



2015 CITY OF ROCHESTER ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE



**CITY OF ROCHESTER
DRAFT REPORT FOR PUBLIC REVIEW
OCTOBER 30, 2015**

2015 CITY OF ROCHESTER ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE



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City of Rochester

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**Draft Report for Public Review
October 30, 2015**

HAS YOUR RIGHT TO FAIR HOUSING BEEN VIOLATED?

If you feel you have experienced discrimination in the housing industry, please contact:

Address:

Office of Fair Housing and Equal Opportunity
Department of Housing and Urban Development
451 Seventh Street SW, Room 5204
Washington, DC 20410-2000

Telephone: (202) 708-1112

Toll Free: (800) 669-9777

Web Site: <http://www.HUD.gov/offices/fheo/online-complaint.cfm>

The contact information for the regional HUD office in New York is as follows:

Address:

New York Regional Office of Fair Housing and Equal Opportunity
U.S. Department of Housing and Urban Development
26 Federal Plaza, Room 3532
New York, New York 10278-0068

Telephone: (212) 542-7519

Toll Free: (800) 496-4294

TTY: (212) 264-0927

Residents of Rochester and Monroe County may also contact the following agencies and organizations:

New York Division of Human Rights

One Monroe Square
259 Monroe Avenue, Suite 308
Rochester, New York 14607
Telephone: (585) 238-8250
Email: InfoRochester@dhr.ny.gov

The Housing Council

75 College Avenue
Rochester, New York 14607
Telephone: (585) 546-3700
Email: info@thehousingcouncil.org

Center for Dispute Settlement (Monroe County)

Reynold's Arcade Building, Suite 800
16 East Main Street
Rochester, NY 14614
Telephone: (585) 546-5110
Fax: (585) 546-4391
Email: info@cadsadr.org

Monroe County Legal Assistance Center

One West Main Street, Fourth Floor
Rochester, New York 14614
Telephone: (585) 325-2520

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EXECUTIVE SUMMARY

AI PURPOSE AND PROCESS

As a requirement of receiving funds under the Community Development Block Grant (CDBG), the HOME Investment Partnerships (HOME), and the Emergency Solutions Grant (ESG), entitlement jurisdictions must submit certification of affirmatively furthering fair housing to the U.S. Department of Housing and Urban Development (HUD). This certification has three elements:

1. Complete an Analysis of Impediments to Fair Housing Choice (AI),
2. Take actions to overcome the effects of any impediments identified, and
3. Maintain records reflecting the actions taken in response to the analysis.

In the *Fair Housing Planning Guide*, page 2-8, HUD provides a definition of impediments to fair housing choice as:

- Any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin which restrict housing choices or the availability of housing choices [and]
- Any actions, omissions, or decisions which have [this] effect.¹

The list of protected classes included in the above definition is drawn from the federal Fair Housing Act, which was first enacted in 1968. However, state and local governments may enact fair housing laws that extend protection to other groups, and the AI is expected to address housing choice for these additional protected classes as well.

The AI process involves a thorough examination of a variety of sources related to housing, the fair housing delivery system, and housing transactions, particularly for persons who are protected under fair housing law.

The development of an AI also includes public input and review via direct contact with stakeholders, public meetings to collect input from citizens and interested parties, distribution of draft reports for citizen review, and formal presentations of findings and impediments, along with actions to overcome the identified impediments.

METHODOLOGY

As part of the consolidated planning process, and as a requirement for receiving HUD formula grant funding, the City of Rochester is undertaking this AI to evaluate impediments to fair housing choice within the city.

Residents of the City of Rochester are protected from discrimination in housing choice by laws at the federal, state, and local level: The federal Fair Housing Act (FHA) prohibits discrimination based on race, color, religion, national origin, sex, disability, and

¹ U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity. *Fair Housing Planning Guide*. Vol. 1, p. 2-8. http://www.hud.gov/offices/cpd/about/conplan/fairhousingexs/Module5_TopSevenAFFH.pdf

familial status², and provides legal remedies for those that believe they have suffered discrimination on those bases. New York Human Rights Law prohibits discrimination on all of the bases recognized by the FHA, as well as discrimination motivated by age, sexual orientation, marital status, and military status.³ Finally, the City of Rochester Human Rights Law prohibits discrimination on most of the bases designated by the federal Fair Housing Act (with the exception of familial status), as well as discrimination based on age, gender identity or expression, sexual orientation, and marital status.⁴

The purpose of this report is to determine current impediments to fair housing choice at work in the City of Rochester and to suggest actions that the local community can consider in order to overcome the identified impediments. Thus, this report represents only the first step in the three-part certification process presented on the previous page.

This AI was conducted through the assessment of a number of quantitative and qualitative sources. Quantitative sources used in analyzing fair housing choice in the City of Rochester included:

- Socio-economic and housing data from the U.S. Census Bureau,
- Employment data from the U.S. Bureau of Labor Statistics,
- Economic data from the U.S. Bureau of Economic Analysis,
- Investment data gathered in accordance with the Community Reinvestment Act,
- Home loan application data from the Home Mortgage Disclosure Act, and
- Housing complaint data from HUD.

Qualitative research included evaluation of relevant existing fair housing research and national and city fair housing legal cases. Additionally, this research included the evaluation of information gathered from several public input opportunities conducted in relation to this AI. This also included the 2015 City of Rochester Fair Housing Survey distributed to stakeholders, interested parties, and participants in the public input process.

Geographic analyses of racial and ethnic distribution were conducted by calculating race or ethnicity as the percentage of total population and then plotting the data on a geographic map of Census tracts in the City of Rochester. For the purposes of this AI, maps were produced for several racial and ethnic groups based on both 2000 and 2010 Census data in order to examine how the concentrations of these populations changed over time.

Ultimately, a list of potential impediments was drawn from these sources and further evaluated based on HUD's definition of impediments to fair housing choice, as presented on the previous page. Potential impediments to fair housing choice present within the city were identified; along with actions the city may consider in attempting to address the impediments.

² 42 U.S.C.A. §3601

³ New York Executive Law, Article 15, §296

[http://public.leginfo.state.ny.us/LAWSSEAF.cgi?QUERYTYPE=LAWS+&QUERYDATA=\\$\\$EXC296\\$\\$@TXEXC0296+&LIST=SEA13+&BROWSER=EXPLORER+&TOKEN=09133113+&TARGET=VIEW](http://public.leginfo.state.ny.us/LAWSSEAF.cgi?QUERYTYPE=LAWS+&QUERYDATA=$$EXC296$$@TXEXC0296+&LIST=SEA13+&BROWSER=EXPLORER+&TOKEN=09133113+&TARGET=VIEW)

⁴ Rochester City Code §63-1

OVERVIEW OF FINDINGS

This AI includes a review of both public and private sector housing market contexts in the City of Rochester to identify practices or conditions that may operate to limit fair housing choice in the city. Analysis of demographic, economic, and housing data included in that review establish the context in which housing choices are made. Demographic data indicate the sizes of racial and ethnic populations and other protected classes; economic and employment data show additional factors in influencing housing choice; and counts of housing by type, tenure, quality, and cost indicate the ability of the housing stock to meet the needs of city residents.

The contextual analysis described above provides a foundation for detailed review of fair housing laws, cases, studies, complaints, and public involvement data. The structure provided by local, city, and federal fair housing laws shapes the complaint and advocacy processes available in the city, as do the services provided by local, city, and federal agencies. Private sector factors in the homeownership and rental markets, such as home mortgage lending practices, have a substantial influence on fair housing choice. In the public sector, policies and practices can also significantly affect housing choice.

Complaint data and AI public involvement feedback further help define problems and possible impediments to housing choice for persons of protected classes, and confirm suspected findings from the contextual and supporting data.

Socio-Economic Context

As the population of Monroe County grew by 1.2 percent between 2000 and 2010, the population in Rochester fell by 4.2 percent. Though the decline in the city's population was relatively rapid in the middle of the last decade, that decline has slowed considerably in recent years. Analysis of changes to the city and county population by age cohort suggests that the decline in the city population, and the relatively slow rate of growth in the county population, was due in large part to a reduction in the number of residents aged 25 to 54 years of age, along with the number of residents aged less than 19.

The number of white residents in the city and county also declined between 2000 and 2010, by 13.4 percent. By contrast, the number of black residents increased by 3.8 percent in the city, and 12 percent in the county as a whole. Together, black and white residents accounted for more than 90 percent of county residents in 2010, and more than 85 percent of the city's population. However, considerable growth was observed in the number of Hispanic residents, who accounted for 16.4 percent of the city population in 2010, up from 12.8 percent in 2000. Black and Hispanic residents were both disproportionately concentrated in Census tracts within the City of Rochester in 2000 and 2010. Black residents tended to be highly concentrated in the area to the southwest of the city center, while Hispanic residents tended to be disproportionately concentrated to the north of the city center. Outside of the city of Rochester, these residents tended to account for relatively small shares of the population. Dissimilarity indices from the city and county confirm moderate to high levels of racial and ethnic segregation in both areas, but also indicate that these areas became less segregated between 2000 and 2010.

The city and county have also experienced increasing levels of immigration in recent years, as noted in the draft of the 2014 Draft of the city's Language Access Plan. Among recent arrivals

to the city have been significant numbers of arrivals from Bhutan, Burma, Cuba, Iraq, and Somalia.

Residents with disabilities were also more common within the city center than in the rest of the county. These residents accounted for 17.6 percent of the county population in 2000, but in the city nearly one resident in four was living with some form of disability in that year. In 2008-2012, residents with disabilities represented 12.1 percent of the county population and 16.8 percent of the city population. These residents continued to be concentrated within the City of Rochester in that year.⁵

The number of employed workers in the city also declined between 2000 and 2012. According to the Bureau of Labor Statistics, some 95,000 workers were employed in the city in 2000. By 2012, that figure had fallen by more than 10,000, though there was a slight increase in the number of employed in 2013. This overall decline in the number of employed was accompanied by a reduction in the size of the labor force; however, because the number of employed generally declined faster than the number of workers in the labor force, the unemployment rate has seen an overall increase since 2000. This increase was exacerbated by the national recession of the late 2000s, and though the unemployment rate fell considerably in 2013, it still exceeded 9 percentage points in that year.

The drop in the number of employed between 2000 and 2012 was reflected in tepid growth in total employment, which refers to the total number of full- and part-time jobs in Monroe County. The total number of jobs in the county grew very little between 2005 and 2011, and declined dramatically from 2008 through 2010. Since that year, total employment has shown signs of recovery.

Like the number of full- and part-time jobs in the county, growth in real average earnings per job was slow for most of the period from 2005 to the present. In 2005, the average Monroe County worker earned just under \$54,000⁶; by 2010, that figure had grown by around \$1,200, and had increased to \$55,438 by 2012. By contrast, real per capita income in the county has grown steadily since 2003, with the exception of a brief period of decline after 2008. By 2012, the average county resident had an income of \$46,793. Both earnings and per capita income have lagged behind statewide figures since the late eighties.

Household incomes also increased in the city and county between 2000 and 2012, as measured in current dollars. The shares of households making less than \$50,000 per year fell in Rochester, while the share of households earning more than \$100,000 per year nearly doubled. At the same time, the county saw reduced shares of households from all income groups below \$75,000 per year in 2008-2012, accompanied by a marked increase in the shares of households earning \$100,000 or more, which accounted for more than a fifth of all household in the county in 2008-2012. In spite of these increased household incomes, the percentage of households living in poverty in Rochester grew from 25.9 to 31.6 percent over the same time period. In the county, the share of households living in poverty in the county grew from 11.2 to 14.6 percent. In both years, these households were observed to be highly concentrated in Census tracts in and around the city center.

⁵ It should be noted that, due to changes to the conceptual framework employed in the ACS questions concerning disability, the Census Bureau discourages direct comparisons between Census and ACS figures from before and after 2008. Thus, it would not be correct to infer, for example, that the population with disabilities in the city fell by 8.1 percentage points.

⁶ Dollar figures are presented in 2012 dollars.

In addition, fewer housing units in Rochester were occupied by their owners in 2010 than had been in 2000, while the number of renter-occupied households increased by 1.9 percent. The number of housing units overall fell by 2.6 percent; fortunately, this reduction was greater among vacant housing units than among occupied units. In the surrounding county, by contrast, the number of vacant housing units increased considerably. Nevertheless, vacant housing units of all kinds tended to be disproportionately concentrated within the city limits of Rochester in 2010, as did vacant units classified as “other vacant”. These units, which may constitute a blighting influence where they are grouped in close geographic proximity, accounted for as much as 72.1 percent of all vacant housing units in Census tracts to the immediate north of the city center.

The number of one- and two-person households grew in the city and county between 2000 and 2010, along with the number of three-person households in the county. The number of larger households generally declined over this time period (households with seven members or more grew, but this growth was relatively minor in both the city and county). This shift toward smaller households was reflected in the decreased incidence of overcrowding in the city after 2000. By 2012, overcrowded households accounted for 2.3 percent of households in the city, and less than one percent of households in the surrounding county.

As a housing problem, overcrowding affected relatively few household in the city or county. Similarly, less than one percent of housing units in the city and county lacked complete plumbing facilities in 2000, and this share only fell after that year. The share of housing with incomplete kitchen facilities grew, but still only accounted for 1.1 percent of housing units by 2012, and 0.8 percent of units in the county as a whole. A more common problem in the county was cost-burdening, which describes a situation in which households spend more than 30 percent of their total income on housing costs. Nearly one household in five was cost-burdened in the city in 2000 and 2008-2012, while the share of severely cost-burdened households, which spend more than 50 percent of their income on housing costs, grew from 22.2 to 27.8 percent over the decade. Though cost-burdening was less pervasive in the surrounding county, it still affected nearly thirty percent of households outside of Rochester. The increased incidence of cost-burdening corresponded with increases in median rental costs and home values between 2000 and 2012.

