

Memorandum



CITY OF DALLAS

DATE April 1, 2016

TO Housing Committee Members: Scott Griggs, Chair, Carolyn King Arnold, Vice-Chair, Mayor Pro-Tem Monica R. Alonzo, Tiffinni A. Young, Mark Clayton, and Casey Thomas, II

SUBJECT The Inclusive Communities Project, Inc.

On Monday, April 4, 2016, you will be briefed on The Inclusive Communities Project, Inc. A copy of the briefing is attached.

Please let me know if you have any questions.

A handwritten signature in blue ink, appearing to read 'Alan E. Sims'.

Alan E. Sims
Chief of Neighborhood Plus

c: The Honorable Mayor and Members of the City Council
A. C. Gonzalez, City Manager
Rosa A. Rios, City Secretary
Warren M.S. Ernst, City Attorney
Craig Kinton, City Auditor
Daniel F. Solis, Administrative Judge
Ryan S. Evans, First Assistant City Manager
Eric D. Campbell, Assistant City Manager
Jill A. Jordan, P. E., Assistant City Manager
Mark McDaniel, Assistant City Manager
Joey Zapata, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Sana Syed, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor and Council

THE INCLUSIVE COMMUNITIES PROJECT, INC.

—A NONPROFIT AFFORDABLE FAIR HOUSING ORGANIZATION—

A Briefing to
the Housing Committee

April 4, 2016

INCLUSIVE COMMUNITIES PROJECT

- Seeks:
 - To create and maintain thriving racially and economically inclusive communities throughout the Dallas Metroplex
 - Expansion of fair and affordable housing opportunities for low income families
 - Redress for policies and practices that perpetuate the harmful effects of discrimination and segregation
- Key program area
 - Mobility Assistance Program (MAP), a housing mobility counseling program for Housing Choice Voucher families (10+ years experience)
- Other program areas informed by obstacles met by MAP
 - Research
 - Advocacy
 - Incentivizing development in high opportunity areas (ICHDC)

HOUSING MOBILITY COUNSELING

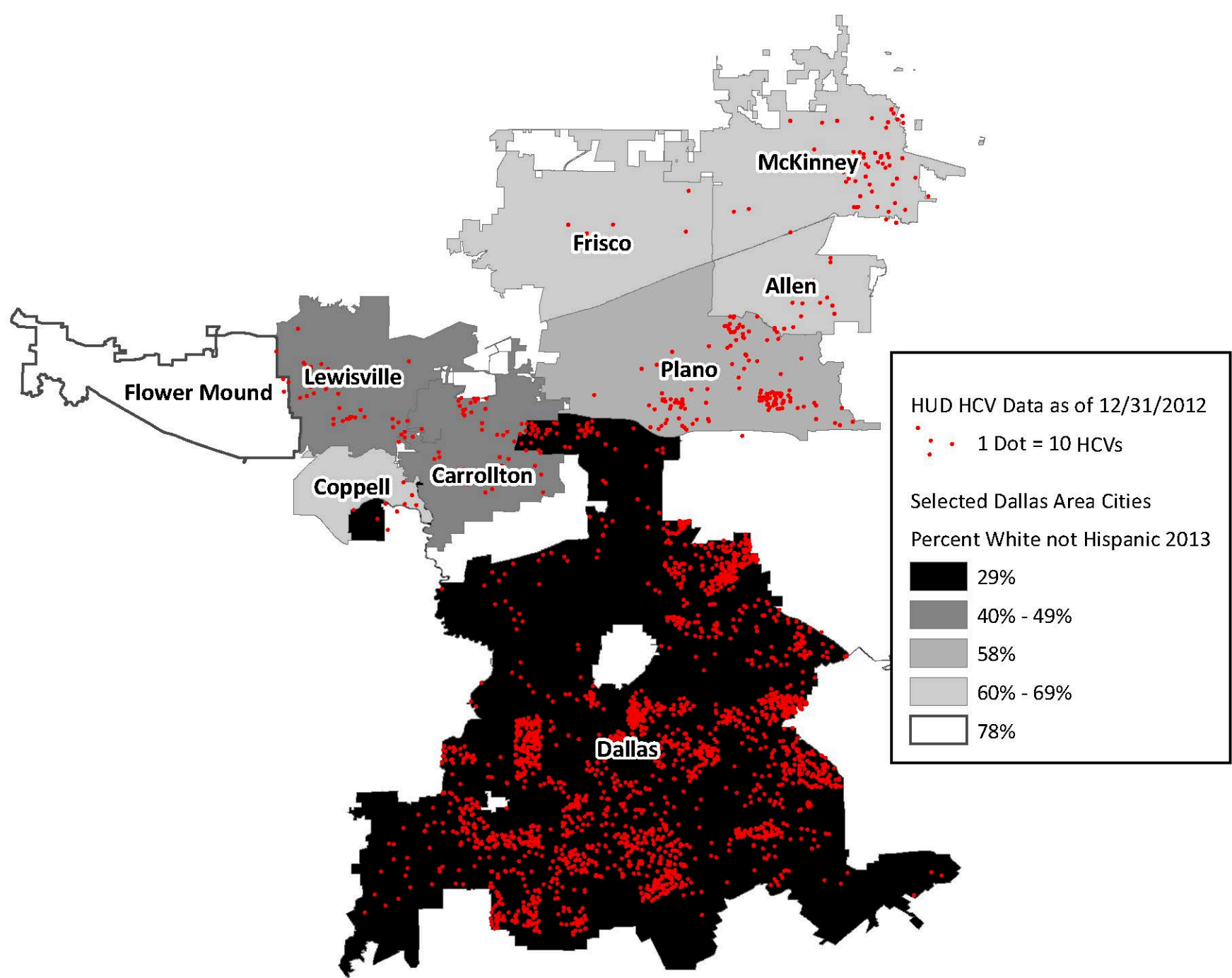
- Education/outreach (informed “choice”)
- Housing search assistance
- Pre- and post-move counseling
- Adequate fair market rents
- Supportive voucher administration by public housing agency
 - Adequate payment standards
 - Willingness to work with mobility
 - LL friendly policies
 - Extended search times
 - Efficient/timely inspection & contracting
 - Efficient/timely process for lease changes
- Move-related financial assistance for families (i.e. security deposits; app. fees)
- LL negotiations & financial incentives for LLs (including sublease/guarantor program)
- Research, evaluation & program flexibility
- Advocacy to address barriers

