

# **Boston Assessment of Fair Housing**

## **Working Draft #2**

**Issued for Public Comment**

**8/11/2017 through 9/25/2017**

**City of Boston  
Department of Neighborhood Development  
And  
Boston Housing Authority**

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## **I. Introduction**

The U.S. Department of Housing and Urban Development requires recipients of certain HUD-funded programs to conduct an Assessment of Fair Housing (AFH) using a HUD-provided Assessment Tool. The AFH is an analysis of fair housing issues and contributing factors in a recipient's jurisdiction and region that results in goals that the program participant sets forth to achieve over the recipient's subsequent Consolidated Plan cycle. The AFH replaces the former Analysis of Impediments to Fair Housing Choice planning process.

The AFH includes an analysis of fair housing data, an assessment of fair housing issues and contributing factors, and an identification of fair housing priorities and goals, and is conducted and submitted to HUD using the HUD-provided Assessment Tool. HUD recipients conduct the AFH using an Assessment Tool, HUD-provided data, local data, and local knowledge, including the views and recommendations of members of the community and other interested parties. The Assessment Tool consists of a series of directions and questions designed to focus program participants' analyses on key fair housing issues and contributing factors. HUD recipients must submit completed AFHs to HUD for review via a web-based User Interface. HUD will review each AFH to determine whether the program participant has met the requirements for providing its analysis, assessment, prioritization, and goal setting. An accepted AFH is a required prerequisite to the submission of a recipient's next Consolidated Plan or 5-year Public Housing Agency (PHA) plan.

The City of Boston and the Boston Housing Authority have elected to submit a joint AFH. The City convened a leadership team that included six City departments. The Community Advisory Committee supported the planning of the community meetings and overall community engagement process. Boston's AFH must be completed and submitted to HUD by October 4, 2017 as a prerequisite to the City submitting its next 5-year Consolidated Plan which will be due to HUD on May 15th of 2018. In order to facilitate meaningful community participation, the City and the BHA have made all of the HUD-provided data and maps for the AFH available to the general public on the City of Boston's website at [www.Boston.gov/DND/Assessment](http://www.Boston.gov/DND/Assessment).

On June 12th the City and the BHA posted a first draft of the AFH for a 45-day public comment period. The first draft was based primarily on the HUD-provided data and maps and purposely did not include draft Fair Housing Goals and Priorities because we felt that it would have been premature and disrespectful to propose goals and priorities prior to having obtained substantial community input.

A citywide public hearing on the first draft was held on July 27th to receive comments on the draft AFH during the comment period. Comments were also received by e-mail and in person at six additional community meetings and consultation sessions held between April 12th and July 17th. This second draft draws the comments and feedback received to date, preliminary results of a survey conducted as part of the community meetings and many several recently issued studies and reports. A list of these materials is included in Supplemental Documents in Appendix D. A Public Hearing on this second draft is scheduled for August 22nd. Several additional public community meetings and consultation meetings will be held through the end of the 45-day comment period on September 25. A schedule of these meetings is posted on the City's AFH

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webpage. We will be using the input received on the second draft, along with feedback from the remaining community and consultation meetings to prepare a final AFH for submission to HUD. There are also several City of Boston reports, including the Boston Public Health Commission's **Health of Boston** report, that were not available in time to be reviewed and have their significant findings and policy recommendations incorporated into this second draft AFH. Data and content from these reports will be incorporated into the final versions of AFH to be submitted to HUD.

### **Notes on the AFH Document**

The AFH document is a template provided by the U.S. Department of Housing and Urban Development (HUD). The template consists of a series of questions provided by HUD that grantees are expected to answer utilizing the HUD-provided data tables, maps and local knowledge. The HUD questions are provided in **highlighted blue bars like this** and HUD's instructions are provided in *blue italics like this*. Our responses to the HUD questions are in standard black text. Black text in *italics* are our explanatory notes to the reader.

In order to make the AFH document easier to navigate, we have posted the document in several sections. Also, the four appendices are also posted as separate documents on Boston's Assessment of Fair Housing website.

**Appendix A – HUD-Provided Maps** has a brief description and a link to a static pdf of each of the fifteen HUD-provided maps. Some of the pdfs are large files and may take a while to open. Also, several of the maps have multiple variations. The variations are listed by data year or as A, B, or C.

You may prefer to build and explore your own AFH maps “live” through HUD's online Data and Mapping tool at <https://egis.hud.gov/affht/>. To view the Boston data first select a state (MA), next select a jurisdiction (Boston), and then click on “Select a Map”. Click on any one of the maps and then click on “Load an AFFH Map”. IMPORTANT - once the map opens, click on the three white bars on the left hand corner of the “Affirmatively Furthering Fair Housing” header. A menu will appear. Click on “Data Version and select “AFFHT0001”. We are required to use this version of the data for Boston's AFH. Once the map opens again, go back to the menu bar and click on “AFFH Maps” to select any map that interests you. Some of the maps have variations that you can select by clicking on the “Map Variations” dropdown. The menu also provides further instructions and options for exploring the maps.

**Appendix B – HUD-Provided Tables** has a brief description of each of the fifteen HUD-provided tables. The data tables are posted on Boston's Assessment of Fair Housing website as a single Excel workbook with separate spreadsheets within the workbook for each table. Table 8 is split into three separate worksheets. We have also posted **HUD's Data Documentation** guide for anyone who wants to explore the sources of the data or understand the how HUD calculated their various indices.

**Appendix C – Descriptions of Potential Contributing Factors** provides a HUD-prepared narrative describing each of the Contributing Factors HUD asks grantees to consider.

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**Appendix D – Supporting Documents** provides a brief description and a link to each of the supplemental maps, tables and other documents.