Review of Fair Housing Laws, Studies, and Cases

Residents throughout the United States are protected from discrimination in the housing market by a suite of federal laws, most notably the federal Fair Housing Act. This law protects individuals and families from discrimination on the basis of race, color, religion, sex, national origin, familial status, and disability. In spite of these protections, national studies indicate that discrimination on these bases has persisted; however, it has taken on subtler forms than in past years, when discrimination on those bases was comparatively overt.

In addition to federal laws prohibiting discrimination in the housing market, New York Human Rights Law expands upon the protections guaranteed by the Fair Housing Act by extending additional protections based on sexual orientation, military status, age, and marital status. Rochester Human Rights law also expands upon the federal law by prohibiting discrimination on the basis of age, gender identity or expression, sexual orientation, and marital status. However, while Rochester law also prohibits discrimination on most of the bases included in the federal FHA, it does not include protections based on familial status.

Housing law and jurisprudence has evolved considerably since the FHA was first enacted in 1968. The Fair Housing Amendments Act of 1988 added additional protections, strengthened the Act's relatively weak enforcement provisions, and gave the Department of Housing and Urban Development enhanced authority to enforce the Act. In addition, since the early 1970s the FHA has consistently been interpreted to apply to laws and policies that are apparently neutral with respect to protected class status, but which nevertheless "actually or predictably"⁷ result in discrimination. In 2013, HUD finalized a rule formalizing its interpretation of discriminatory effects liability under the FHA.

This theory of liability was recently tested in a case before the Supreme Court of the United States. That case was brought before the Court through the efforts of the Texas Department of Housing and Community Affairs ("HCA"), which was sued in 2008 by the Dallas-based Inclusive Communities Project over the alleged disparate impact of criteria by which it allocates tax credits for affordable housing units. In petitioning the court to hear the case, the HCA asked the justices to issue a definitive ruling on the availability of disparate impact liability under the FHA. A decision on the matter was rendered on June 25, 2015, when the Supreme Court affirmed that businesses, jurisdictions, and individuals could indeed be held liable not only for intentional discrimination but also for the discriminatory effects of apparently non-discriminatory policies and practices.

Following on the heels of the Supreme Court decision, HUD announced a final rule significantly revamping its long-standing requirement to affirmatively further fair housing (AFFH). In developing and finalizing this rule, HUD has substantially revised the AFFH process by (1) replacing the analysis of impediments with the assessment of fair housing (AFH), (2) integrating fair housing planning into the consolidated planning process, and (3) providing a fair housing assessment tool and nationally standardized datasets, among other changes. Generally speaking, the new rule will apply to local entitlement jurisdictions that are due to begin their next five-year planning cycle in 2017 or later. For smaller entitlement jurisdictions, as well as states and insular areas, the new rule will apply to those set to begin their next planning cycle in 2018 or later. Until jurisdictions are required to submit an AFH, they are required to continue submitting analyses of impediments.

Only one fair housing complaint has been filed by the Department of Justice against an individual or business in western New York over the last decade. In that case, allegations that a Pennsylvania-based insurer had engaged in redlining throughout the State of New York were settled in December 2008. Among the conditions of the settlement were the requirements that the insurer affirmatively market loans in areas with relatively high concentrations of black residents, and that the terms of any loans offered in those areas be at least as favorable as loans marketed elsewhere.

Fair Housing Structure

The fair housing infrastructure of Rochester and Monroe County is composed of agencies and organizations operating on federal, state, and local levels that work to ensure and promote fair

⁷ *United States v. City of Black Jack, Missouri*, 508 F.2d 1179, 1184 (8th Cir. 1974) It was racial discrimination, specifically, that was at issue in this case.

housing choice on behalf of city and county residents. At the federal level, HUD administers and enforces the provisions of the fair housing act throughout the country, and represents the backbone of fair housing policy nationally. However, residents of New York State are granted protections through New York Human Rights Law that exceed those of the national fair housing law in scope and effect, extending fair housing protections to include those who may suffer discrimination on the basis of their sexual orientation, military status, age, and marital status. Those who have suffered discrimination on those bases may file a complaint with the New York Division of Human Rights (NYDHR).

The NYDHR serves all New Yorkers as a participant in the Fair Housing Assistance Program, which means that the law that the agency administers has been deemed substantially equivalent to the federal Fair Housing Act. It also means that when residents of New York file a fair housing complaint with HUD, that complaint will usually be referred to the NYDHR for further investigative and enforcement measures.

Residents of Rochester are served by several local organizations that provide a range of fair housing services. The Housing Council, which has served as a participant in HUD's Fair Housing Initiatives Program (FHIP) several times since 2004, provides fair housing outreach and education to Rochester residents, as well as assistance in filing fair housing complaint forms. In addition, Legal Services of Western New York, a frequent FHIP grantee, conducts fair housing testing and enforcement activities in Monroe County through the Fair Housing Enforcement Project. Finally, Rochester Human Rights Law encourages those who believe that they have been subjected to unlawful discrimination in the housing market to contact the Center for Dispute Settlement, which will attempt to mediate the complaint.

The organizations described above constitute the fair housing infrastructure of Rochester, and provide for a variety of administrative, judicial, and "out-of-court" remedies to those who have been victims of unlawful discrimination in the housing market. Of course, those who have suffered violations of federal, state, or local fair housing laws may also seek recourse through a civil action, filed in a federal, state, or local court, depending on which law was violated.

Fair Housing in the Private Sector

A number of factors affect the housing choices available to residents of Rochester and the surrounding area: such factors include patterns in home purchase and small business lending, perceived and actual discrimination in the housing market, and policies and practices of individuals and businesses in the housing market. For the present study, assessment of these factors was undertaken through a review of lending data collected from the Federal Financial Institutions Examination Council (FFIEC); complaint data collected by federal, state, and local agencies and organizations; and the 2015 City of Rochester Fair Housing Survey.

The FFIEC collected data on nearly 150,000 home-purchase loan applications in Monroe County from 2004 through 2013. These data, gathered under the Home Mortgage Disclosure Act (HMDA), indicate that most of those home purchase loans were intended to purchase of homes in which the applicant intended to live. Over 18 percent of the loan applications submitted in the city were denied, while nine percent of applications were denied in the surrounding county. Credit history and unfavorable debt-to-income ratios were the most common reasons for these loan denials. The likelihood that a loan application would be denied

differed markedly according to the race or ethnicity of the applicant: black applicants were nearly three times as likely to be turned down as white applicants in the county as a whole while Hispanic applicants were nearly twice as likely as non-Hispanic residents to be denied a loan. These discrepancies persisted even when applicants were similarly situated with respect to income. Black and Hispanic residents who were able to secure a loan were also more likely to be issued a high-cost, predatory style loan than white or non-Hispanic borrowers, respectively.

The analysis of small business lending in the city indicated that a majority of small business loans issued in the city went to low- to moderate-income Census tracts⁸. However, such tracts also accounted for a large share of Rochester tracts in general, and when the analysis is broadened to consider small business lending in the county as a whole it becomes apparent that many of the high-poverty tracts surrounding the city center attracted comparatively little in the way of small business lending. Small business lending from 2000 through 2013 tended to target Census tracts in the area roughly bounded by the Inner Loop, city Census tracts to the southeast of the city center, and county Census tracts to the south of the city.

The review of complaints received by HUD, the New York Division of Human Rights, and Legal Assistance of Western New York (LawNY) indicate that residents of Rochester and the surrounding areas were more likely to file complaints with those organizations in response to perceived discrimination on the basis of disability, race, or familial status; and alleged discrimination in the rental market figured strongly among those complaints. LawNY carries out fair housing testing in response to complaints it receives from area residents, and as one might expect, a majority of those tests concerned alleged discrimination on the bases of disability, familial status, and race. Approximately 8.3 percent of those tests uncovered evidence of discrimination on the part of housing providers; all of these were conducted in the last four years, and more than half pertained to discrimination on the basis of disability. Nearly one-third of the tests conducted in 2014 produced positive evidence of discrimination. Disability, race, and familial status were also the most common allegations in complaints that served as the basis for approximately 50 civil cases that LawNY has litigated on behalf of its clients since 1998.

Finally, nearly a third of respondents to the 2015 Fair Housing Survey professed to be aware of questionable practices or barriers to fair housing choice in the rental housing market, nearly a quarter were aware of such practices in the mortgage and home lending industry and in the maintenance of foreclosed vacant properties, and around one-fifth claimed to know of such issues in the real estate industry. Those who submitted additional comments to the survey most commonly perceived racial and ethnic minority residents to be the victims of discrimination in these industries or areas. However, a significant number of respondents also maintained that discrimination against families with children and residents with disabilities was an issue in the city and county.

⁸ Income levels are established with reference to the median family income for the entire metropolitan statistical area (MSA). The Rochester MSA includes the city itself, along with the counties of Genesee, Livingston, Monroe, Ontario, Orleans, and Wayne.

Fair Housing in the Public Sector

Analysis of factors in the public sector that may impact fair housing choice included an examination of the distribution of public-assisted housing units in the city, as well as the results of the 2015 City of Rochester Fair Housing Survey.

Publicly assisted housing units in Monroe County included HUD multifamily projects funded through a variety of federal subsidies, projects financed in part through low income housing tax credits (LIHTC), Section 8 Housing Vouchers, and Project Based Section 8 Housing. Overall, analysis of the distribution of these different units and projects told the same story: affordable, publicly subsidized housing is highly concentrated within the City of Rochester, particularly within low-income areas of the city with relatively high proportions of racial and ethnic minority residents.

This fact was not lost on respondents to the 2015 City of Rochester Fair Housing Survey, who maintained that land-use policies in suburban Monroe County have the effect of limiting the placement of affordable housing units. These policies are not perceived to be limited to the county, however: several respondents cited land-use policies in connection with high concentrations of affordable housing units in certain areas of the city itself. However, the most salient issues among respondents to the fair housing survey pertained to the provision of government services, notably public transportation, and the effect that perceptions about the quality of Rochester-area school districts have upon the housing choices of area residents, and the effect that those housing choices have, in turn, upon area school districts.

Public Involvement

Efforts to promote public involvement in the AI process included the 2015 Fair Housing Survey; a Fair Housing Forum, Focus Groups, and Outreach Meetings; and a public comment period, during which the City of Rochester sought public feedback on the findings of the AI and the actions proposed to address those findings.

The 2015 Fair Housing Survey received 249 respondents from city and county residents. Most respondents were homeowners, and many were connected to the housing industry through their positions as advocates, service providers, and property managers. Most also considered themselves to be at least somewhat familiar with fair housing laws, and 80 percent of respondents deemed those laws to be useful (excluding missing responses). Nevertheless, a quarter of respondents stated that they wished to see changes to current fair housing law, with many citing the need to extend additional protection based on source of income, and many others citing a general need to increase the effectiveness of fair housing law. Nearly half of respondents felt that current levels of enforcement were insufficient.

Though 77 respondents were aware of available fair housing training opportunities, considerably fewer had actually participated in fair housing training, and around 43 percent of respondents considered current levels of fair housing outreach and education to be insufficient. Relatively few respondents were aware of any fair housing testing in the city or county, and fewer than half of respondents felt qualified to weigh in on current levels of fair housing testing; among those who did offer an assessment of fair housing testing, nine out of ten considered current levels to be insufficient.

When asked to identify the groups protected under federal or state fair housing law, more than half of respondents were able to correctly identify gender, sexual orientation, and religion as protected under federal or state law, excluding missing responses. Fewer, though still more than a fifth of respondents, were able to correctly identify age, family status, national origin, and marital status as protected class. Less than fifteen percent of respondents cited color or military status as protected class designations under federal or state law, though federal law includes color and state law includes both.


Finally, less than a fifth of respondents were aware of any fair housing ordinance, regulation, or plan at the city level. Nearly a third were aware of geographic areas that they considered to be particularly impacted by fair housing problems, with some identifying the Crescent, others identifying high income areas of the city and surrounding county, and still others claiming that the city and county in general were beset by fair housing problems in light of the persistence of racial, ethnic, and economic segregation throughout the area. Respondents who offered final commentary on fair housing in the survey underscored a need for more affordable housing, but noted that such affordable housing has often tended to be concentrated in low-income areas of the city.

Public involvement efforts during the AI process also included two fair housing forum presentations and discussions, and a series of three focus group discussions. The purpose of the fair housing forums, in addition to presenting findings from the AI and introducing the public to the AI process and fair housing policy more generally, was to gather public and stakeholder input on the AI findings, identified impediments, and actions proposed to address those impediments. Following both fair housing forum presentations, participants discussed a range of issues pertaining to fair housing policy, including issues relating to the availability of affordable housing, the need to promote economic prosperity in the city center, and the factors that have led to the concentration of poverty around the city center.

The focus group presentations included preliminary findings and data developed and gathered during the AI process. Each focus group session explored a different aspect of fair housing policy. The topics under discussion at these meetings were “homeownership”, “rental housing”, and “Housing Policy”. Participants in these meetings discussed challenges in each of these areas, as well as potential approaches by which those challenges may be addressed or resolved.

IMPEDIMENTS TO FAIR HOUSING CHOICE AND SUGGESTED ACTIONS

The City is proposing a series of actions that it will take independently to address the impediments presented in the following section, along with a series of actions designed to promote collaboration among regional stakeholders. The first series of actions, designated the “Rochester Fair Housing Action Plan”, are outlined below. Actions that are designed to promote a broader regional engagement on fair housing issues are included in the subsequent section, entitled “Regional Fair Housing Action Plan”. The impediments, actions, and measurable objectives included in the City of Rochester Fair Housing Action Plan are listed in order of their relative importance based on community feedback.

In addition, some of the actions that have been proposed to address these impediments were identified as “high priority” actions as a result of feedback from stakeholders and community members. Actions marked with the symbol  in the following pages were identified as high priority. The results of the prioritization exercise that ranked these actions are included in more detail in Appendix E.

These high priority actions will be the focus of the City’s fair housing efforts through the next five-year consolidated planning cycle. Additional actions that were not identified as high priority have been retained in the document to insure that all potential challenges, and avenues to address those challenges, were included. While the City does intend to address those additional actions where feasible, the emphasis will be on performing the high priority actions.