AFFORDABLE RENTAL HOUSING POLICY: SUGGESTED ELEMENTS

- 1. Regional housing mobility assistance program
- 2. Landlord Sublease/Guarantor Program
- 3. Prohibit discrimination against federal housing voucher recipients if in tiff/receiving other city support/benefit
- 4. Policy restricting approval of certain proposed lihtc & other affordable units
- 5. Adopt voluntary inclusionary zoning provisions
- 6. Request nctcog to issue rfp under sustainable development program
- 7. Request nctcog leadership in convening municipalities for drafting reg'l aff. Hsg. Approval & siting policies
- 8. Request hud leadership in convening muni/county with vouchers for establishment of reg'l housing Mobility
- 9. Pass ordinance Prohibiting discrimination against federal housing voucher recipients

1. REGIONAL HOUSING MOBILITY ASSISTANCE PROGRAM

- Participate in a regional housing voucher mobility assistance program:
 - Pay pro-rata share of the costs of the program
 - Request other cities with voucher programs and Dallas County to pay their share of the costs
- HUD recommends regional housing mobility as a means to affirmatively further fair housing (HUD, Affirmatively Further Fair Housing rule Guidebook, Dec. 31, 2015, page 124)
- ULI cited use of housing mobility programs as a best practice
- ICP has the experience to take on the task of providing these housing mobility services



2. LANDLORD SUBLEASE PROGRAM

- Participate in a landlord sublease/guarantor program
- Request landlords with units in high opportunity areas in the Dallas area to participate
- Pay costs associated with obtaining a substantial # of units for voucher families
- ULI recommended use of this element

(similar to corporate housing model used for employees)