## Community Participation Process

*Complete all three questions based on the community participation, consultation and coordination process outlined in the Final Rule at 24 C.F.R. § 5.158. Program participants should employ communications means designed to reach the broadest possible audience. Such communications may be met as appropriate, by publishing a summary of each document in one or more newspapers of general circulation, and by making copies of each document available on the Internet, on program participants' official government Web sites, and as well at libraries, government offices, and public places.*

*Please note that for public housing agencies, community participation requirements are described in 24 C.F.R. §§ 903.13, 903.15, 903.17, and 903.19. For consolidated plan program participants, Citizen Participation requirements are described in 24 C.F.R. part 91. As required by applicable regulations, program participants must ensure meetings are held in physically accessible locations, provide appropriate auxiliary aids and services necessary to ensure effective communication with individuals with disabilities, and provide limited English proficient persons meaningful access to programs and services.*

III.1. Describe outreach activities undertaken to encourage and broaden meaningful community participation in the AFH process, including the types of outreach activities and dates of public hearings or meetings. Identify media outlets used and include a description of efforts made to reach the public, including those representing populations that are typically underrepresented in the planning process such as persons who reside in areas identified as R/ECAPs, persons who are limited English proficient (LEP), and persons with disabilities. Briefly explain how these communications were designed to reach the broadest audience possible. For PHAs, identify your meetings with the Resident Advisory Board.

*For question (1), provide a summary of the outreach activities undertaken. For PHAs, also include any meetings with the Resident Advisory Board.*

### AFH DRAFT #1

Prior to issuing this first draft of the Assessment of Fair Housing, DND the BHA and its City and community partners conducted the following outreach and engagement activities to date:

**On 4/12/17** DND and the Office of Fair Housing and Equity, Boston Fair Housing Commission (BFHC) staff held a roundtable consultation meeting with 7 members of Homes For Families, a non-profit organization advocating for homeless families.

**On 4/25/17** DND, the BHA, BFHC, the Boston Public Health Commission (BPHC) and a coalition of tenant, civil rights and fair housing organizations jointly organized a large community meeting on Health and Fair Housing in Roxbury at Hibernian Hall. About 100 people attended and participated in one of the 5 breakout groups to explore housing and housing-related health issues. In addition to the breakout sessions, meeting participants also completed a survey. The feedback from the breakout sessions and the survey will inform both the Assessment of Fair Housing and BPHC's Health of Boston reports. Leaflets in English and Spanish were distributed to advertise the meeting and interpretation was provided in the following languages: Spanish and Chinese. Multilingual flyers were prepared for the community meeting and widely distributed to partner organizations, Boston Community Centers and the Boston Public Library network. An

email was sent to about 300 subscribers to DND's Policy News and the meeting was posted on the webpage of the City of Boston's calendar.

**On 5/10/2017** DND and BFHC staff participated in a Disabilities Community Forum organized by the City of Boston's Disabilities Commission at Suffolk University. Staff presented an overview of the AFH process, distributed copies of the AFH brochure and invited and invited Forum participants to participate in the AFH community participation process. Much of the testimony presented at this forum, especially testimony on transportation obstacles and housing issues was directly relevant to the AFH. There were about eighty people in attendance. American Sign Language (ASL) interpretation was provided as well as Communication Access Real Time Translation (CART).

**On 5/25/2017** DND held a public hearing on its draft Program year 2017 Action Plan. As part of the agenda for that hearing an overview of the Assessment of Fair Housing and the community participation process was presented.

DND also launched a dedicated website for the AFH and posted the AFH outreach brochure, the HUD data tables, the AFH survey, the AFH Tool and links to the HUD AFFH website, including links to and instructions for the HUD Mapping and Data Tool. The website includes a link for submitting comments and suggestions on the AFH. The link to the website is: [www.Boston.Gov/DND/Assessment](http://www.Boston.Gov/DND/Assessment). The outreach brochure is posted in six languages: Cape Verde/Portuguese, Chinese, English, Haitian Creole, Spanish and Vietnamese.

A citywide public hearing on the AFH draft #1 was held June 21 at the Anna M Cole Community Center in Jamaica Plain. The hearing is within the 45-day comment period for draft issuance. A second citywide public hearing is scheduled for August 22 at the Boston Public Library in Copley Square; this hearing is within the timeframe of the second 45-day comment period after issuance of the Assessment draft #2. The meetings are posted on the City of Boston's calendar, on the AFH webpage, shared with the AFH network and emailed to a listserv of about 300 organizations.

There are five additional outreach meetings scheduled in various neighborhoods. Details on those meetings are included below in the AFH Draft #2 section. All of the meetings followed similar agendas and outreach to the one held in Roxbury on April 25.

The BHA made a presentation to the Resident Advisory Board (RAB) on March 17, 2017. The RAB was given an introduction to the Assessment of Fair Housing (AFH), the legal and regulatory background which lead to HUD developing and requiring the City of Boston and Boston Housing Authority to present and submit the AFH along with a brief explanation of the assessment tool. The RAB was informed of their expected role in the community participation process and the expectation that they would review and comment on the AFH. The members of the RAB were provided with the HUD data tables, a sample of the maps and a written overview of the assessment process.

Additionally, on February 8, 2017 the BHA attended a citywide meeting of the BHA-CCECR-Resident Empowerment Coalition and gave a presentation on the BHA and the City of Boston preparation of Assessment of Fair Housing. The HUD provided data to be utilized by the BHA and the City of Boston in completing the AFH was made available to the members in attendance.

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**AFH DRAFT #2**

The following outreach activities and efforts were undertaken to broaden community participation between issuance of the first and second drafts of the AFH.