It is important to emphasize that the pursuit of fair housing reform in the community must be a collaborative effort, rather than undertaken primarily by the city. The reality of diminishing municipal resources and the nature of these complex challenges necessitates a robust network of not-for-profit agencies, private sector companies, and other community stakeholders to share ownership with the city in implementing the recommended actions in this section.

CITY OF ROCHESTER FAIR HOUSING ACTION PLAN

Private Sector Impediments, Suggested Actions, and Measurable Objectives

Private Sector Impediment 1: Financial capability and self-sufficiency of low income, black, and Hispanic residents. This impediment was identified through review of home lending and economic data gathered from the Federal Financial Institutions Examinations Council (FFIEC) and the Census Bureau, respectively, and in consultation with local stakeholders. Data from the FFIEC, gathered under the Home Mortgage Disclosure Act (HMDA), indicate that black residents are considerably more likely to be turned down for home loans than white residents, even when they are similarly situated with respect to income. The same is generally true of Hispanic applicants, as compared to non-Hispanic applicants. In addition, as one might expect, low-income applicants were generally less successful in obtaining a home purchase loan than higher income applicants, and those who were able to secure a home loan were more likely to receive loans with high annual percentage rates (HALs). Data from the American Community Survey revealed that more than thirty percent of the city’s population was living in poverty in 2008-2012, up from around 26 percent in 2000, and that areas with high poverty also tended to have high concentrations of black and Hispanic residents.

Taken together, these data indicate that the option to own a home is not available to many city residents, and is less likely to be available to black and Hispanic residents. This observation is similar in many respects to the observation offered in Private Sector Impediment 1, and much of the same evidence is marshalled in both cases. However, while the first impediment represents an “institution-oriented” approach to discrepant loan denial rates and other impediments related to the financial capacity of city residents, the actions proposed below are directed toward the housing consumer.

Action 1.1: Continue to support outreach and education activities offered to prospective homebuyers, focusing on strategies for establishing and maintaining good credit. Solicit the participation of local civic organizations (i.e., churches, schools, etc.),



not-for profit organizations, and businesses (i.e., banks, lenders, etc.) to assist with promotion or other supportive actions.

Measurable Objective 1.1: (a) The number of outreach and education activities offered, (b) the number of participants in these activities, (c) the number of community organizations and businesses participating, and (d) the number of participants that become home owners.

Action 1.2: The city will increase the visibility of local housing counseling agencies such as The Housing Council and NeighborWorks Rochester through advertisements targeted to potential low-income and minority homebuyers in a variety of media. Work on educating lenders and other local organizations on services offered for loan preparation to potential mortgage applicants.

Measurable Objective 1.2: Number of additional low-income and minority residents utilizing housing-related services of The Housing Council and NeighborWorks Rochester.

Private Sector Impediment 2: Lack of understanding of fair housing law on the part of housing providers and consumers. This impediment was identified through review of the 2014 Fair Housing Survey, and was a prominent topic in fair housing forum and outreach committee discussions. When asked to identify protected classes, just over half of those who answered the question were able to correctly identify “gender” as a protected class, and more respondents identified gender than identified any other group as protected under federal, state, or local fair housing laws. Only around 14 percent of respondents correctly identified “color” as a protected class, and just over 11 percent identified “military”, which is protected under state law. No respondents identified “marital status” as a protected class, in spite of its inclusion as a protected class in New York and Rochester human rights laws.

In addition, area residents who believe that they have been subjected to discrimination in housing may not be aware of the fair housing resources that are available to them, according to participants in the first fair housing forum discussion. In some cases, due to limitations on the use of federal enforcement funding: “The money that we get from HUD is very restricted and we have to use them on enforcement activities and not on outreach,” according to a representative of one local enforcement organization. Naturally, residents who are not aware of available resources do not use them, as evidenced by a decline in the number of complaints filed with HUD or the New York Division of Human Rights in recent years. According to a representative of Legal Assistance of Western New York (LawNY), a non-profit organization providing fair housing services, that decline coincided with a decline in the level of resources they were able to commit to advertising their efforts and services.

Action 2.1: Design a more dynamic and strategic outreach campaign that educates city residents, landlords, developers, lenders, insurance providers, and other housing professionals about fair housing rights and obligations and the continued existence of certain forms of discrimination, to be led by the AI Implementation Committee.⁹

Measurable Objective 2.1: (a) The number of advertisements posted through various media and record of collaboration with local fair housing organizations, (b) the

⁹ The campaign should have a clear vision as far as who the target audience is, what should be communicated, what media should be utilized, and the timing/frequency of outreach efforts.

number of outreach and education activities, (c) a record of participating organizations, and (d) the number of enhanced advertisement activities.

Action 2.2: Update the city's Annual Action Plan, as part of the Consolidated Plan, to dedicate additional funds to education, outreach, and enforcement, even if those funding sources would come from private or not-for-profit resources.¹⁰

Measurable Objective 2.2: Successful update of Annual Action Plan to reflect this action.

Action 2.3: Enhance outreach, education, and enforcement efforts related to fair housing requirements, compliance, and best practices to lenders, landlords, property owners, tenants, etc. This effort could include, but need not be limited to, the efforts of the Fair Housing Initiative (see Private Sector Action 1.3), training offered to staff of housing-based organizations and businesses, distribution of printed materials to public places (i.e. City Hall, community centers, schools, libraries, and Neighborhood Service Centers), and web-based resources. Consideration should also be given to opportunistic events, meetings, and transactions with housing providers and consumers whereby education related to fair housing can take place. Examples could include training and/or printed materials provided to: purchasers at the City's annual Property Tax Foreclosure Sale; property owners during the Certificate of Occupancy ("C of O") process; tenants receiving rental housing assistance vouchers.

Measurable Objective 2.3: Number of new and/or enhanced outreach and education initiatives.

Action 2.4: Explore opportunities for generating funds to support outreach and education efforts. Examples to consider include: assessing a fee during the Certificate of Occupancy ("C of O") process that could either directly cover fair housing-related training for that applicant or contribute to a fund dedicated to education and outreach efforts in general. In the latter scenario, the general fund could be directed at training for property owners and landlords that have a certain level of non-compliance with the City's code, in which case the issuance of future C of O's would be contingent on that applicant undergoing fair housing-related training.

Measurable Objective 2.4: (a) The identification of potential opportunities to generate funds to support outreach and education, (b) an assessment of the feasibility and economic impact of each opportunity, and (c) a determination of whether to institute new fund-generating measures, and which ones to institute.

Private Sector Impediment 3: Lack of accessible housing limits rental choices for persons with disabilities. This impediment was identified through review of literature pertaining to fair housing; complaint data from HUD, the New York Division of Human Rights (NYDHR), and Legal Assistance of Western New York (LawNY); data concerning fair housing tests performed by LawNY; focus group discussions, and the Fair Housing Survey. According to yearly fair housing trend studies published by the National Fair Housing Alliance, disability has been the most common basis for complaints filed with HUD in recent years, and this trend was borne out at the local level by complaint data from Rochester and Monroe County. More than half of the complaints lodged with HUD by residents of Rochester alleged discrimination on the basis

¹⁰ While the city's CDBG allocation has consistently been reduced in recent years, limiting the city's ability to fund such initiatives, the Consolidated Plan should express the intention to enhance education and outreach using a variety of available funding sources.

of disability; 65 percent of complaints considered to have cause. Nearly half of complaints lodged with the NYDHR concerned perceived discrimination on the basis of disability. LawNY received 61 complaints of disability-based discrimination in 2013 alone, accounting for three-quarters of all complaints the organizations received in that year. In addition, of the 19 fair housing tests conducted by LawNY that uncovered positive evidence of discrimination, more than half concerned discrimination on the basis of disability. Finally, survey respondents noted a lack of accessible housing in the city and county, and a perceived unwillingness on the part of local landlords and property managers to permit reasonable accommodations to those with disabilities.

Action 3.1: Increase outreach and education efforts targeting housing providers including landlords, developers, etc. as well as prospective tenants with disabilities. These efforts should underline legal requirements concerning reasonable accommodation; however, they should also focus on addressing misconceptions about reasonable accommodation, including the perception that landlords may be forced to pay for costly, permanent modifications to their property. See also: Regional Action Plan Private Sector Impediment 3.

Measurable Objective 3.1: (a) Number of outreach and education efforts implemented and (b) the number of participants in those activities.

Private Sector Impediment 4: Discriminatory terms and conditions in the rental housing market on the basis of race, ethnicity, or familial status. This impediment was identified through review of fair housing complaint data from HUD and the results of the Fair Housing Survey. Nearly 42 percent of the discriminatory issues cited in complaints lodged with HUD pertained explicitly to rental housing. In addition, a survey question asking respondents if they were aware of questionable practices in the rental market received the highest number of affirmative responses of any other question concerning the private sector. When asked to elaborate upon their responses to that question, many survey respondents cited perceived discrimination on the basis of race, ethnicity, or familial status. One specific example of discrimination identified was the potential practice of renting only to students, not families, in neighborhoods adjacent to the University of Rochester. These and other similar discriminatory practices should be closely monitored through fair housing testing of rental properties.

Action 4.1: Continue outreach and education efforts designed for landlords, property managers, and tenants.

Measurable Objective 4.1: The number of outreach and education efforts conducted by the city.

Action 4.2: Increase and enhance fair housing testing of rental properties and realtors that work with rental properties.¹¹

Measurable Objective 4.2: (a) Number of fair housing testing activities conducted and (b) number of enforcement actions filed.

Action 4.3: The city will provide technical assistance to support efforts of local entities, such as the Housing Council and LawNY to secure fair housing grants from HUD or other sources.

¹¹ Testing is a method of investigating fair housing complaints by using paired testers, with assigned identities, whose characteristics are closely matched except for the variable being tested for such as race, ethnicity, disability, etc. and deploying them to inquire about the availability of housing from a specific housing provider. By comparing the information given to the testers by the housing provider, discrimination that may have been previously undetected can become apparent.

Measurable Objective 4.3: (a) Number and dollar amount of fair housing grants secured and (b) number of enforcement actions filed.

Action 4.4: Explore various policies intended to strengthen the presence of a local property manager. It was noted during community engagement for this plan that it can be a significant challenge to work with out-of-town landlords to address fair housing-related issues. Having a stronger, more reliable local presence for rental properties will assist with this challenge.

Measurable Objective 4.4: (a) The identification of policies designed to promote a local presence of residential property managers, and the (b) implementation of any policies identified.

Private Sector Impediment 5: Redlining and steering.¹² This impediment was identified through review of local fair housing cases, the results of the 2014 Fair Housing Survey, and at the Fair Housing Forums. Though the Department of Justice has only filed one fair housing case in the Western District of New York in the last ten years, that case underscored systemic disparities in the availability and quality of homeowner's and renter's insurance policies in the area. According to the DOJ, the amount of business that Erie Insurance Company conducted in a given area varied according to the percentage of the population in that area that was black: the higher that percentage, the fewer agents working in that area, the lower the company's participation in the insurance market, and the fewer top-tier insurance products offered. Respondents to the fair housing survey also considered steering and redlining to be a problem in the area, and nearly a quarter of respondents noted that they were aware of problematic practices in the mortgage and home lending market.

Action 5.1: Confirm inclusion of materials in the homebuyer and tenant education classes proposed in Impediment 6 below to explain steering and redlining, and encouraging prospective homebuyers to report any suspected instances of steering or redlining. Materials should also be made available through local housing organizations, lenders, and home owners' insurance agencies. Explore funding opportunities for additional tenant outreach efforts.

Measurable Objective 5.1: (a) Development of materials and inclusion in homebuyer education curriculum and (b) number of contacts to agencies about suspected instances of steering or redlining.

Action 5.2: Increase and enhance fair housing testing of rental properties and realtors that work with rental properties. (See footnote 10 on page 12.)

Measurable Objective 5.2: (a) Number of fair housing testing activities conducted and (b) number of agreements established with rental property owners and insurance providers.

Private Sector Impediment 6: High rates of home purchase loan denials for black and Hispanic applicants, creating a lack of access to neighborhoods of opportunity. Neighborhoods of opportunity are areas where residents benefit from a relatively safe environment, access to goods and services, stable housing stock, and an environment that fosters upward economic mobility. This impediment was identified through review of home

¹² Redlining is a practice of financial and insurance institutions, by which these institutions offer inferior products, charge more for their products, or decline to do business in certain areas of the city due to the actual or perceived demographic composition of the area. Steering is a practice, among real estate professionals and others, of using a protected characteristic of a client (e.g., race or ethnicity) as a basis for deciding which properties or neighborhoods to present to prospective home buyers.

purchase loan data gathered under the Home Mortgage Disclosure Act (“HMDA data”), results of and commentary from the 2014 City of Rochester Fair Housing Survey, fair housing focus group discussions, and the review of fair housing cases brought against housing providers in the state. These data indicated that black loan applicants were more than twice as likely as white residents to be denied a home purchase loan in the city from 2004 through 2013. Likewise, Hispanic applicants were nearly twice as likely as non-Hispanic applicants to be denied home purchase loans over the same period.

These patterns held even when income was taken into account. For example, denial rate for black applicants who earned more than \$75,000 per year, at 26.3 percent in the city, was more than twice the denial rate for white applicants in the same income range. Similarly, the denial rate for Hispanic applicants earning more than \$75,000 per year was 22.4 percent in the city: nearly twice the denial rate for non-Hispanic applicants who were similarly situated with respect to income.

The perception that racial and ethnic minority applicants were less likely to be able to secure a loan was common among survey respondents, nearly a quarter of whom noted that they were aware of questionable practices or barriers to fair housing choice in the home lending industry. Though only one case was filed by the Department of Justice against local housing providers in the last ten years, that case revealed systemic disparities in the availability and quality of insurance policies offered by Erie Insurance Company. According to the complaint, there was a statistically significant, negative relationship between the share of black residents in an area and the amount of business that the company conducted in that area.

Action 6.1.1: Consider the establishment of a policy for the City of Rochester that would require banks to submit annual reports with the city that detail the programs and products they have offered to meet the community’s credit needs, and a plan for what they will offer in the future.