3. PROHIBIT DISCRIMINATION AGAINST FEDERAL HOUSING VOUCHER RECIPIENTS IF IN TIF/RECEIVING OTHER CITY SUPPORT/BENEFIT

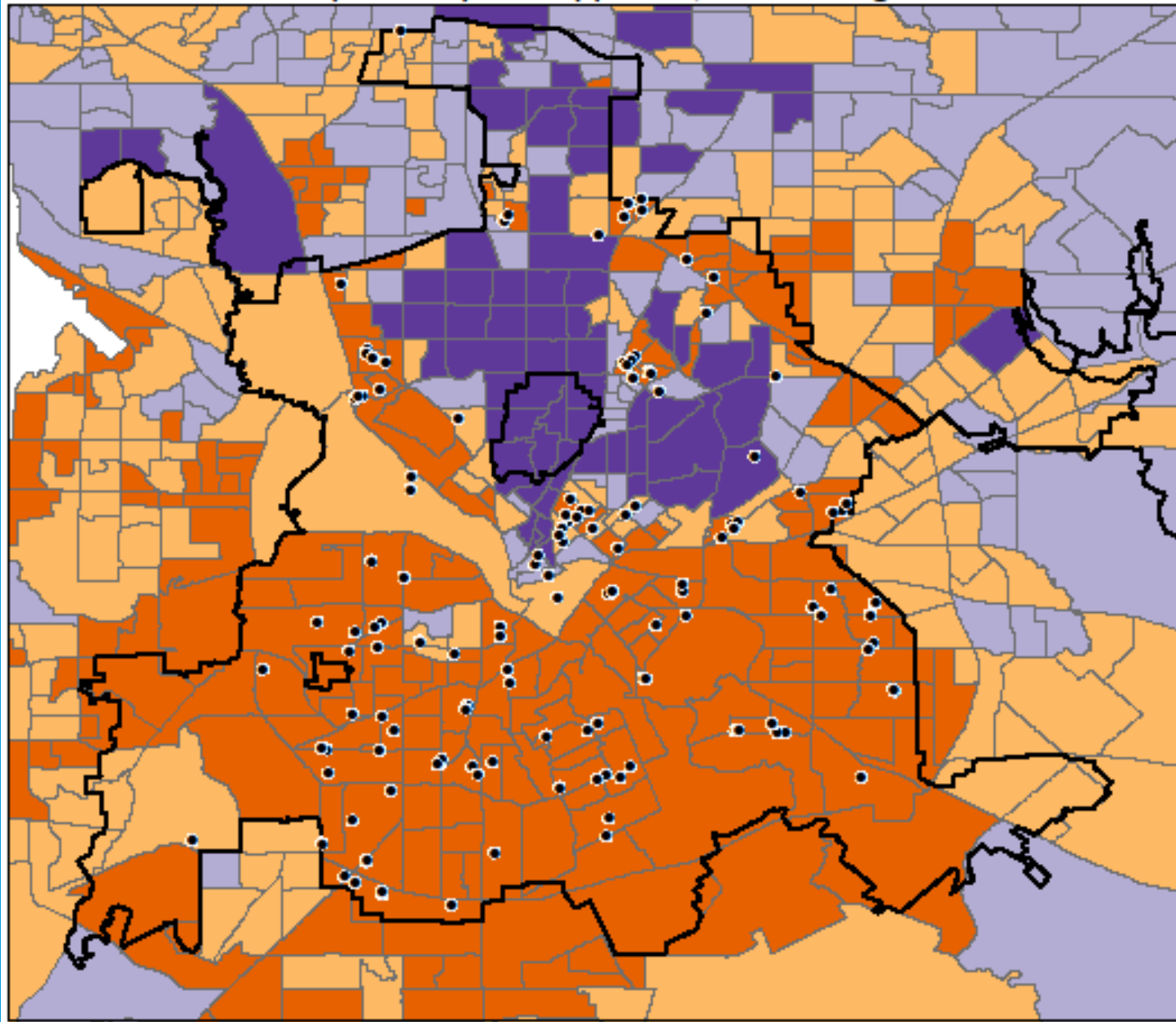
- Prohibition would be for landlords/owners/developers
 - Who provide rental housing
 - Who receive(d) City assistance or support including
 - TIF benefits
 - Inclusionary zoning benefits
 - Zoning changes facilitating multi family housing
 - Density increases
 - City or federal funds
- Safe harbor for complex if pre-determined maximum # of units participating in voucher program

4. POLICY RESTRICTING APPROVAL OF CERTAIN PROPOSED LIHTC & OTHER AFFORDABLE UNITS

- Restrict City approval of low income affordable rental housing including LIHTC units to proposals for units in
 - census tracts with all of the below:
 - i. poverty rate for individuals that is less than 15%
 - ii. AMI within the top two quartiles of the Dallas-Plano-Irving Metropolitan Division
 - iii. in the attendance zone of an elementary school that has a Met Standard rating and has achieved a 77 or greater on Index 1 of the Performance Index related to student achievement by Texas Education Agency
- No waiver of concentration standards unless above standards met
- No approval of LIHTC elderly only applications if in competition with LIHTC family applications

