mixed income affordable housing via general housing goals and objectives, but does not offer specific programs or incentives for development. The housing standards assist HCCSD to ensure the development of quality affordable housing and achieve compliance with applicable Federal, State, and local laws, regulations, and policy objectives.

2. To help limit concentrations that could be considered impediments to affirmatively furthering fair housing, jurisdictions that have long term planning documents for housing growth or redevelopment, or revitalization plans, should consider allowing or encouraging mixed income affordable housing in the plan and provide incentives for development of this type of housing in areas that are not concentrated.

We recently conducted a Fair Housing Review and took/are taking appropriate action concerning our planning documents. [Attach a list of plans reviewed, a summary of findings, and actions you will take to remove impediments]

We have not done so but will conduct a Fair Housing Review after the State provides suggested guidelines in 2011.

When will you do this?  2011

Not Applicable [Explain]

We have identified residential areas that show concentrations or underrepresentation of protected groups, and we encourage mixed-income affordable housing and other strategies to widen housing choice throughout our jurisdiction

We have not done so but will include this in our FFAST plan once guidelines are provided by the State in 2011.

When will you do this?  2011  2012  2013

Not Applicable [Explain]

**2013 Update:** Harris County submitted the PY2013-2017 Consolidated Plan and Fair Housing Plan/AI to HUD on January 15, 2013. These plans identify residential areas that show concentrations or underrepresentation of protected groups, and encourage mixed-income affordable housing and other strategies to widen housing choice throughout Harris County. To be eligible for county HOME or CDBG housing funding, proposed projects must pass the Harris County Multi-family Housing Concentration Policy. The Concentration Policy is one instrument used by HCCSD to evaluate multi-family complex development so as to avoid concentrating tax-credit and federally subsidized affordable housing in a single area.

- Local jurisdictions seeking CDBG Disaster Recovery funds from the state should consider offering expedited permitting and review processes for affordable housing projects within high opportunity target zones.

We currently offer incentives to developers to locate affordable housing projects in high opportunity neighborhoods and prevent overconcentration.

We have not done so but will.

When will you do this?  2011  2012  2013

Not Applicable [Explain]

**2013 Update:** Harris County continues to use the Concentration policy to limit the concentration of governmentally financed affordable housing properties and to ensure the viability of proposed affordable housing projects Those proposed developments that are inconsistent with our policy do not receive county funding or its support if a tax credit or HUD competitive (202 or 811 grants) project.

**Impediment #8: Inadequate planning for re-housing after an emergency situation creates a situation where persons who are uninsured or under-insured, low income, or special needs can be displaced for long periods of time.**

- No local action is required on this item per the State.
- As much of what FEMA has previously offered is travel trailers or manufactured housing, local governments should review their zoning requirements or other land use provisions that restrict temporary housing or housing on an existing lot during the building process and look at potential waivers that do not risk or negatively impact health, safety, and welfare during a period after disasters so that low income persons can move back to their existing communities with temporary housing while waiting for redevelopment.

We have reviewed our zoning requirements and other land use provisions and have provided waivers or other accommodations for post-disaster housing.

We have not done so but will review our zoning and look at potential waivers.

When will you do this?  2011  2012  2013

Not Applicable [Explain]

**2012/2013 Update:** Although Harris County does not have zoning, the county worked with several local cities regarding compliance and the granting of variances to successfully assist over 500 homeowners to rehabilitate or reconstruct their homes.

**Impediment #9: There are impediments in public and private actions and private attitudes to housing choice for persons with disabilities.**

1. To meet federal Fair Housing requirements for zoning and neighborhood uses, jurisdictions should look to determine if there are direct or indirect limitations in codes that would prevent facilities or personal residences from providing assistance or communities of choice or service-enriched environments that directly impact special needs persons.

**2012/2013 Update:** Harris County does not have zoning or the power to regulate land use in its unincorporated areas, but examines participating jurisdiction's zoning and neighborhood uses as part of its fair housing plan and consolidated planning process.

2. Local jurisdictions should work to ensure that zoning or code requirements do not unnecessarily impose stricter commercial building requirements, such as emergency access or protection services, on group homes, thereby dramatically increasing housing costs for persons with special needs.

- We have reviewed our codes and ordinances and have addressed/are addressing any impediments relating to special needs persons, including [1] rules that might prevent facilities or personal residences from providing assistance or communities of choice or service-enriched environments that directly impact special needs persons, and [2] rules that might unfairly increase the costs to special needs persons
- We have not done so but will conduct a Fair Housing Review after the State provides suggested guidelines in 2011.

When will you do this?  2011

- Not Applicable [Explain]

**2012/2013 Update:** Harris County does not have zoning. However, commercial development within the unincorporated areas of the county are subject to waste water, storm water, fire code, and civil development [site work, commercial driveway, ROW notifications] reviews and permitting. These codes are standard to all housing and or commercial buildings.