**On 6/13/17** DND, the BHA, BFHC, BPHC and a coalition of tenant, civil rights and fair housing organizations jointly organized a community meeting on Health and Fair Housing in Mattapan at the Mildred Avenue Community Center. About 30 people attended and participated in one of the 3 breakout groups to explore housing and housing-related health issues. In addition to the breakout sessions, meeting participants also completed a survey. The feedback from the breakout sessions and the survey will inform both the Assessment of Fair Housing and BPHC's Health of Boston reports. Leaflets in English, Spanish and Haitian Creole were distributed to advertise the meeting and interpretation was provided in the following languages: Spanish and Haitian Creole. Multilingual flyers were prepared for the community meeting and widely distributed to partner organizations, Boston Community Centers and the Boston Public Library network. An email was sent to about 300 subscribers to DND's Policy News and the meeting was posted on the webpage of the City of Boston's calendar.

**On 6/22/17** DND, the BHA and the BFHC held a citywide public hearing at the Anna M. Cole Community Center (adjacent to the BHA's Mildred Hailey Apartments) to take comments on the AFH draft #1. About 20 people attended with 7 providing testimony. In addition, meeting participants were asked to complete a survey. The hearing was posted on the AFH website ([www.Boston.Gov/DND/Assessment](http://www.Boston.Gov/DND/Assessment)) as well as the City of Boston's online calendar. The hearing details were shared with about 300 subscribers to DND's Policy News, with community partners in the AFH process and advertised in the Metro Boston. Interpretation was provided in Spanish and American Sign Language.

**On 6/28/17** DND, the BHA, BFHC, BPHC and a coalition of tenant, civil rights and fair housing organizations jointly organized a community meeting on Health and Fair Housing in Charlestown at the Harvard-Kent School. About 20 people attended and participated in an open group discussion to explore housing and housing-related health issues. In addition to the group discussion, meeting participants also completed a survey. The feedback from the breakout sessions and the survey will inform both the Assessment of Fair Housing and BPHC's Health of Boston reports. Leaflets in English and Spanish were distributed to advertise the meeting and interpretation was provided in Spanish. Multilingual flyers were prepared for the community meeting and widely distributed to partner organizations, Boston Community Centers and the Boston Public Library network. The hearing was posted on the AFH website ([www.Boston.Gov/DND/Assessment](http://www.Boston.Gov/DND/Assessment)) as well as the City of Boston's online calendar.

**On 7/11/17** DND, BHA and BFHC presented an overview of the AFH process to a group of nonprofits as well as a coalition of tenant, civil rights and fair housing organizations at Urban Edge offices in Roxbury. About 30 people attended and participated in one of the 3 breakout groups to explore fair housing issues. In addition to the breakout sessions, meeting participants also completed a survey. The feedback from the breakout sessions and the survey will inform the Assessment of Fair Housing. Leaflets in English and Spanish were distributed by organizers to advertise the meeting and interpretation was provided in Spanish.

**On 7/17/17** DND and BFHC participated in a community discussion on the AFH sponsored by the Roxbury Neighborhood Council and the Boston Chapter of the NAACP at the Dudley Public Library in Roxbury. About 20 people attended and participated in one of the 2 breakout groups to explore fair housing issues. In addition to the breakout sessions, meeting participants also

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completed a survey. The feedback from the breakout sessions and the survey will inform the Assessment of Fair Housing. Leaflets were distributed by organizers to advertise the meeting.

**On 8/2/17** DND, the BHA, BFHC, BPHC and a coalition of tenant, civil rights and fair housing organizations jointly organized a community meeting on Health and Fair Housing in the Codman Square neighborhood of Dorchester. About 50 people attended and participated in one of 4 breakout groups to explore housing and housing-related health issues. In addition to the group discussions, meeting participants also completed a survey. The feedback from the breakout sessions and the survey will inform both the Assessment of Fair Housing and BPHC's Health of Boston reports. Leaflets in English and Spanish were distributed to advertise the meeting and interpretation was provided in Spanish. Multilingual flyers were prepared for the community meeting and widely distributed to partner organizations, Boston Community Centers and the Boston Public Library network. The hearing was posted on the AFH website ([www.Boston.Gov/DND/Assessment](http://www.Boston.Gov/DND/Assessment)) as well as the City of Boston's online calendar.

The BHA's made a second presentation to the RAB was on June 15, 2017 at which time the RAB was provided with the Draft #1 of the AFH. The RAB was given information on the process in preparing AFH, informed that Draft #1 would be available for public comment until July 27, 2017. Each member present at the meeting was provided with a copy of AFH Draft#1 which included all data tables and maps.

### III.2. Provide a list of organizations consulted during the community participation process.

*For question (2), provide a list of any organizations consulted during the community participation process. For consolidated plan program participants, 24 C.F.R. § 5.158(a)(1), states that consolidated plan program participants must follow the policies and procedures described in 24 C.F.R. part 91 (see 24 C.F.R. §§ 91.100, 91.105, 91.110, 91.115, 91.235, and 91.401). For PHAs, 24 C.F.R. § 5.158(a)(2) states that PHAs must follow policies and procedures described in 24 C.F.R. part 903.*

As of the second draft, the City of Boston has consulted seventeen organizations. See acknowledgement page for names of organizations.

### III.3. How successful were the efforts at eliciting meaningful community participation? If there was low participation, provide the reasons.

*For question (3), describe how successful the community participation process was, and provide an explanation for any low participation rates.*

Community participation has been very successful so far with approximately 300 people attending a meeting or hearing.