(20+K LIHTC units in Dallas neighborhoods of color; only 1276 outside these areas)

LIHTC Properties by Year Approved, 1987 through 2014



LIHTC Properties by Year Approved

• 1987 to 2014

□ City of Dallas

Census 2010 Tracts and Data

Percent White not Hispanic

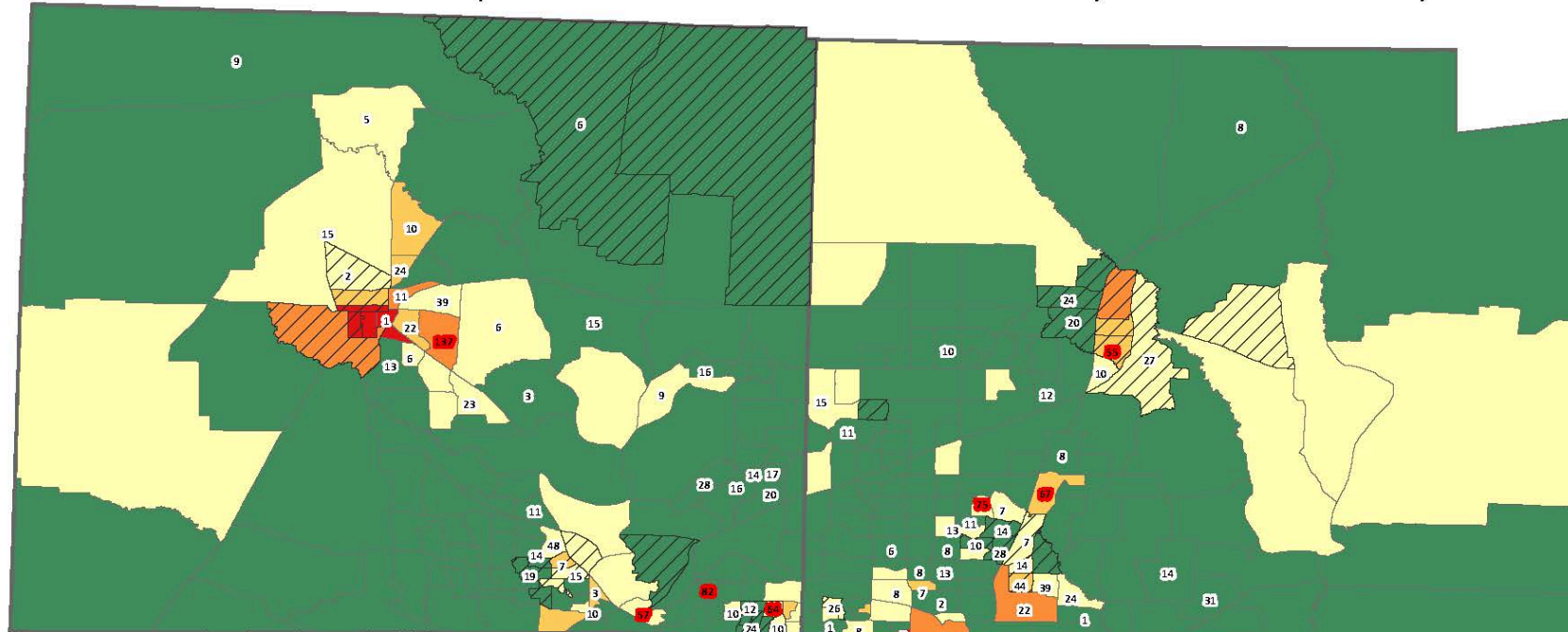
0% - 25%

26% - 50%

51% - 75%


76% - 100%

HCV Households with Children per Census Tract with Percent Below Poverty and School Proficiency Index



A census tract is defined as having a Low School Proficiency when at least one block group in the tract is below the School Proficiency Index for the Poor White Population in the Dallas CDBG (40.18).