3. Local jurisdictions should consider coordinating with the legislatively created Housing and Health Services Coordination Council for best practices on working with supportive services.

- We agree to coordinate with the legislatively created Housing and Health Services Coordination Council staffed by TDHCA for best practices on working with supportive services.

When will you do this?  2011  2012  2013

- Not Applicable [Explain]

**2013 Update:** In 2013, Harris County coordinated with the Department of Aging and Disability Services [DADS] and applied for a grant to improve the availability and access to community based services and supportive services for persons with disabilities and persons who are elderly and who desire to maintain independent living outside of institutional settings. Although, Harris County was denied the grant, we continued to evaluate the existing capacity of our local affordable housing providers and local community-based service providers to meet the needs of persons with disabilities and older adults. Harris County also evaluated the current opportunities and challenges facing the existing network of providers. County staff also participated with the Center for Independent Living of Houston to attend DADS’ training academy to promote better planning and coordination of services and housing, particularly for disabled persons.

<p><b>Impediment #12:</b>    <b>Lack of financial resources for both individuals and housing providers limits Fair Housing choice. Using an effective program under Section 3 of the Housing and Urban Development Act of 1968 may help members of protected classes gain economic opportunities necessary to allow them to exercise fair housing choice.</b></p>
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1. The state is maximizing its resources in Round 2 of the Ike/Dolly funding to affirmatively further fair housing in single family and multi-family developments. As called for in the Conciliation Agreement, the state is looking to provide more integrated housing options for persons in racially concentrated or poverty concentrated neighborhood groups. In single-family programs, the state should require subrecipients to offer the opportunity to relocate out of floodplain areas, concentrations of racial minorities, or concentrations of poverty—through the Homeowner Opportunity Program. Any relocation should be into an area that does not result in simply relocating the high-concentration from one area to another. Local jurisdictions will be responsible for complying with Section 3 as part of their contract with the state.

**2012-2013 Update:** Harris County created a Section 3 program to carry out responsibilities that include: 1) designing and implementing procedures to comply with the requirements of Section 3; 2) assembling an Advisory Board to provide guidance and oversight to the program; 3) notifying Section 3 residents about training and employment opportunities that complies with the Section 3 requirements. In order to increase the probability that low and very low-income persons would benefit from the economic opportunities generated from the federally funded projects, Harris County added an employment training program component in 2013 to its established Section 3 program. As of 2013, there are 38 clients enrolled in the program and 4 have completed the Job Readiness Training and the program continues to recruit in 2014.

In addition, Harris County also developed the Homeowner Opportunity Program (HOP) that provides options up to and including the “buyout” of a home that has been destroyed by the

hurricane and the subsequent relocation to a location that is safer and a higher opportunity neighborhood. In addition, the program will be coordinated by the Houston Galveston Area Council (H-GAC).

2. Jurisdictions receiving federal funds from HUD, directly or indirectly, should ensure they have a compliant Section 3 program to meet HUD requirements regarding notification to LMI eligible persons of potential job creation at the impacted neighborhood level with federal funds.

- We have in place a Section 3 program that meets the requirements of federal law and regulations regarding potential job creation at the impacted neighborhood level and the use of federal funds to hire local LMI eligible persons. We confirm that appropriate staff persons in this jurisdiction have already received training on Section 3, regarding job creation for local LMI persons including members of protected classes
- We have not done so but will conduct a Fair Housing Review after the State provides suggested guidelines in 2011.

When will you do this? 2011

**2013 Update:** In 2013, Harris County continued to comply with their Section 3 requirements. The HCCSD Section 3 Coordinator attended the HUD training, “Creating Economic Opportunities for Low and Very Low Income Persons on April 11, 2013. In 2013, Harris County initiated the hiring process for a Section 3 Specialist position to be filled in 2014.

<b>Impediment #13:</b> <b>Location and lack of housing accessibility and visibility standards within political jurisdictions limits fair housing choice for persons with disabilities.</b>
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1. Local jurisdictions should consider establishing incentives for affordable housing applicants to create an increased set-aside of housing units for persons with disabilities or persons who are elderly without violating the existing TDHCA integrated housing rule.

**2013 Update:** Harris County requires compliance with all Section 504 regulations and encourages developers of housing to consider “Aging in Place” best practices and increasing the number of accessible units above Section 504.

2. TDHCA and local jurisdictions should consider adding proximity to medical facilities as a scoring incentive for competitive programs using federal funds for proximity to medical facilities.

**2013 Update:** Harris County does consider proximity to several area amenities including medical facilities during its competitive RFP process.

3. TDHCA should require that all federally funded housing construction be built to accessibility standards found in Texas Government Code §2306.514.