In addition, the Boston Tenant's Coalition, in consultation with the Community Advisory Committee created a 9-question survey in English and Spanish. The survey has been distributed at the community meetings; and to encourage participation, gift cards to local supermarkets have been drawn from the names of survey respondents. The survey is also posted on the AFH

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website ([www.Boston.Gov/DND/Assessment](http://www.Boston.Gov/DND/Assessment)) for easy download. As of 7/27/17, 132 surveys have been completed.

**III.4. Summarize all comments obtained in the community participation process. Include a summary of any comments or views not accepted and the reasons why.**

*In question (4), pursuant to 24 C.F.R. § 5.154(d)(6), program participants must include an explanation for why any comments or views submitted through the community participation process were not accepted—note that this includes information, such as supplemental data and reports.*

Because the community participation process is ongoing, for this second draft of the AFH, we are grouping the main themes/comments received in writing, heard at the various meeting and included in the survey responses since issuance of the first AFH draft on 6/12/17.

- a) Affordability: rising rents – private pay & subsidized (section 8) households
  - b) Displacement due to gentrification and market rate development
  - c) Wages not keeping pace with cost of living in Boston
  - d) Discrimination: race, family and income
  - e) Transportation – access and rising costs
  - f) Lack of quality and affordable food markets
-

## Assessment of Past Goals, Actions and Strategies

**IV.1. Indicate what fair housing goals were selected by program participant(s) in recent Analyses of Impediments, Assessments of Fair Housing, or other relevant planning documents:**

**IV.1.a. Discuss what progress has been made toward their achievement.**

*For question (1)(a), provide an explanation of what past goals program participants selected and what progress has been made toward their achievement. Use the metrics and milestones identified in past Analyses of Impediments or past Assessments of Fair Housing in assessing progress. New program participants may still answer this question based on any other relevant planning documents and/or any past fair housing goals, actions, or strategies.*

**IV.1.b. Discuss how you have been successful in achieving past goals, and/or how you have fallen short of achieving those goals (including potentially harmful unintended consequences):**

*Note: Questions (1)(a) and (1)(b) are answered together*

The following are key issues and goals from Boston's Analysis of Impediments to Fair Housing Choice issued in June of 2010. The document may be accessed at the following link:  
[https://www.boston.gov/sites/default/files/boston\\_ai\\_press\\_pdf\\_version\\_tcm3-16790.pdf](https://www.boston.gov/sites/default/files/boston_ai_press_pdf_version_tcm3-16790.pdf)

**Issue 1: Disproportionate Housing Needs Among Protected Classes: Lack of housing affordability and poor housing conditions disproportionately affect households of color.**

### **Goals:**

- A. City departments should examine current policies for setting eligibility standards in Boston's housing programs, and evaluate strategies to balance the needs of the city's lowest income families against considerations of cost and the creation of stable mixed income developments.

**Action/Status:** Housing resources available to the City are generally insufficient to provide adequate capital subsidies to serve the lowest income families in units without additional operating assistance. Also, the City feels that it is important to ensure that there are affordable housing rental and homeownership opportunities for a wide range of households that are priced out of market rate housing in Boston, not just the lowest income households.

- B. Advocate with DHCD for the provision of state housing assistance to provide additional capital assistance to units targeted at the lowest income families.

**Action/status:** DHCD has been very generous in the amount of capital funding, including Low-Income Housing Tax Credits, that it has awarded to affordable housing projects in Boston. Currently, one of our top priorities is to obtain additional capital and rental assistance to preserve at-risk projects originally funded under the state's 13-A program.

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- C. Continue and expand on collaborations between City housing agencies and non-City agencies with housing resources in order to leverage a greater number of units serving the lowest income households.

**Action/status:** Over the last few years the BHA on a regular basis has reached out to various organizations and advocacy groups working to assist applicants in gaining access to BHA public housing. While each of the groups tend to work with a selected population they share the common goal of seeking to provide assistance to applicants in gaining access to affordable housing. While the BHA has been successful in reaching out and meeting regularly with these organizations the success of these meetings in making housing available to increased numbers of applicants is indeterminate. The BHA also works closely with the City to make a limited number of housing vouchers available as project-based rental assistance for priority City-funded affordable housing projects.

**Goal:** Maintain a 97 percent or higher occupancy rate in BHA housing.

**Action/status:** As a result of revisions to its Admissions and Continued Occupancy Policy, the elimination of multiple housing offers and the reduction of the number of offers for transfer and new admissions and with increased emphasis on working with residents to reduce evictions for nonpayment of rent the BHA has been successful in achieving and maintaining a cumulative occupancy rate in excess of 97.8% for its federally funded developments and in excess of 98.2% for its state-aided developments.

**Issue #2: A disproportionate share of project-based assisted housing in Boston is located in a racially concentrated area**

**Goal:** Support the creation of mixed-income developments and neighborhoods.

**Action/status:** The BHA continues to move forward with efforts to modernize and redevelop its existing housing stock. The redevelopment of Washington Beach and Franklin Hill created mixed income housing developments while continuing to provide housing accessible to extremely low income households.

In 2015 the housing authority issued a request for proposals for developer for various sites. The development proposals were reviewed and considered and some, presently in the planning stage, include the modernization of existing housing developments as mixed finance, mixed income developments. The BHA is also moving forward in an effort to obtain final approval for a Choice Neighborhoods Grant to develop not only a mixed income housing development but also provide for mixed income housing in the surrounding neighborhood and community.

The BHA proposes to implement a counseling program for families receiving Housing Choice Vouchers during relocation to assist such families in accessing housing in high opportunity areas.

**Issue #3: Barriers to Housing Choice: Furthering Fair Housing includes activities that expand choices of the housing market.**

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**Goal:** Establish a comprehensive fair housing testing and enforcement program and initiate enforcement actions to identify instances of discrimination based on receipt of public assistance.