Census 2010 Tracts

 Low School Proficiency

Census 2010 Tracts

ACS 2014 Percent Below Poverty

 0% - 10%

 11% - 20%

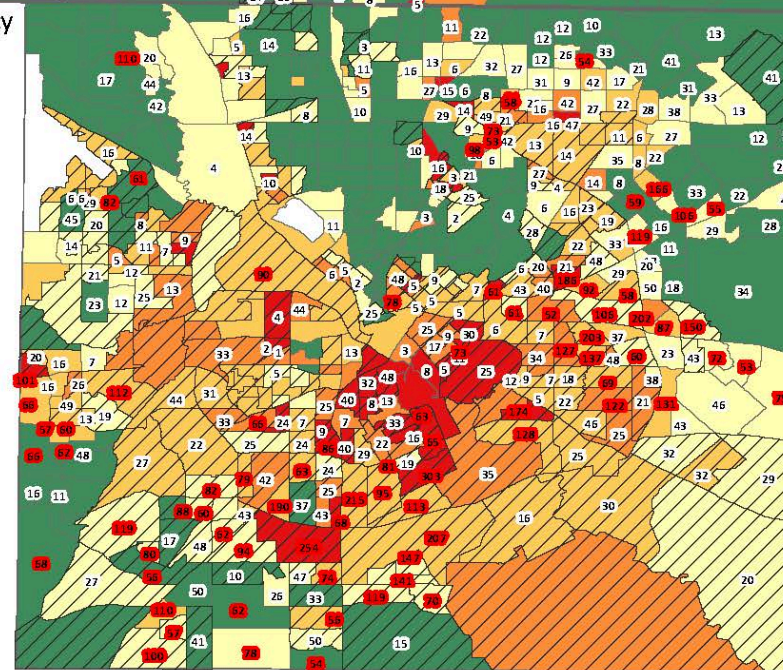
 21% - 30%

 31% - 40%