Measurable Objective 6.1.1: (a) A record of deliberations related to the development of a new city policy; (b) the number of agencies, organizations, and business involved in that development; (c) the draft policy; and (d) successful passage of the policy.

Action 6.1.2: Pending the establishment of a policy, the City will evaluate the banks’ performance based on the reports submitted by the banks.¹³

Measurable Objective 6.1.2: (a) The number of reports generated by area banks, (b) the programs and products that the banks develop to serve the community’s credit needs, and (c) the performance of the banks with respect to those reports.

Action 6.2: Encourage various housing-related entities to offer key publications (print and web) in Spanish and additional languages, as needed.

Measurable Objective 6.2: Number of translated publications and websites.

Action 6.3: The city will support efforts of local entities, such as the Housing Council and LawNY to secure fair housing grants from HUD or other sources, which will support vital services such as tracking the status of fair housing complaints, education, outreach, and enforcement, including fair housing testing.

Measurable Objective 6.3: Number and dollar amount of fair housing grants secured.

¹³ The ordinance and potential incentives offered should be explored in partnership with the GRCRC, drawing upon the experiences of other cities that have passed similar legislation, including New York City, Minneapolis, Cleveland, Detroit, and Los Angeles.


Public Sector Impediments, Suggested Actions, and Measurable Objectives

Public Sector Impediment 1: Significant concentrations of black and Hispanic residents, and households in poverty around the city center. This impediment was identified in part through review of the geographic distribution of poverty in the city, based on data from the 2000 Census and 2012 Five-Year American Community Survey (ACS), and the review of the geographic distribution of the city's black and Hispanic residents, based on data from the 2000 and 2010 Decennial Censuses. According to data from the 2000 and 2010 Census, black residents were observed to be highly concentrated in areas to the immediate southwest and north of the city center. Likewise, tracts with above-average concentrations of Hispanic residents were generally located to the immediate north of the city center.


The identification of this impediment was also based on the findings of an in-depth study of local poverty published by the Rochester Area Community Foundation (RACF) and ACT Rochester in 2013. According to data gathered from the Census Bureau, the poverty rate in the city was, at 31.6 percent in 2008-2012, four times higher than in the remainder of the county. In addition, the vast majority of the Census tracts with poverty rates exceeding the countywide average of 14.6 percent in 2008-2012 were located in the city. The highest poverty rates were observed in the area to the immediate north of the city center, where between approximately 40 and 70 percent of residents were living in poverty. In addition, though just under 20 percent of the population of the six-county Rochester metropolitan area live in the city, Rochester is home to 45.2 percent of the metropolitan area's poor, according to the recent RACF and ACT Rochester report.¹⁴ According to the report, though the nation as a whole has experienced a marked decline in residential segregation in recent years, the process has been slower in "older, slow-growing cities such as Rochester."

Action 1.1: Continue to promote mixed-income development. 

Measureable Objective 1.1: Number of mixed-income developments completed.

Action 1.2: Conduct a City-wide study to identify areas of concentrated public/affordable housing and opportunities to phase out clusters of such developments. For example, as some of the Rochester Housing Authority (RHA) properties near the end of their life cycle, prioritize the redevelopment of the sites into mixed-income/mixed-use properties as is in line with City planning goals. 

Measureable Objective 1.2: Number of 100% affordable housing/public housing properties redeveloped as mixed-income developments.

Action 1.3: Work with the county to explore the feasibility of raising the shelter allowance rate provided to tenants through the county's Department of Social Services.¹⁵ 


Measureable Objective 1.3: Increase in the shelter allowance rate.

Action 1.4: Enhance the City Living Sundays event to feature all aspects of city living, not just real estate opportunities, so as to attract increased participation and investment from first-time home buyers.


¹⁴ Doherty, Edward. *Poverty and the Concentration of Poverty in the Nine-County Greater Rochester Area*. Rochester Area Community Foundation and ACT Rochester. December 2013.

¹⁵ The rate has been stagnant for many years, which has negatively impacted recipient's ability to access quality, affordable housing choices. Low rates also contribute to the ability of some landlords to sufficiently maintain, let alone improve, their rental properties.

Measureable Objective 1.4: Number of participants in the City Living Sundays event and number of home sales resulting from the event.

Action 1.5: Further align city resources with alleviation of poverty and economic development. 

Measureable Objective 1.5: Expenditure of funds on specific tasks that contribute to lessening of poverty in affected areas.

Action 1.6: Promote rehabilitation of existing units in the city in areas with high concentrations of distressed units. 


Measureable Objective 1.6: (a) The amount of funding dedicated to rehabilitation, (b) the number of units improved through rehabilitation funding, and (c) change in assessed value of distressed areas over time.

Public Sector Impediment 2: Significant concentrations of affordable housing in select areas of the city. This impediment was identified through review of the geographic location of assisted housing units in the city, the recent report prepared by the RACF and ACT Rochester, and results of and commentary from the Fair Housing Survey. Housing units that were financed in part through Housing Choice Vouchers, Low Income Housing Tax Credits, and the Public Housing program were heavily concentrated within the city limits, particularly in areas with relatively high concentrations of poverty. These units also tended to be concentrated in areas with high concentrations of black and Hispanic residents, and were less numerous in outlying areas in the southern, southeastern, and northern parts of the city. The recent report published by the RACF and ACT Rochester was admirably concise on the subject of affordable housing, maintaining that affordable rental housing in the suburbs is “nearly non-existent.” Furthermore, the author of the study indicates that most suburban public housing is limited to seniors or residents with disabilities. Finally, in commenting on land-use policies in the city, survey respondents noted that affordable housing is concentrated in the city.

It should be noted that the concept of providing opportunities for low-income residents to relocate outside of the city can take the form of proactive steps or organically occurring trends. Recent data shows the latter has been occurring in recent years. As for proactively providing affordable housing opportunities in the suburbs, the RHA cannot legally build public housing outside of the city. Therefore, those efforts are limited to the activities of non-RHA developers and the proliferation of RHA housing vouchers outside of the city.

Action 2.1: Continue to promote mixed-income development.

Measureable Objective 2.1: Number of mixed-income developments completed.

Action 2.2: Develop a program for rehabilitating homes to bring them up to RHA standards. This would enable these homes to be eligible for RHA's Section 8 vouchers, expanding safe and decent affordable housing options for residents. 

Measureable Objective 2.2: Number of homes or rental units renovated to meet RHA standards.

Action 2.3: Expand outreach efforts to educate landlords on the benefits of accommodating Section 8 vouchers, i.e. stability of income. Ideally, this would result in more frequent acceptance of Section 8 vouchers in areas of the city with low concentrations of such vouchers.

Measureable Objective 2.3: Number of Section 8 vouchers utilized in areas with previously below-average concentrations of vouchers.

Action 2.4: Explore various alternatives for refining the City of Rochester's Homebuyer Assistance Program in order to have stronger alignment with poverty de-concentration objectives.

Measureable Objective 2.4: Record of discussion and agreed upon next steps, if any, for revising the Homebuyer Assistance Program.

Action 2.5: Further align city resources with alleviation of poverty and economic development. For example, as the city continues to see reduced CDBG resources each year, the use of those resources needs to be refined and more strategically directed at generating wealth in the community and leveraging other resources.

Measureable Objective 2.5: Expenditure of funds on specific tasks that contribute to lessening of poverty in affected areas.

REGIONAL FAIR HOUSING ACTION PLAN

Many of the factors that influence the Rochester Housing Market transcend the city boundaries. Regional trends in areas as diverse as home lending, affordable housing, labor and employment, and the quality of local schools all affect the availability of housing in the city and county, as does the changing demographic composition of the region as a whole. For example, among the factors contributing to the high concentration of subsidized units in the city center are a lack of areas zoned for multifamily housing and limitations in current public transit networks in suburban areas. The concentration of subsidized units in the city center, in turn, is connected to the high concentrations of poverty and racial and ethnic minorities in the city center. For that reason, the resolution of many of the fair housing challenges facing the city calls for close collaboration among government agencies, organizations, and stakeholders in the city, county, and the wider region.

At the conclusion of the 2015 City of Rochester Analysis of Impediments to Fair Housing Choice, the City would like to work in collaboration with various partners in the region, creating an overarching Implementation Committee that will work on Suggested Actions listed in this section. The committee will be tasked with prioritizing actions, creating more detailed work plans where necessary, directing specific tasks, and establishing a means for tracking progress of each action. Ideally, this committee would have participation from Monroe County to ensure maximum regional effectiveness and to lay the groundwork for the next AI to be a joint process. These efforts should be carried out in the context of and in coordination with the anti-poverty efforts occurring in the Rochester region. In addition, the City should explore ways to support greater collaboration among service providers and community organizations (i.e., churches, neighborhood associations, etc.) to advance outreach and education initiatives.

Impediments, suggested actions, and measurable objectives are presented below. They are divided into Private Sector and Public Sector categories.

Private Sector Impediments, Suggested Actions, and Measurable Objectives

Private Sector Impediment 1: High rates of home purchase loan denials for black and Hispanic applicants, creating a lack of access to neighborhoods of opportunity. Neighborhoods of opportunity are areas where residents benefit from a relatively safe environment, access to goods and services, stable housing stock, and an environment that

fosters upward economic mobility. This impediment was identified through review of home purchase loan data gathered under the Home Mortgage Disclosure Act (“HMDA data”), results of and commentary from the 2014 City of Rochester Fair Housing Survey, fair housing focus group discussions, and the review of fair housing cases brought against housing providers in the state. These data indicated that black loan applicants were more than twice as likely as white residents to be denied a home purchase loan in the city, the surrounding county, and the county as a whole from 2004 through 2013. Likewise, Hispanic applicants were nearly twice as likely as non-Hispanic applicants to be denied home purchase loans over the same period.

These patterns held even when income was taken into account. For example, denial rate for black applicants who earned more than \$75,000 per year, at 17.5 percent in Monroe County, was nearly three times the denial rate for white applicants in the same income range. Similarly, the denial rate for Hispanic applicants in that income range was 12.1 percent in the county: nearly twice the denial rate for non-Hispanic applicants who were similarly situated with respect to income.

The perception that racial and ethnic minority applicants were less likely to be able to secure a loan was common among survey respondents, nearly a quarter of whom noted that they were aware of questionable practices or barriers to fair housing choice in the home lending industry. Though only one case was filed by the Department of Justice against local housing providers in the last ten years, that case revealed systemic disparities in the availability and quality of insurance policies offered by Erie Insurance Company. According to the complaint, there was a statistically significant, negative relationship between the share of black residents in an area and the amount of business that the company conducted in that area.

Action 1.1.1: Explore alternative funding sources, city or otherwise, and supportive services to reactivate the Greater Rochester Community Reinvestment Coalition (GRCRC) along with enhanced funding mechanisms to maximize the GRCRC's effectiveness and ability to deliver impactful outcomes.

Measurable Objective 1.1.1: The number of alternative funding sources identified and established, and the amount of funding secured.

Action 1.1.2: Pending successful reactivation of the GRCRC, task the coalition with the analysis of Home Mortgage Disclosure Act (HMDA) data and other resources and identify strengths and weaknesses in lending patterns.

Measurable Objective 1.1.2: (a) The completion of the analysis described above, and (b) the factors identified that contribute to discrepant patterns in home lending.

Action 1.1.3: Using the data generated through the analysis of home mortgage lending data, direct the GRCRC to engage the mortgage lenders, home owners' insurance providers, community stakeholders, and city and county representatives in dialogue about industry practices that result in disparate impact and/or impediments to fair housing choice.

Measurable Objective 1.1.3: (a) The number of banks, other mortgage lenders, and homeowner's insurance providers contacted by the GRCRC, and (b) the number that contribute to the dialogue by providing feedback, additional data, etc.

Private Sector Impediment 2: Discriminatory terms and conditions in the rental housing market on the basis of race, ethnicity, or familial status. This impediment was identified through review of fair housing complaint data from HUD and the results of the Fair Housing

Survey. Nearly 42 percent of the discriminatory issues cited in complaints lodged with HUD pertained explicitly to rental housing. In addition, a survey question asking respondents if they were aware of questionable practices in the rental market received the highest number of affirmative responses of any other question concerning the private sector. When asked to elaborate upon their responses to that question, many survey respondents cited perceived discrimination on the basis of race, ethnicity, or familial status. One specific example of discrimination identified was the potential practice of renting only to students, not families, in neighborhoods adjacent to the University of Rochester. These and other similar discriminatory practices should be closely monitored through fair housing testing of rental properties.

Action 2.1: Increase the visibility of local fair housing enforcement organizations (LawNY and The Housing Council) through advertisements in a variety of media (i.e., city website, Facebook, public transit, print, etc.), working in coordination with the organizations themselves and regional partners.

Measurable Objective 2.1: (a) The number of advertisements posted through various media, (b) record of collaboration with local fair housing organizations, (c) the number of people served by these organizations, and (d) the number of complaint cases opened.

Action 2.2: Continue outreach and education efforts designed for landlords, property managers, and tenants in the city, county, and region.

Measurable Objective 2.2: The number of outreach and education efforts conducted.

Action 2.3: Increase and enhance fair housing testing of rental properties throughout the region. (See footnote 10 on page 12.)

Measurable Objective 2.3: (a) Number of fair housing testing activities conducted throughout the region and (b) number of enforcement actions filed.

Private Sector Impediment 3: Lack of accessible housing limits rental choices for persons with disabilities. This impediment was identified through review of literature pertaining to fair housing; complaint data from HUD, the New York Division of Human Rights (NYDHR), and Legal Assistance of Western New York (LawNY); data concerning fair housing tests performed by LawNY; focus group discussions, and the Fair Housing Survey. According to yearly fair housing trend studies published by the National Fair Housing Alliance, disability has been the most common basis for complaints filed with HUD in recent years, and this trend was borne out at the local level by complaint data from Rochester and Monroe County. More than half of the complaints lodged with HUD by residents of Rochester alleged discrimination on the basis of disability; 65 percent of complaints considered to have cause. Nearly half of complaints lodged with the NYDHR concerned perceived discrimination on the basis of disability. LawNY received 61 complaints of disability-based discrimination in 2013 alone, accounting for three-quarters of all complaints the organizations received in that year. In addition, of the 19 fair housing tests conducted by LawNY that uncovered positive evidence of discrimination, more than half concerned discrimination on the basis of disability. Finally, survey respondents noted a lack of accessible housing in the city and county, and a perceived unwillingness on the part of local landlords and property managers to permit reasonable accommodations to those with disabilities.