**Action/status:** The Office of Fair Housing and Equity, Boston Fair Housing Commission (BFHC) has partnered with Suffolk University Law School Housing Discrimination Testing Program (SULS HDTP) since 2012 to test for housing discrimination in federal and Massachusetts protected classes. The HDTP is a HUD-funded fair housing initiative program that seeks to eliminate housing discrimination through testing, enforcement, education and outreach, and academic study.

In December of 2013, the HDTP published *Lingering Lead: Strategies for Eliminating Familial Status due to Lead Paint*.<sup>1</sup> The HDTP has found that section 8 discrimination (receipt of public assistance), is highly correlated with the presence of Lead Paint and familial status discrimination. The BFHC and SULS HDTP received a partnership grant from HUD Fair Housing and Equal Opportunity, March 2014-August 2016. Some of the deliverables for the partnership grant related to the above Analysis of Impediments goal were:

- Test for federal and Massachusetts protected class housing discrimination complaints, test for systemic discrimination, and write reports on findings.
- Increase community outreach and education among BFHC and SULS on Fair Housing and all protected classes
- Convene a multi-agency and multi-disciplinary lead paint work group
- Produce a lead paint study outlining recommendations for addressing familial status and source of income discrimination related to lead paint.
- In 2015, the SULS HDTP offered a Fair Housing Law course at SULS that included federal and Massachusetts protected classes
- HDTP offered fair housing trainings for SULS students

As part of the above partnership grant deliverables, SULS HDTP completed a gender identity discrimination study for the Boston Metro area. The study sites Federal Bureau of Investigations hate crime statistics confirming transgender and gender nonconforming people are the most vulnerable to prejudice and discrimination in the United States. The study's key finding was, "When comparing the treatment of individual pairs of transgender and/or gender non-conforming people versus cisgender and gender-conforming people, the HDTP found discrimination in the form of disparate treatment in over 60% of the tests."<sup>2</sup>

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<sup>1</sup> Berman, W., Langowski, J., and Urbanowski, S. *Lingering Lead: Strategies for Eliminating Familial Status due to Lead Paint*. Suffolk University Law School Housing Discrimination Testing Program, Dec. 2013.

<sup>2</sup> Langowski, J., Berman, W., Holloway, R., McGinn, C. *Transcending Prejudice: Gender Identity- Based Discrimination in the Boston Rental Housing Market*. Suffolk University Law School Housing Discrimination Testing Program, Nov. 2016

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Convene a working group to assess compliance with federal language access requirements and plain language techniques among agencies and their grantees, and to develop strategies for pooling resources to improve language access.

The BFHC, DND, BHA, and the Mayor's Office for Immigrant Advancement, MOIA are among some of the City of Boston Departments who have been convening since 2014 to provide guidance on best practices on language and communications access for Limited English proficient populations and those with disability related communications needs. In March of 2016, the Boston City Council President Michele Wu and Councilor McCarthy filed the City of Boston Language and Communications ordinance.

The Mayor's 2017 budget provides additional resources through the City's 311 office to translate newsletters, press releases, and other notices in a variety of languages, as well as additional interpretation services for those calling the City through 311. The budget investment also includes a City wide Language Access Coordinator, which the City hopes to hire by the Fall of 2017. This investment will be extremely powerful in improving access to city services for Boston residents speaking a wide variety of languages and with a wide variety of communication accessibility needs. The City will be monitoring use of interpretation and translation through 311 to assess need for additional resources in the future.

**Issue: Private Housing: Expanded access to privately owned housing by people in protected classes is an essential feature of affirmatively furthering fair housing.**

**Goal:** Address the problem that families with children using the Section 8 Housing Choice and Massachusetts Rental Voucher Programs are often denied housing when housing quality inspections detect the presence of lead-based paint.

**Action/Status:** The Boston Lead Paint Initiative is a multi-city agency collaboration that protects families with children from the dangerous effects of lead exposure and housing discrimination. The goal of the Boston Lead Initiative is to reduce housing discrimination families face related to lead paint, increase education on lead paint related tenant rights and the responsibilities of landlords, increase lead safe housing, lead safe renovations, and reduce the number of children with elevated lead levels. The BFHC leads this initiative.

The BFHC believes that the larger issue that creates barriers to housing opportunity for section 8 voucher holders is housing discrimination. Although existing laws make it illegal for housing providers including realtors and brokers to discriminate against families with children because of the property's lead status, we continue to find that discrimination against families due to the presence of lead paint all too common, particularly in online advertisements. Receipt of Public Assistance, Including Section 8 is protected under Massachusetts Anti-discrimination Law, M.G.L. ch.151B. Many of the Section 8 discrimination complaints BFHC receives are associated with the presence of lead paint. BFHC has also investigated housing discrimination complaints against Section 8 voucher holders that are not related to lead paint, but based on prejudice towards Section 8 voucher holders. BFHC continues to educate the public about their fair housing rights.

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BFHC is currently supporting the following legislative initiatives on behalf of Mayor Martin J. Walsh:

1. H.162 - An Act Relative to Promoting Fair Housing Practices

<https://malegislature.gov/Bills/190/H139> currently, formalized training in fair housing laws is optional for real estate agent/broker pre-licensing in Massachusetts. H.162 would mandate this training so that real estate professionals who rent, sell or buy property fully understand and are in compliance with these laws. This will help to ensure that tenant and prospective tenants' rights to non-discriminatory treatment are protected and ensure that clients purchasing homes as rental income properties understand their legal obligations. H.162 proposes 2 hours of mandatory fair housing education during pre-licensing and 1 hour of fair housing education during each subsequent 2-year continuing education cycle for real estate brokers and agents. Requiring fair housing training for pre-licensing and continuing education will increase awareness of fair housing laws and contribute to a reduction in incidents of housing discrimination.