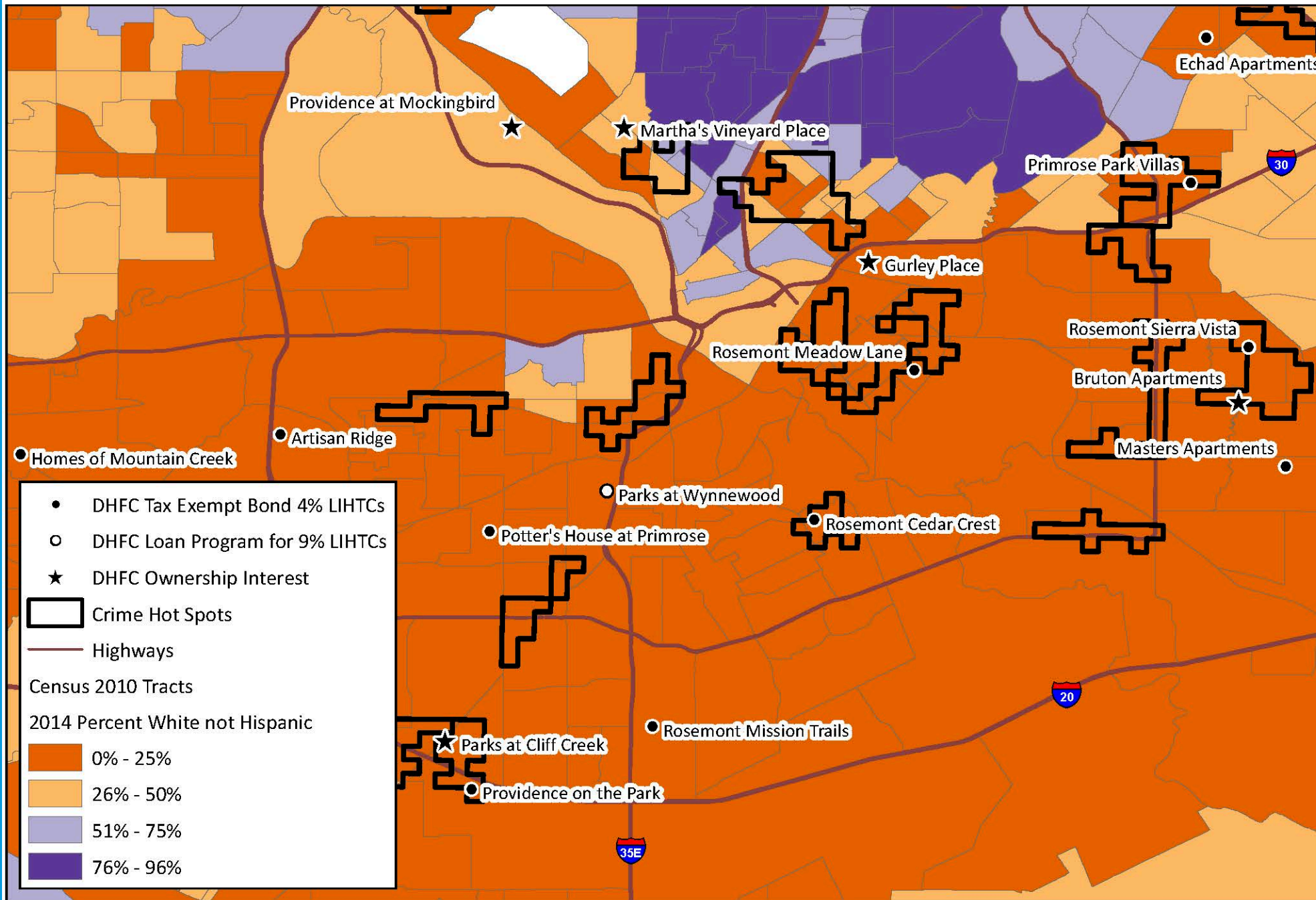
 41% - 66%

Less than 50 HCV Households with Children per Tract

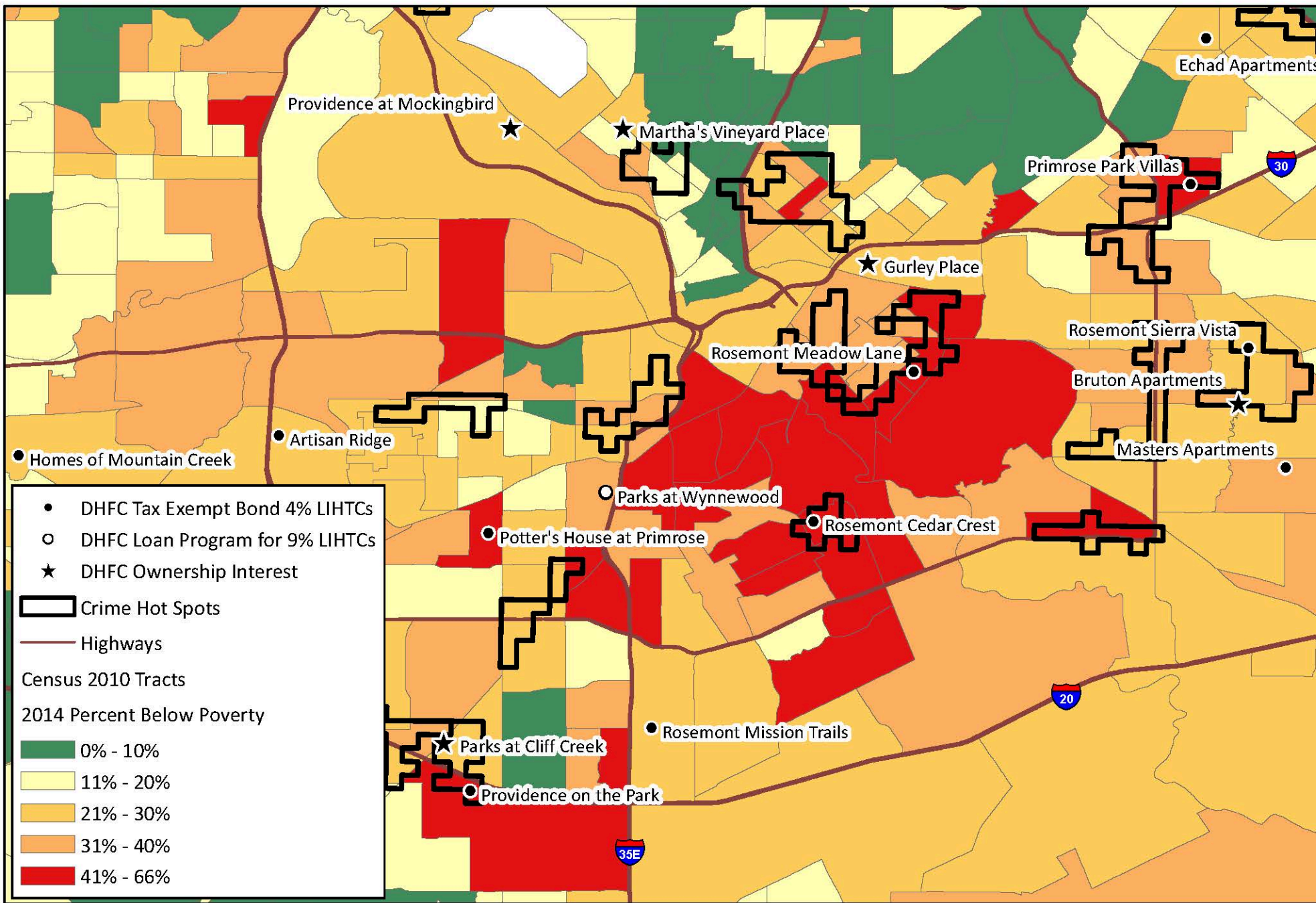
At Least 50 HCV Households with Children per Tract