Action 3.1: Coordinate with the Center for Disability Rights (CDR), the Regional Center for Independent Living (CIL), and other regional agencies and non-profit

organizations to promote outreach and education efforts outlined in the Rochester Action Plan Private Sector Action 3.1.

Measurable Objective 3.1: The number of outreach and education projects accomplished through coordination with the CDR and CIL, among others.

Action 3.2: Promote a centralized regional affordable rental listing service that will allow landlords to define and renters to search for specific accessibility features.¹⁶

Measurable Objective 3.2: The creation of a searchable easy to use database of accessible housing units.

Private Sector Impediment 4: Lack of understanding of fair housing law on the part of housing providers and consumers. This impediment was identified through review of the 2014 Fair Housing Survey, and was a prominent topic in fair housing forum and outreach committee discussions. When asked to identify protected classes, just over half of those who answered the question were able to correctly identify “gender” as a protected class, and more respondents identified gender than identified any other group as protected under federal, state, or local fair housing laws. Only around 14 percent of respondents correctly identified “color” as a protected class, and just over 11 percent identified “military”, which is protected under state law. No respondents identified “marital status” as a protected class, in spite of its inclusion as a protected class in New York and Rochester human rights laws.

In addition, area residents who believe that they have been subjected to discrimination in housing may not be aware of the fair housing resources that are available to them, according to participants in the first fair housing forum discussion. In some cases, due to limitations on the use of federal enforcement funding: “The money that we get from HUD is very restricted and we have to use them on enforcement activities and not on outreach,” according to a representative of one local enforcement organization. Naturally, residents who are not aware of available resources do not use them, as evidenced by a decline in the number of complaints filed with HUD or the New York Division of Human Rights in recent years. According to a representative of Legal Assistance of Western New York (LawNY), a non-profit organization providing fair housing services, that decline coincided with a decline in the level of resources they were able to commit to advertising their efforts and services.

Action 4.1: Design a more dynamic and strategic outreach campaign that educates city residents, landlords, developers, lenders, insurance providers, and other housing professionals about fair housing rights and obligations, to be led by the AI Implementation Committee¹⁷ in partnership with county and regional non-profit organizations.

Measurable Objective 4.1: (a) The number of advertisements posted through various media and record of collaboration with local fair housing organizations, (b) the number of outreach and education activities conducted, (c) a record of participating organizations, and (d) the number of enhanced advertisement activities.

¹⁶ New York State and the Rochester Housing Authority currently utilize Social Serve (socialserve.com) to provide these customized housing locator services. By promoting the use of Social Serve to property owners, potential tenants and local service agencies Rochester can create a centralized database of available accessible units.

¹⁷ The campaign should have a clear vision as far as who the target audience is, what should be communicated, what media should be utilized, and the timing/frequency of outreach efforts.

Private Sector Impediment 5: Redlining and steering.¹⁸ This impediment was identified through review of local fair housing cases, the results of the 2014 Fair Housing Survey, and at the Fair Housing Forums. Though the Department of Justice has only filed one fair housing case in the Western District of New York in the last ten years, that case underscored systemic disparities in the availability and quality of homeowner's and renter's insurance policies in the area. According to the DOJ, the amount of business that Erie Insurance Company conducted in a given area varied according to the percentage of the population in that area that was black: the higher that percentage, the fewer agents working in that area, the lower the company's participation in the insurance market, and the fewer top-tier insurance products offered. Respondents to the fair housing survey also considered steering and redlining to be a problem in the area, and nearly a quarter of respondents noted that they were aware of problematic practices in the mortgage and home lending market.

Action 5.1.1: Explore alternative funding sources, city or otherwise, and supportive services to reactivate the Greater Rochester Community Reinvestment Coalition (GRCRC) along with enhanced funding mechanisms to maximize the GRCRC's effectiveness and ability to deliver impactful outcomes.

Measurable Objective 5.1.1: The number of alternative funding sources identified and established, and the amount of funding secured.

Action 5.1.2: Pending successful reactivation of the GRCRC, task the coalition with the analysis of Home Mortgage Disclosure Act (HMDA) data and other resources and identify strengths and weaknesses in lending patterns.

Measurable Objective 5.1.2: The completion of the analysis described above, and the factors identified that contribute to discrepant patterns in home lending.

Action 5.1.3: Using the data generated through the analysis of home mortgage lending data, direct the GRCRC to engage the mortgage lenders, home owners' insurance providers, community stakeholders, and city and county representatives in dialogue about industry practices that result in disparate impact and/or impediments to fair housing choice.

Measurable Objective 5.1.3: The number of banks, other mortgage lenders, and homeowner's insurance providers contacted by the GRCRC, and the number that contribute to the dialogue by providing feedback, additional data, etc.

Action 5.2: Increase and enhance fair housing testing of rental properties and homeowners'/renters' insurance providers throughout the region, in partnership with LawNY and other local non-profits.¹⁹

Measurable Objective 5.2 (a) Number of fair housing testing activities conducted and (b) number of agreements established with rental property owners and insurance providers.

¹⁸ Redlining is a practice of financial and insurance institutions, by which these institutions offer inferior products, charge more for their products, or decline to do business in certain areas of the city due to the actual or perceived demographic composition of the area. Steering is a practice, among real estate professionals and others, of using a protected characteristic of a client (e.g., race or ethnicity) as a basis for deciding which properties or neighborhoods to present to prospective home buyers.

¹⁹ Testing is a method of investigating fair housing complaints by using paired testers, with assigned identities, whose characteristics are closely matched except for the variable being tested for (e.g. race, ethnicity, disability, etc.) and deploying them to inquire about the availability of housing from a specific housing provider. By comparing the information given to the testers by the housing provider, discrimination that may have been previously undetected can become apparent.

Private Sector Impediment 6: Financial capability and self-sufficiency of low income, black, and Hispanic residents. This impediment was identified through review of home lending and economic data gathered from the Federal Financial Institutions Examinations Council (FFIEC) and the Census Bureau, respectively, and in consultation with local stakeholders. Data from the FFIEC, gathered under the Home Mortgage Disclosure Act (HMDA), indicate that black residents are considerably more likely to be turned down for home loans than white residents, even when they are similarly situated with respect to income. The same is generally true of Hispanic applicants, as compared to non-Hispanic applicants. In addition, as one might expect, low-income applicants were generally less successful in obtaining a home purchase loan than higher income applicants, and those who were able to secure a home loan were more likely to receive loans with high annual percentage rates (HALs). Data from the American Community Survey revealed that more than thirty percent of the city's population was living in poverty in 2008-2012, up from around 26 percent in 2000, and that areas with high poverty also tended to have high concentrations of black and Hispanic residents.

Taken together, these data indicate that the option to own a home is not available to many city residents, and is less likely to be available to black and Hispanic residents. This observation is similar in many respects to the observation offered in Private Sector Impediment 1, and much of the same evidence is marshalled in both cases. However, while the first impediment represents an "institution-oriented" approach to discrepant loan denial rates and other impediments related to the financial capacity of city residents, the actions proposed below are directed toward the housing consumer.

Action 6.1: Introduce or enhance credit counseling and personal finance training sessions targeting students and young adults, in coordination with local schools and other civic organizations, such as the C.A.S.H. Coach program. A particular need is education that helps young people avoid payday loans, predatory loans, and other abusive products that can ensnare them in bad debts for many years. Currently, the following organizations provide these types of services: The Housing Council, Marketview Heights Association, Urban League of Rochester, Consumer Credit Counseling Services of Rochester, NeighborWorks Rochester and other HUD-approved housing counseling agencies.

Measurable Objective 6.1: (a) The number of credit counseling sessions offered, (b) the number of participants, and (c) the number of civic organizations participating.

Public Sector Impediments, Suggested Actions, and Measurable Objectives

Public Sector Impediment 1: Public transit routes and their schedules do not sufficiently connect jobs to neighborhoods with low car-ownership. This impediment was identified through review of the 2014 Fair Housing Survey and the minutes from the 2014 Rental Housing Focus Group, held in December 2014. Over 34 percent of survey respondents stated that they were aware of questionable practices or barriers to fair housing choice in the provision of government services in general. A considerable percentage of those who provided additional commentary on this question cited a lack of viable public transit options, stating that existing routes do not effectively or efficiently connect commuters to job opportunities. According to one respondent, it is "very difficult for [residents of] inner city neighborhoods to get jobs in suburbs if those jobs are not 9-5 type" jobs. Focus group participants also cited the challenges of limited public transportation options for residents of rental housing that do not

have reliable transportation of their own, particular those who might otherwise take advantage of subsidized housing in the suburbs and outlying areas of the city.

Action 1.1: Collaborate with various local, county, regional, and state agencies to perform a detailed analysis of multi-modal accessibility to jobs from city neighborhoods.²⁰

Measurable Objective 1.1: Completion of analysis of multi-modal accessibility to jobs.

Action 1.2: Establish a series of meetings between Regional Transit Service (RTS), affordable housing providers/ developers, major employers, the City of Rochester's Housing Division, and the city's Transportation Specialist to discuss opportunities for expanding transportation opportunities (RTS-provided or otherwise) for low-income residents. The group should also discuss inclusion of affordable housing developments into transit planning, and vice versa.

Measurable Objective 1.2: Establishment of the committee.

Public Sector Impediment 2: Significant concentrations of black and Hispanic residents, and households in poverty around the city center. This impediment was identified through review of the geographic distribution of poverty in the county, based on data from the 2000 Census and 2012 Five-Year American Community Survey (ACS), a review of the geographic distribution of the city's black and Hispanic residents, based on data from the 2000 and 2010 Decennial Censuses. In addition, this impediment was based on the findings of an in-depth study of local poverty published by the Rochester Area Community Foundation (RACF) and ACT Rochester in 2013. According to data gathered from the Census Bureau, the poverty rate in the city was, at 31.6 percent in 2008-2012, four times higher than in the remainder of the county. In addition, the vast majority of the Census tracts with poverty rates exceeding the countywide average of 14.6 percent in 2008-2012 were located in the city. The highest poverty rates were observed in the area to the immediate north of the city center, where between approximately 40 and 70 percent of residents were living in poverty. In addition, though just under 20 percent of the population of the six-county Rochester metropolitan area live in the city, Rochester is home to 45.2 percent of the metropolitan area's poor, according to the recent RACF and ACT Rochester report.²¹ This concentration of poverty is perpetuated by a lack of access to neighborhoods of opportunity, which are areas where residents benefit from a relatively safe environment, access to goods and services, stable housing stock, and an environment that fosters upward economic mobility.

With regards to concentration of racial and ethnic minorities, according to data from the 2000 and 2010 Census, black residents were observed to be highly concentrated within the city limits of Rochester, especially in areas to the immediate southwest and north of the city center. Likewise, tracts with above-average concentrations of Hispanic residents were almost exclusively located within the city, particularly in the area to the immediate north of the city center. According to the report, though the nation as a whole has experienced a marked

²⁰ This analysis is needed to gain an accurate understanding of the challenges residents face in securing and maintaining employment. Limited accessibility to jobs and services by means other than a private automobile is disproportionately harmful to lower-income households, as the cost of transportation erodes the already-strained household budget, reducing income available for food, housing, health care, and other vital quality of life expenses. Scenario planning that considers different land use and transportation investment options and weighs their impacts on low-income residents is an important aspect of the proposed accessibility analysis. These scenarios should then be considered as city, county, regional, and state agencies make investment decisions.

²¹ Doherty, Edward. *Poverty and the Concentration of Poverty in the Nine-County Greater Rochester Area*. Rochester Area Community Foundation and ACT Rochester. December 2013.

decline in residential segregation in recent years, the process has been slower in “older, slow-growing cities such as Rochester.”

Action 2.1: Continue to partner with Monroe County officials and discuss potential avenues toward, and incentives for, closer coordination on issues and policies impacting the housing market, including the renewal of close collaboration during the consolidated planning and AI processes.

Measurable Objective 2.1: (a) Record of contact with county officials, (b) their responses, and (c) the potential avenues identified.

Public Sector Impediment 3: Significant concentrations of affordable housing in select areas of the city. This impediment was identified through review of the geographic location of assisted housing units in the city, the recent report prepared by the RACF and ACT Rochester, and results of and commentary from the Fair Housing Survey. Housing units that were financed in part through Housing Choice Vouchers, Low Income Housing Tax Credits, and the Public Housing program were heavily concentrated within the city limits, particularly in areas with relatively high concentrations of poverty. These units also tended to be concentrated in areas with high concentrations of black and Hispanic residents, and were less numerous in outlying areas in the southern, southeastern, and northern parts of the city. The recent report published by the RACF and ACT Rochester was admirably concise on the subject of affordable housing, maintaining that affordable rental housing in the suburbs is “nearly non-existent.” Furthermore, the author of the study indicates that most suburban public housing is limited to seniors or residents with disabilities. Finally, in commenting on land-use policies in the city, survey respondents noted that affordable housing is concentrated in the city.

It should be noted that the concept of providing opportunities for low-income residents to relocate outside of the city can take the form of proactive steps or organically occurring trends. Recent data shows the latter has been occurring in recent years. As for proactively providing affordable housing opportunities in the suburbs, the RHA cannot legally build public housing outside of the city. Therefore, those efforts are limited to the activities of non-RHA developers and the proliferation of RHA housing vouchers outside of the city.

Action 3.1: Continue to partner with Monroe County officials and discuss potential avenues toward, and incentives for, closer coordination on issues and policies impacting the housing market, including the renewal of close collaboration during the consolidated planning and AI processes.

Measurable Objective 3.1: (a) Record of contact with county officials, (b) their responses, and (c) the potential avenues identified.