2. H. 1626 Act relative to lead abatement <https://malegislature.gov/Bills/190/H1626> This act proposes to:

- Lower the threshold for interventions from 25 micrograms per deciliter to 10 micrograms.
- Double tax credits for property owners who de-lead their housing units and increases the penalties for housing discrimination.
- Adds a \$50 surcharge housing related businesses upon renewal of their licensure.

**Goal:** Build on the Healthy Homes initiatives, forming new connections between housing and health

**Action/Status:** Working with various organizations such as the Boston Foundation the BHA has greatly expanded and strengthen its partnerships with healthcare and academic partners, such as the Department of Public Health, the Boston Medical Center, Northeastern University and the Harvard School of Public Health. With the completion of deleading work at some of its scattered site properties during the next year the BHA will have achieved full deleading compliance with respect to all of its federally funded and stated properties.

In addition to BHA has worked with City of Boston agencies, including the Boston Public Health Commission and Boston academic centers to address pest control issues, utilizing, integrated pest management, and to increase the availability of smoke free housing to reduce the incidence of asthma related events in his housing population and the incidents of emergency room visits and hospitalizations. The authority also participates in housing programs designed for families with specific housing needs such as families with children who are housing insecure or homeless expectant mothers with high-risk pregnancies.

Healthy Start in Housing is a collaboration between The BPHC and the BHA. The Healthy Start in Housing (HSiH) Program is providing stable housing and case management for pregnant women and their families who are at high risk of homelessness. At least one of 3 criteria must be met:

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1. the mother has a chronic health condition;
2. the mother has had a previous poor birth outcome like pre-term birth or low-birth weight;  
and
3. the family includes a child under age 5 with a complex condition requiring specialty care.

This program ceases to curb low birth weight by addressing homelessness.

In an effort to create healthier homes for the children and families of Boston, Mayor Martin J. Walsh launched the Boston Lead Paint Initiative in October of 2014 with two main goals:

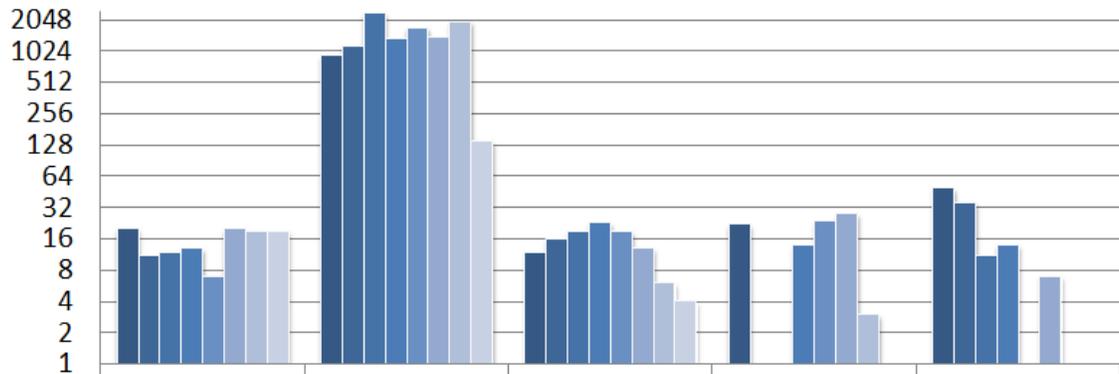
- Reduce the number of children exposed to lead paint and the number of families victimized by housing discrimination related to lead paint, and
- Increase the number of lead safe units and renovations through public education about lead and lead-related resources

The Boston Lead Paint Initiative is a multi-city agency collaboration that protects children and families from the dangerous effects of lead exposure and housing discrimination. Each City Department established the following five year goals in 2014:

- Department of Neighborhood Development (DND) Lead Safe Boston will "de-lead" 400 housing units (80/year).
  - Office of Fair Housing and Equity (FHE) will educate 2,500 at risk residents on fair housing and lead awareness (500/year)
  - Inspectional Services Department (ISD) will conduct 325 lead determinations in high risk units (65/year)
  - Boston Public Health Commission (BPHC) will train and license 500 contractors in lead safe renovation (100/year).
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# BLPI Departmental Progress

\*\*Reflects Q1-Q7 2016 Data



	Owner & Renter Units deleaded via Lead Safe Boston (DND)	Households Educated in Fair Housing & Lead (FHE)	Lead Inspections (ISD)	Contractors Trained in Lead Safe Renovations (BPHC)	Homeowners Trained in Lead Safe Renovations (BPHC)
■ Quarter 1 (Jan.- Mar.)	20	923	12	22	49
■ Quarter 2 (Apr.- Jun.)	11	1159	16	0	36
■ Quarter 3 (Jul.- Sept.)	12	2387	19	0	11
■ Quarter 4 (Oct. - Dec.)	13	1338	23	14	14
■ Quarter 5 (Jan.-Mar.)	7	1699	19	24	0
■ Quarter 6 (Apr. - Jun.)	20	1385	13	28	7
■ Quarter 7 (Jul.- Sept.)	19	1956	6	3	1
■ Quarter 8 (Oct.-Dec.)	19	138	4	0	0

FHE collaborates closely with the Boston Public Health Commissioner’s Healthy Homes Division. The Healthy Homes Division refers constituents with Asthma, and other health needs related to a reasonable accommodation need to the office for investigation of housing discrimination complaints. BFHC Environmental Health Department also refers constituents to the FHE for housing discrimination complaints related to section 8 or familial status and the presence of lead paint in a home. Massachusetts has the 2nd oldest housing stock in the nation and Housing discrimination against families with children or section 8 due to the presence of lead paint account for 30% of the Office of Fair Housing and Equity's Boston Fair Housing Commission caseload.