Dallas Housing Finance Corporation Properties with Crime Hot Spots and Race



Dallas Housing Finance Corporation Properties with Crime Hot Spots and Poverty



5. ADOPT VOLUNTARY INCLUSIONARY ZONING PROVISIONS

- If providing affordable units, defined by gross rents of no more than 30% of 50% AMI
- For rental housing in locations that meet the following census tract (CT) criteria:
 - i. poverty rate <15%
 - ii. AMI within the top two quartiles of the Dallas-Plano-Irving Metropolitan Division
 - iii. attendance zone of an elem. school that Met Standard & ≥ 77 on Index 1 of Texas Education Agency Performance Index
- If in lieu payments:
 - financial assistance providing housing to low income families with household incomes less than 50% of AMI in locations that meet the above census tract standards
 - available for housing voucher households
 - Could be used to provide housing voucher mobility assistance to these types of CTs

6. REQUEST NCTCOG TO ISSUE RFP UNDER SUSTAINABLE DEVELOPMENT PROGRAM

- Seek funding via NCTCOG to help support affordable housing development in census tracts that meet the three (3) previously noted standards
- NCTCOG's Sustainable Development Funding Program has provided funding for LIHTC development in low income City of Dallas areas and suburban areas (i.e. Fiji/Compton Sustainable Development Project)
- Program could be included in the regional affordable housing mobility plan and should be restricted to census tracts that meet the three (3) previously noted standards

7. REQUEST NCTCOG LEADERSHIP IN CONVENING MUNICIPALITIES FOR DRAFTING REG'L AFF. HSG. APPROVAL & SITING POLICIES

- Help establish regional affordable housing approval and siting policies
- To end current racial segregation of low income tenants into City of Dallas' & suburban areas' low income neighborhoods of color

8. REQUEST HUD LEADERSHIP IN CONVENING MUNI/COUNTY WITH VOUCHERS FOR ESTABLISHMENT OF REG'L HOUSING MOBILITY

- Meet to help establish participation of each entity in a regional housing voucher mobility program

9. PASS ORDINANCE PROHIBITING DISCRIMINATION AGAINST FEDERAL HOUSING VOUCHER RECIPIENTS

- Statewide ban on Source of Income Protection ordinances is not a bar to passage
- Federal housing choice voucher program is not income to the tenant according to federal law. (See 42 U.S.C. § 1437f(o))
- Federal funding assistance is not paid to the tenant, but to public housing agencies (See federal statute and case law citations in supplemental materials)
- Safe harbor for complex if pre-determined maximum # of units participating in voucher program

OPPOSE SUGGESTIONS TO PROVIDE IZ & RELATED BENEFITS WHEN TARGETING 80% AMI

- City's current use of 80%AMI:
 - Found to have disproportionately denied housing to Black and Hispanic households (HUD Nov. 22, 2013 findings)
 - Has steered low income, $\leq 50\%$ AMI, affordable rental housing into neighborhoods of color that include low income, high poverty areas marked by conditions of slum and blight
 - Concurrently excluded low income, affordable rental housing outside neighborhoods of color
- Use of 80%, instead of $\leq 50\%$ AMI, outside neighborhoods of color with low poverty would have racially discriminatory effects and perpetuate segregation

SEE ALSO SUPPLEMENTAL
HANDOUT