Action 3.2: Discuss with Monroe County officials potential strategies for deconcentrating poverty outside of the city. These strategies may include, but are not limited to, the development of mixed-income, multi-family housing in the county and consideration of raising the county’s Department of Human Services Shelter Allowance Rate. The latter would be intended to make a larger portion of suburban housing options affordable for those receiving assistance.

Measurable Objective 3.2: Record of discussion and agreed upon next steps with county officials concerning strategies for de-concentration of poverty within the county.

Action 3.3: Expand outreach efforts to educate landlords on the benefits of accommodating Section 8 vouchers, i.e. stability of income.

Measureable Objective 3.3: Number of Section 8 vouchers utilized outside of the city.

Additional Considerations

The above recommended actions will be pursued by the Implementation Committee, as mentioned at the beginning of this section. The Implementation Committee should also explore additional future or follow-on activities related to those outlined in this section. Lastly, this section discusses two significant issues that were prominent in survey responses, focus group discussions, and Fair Housing Forum discussions – the influence of the Rochester City School District on the concentration of poverty and “source of income” as an impediment to fair housing choice.

Influence of Rochester City School District

During the community engagement process, many residents and stakeholders cited the condition of the Rochester City School District (RCSD) as having an impact on concentrated poverty and other housing related issues. This issue was also identified through review of the 2014 Fair Housing Survey. Nearly 70 percent of survey respondents maintained that the quality of the local school district impacts the housing choices of area residents, and commentary submitted with this portion of the survey noted that the movement of more financially secure families out of the city, in part to relocate away from the RCSD, compounds the challenges facing city schools. One respondent stated unequivocally that families “are moving out of the City because of the Rochester [City School District]”.

While the condition of the RCSD remains one of the most significant challenges in the community, it is not an impediment to fair housing choice *per se*. Therefore, this document recognizes the RCSD's condition as a significant contributor to concentrated poverty but it does not put forth recommended actions aimed at reducing the RCSD's impact on fair housing choice.

Source of Rent Discrimination

This issue was identified through review of fair housing laws and ordinances at the federal, state, and local level; review of stakeholder input offered in commentary in the 2015 Fair Housing Survey; and discussions with participants in fair housing forums and focus group discussions. There is currently no law at the federal, state, or local level that prohibits discrimination in the housing market based on a housing seeker's source of rent payments. As a result, landlords and property managers can turn away recipients of federal housing vouchers, limiting the choice of housing for those individuals to landlords that are willing to accept those vouchers, contributing to the concentration of low-income households and subsidized housing in certain areas of the city. The impact of legal discrimination on the basis of source of rent was underscored in commentary submitted by respondents to the 2015 Fair Housing Survey, many of whom specifically favored expanding current housing protections to prohibit discrimination on the basis of source of rent. Many respondents felt that the lack of such protection represented a barrier to fair housing choice in the city and county, an impression shared by participants in fair housing forum and focus group discussion.

However, while this form of discrimination can certainly be viewed as unethical, passing legislation that would establish source of rent as a protected class has some notable drawbacks. Most importantly, if landlords in the city were prohibited from this form of discrimination, but landlords outside the city could continue the practice, it would likely result in a further concentration of poverty in the city. Even if the legislation were passed at the county level, it might still result in furthering the concentration of poverty in the city, presuming that a majority share of discriminatory practices are occurring where the majority share of rental units exist—in the City of Rochester.

Therefore, this document recognizes source of rent discrimination as impacting fair housing choice but does not put forth recommended actions to address the issue at this time, since it is not obliged to do so. The Implementation Committee should examine the pros and cons of making source of rent a protected class, especially during the next Analysis of Impediments to Fair Housing Choice, which is expected to be completed as a joint process between the city and county.

SECTION I. INTRODUCTION

Title VIII of the 1968 Civil Rights Act, also known as the Federal Fair Housing Act, made it illegal to discriminate in the buying, selling, or renting of housing based on a person's race, color, religion, or national origin. Sex was added as a protected class in the 1970s. In 1988, the Fair Housing Amendments Act added familial status and disability to the list, making a total of seven federally protected classes. Federal fair housing statutes are largely covered by the following three pieces of U.S. legislation:

1. The Fair Housing Act,
2. The Housing Amendments Act, and
3. The Americans with Disabilities Act.

The purpose of fair housing law is to protect a person's right to own, sell, purchase, or rent housing of his or her choice without fear of unlawful discrimination. The goal of fair housing law is to allow everyone equal access to housing.

WHY ASSESS FAIR HOUSING?

Provisions to affirmatively further fair housing are long-standing components of the U.S. Department of Housing and Urban Development's (HUD's) housing and community development programs. These provisions come from Section 808(e) (5) of the federal Fair Housing Act, which requires that the Secretary of HUD administer federal housing and urban development programs in a manner that affirmatively furthers fair housing.

In 1994, HUD published a rule consolidating plans for housing and community development programs into a single planning process. This action grouped the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Emergency Shelter Grants (ESG)²², and Housing Opportunities for Persons with AIDS (HOPWA) programs into the Consolidated Plan for Housing and Community Development, which then created a single application cycle.

As a part of the consolidated planning process, states and entitlement communities that receive such funds as a formula allocation directly from HUD are required to submit to HUD certification that they are affirmatively furthering fair housing. The AFFH certification process has three parts:

1. Complete an Analysis of Impediments to Fair Housing Choice (AI),
2. Take actions to overcome the effects of any impediments identified through the analysis, and
3. Maintain records reflecting the analysis and actions taken.

In the *Fair Housing Planning Guide*, page 2-8, HUD notes that impediments to fair housing choice are:

²² The Emergency Shelter Grants program was renamed the Emergency Solutions Grants program in 2011.

- “Any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin which restrict housing choices or the availability of housing choices [and]
- Any actions, omissions, or decisions which have [this] effect.”²³

State and local governments may enact fair housing laws that extend protection to other groups as well. Accordingly, New York Executive Law extends fair housing protections to state residents on the bases of age, sexual orientation, marital status, and military status, in addition to those protections that are included in the federal Fair Housing Act.²⁴ The City of Rochester Human Rights Law also extends additional protections on the basis of age, sexual orientation, and marital status, as well as gender identity or expression, while recognizing most of the protected class designations included under federal law. It should be noted, however, that “familial status” is not currently protected under the city’s Human Rights Law. A comparison of protected class designations by federal and city law is presented below in Table I.1.

Table I.1
Comparison of Fair Housing Laws

Protected Group	City of Rochester		
	Federal Fair Housing Act	New York Human Rights Law	City of Rochester Human Rights Law
Race	X	X	X
Sex	X	X	X
Religion	X	X	X
Familial Status	X	X	
Disability	X	X	X
National Origin	X	X	X
Color	X	X	X
Age		X	X
Gender Identity or Expression			X
Sexual Orientation		X	X
Marital Status		X	X
Military Status		X	

It is essential to distinguish between fair housing and housing production. As discussed above, fair housing protections at the federal level do not include consideration of income and do not address housing affordability outside the context of housing discrimination. While lack of affordable housing can be a significant concern to policymakers, it is not, on its own, a fair housing problem unless members of protected classes face this issue disproportionately. In fact, a large increase in affordable units in close proximity to one another can cause a problem for fair housing choice in some cases, such as the segregation of racial or ethnic minorities. In addition, the AI does not seek to address future affordable housing needs or specific affordable housing production issues.

²³ *Fair Housing Planning Guide*.

²⁴ New York Executive Law, Article 15, §296

[http://public.leginfo.state.ny.us/LAWSSEAF.cgi?QUERYTYPE=LAWS+&QUERYDATA=\\$\\$EXC296\\$\\$@TXEXC0296+&LIST=SEA13+&BROWSER=EXPLORER+&TOKEN=09133113+&TARGET=VIEW](http://public.leginfo.state.ny.us/LAWSSEAF.cgi?QUERYTYPE=LAWS+&QUERYDATA=$$EXC296$$@TXEXC0296+&LIST=SEA13+&BROWSER=EXPLORER+&TOKEN=09133113+&TARGET=VIEW)

PURPOSE OF THIS RESEARCH

HUD interprets the broad objectives of affirmatively furthering fair housing to include:

- “Analyzing and working to eliminate housing discrimination in the jurisdiction;
- Promoting fair housing choice for all persons;
- Providing opportunities for racially and ethnically inclusive patterns of housing occupancy;
- Promoting housing that is physically accessible to, and usable by, all persons, particularly individuals with disabilities; and
- Fostering compliance with the nondiscrimination provisions of the Fair Housing Act.”²⁵

The objective of the 2015 AI process was to research, analyze, and identify prospective impediments to fair housing choice throughout the city. The goal of the completed AI is to suggest actions that the sponsoring jurisdictions can consider when working toward eliminating or mitigating the identified impediments.

LEAD AGENCY

The agency that led the effort of preparing this report on behalf of the City of Rochester was the City of Rochester’s Department of Neighborhood and Business Development, Bureau of Business and Housing Development.

Commitment to Fair Housing

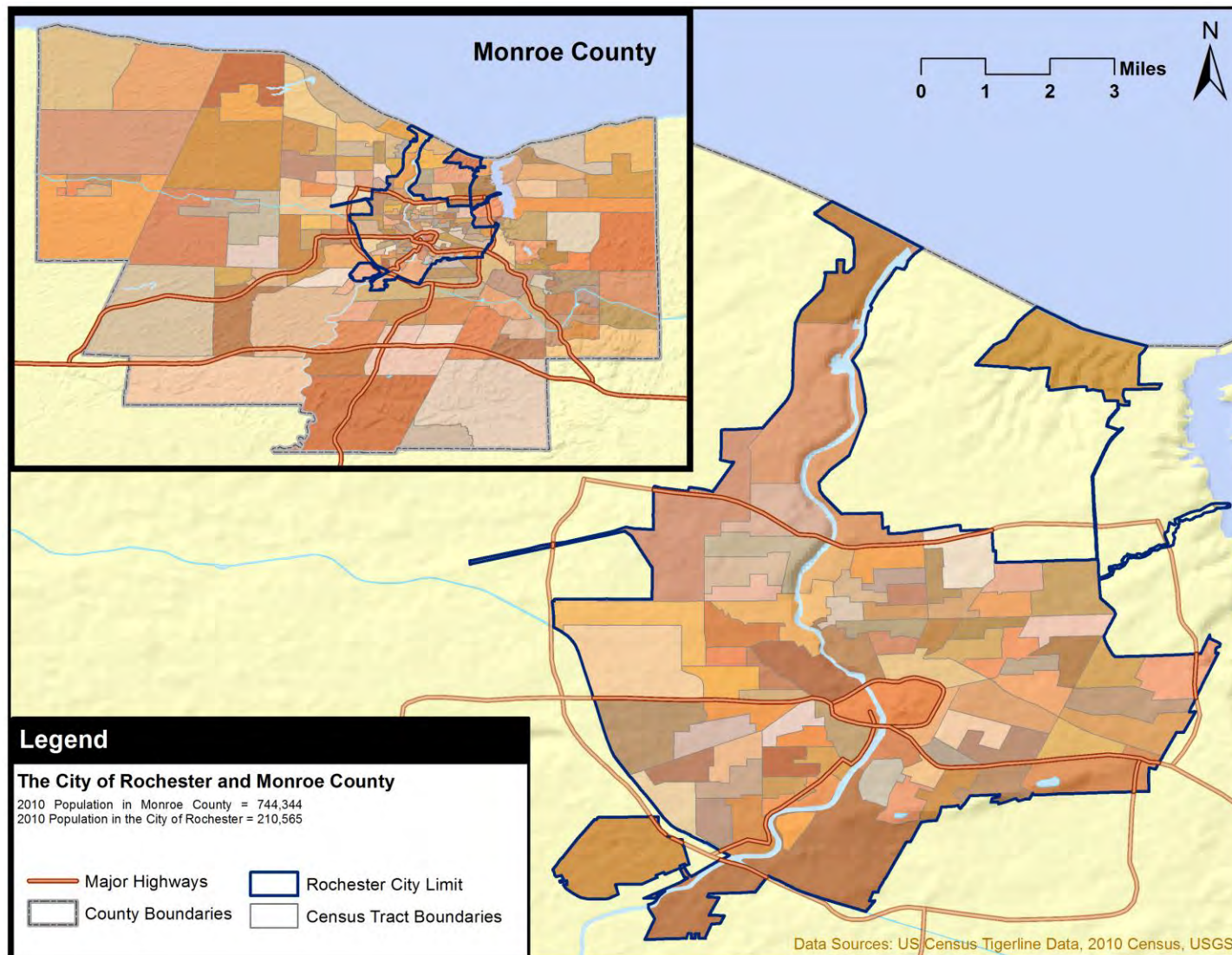
In accordance with the applicable statutes and regulations governing the Consolidated Plan, the City of Rochester certifies that it will *affirmatively further fair housing*. This statement means that the city will conduct an AI, will take appropriate actions to overcome the effects of any impediments identified through that analysis, and will maintain records that reflect the analysis and actions taken in this regard.

GEOGRAPHIC SCOPE OF THE ANALYSIS

This AI addresses the status of fair housing within the City of Rochester. Map I.1 on the following page displays the City of Rochester, along with selected major highways and county and Census tract boundaries.

²⁵ *Fair Housing Planning Guide*, p.1-3.

Map I.1
City of Rochester Study Area
 City of Rochester
 2010 Census Bureau Data



RESEARCH METHODOLOGY

The AI process involves a thorough examination of a variety of data related to housing, particularly for persons who are protected under fair housing laws. AI sources include Census data, employment and income information, home mortgage application data, business lending data, fair housing complaint information, surveys of housing industry experts and stakeholders, and related information found in the public domain. Relevant information was collected and evaluated via four general approaches:

1. *Primary Research*, or the collection and analysis of raw data that did not previously exist;
2. *Secondary Research*, or the review of existing data and studies;
3. *Quantitative Analysis*, or the evaluation of objective, measurable, and numerical data; and
4. *Qualitative Analysis*, or the evaluation and assessment of subjective data such as individuals' beliefs, feelings, attitudes, opinions, and experiences.