The annual Safe and Healthy Housing Collaborative Convention convenes over one hundred and fifty inspectors, staff and managers from the Department of Inspectional Services-Housing Division, Boston Housing Authority, the Boston Public Health Commission, Office of Fair Housing and Equity and the Boston Commission on Affairs of the Elderly to work together on improving housing and health for all Boston residents especially the most vulnerable.

This collaborative has been meeting since 2010 and focuses on improving, coordination and alignment of resources related to housing to deliver better and more effective services to

residences. Under the tagline, “**Working Together to Keep our City Healthy!**” attendees are able to network, problem solve and celebrate successes. This annual meeting also provides participants the opportunity to learn about other successful City of Boston agency collaborations, resources, and best practices that improve the wellbeing of Boston residents.

The Mayor’s Office and FHE have supported the following Massachusetts state legislative efforts since 2014:

- An Act to Increase Fair Housing Protections for Survivors of Domestic Violence Rep. Gloria Fox Bill H. 1301 Joint Committee on the Judiciary <https://malegislature.gov/Bills/189/House/H1301> This bill proposes Survivors of Domestic Violence as a protected class under state fair housing laws.
- An Act Relative to Lead Abatement Rep. Jeffrey Sanchez Bill H.2049 Joint Committee on Public Health <https://malegislature.gov/Bills/189/House/H2049> This bill proposes to lower the level of public health intervention from 25 micrograms per deciliter to 10 ug/dl. The current level of concern recommended by the Centers for Disease Control is 5 ug/dl. This bill also proposes to double the allowable tax credit for building owners who pay for the containment or abatement of lead paint, doubles the fines for housing discrimination, and includes a small fee There has been a small surcharge added for housing related agency licensure renewal. Should the bill pass, BPHC would have more mandatory lead inspections and follow up activities to conduct. The increase in fees would offset the anticipated increased costs.
- An Act Relative to Promoting Fair Housing Practices Rep. Evandro Carvalho  
Bill H.162 Joint Committee on Consumer Protection and Professional Licensure <https://malegislature.gov/Bills/189/House/H162> This bill proposes an hour requirement of fair housing continuing education for realtors and brokers.

**Issue: Prejudice and Bias: Unfounded assumptions and fears about members of protected classes are an impediment to fair housing choice.**

**Goal:** Address Unfounded assumptions and fears about members of protected classes.

**Action/Update:** In 2014, the BFHC launched the Mayor’s Fair Housing Art Contest for Boston children in elementary, middle, and high school. The goal of the art contest is to educate Boston youth and the public about fair housing laws. In 2015, the BFHC added the Mayor’s Fair Housing Landlord contest it’s April fair housing awards and celebrations. The goal of the Landlord contest is to recognize landlords/housing providers who not only provide safe, healthy housing, but who also provide housing that is affordable and accessible to all. The contest provides special recognition to those who provide services that improve the ability of residents and the community at large to achieve economic, social, and educational success. Both contests are annual events celebrated during April, fair housing month with participation throughout the City.

In October 2015, the FHE brought the Center for Social Inclusion’s, Government Alliance for Race and Equity to Boston as an introduction to the role of Racial Equity work in government. . The “Advancing Racial Equity: the Role of Government” workshop provided an introduction to the role, responsibilities and opportunities for government to advance racial equity through a focus on

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national best practices. The workshop was led by: Julie Nelson, Director of the Government Alliance on Race and Equity and Glenn Harris, President of the Center for Social Inclusion.

Nelson and Harris were instrumental to the success of Seattle's Race and Social Justice Initiative and the launching of the National Governing for Racial Equity. The workshop provided an introduction to the role, responsibilities and opportunities for government to advance racial equity. The workshop convened 150+ government and community leaders from Boston and surrounding communities to introduce the work of the Government Alliance on Racial Equity GARE. GARE is a national network of government agencies working to achieve racial equity and advance opportunities for all.

This workshop provided an opportunity for COB leadership to learn how to apply an equity analysis to their work. The COB has already committed to reduce racial inequities through programs such as My Brother's Keeper, the Mayor's Safety Initiative, the Resilient Cities Challenge, the Mayor's Mentoring Movement, and the establishment of the City's first Chief Diversity Officer.

This kick off workshop, led to the formation of the Boston Alliance for Racial Equity (BARE). BARE is a collective of partners from housing, transportation, public health and environmental justice working together to advance Racial Equity and Racial Justice in the Greater Boston area. BARE partners include the *City of Boston's Office of Fair Housing and Equity, Southern Jamaica Plain Health Center, Action for Regional Equity, Boston Public Schools, Boston Public Health Commission, the Boston Tenants' Coalition, Somerville Community Corporation, the Boston Racial Justice and Equity Initiative, and On The Move (OTM).*

BARE began meeting in 2015 with the wish to bring more racial equity tools to the region. In partnership with Governing Alliance for Racial Equity (GARE) and the Haas Institute, the BARE partners organized the Advancing Racial Equity day long training in October 2015 with a shared goal of developing a larger conference and summit in 2016. In April of 2016, BARE and its partners convened a two day summit on *Race and Equity: A Call to Government and Community*. Over 600 people were in attendance. During the Summit, Mayor Walsh convened cabinet and department heads in a private session to discuss the importance of racial equity to the City of Boston. This discussion was facilitated by Dr. Atyia Martin, Chief Resilience Officer, Mayor's Office of Resilience and Racial Equity. The Summit held workshops on racial equity in employment/contracting, housing, education, criminal justice, environmental justice, public health and many more other area that influence housing.