We have formally considered: 1] establishing incentives for affordable housing developers to create an increased set-aside of housing units for persons with disabilities or persons who are elderly without violating the existing TDHCA Integrated Housing Rule; 2] providing point incentives for units in proximity to medical facilities for competitive programs using federal funds; and 3] requiring new housing built with federal funds to be built with structures that allow for accessible features, regardless of whether the original occupant needs the features, as called for by state law. [Attach documentation of the review and resulting actions.]

We have not undertaken the above review, but plan to do so.

When will you do this?  2011  2012  2013

Not Applicable [Explain]

**2013 Update:** In 2013, Harris County continued to work with developers when funding multifamily housing projects that allow for accessible features for persons with disabilities or persons who are elderly. The county's Affordable Housing Standards gives guidance to the county requirements on this topic.

**Impediment #14: Many colonias residents live in developments that have insufficient infrastructure and protections against flooding and are impacted by flooding beyond events like Hurricanes Dolly and Ike**

1. The state, COGs, and local jurisdictions should examine the infrastructure needs in colonias, in particular the use of CDBG disaster recovery funds to provide drainage improvements to correct flooding problems in the wake of Hurricane Dolly, and the historical provision of public infrastructure and housing assistance to meet those needs in border and non-border colonias.

We have identified the unserved infrastructure needs of colonias within our jurisdiction and whether these infrastructure improvements are eligible for disaster recovery funding and, if so, whether those projects will be funded.

We have not undertaken the above review, but plan to do so.

When will you do this?  2011

Not Applicable [Explain]

Not applicable- Harris County has no Colonias. Harris County has done extensive research of infrastructure needs in its HUD target areas. Findings were documented in the Harris County

Consolidated Plan, neighborhood plans developed by Community Services Department and the Precinct Two Infrastructure Assessment submitted to HUD in 2010.

**Impediment #16: Many jurisdictions do not have adequate Analysis of Impediments to Fair Housing or Fair Housing Plans, and do not keep sufficient records of their activities.**

1. Recipients of CDBG funds from HUD for housing should maintain records as required by the Fair Housing Act, HUD regulations, and the Conciliation Agreement in order to document that they are carrying out their commitments and affirmatively furthering fair housing.
  - We currently maintain all required records to document our AFFH actions and compliance with Fair Housing laws, HUD and State regulations, and the Conciliation Agreement.
  - We have not done so but do so in compliance with GLO guidance  
When will you do this?  2011  2012  2013
  - Not Applicable [Explain]

**Update:** The Harris County annually submits the Consolidated Annual Performance Evaluation Report [CAPER] to HUD for review. These can be found on the Harris County CSD website at [http://www.csd.hctx.net/pr\\_caper.aspx](http://www.csd.hctx.net/pr_caper.aspx). This document serves the purpose of documenting to HUD and the public, how Harris County is affirmatively furthering fair housing utilizing grant funding.

2. As required under the Conciliation Agreement, the State will conduct a new Statewide AI after HUD approval of the Phase 1 AI. Entitlement communities should conduct new AIs or update current AIs to ensure that they address all recommended data and issues and specifically address issues related to all protected classes under the Fair Housing Act. Race and national origin, as well as the other protected classes, must be identified independent of low and moderate-income categories in order to understand the impact of actions, practices, regulations, ordinances, and other factors on them.
  - We recently completed a formal Analysis of Impediments, are currently updating an existing AI, or are conducting our first AI. [Attach most recent AI or draft.]
  - We are using the FFAST form process to analyze our impediments to fair housing and plan how to address them.  
When will you do this?  2011
  - Not Applicable [Explain]

**2012-2013 Update:** Harris County developed its Analysis of Impediments and Fair Housing Plan as part of the PY2013-2017 Consolidated Plan. It was approved by the Harris County Commissioners Court on December 18, 2012 and submitted to HUD on January 15, 2013. These can be found on the Harris County CSD website at <http://www.csd.hctx.net/PYConsolidatedPlan.aspx>.

Alternative or additional Local Action Steps developed by this jurisdiction: To address unique impediments to fair housing within each community, local jurisdictions are encouraged to develop alternative action steps to be adopted in lieu of or in addition to those set out in the State of Texas Interim Analysis of Impediments to fair housing. If your jurisdiction elects to propose alternative or additional action steps, please describe them below.

- We plan to take additional Action Steps, described in an Attachment.
- We will not take additional FH Action Steps at this time.

When will you do this?  2011  2012  2013

- Not Applicable [Explain]

As stated above, Harris County developed its Analysis of Impediments and Fair Housing Plan as part of the PY2013-2017 Consolidated Plan. It was approved by the Harris County Commissioners Court on December 18, 2012 and submitted to HUD on January 15, 2013. Annually, the county submits to HUD its CAPER, which also includes a review of actions taken during the year regarding Fair Housing. These can be found on the HCCSD website at <http://www.csd.hctx.net/default.aspx>.