Some baseline secondary and quantitative data were drawn from the Census Bureau, including 2000 and 2010 Census counts, as well as American Community Survey data averages from 2008 through 2012. Data from these sources detail population, personal income, poverty, housing units by tenure, cost burdens, and housing conditions. Other data were drawn from records provided by the Bureau of Labor Statistics, the Bureau of Economic Analysis, and a variety of other sources. The following narrative offers a brief description of other key data sources employed for the 2015 AI for the City of Rochester.

Home Mortgage Disclosure Act Data

To examine possible fair housing issues in the home mortgage market, Home Mortgage Disclosure Act (HMDA) data were analyzed. The HMDA was enacted by Congress in 1975 and has since been amended several times. It is intended to provide the public with loan data that can be used to determine whether financial institutions are serving the housing credit needs of their communities and to assist in identifying possible discriminatory lending patterns. HMDA requires lenders to publicly disclose the race, ethnicity, and sex of mortgage applicants, along with loan application amounts, household income, the Census tract in which the home is located, and information concerning prospective lender actions related to the loan application. For this analysis, HMDA data from 2004 through 2013 were analyzed, with the measurement of denial rates by Census tract and by race and ethnicity of applicants the key research objectives. These data were also examined to identify the groups and geographic areas most likely to encounter higher denial rates and receive loans with unusually high interest rates.

Fair Housing Complaint Data

Housing complaint data were used to analyze discrimination in the renting and selling of housing. HUD provided fair housing complaint data for the city from 2004 through August 2014. This information included the basis, or protected class pursuant to the complaint; the issue, or prospective discriminatory action, pursuant to the grievance; and the closure status of the alleged fair housing infraction, which relates to the result of the investigation. The review of 196 fair housing complaints from within the city allowed for inspection of the tone, the relative degree and frequency of certain types of unfair housing practices, and the degree to which

complaints were found to be with cause. The New York Division of Human Rights also provided data on 294 complaints it received from 2004 through October 2014. Analysis of complaint data focused on determining which protected classes may have been disproportionately impacted by housing discrimination based on the number of complaints, while acknowledging that many individuals may be reluctant to step forward with a fair housing complaint for fear of retaliation or similar repercussion.

Fair Housing Survey

HUD recommends that surveys be conducted during the AI process to gain input for the public regarding perceived impediments to fair housing choice in an area. As such, the city elected to utilize a survey instrument as a means to encourage public input in the AI process. This step was a cost-effective and efficient method to utilize research resources.

Though the survey targeted individuals involved in the housing arena, anyone was allowed to complete the survey. In addition to gathering data, this survey was utilized to help promote public involvement throughout the AI process. The 2015 City of Rochester Fair Housing Survey, an internet-based instrument, has received 249 responses.

The survey was designed to address a wide variety of issues related to fair housing and affirmatively furthering fair housing. If limited input on a particular topic was received, it was assumed that the entirety of stakeholders did not view the issue as one of high pervasiveness or impact. This does not mean that the issue was nonexistent in the city, but rather that there was no widespread perception of its prevalence, as gauged by survey participants. The following narrative summarizes key survey themes and data that were addressed in the survey instrument.

Federal, State, and Local Fair Housing Laws

The first section of the survey asked respondents to address a number of questions related to fair housing laws, including assessment of their familiarity with and understanding of these laws, knowledge of classes of persons protected by these laws, the process for filing fair housing complaints, and an inquiry into whether or not fair housing laws should be changed.

Fair Housing Activities

The second section of the survey evaluated stakeholders' awareness of and participation in fair housing activities in the city, including outreach activities such as trainings and seminars, as well as monitoring and enforcement activities such as fair housing testing exercises.

Barriers to Fair Housing Choice in the Private Sector

This section addressed fair housing in the City of Rochester's private housing sector and offered a series of two-part questions. The first part asked respondents to indicate awareness of questionable practices or barriers to fair housing choice in a variety of private sector industries, and the second part requested a narrative description of these questionable practices or concerns if an affirmative response was received. The specific areas of the private sector that respondents were asked to examine included the:

- Rental housing market,
- Real estate industry,
- Mortgage and home lending industries,
- Housing construction or accessible housing design fields,
- Home insurance industry,
- Home appraisal industry, and
- Any other housing services.

The use of open-ended questions allowed respondents to address any number of concerns such as redlining, neighborhood issues, lease provisions, steering, substandard rental housing, occupancy rules, and other fair housing issues in the private housing sector of the city.

Fair Housing in the Public Sector

Just as in the section of the survey concerning private sector barriers, respondents were asked to offer insight into their awareness of questionable practices or barriers to fair housing in the public sector. A list of areas within the public sector was provided, and respondents were asked first to specify their awareness of fair housing issues within each area. If they were aware of any fair housing issues, they were asked to further describe these issues in a narrative fashion. Respondents were asked to identify fair housing issues within the following public sector areas related to housing:

- Land use policies,
- Zoning laws,
- Occupancy standards or health and safety codes,
- Property tax policies,
- Permitting processes,
- Housing construction standards,
- Neighborhood or community development policies, and
- Any other public administrative actions or regulations.

The questions in this section were used to identify fair housing issues in the city regarding zoning, building codes, accessibility compliance, subdivision regulations, displacement issues, development practices, residency requirements, property tax policies, land use policies, and NIMBYism.²⁶

Additional Questions

Finally, respondents were asked about their awareness of any local fair housing plans or specific geographic areas of the city with fair housing problems. Respondents were also asked to leave additional comments.

²⁶ “Not In My Backyard” mentality

Research Conclusions

The final list of impediments to fair housing choice for the City of Rochester was drawn from all quantitative, qualitative, and public input sources, and was based on HUD's definition of an impediment to fair housing choice as any action, omission, or decision that affects housing choice because of protected class status. The determination of qualification as an impediment was derived from the frequency and severity of occurrences drawn from quantitative and qualitative data evaluation and findings.

PUBLIC INVOLVEMENT

This section discusses analysis of fair housing in the City of Rochester as gathered from various public involvement efforts conducted as part of the AI process. Public involvement feedback is a valuable source of qualitative data about impediments, but, as with any data source, citizen comments alone do not necessarily indicate the existence of city-wide impediments to fair housing choice. However, survey and forum comments that support findings from other parts of the analysis reinforce findings from other data sources concerning impediments to fair housing choice.

SECTION II. SOCIO-ECONOMIC CONTEXT

This section presents demographic, economic, and housing information collected from the Census Bureau, the Bureau of Economic Analysis, the Bureau of Labor Statistics, and other sources. Data were used to analyze a broad range of socio-economic characteristics, including population growth, race, ethnicity, disability, employment, poverty, and housing trends; these data are also available by Census tract, and are shown in geographic maps. Ultimately, the information presented in this section illustrates the underlying conditions that shape housing market behavior and housing choice in the City of Rochester and Monroe County.

To supplement this analysis, data were also gathered from the Census Bureau's American Community Survey (ACS). The ACS data cover similar topics to the decennial counts but include data not appearing in the 2010 Census, such as household income and poverty. The key difference in these datasets is that ACS data reported herein represent a five-year average of annual data estimates as opposed to a point-in-time 100 percent count, spanning the years from 2008 through 2012. The ACS figures are not directly comparable to decennial Census counts because they do not account for certain population groups such as the homeless and because they are based on samples rather than counts of the population. However, percentage distributions from the ACS data can be compared to distributions from the 2000 and 2010 Censuses.

DEMOGRAPHICS

As part of the essential review of the background context of the City of Rochester and Monroe County markets in which housing choices are made, detailed population and demographic data are included to describe the city's residents. These data summarize not only the protected class populations, but characteristics of the total population for the entire city, as well as the outcome of housing location choices. These data help to address whether over-concentrations of racial and ethnic minorities exist, and if so, which areas of the city are most affected. High concentrations of protected class populations do not necessarily imply impediments to fair housing choice, but may represent the results of impediments identified in other data.

POPULATION DYNAMICS

Table II.1 at right presents population counts in the City of Rochester and Monroe County, as drawn from the 2000 and 2010 Censuses and intercensal estimates for 2001 through 2009 and 2011 through 2013. In total, the population in the city fell from 219,773 persons in 2000 to an estimated 210,358 in 2013, or by 4.3 percent. The population of Monroe County grew by 1.9 percent over the same period. However, intercensal estimates from 2000 through 2010 suggest that the rate of growth in the county fluctuated during that time.

Table II.1
Census and Intercensal Population
Estimates
City of Rochester and Monroe County
2000, 2010 Census and Intercensal
Estimates

Year	City of Rochester	Monroe County
Census 2000	219,773	735,343
July 2001 Est.	220,228	739,891
July 2002 Est.	219,451	741,391
July 2003 Est.	218,274	741,671
July 2004 Est.	216,876	741,075
July 2005 Est.	214,891	738,506
July 2006 Est.	213,605	738,329
July 2007 Est.	212,641	739,249
July 2008 Est.	211,872	741,018
July 2009 Est.	211,252	743,386
Census 2010	210,565	744,344
July 2011 Est.	210,578	747,000
July 2012 Est.	210,515	748,057
July 2013 Est.	210,358	749,606
Change 00 – 13	-4.3%	1.9%

POPULATION BY AGE

The population of Rochester fell by 4.2 percent, or over 9,000 persons, between 2000 and 2010. Offsetting this overall decline was the increase in the number of residents aged 20 to 24, along with those aged 55 to 64, as shown in Table II.2 below. These cohorts grew by 20.2 and 41 percent, respectively, and came to represent nearly 20 percent of the population in 2010—an increase of 5.3 percentage points over 2000. All other age cohorts declined as a share of the total population, including the eldest cohort. Contrary to the trend in the City of Rochester, the population in the remainder of Monroe County grew by 3.5 percent from 2000 through 2010, and the population of the county as a whole grew by 1.2 percent. Nevertheless, the area outside of Rochester also experienced a decline in the number of residents aged less than 19 and 25 to 54.

Table II.2
Population by Age

City of Rochester and Monroe County
2000 & 2010 Census SF1 Data

Age	2000 Census		2010 Census		%
	Population	% of Total	Population	% of Total	Change 00–10
City of Rochester					
Under 5	17,227	7.8%	15,865	7.5%	-7.9%
5 to 19	51,665	23.5%	44,119	21.0%	-14.6%
20 to 24	18,432	8.4%	22,148	10.5%	20.2%
25 to 34	37,652	17.1%	35,405	16.8%	-6.0%
35 to 54	58,071	26.4%	53,278	25.3%	-8.3%
55 to 64	14,749	6.7%	20,796	9.9%	41.0%
65 or Older	21,977	10.0%	18,954	9.0%	-13.8%
Total	219,773	100.0%	210,565	100.0%	-4.2%
Remainder of Monroe County					
Under 5	29,750	5.8%	27,417	5.1%	-7.8%
5 to 19	111,701	21.7%	106,963	20.0%	-4.2%
20 to 24	29,155	5.7%	36,027	6.7%	23.6%
25 to 34	59,828	11.6%	55,533	10.4%	-7.2%
35 to 54	162,950	31.6%	152,177	28.5%	-6.6%
55 to 64	48,384	9.4%	71,022	13.3%	46.8%
65 or Older	73,802	14.3%	84,640	15.9%	14.7%
Total	515,570	100.0%	533,779	100.0%	3.5%
Monroe County					
Under 5	46,977	6.4%	43,282	5.8%	-7.9%
5 to 19	163,366	22.2%	151,082	20.3%	-7.5%
20 to 24	47,587	6.5%	58,175	7.8%	22.2%
25 to 34	97,480	13.3%	90,938	12.2%	-6.7%
35 to 54	221,021	30.1%	205,455	27.6%	-7.0%
55 to 64	63,133	8.6%	91,818	12.3%	45.4%
65 or Older	95,779	13.0%	103,594	13.9%	8.2%
Total	735,343	100.00%	744,344	100.00%	1.2%

The decline observed in the elderly cohort, which is composed of residents over the age of 65, was due entirely to a reduction in the number of residents over the age of 69, as shown in Table II.3 on the following page. The number of residents aged 65 to 69 actually grew over the decade, and the elderly cohort as a whole grew in the remainder of the county as well as in the county at large.

Table II.3
Elderly Population by Age
 City of Rochester and Monroe County
 2000 & 2010 Census SF1 Data

Age	2000 Census		2010 Census		% Change 00–10
	Population	% of Total	Population	% of Total	
City of Rochester					
65 to 66	2,204	10.0%	2,753	14.5%	24.9%
67 to 69	2,967	13.5%	3,493	18.4%	17.7%
70 to 74	4,821	21.9%	4,217	22.2%	-12.5%
75 to 79	4,535	20.6%	3,031	16.0%	-33.2%
80 to 84	3,644	16.6%	2,470	13.0%	-32.2%
85 or Older	3,806	17.3%	2,990	15.8%	-21.4%
Total	21,977	100.0%	18,954	100.0%	-13.8%
Remainder of Monroe County					
65 to 66	7,248	9.8%	10,258	12.1%	41.5%
67 to 69	11,060	15.0%	13,701	16.2%	23.9%
70 to 74	18,168	24.6%	17,649	20.9%	-2.9%
75 to 79	16,149	21.9%	15,147	17.9%	-6.2%
80 to 84	11,348	15.4%	13,431	15.9%	18.4%
85 or Older	9,829	13.3%	14,454	17.1%	47.1%
Total	73,802	100.0%	84,640	100.00%	14.7%
Monroe County					
65 to 66	9,452	9.9%	13,011	12.6%	37.7%
67 to 69	14,027	14.6%	17,194	16.6%	22.6%
70 to 74	22,989	24.0%	21,866	21.1%	-4.9%
75 to 79	20,684	21.6%	18,178	17.5%	-12.1%
80 to 84	14,992	15.7%	15,901	15.3%	6.1%
85 or Older	13,635	14.2%	17,444	16.8%	27.9%
Total	95,779	100.0%	103,594	100.0%	8.2%

POPULATION BY RACE AND ETHNICITY

White residents represented the largest racial group in the city in 2000, followed by black residents, as shown in Table II.4 on the following page. However, as the number of white residents fell over the following decade and the number of black residents increased, the groups moved closer to parity. By the end of the decade, 43.7 percent of residents were white and 41.7 percent were black. A similar trend was observed with respect to the city's ethnic concentration: between 2000 and 2010, Hispanic residents grew as a share of the total population from 12.8 percent to 16.4 percent. This increase was accompanied by a corresponding reduction in the share of non-Hispanic residents, which fell from 87.2 to 83.6 percent. The demographic composition of the city stands in marked contrast to that of the rest of the county, in which white residents accounted for 88.9 percent of the population in 2010, and non-Hispanic applicants accounted for 96.3 percent. In the county as a whole, white residents represented 76.1 percent of the population in 2010, and non-Hispanic residents 92.7 percent.