The Boston Alliance for Racial Equity (BARE) is a cross-sector collective of partners from housing, transportation, education, public health and environmental justice working together to advance Racial Equity and Racial Justice in the Greater Boston area. BARE planning partners include the *City of Boston's Office of Fair Housing and Equity, Southern Jamaica Plain Health Center, Action for Regional Equity, Boston Public Schools, Boston Public Health Commission, Boston Tenants' Coalition, Somerville Community Corporation, Boston Racial Justice and Equity Initiative, and On The Move.*

The City of Boston became a Government Alliance for Race and Equity member in July of 2016. The office of Fair Housing and Equity, Office of Workforce Development, the Boston Public

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Health Commission, and the Office of Resilience and Racial Equity all participate in internal meetings on racial equity initiatives for these departments. The Office of Resilience and Racial Equity is leading City wide Racial Equity initiatives as part of the City's 100 resilient Cities efforts. Boston is the only 100 Resilient Cities member to have an explicit racial equity focus throughout all of its 100 Cities Resiliency themes.

In November 2016, The Mayor's Office of Resilience and Racial Equity, MORRE hosted "[Boston Talks About Racism](#)," a public forum attended by over 600 residents, which served as the kick-off to a citywide conversation about racism. As part of the event, Mayor Walsh released "[The Blueprint: A Preview of the Principles and Framework for Boston's Resilience Strategy](#)," a report outlining how racial equity lies at the heart of the forthcoming Resilience Strategy. MORRE and the Mayor's office have partnered with the Hyams Foundation to launch a series of race dialogues in Boston neighborhoods, as a continuation of the work started to acknowledge systemic racism and work toward racial equity.

The Hyams Foundation is a private, independent foundation dedicated to achieving economic, racial and social justice in Boston and Chelsea. Through this partnership, Hyams will lead efforts to engage local organizations, businesses, agencies and communities in a wide range of dialogues, programs and projects related to racial justice and equity across the Greater Boston community. From June to December 2017, each of Boston's neighborhoods, will hold a facilitated discussion on race, open to all Boston residents. Facilitators will be trained by experienced consultants, and will be provided with a common framework for conducting these dialogues. In addition, Hyams will serve as a resource for other sectors as they develop action plans and benchmarks to achieve racial equity.

**Issue: Land Use and Zoning: Land use policies preclude a fair and equal distribution of housing types in and among the region's communities, including rental and for sale housing, multifamily and single-family housing, and affordable and market rate housing.**

**Goal:** Support the creation of mixed-income developments and neighborhoods.

**Action/Status:** As indicated above, the BHA is actively working to redevelopment many of its housing developments as mixed income housing with the aim of preserving all existing publicly funded units while introducing market rates units to help insure the long terms survivability of the publicly supported units.

**Goal: Establish a comprehensive fair housing and fair lending testing and enforcement program and initiate enforcement actions.**

**Action/Status:** The Office of Fair Housing and Equity's Boston Fair Housing Commission (BFHC), has partnered with the Fair Housing Center of Greater Boston (FHCGB) since 2012 to obtain funding to expand housing testing to include mortgage lending. The national evidence base for this type of testing is rigorous and requires significant resources. The FHCGB did not receive a renewal for some of its existing funding and with no current new funding, it is unable to

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expand to mortgage discrimination testing. The BFHC also supported SULS HDTP in its pursuit of new funding sources to expand its program to include mortgage discrimination testing. At this time, the HDTP has not received new funds to expand its current testing program. Funding of nonprofit resources to support this effort remains a challenge and a priority.

**IV.1.c. Discuss any additional policies, actions, or steps that you could take to achieve past goals, or mitigate the problems you have experienced.**

*For question (1)(c), program participants may provide any additional information about policies, actions, or steps that address fair housing issues in program participants' geographic areas of analyses.*

From the experience gained in working with families eligible for vouchers under the Consent Decree and Modification Agreement entered in NAACP v. HUD, BHA, et al, (U.S.D.C. No. 78-850). The BHA has determined that providing families with housing search and other supportive services can greatly enhance the housing opportunities available to the family.

Moving beyond merely improving public housing sites but redeveloping them as mixed-finance, mixed income communities may tend to move toward more economically diverse communities. When coupled with job training programs and programs for advanced educational development these efforts would encourage greater housing mobility with increased access to areas of high opportunity.

**IV.1.d. Discuss how the experience of program participant(s) with past goals has influenced the selection of current goals.**

*To answer question (1)(d), explain how the past goals selected influenced the selection of current goals.*

Some of the past goals, while laudable, were either beyond the direct control of the City of Boston or the Boston Housing Authority and as such had no entity having agreed to take responsibility for implementing the actions needed to accomplish the goals. No one “owned” the goal or was accountable for carrying it out. The goals selected in this Assessment of Fair Housing will focus on goals that the Boston Housing Authority or one or more City of Department has direct responsibility for or at least has some direct influence over. Also, for the most part we have not adopted goals that are contingent on obtaining legislative approval from the State or Federal legislature.

Wherever possible, we have proposed goals that we believe can be accomplished in 5 years or on which some measurable progress can at least be made within the five year period to be covered by the City of Boston's next 5-year Consolidated Plan of the Boston Housing Authority's next 5-year plan.

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Certain goals, such as those related to childhood lead poisoning, have been carried over or continued from the Analysis of Impediments because the issue remains important and the original goals were either not achieved or only partially achieved.

Finally, we have prioritized setting goals that most directly impact housing and housing choice and that fall within the purview of the Boston Housing Authority, the Department of Neighborhood Development, the Office of Fair Housing and Equity and the Boston Planning and Development Authority. There are many other important issues such as school performance and transportation access that are included in the analysis but are not the primary focus of our Fair Housing goals and policies.

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