The city and county have also experienced increasing levels of immigration in recent years, as noted in the draft of the 2014 Draft of the city's Language Access Plan. Among recent arrivals to the city have been significant numbers of arrivals from Bhutan, Burma, Cuba, Iraq, and Somalia. Together, these residents accounted for 4,197 arrivals between January 2007 and May 2014, or 90 percent of refugee arrivals during that time.

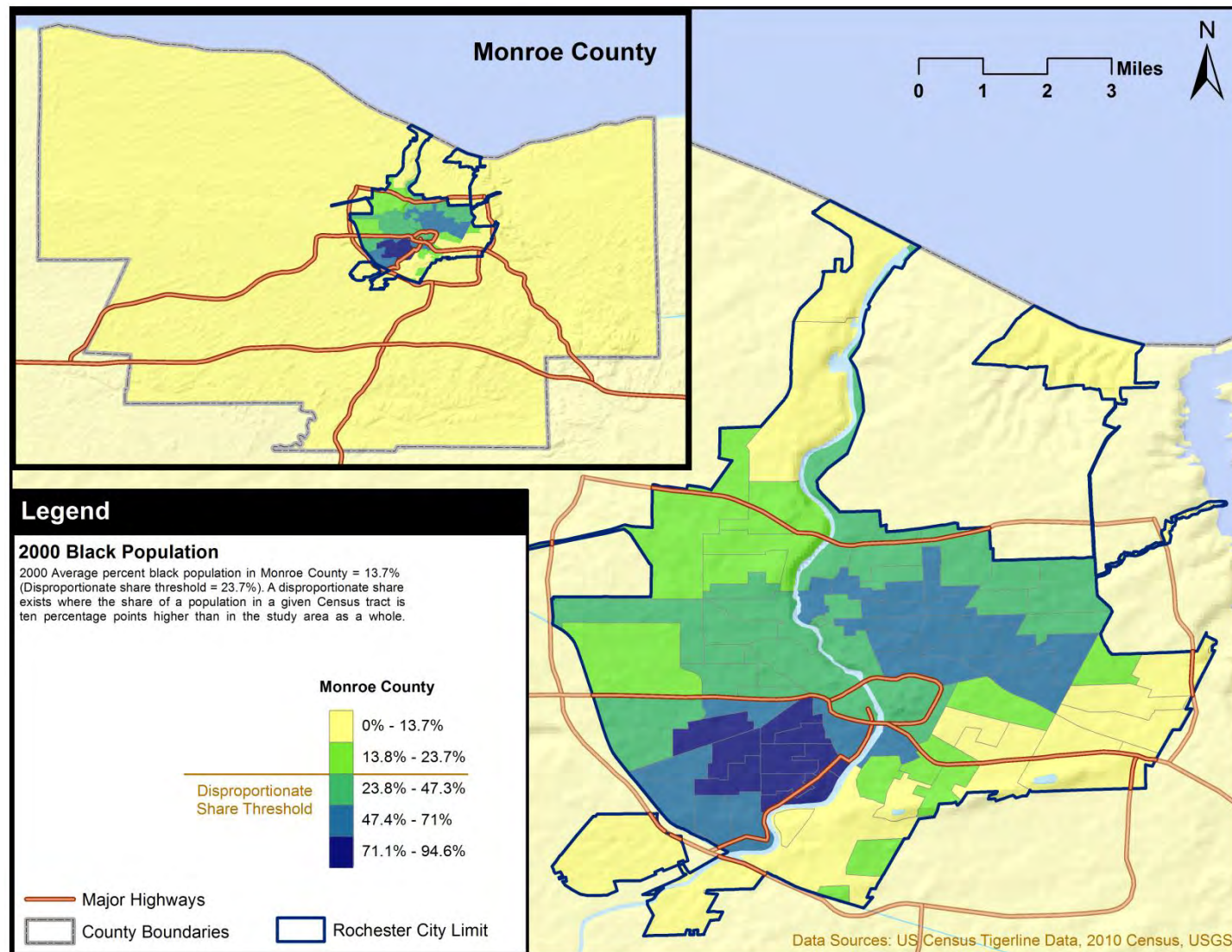
Table II.4
Population by Race and Ethnicity
 City of Rochester and Monroe County
 2000 & 2010 Census SF1 Data

Race	2000 Census		2010 Census		% Change 00–10
	Population	% of Total	Population	% of Total	
City of Rochester					
White	106,161	48.3%	91,951	43.7%	-13.4%
Black	84,717	38.5%	87,897	41.7%	3.8%
American Indian	1,033	0.5%	1,013	0.5%	-1.9%
Asian	4,943	2.2%	6,493	3.1%	31.4%
Native Hawaiian/ Pacific Islander	104	0.0%	101	0.0%	-2.9%
Other	14,452	6.6%	13,754	6.5%	-4.8%
Two or More Races	8,363	3.8%	9,356	4.4%	11.9%
Total	219,773	100.0%	210,565	100.0%	-4.2%
Non-Hispanic	191,741	87.2%	176,109	83.6%	-8.2%
Hispanic	28,032	12.8%	34,456	16.4%	22.9%
Remainder of Monroe County					
White	475,800	92.3%	474,584	88.9%	-0.3%
Black	16,361	3.2%	25,274	4.7%	54.5%
American Indian	917	0.2%	1,123	0.2%	22.5%
Asian	12,979	2.5%	17,788	3.3%	37.1%
Native Hawaiian/ Pacific Islander	116	0.0%	126	0.0%	8.6%
Other	3,473	0.7%	5,131	1.0%	47.7%
Two or More Races	5,924	1.1%	9,753	1.8%	64.6%
Total	515,570	100.0%	533,779	100.0%	3.5%
Non-Hispanic	504,537	97.9%	514,230	96.3%	1.9%
Hispanic	11,033	2.1%	19,549	3.7%	77.2%
Monroe County					
White	581,961	79.1%	566,535	76.1%	-2.7%
Black	101,078	13.7%	113,171	15.2%	12.0%
American Indian	1,950	0.3%	2,136	0.3%	9.5%
Asian	17,922	2.4%	24,281	3.3%	35.5%
Native Hawaiian/ Pacific Islander	220	0.0%	227	0.0%	3.2%
Other	17,925	2.4%	18,885	2.5%	5.4%
Two or More Races	14,287	1.9%	19,109	2.6%	33.8%
Total	735,343	100.0%	744,344	100.0%	1.2%
Non-Hispanic	696,278	94.7%	690,339	92.7%	-0.9%
Hispanic	39,065	5.3%	54,005	7.3%	38.2%

The geographic distributions of black and Hispanic residents are presented in the following pages in a series of demographic maps. The maps portray the population of a given race as a percentage of the overall population of a Census tract, and indicate which Census tracts contain “disproportionate shares” of a racial or ethnic group. For the purposes of this study, a disproportionate share exists where the percentage of a population in a given Census tract exceeds that group’s share of the county population by ten percentage points. For example, black residents accounted for 13.7 percent of the population of Monroe County in 2000. Accordingly, any area in which black residents made up more than 23.7 percent of the county population would be considered to have a disproportionate share of black residents.

In fact, there were Census tracts with disproportionate shares of black residents in Monroe County in 2010, as shown in Map II.1 on the following page. Without exception, these tracts were located within the city limits of Rochester. In several Census tracts to the southwest of the city center, more than seven residents in ten were black. In the surrounding county, black residents accounted for less than 13.7 percent of the population.

Map II.1
Black Population by Census Tract
 City of Rochester
 2000 Census Data



As shown in Map II.2 on the following page, the overall geographic distribution of black residents changed little from 2000 through 2010, even as black residents came to represent a larger share of the overall population. However, the highest observed concentration of black residents did fall from 94.6 percent in 2000 to 90 percent in 2010. As had been the case in 2000, the percentages of black residents in Census tracts beyond the city limits of Rochester were uniformly below average. Though the change in the distribution of the black population over the decade was generally subtle, black residents did come to account for markedly larger shares of the population in Census tracts to the northwest of the city center.

As shown in Map II.3 on page 44, the Hispanic population was also largely concentrated within the city of Rochester in 2000 (this was also the case in 2010). Hispanic residents accounted for 5.3 percent of the county's population in 2000, and were highly concentrated to the north and northeast of the city center in that year. This was especially true in Census tracts to the immediate north of the city center, where Hispanic residents represented between 39 and 52 percent of the population. In tracts farther to the northeast, the Hispanic population made up more than a quarter of the tract population.

The number of Hispanic residents living within Rochester's city limits grew by approximately 6,400 between 2000 and 2010. In the remainder of the county, the number of Hispanic residents increased by around 8,500. However, the Hispanic population was still observed to be disproportionately concentrated within the city limits in 2010, particularly in the area to the northeast of the city center, as shown in Map II.4 on page 45. In fact, Hispanic residents became further concentrated in many Census tracts in that area over the decade. For example, just over half of residents in the large Census tract to the immediate north of the city center were Hispanic in 2000—by 2010, that figure had grown to 60.6 percent.²⁷

The high concentrations of black and Hispanic residents observed in clusters of city and county Census tracts suggests a relatively high level of segregation by race and ethnicity. This conclusion is borne out by dissimilarity indices for the city and county as a whole, as shown in Table II.5 at right. A dissimilarity index is a measure of how evenly a population is distributed within an area, with values closer to one indicating higher degrees of segregation.

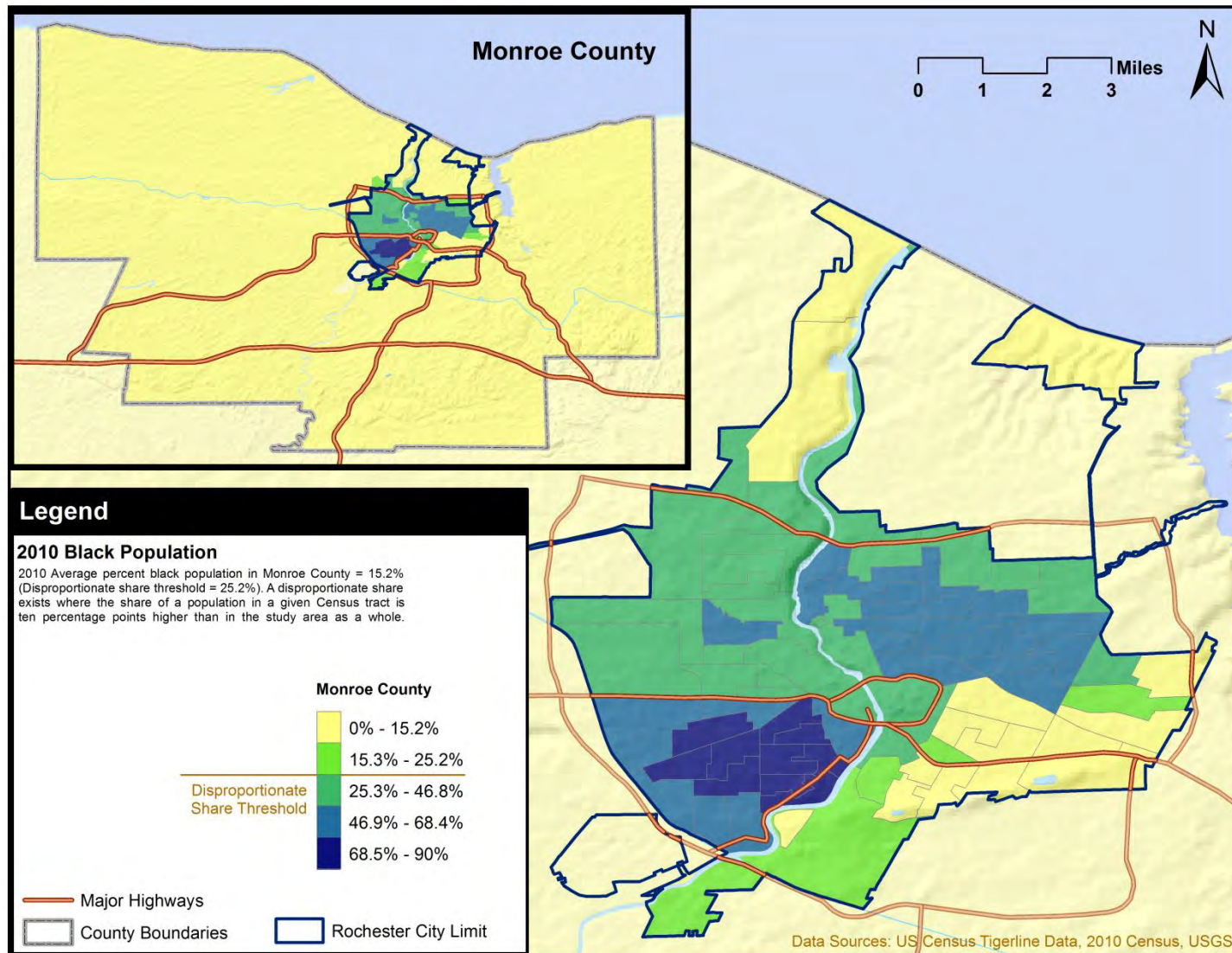
Table II.5
Dissimilarity Index by Year and Area
Monroe County
2000 and 2010 Block Groups to City/County Level

Index	Race/Ethnicity	2000	2010
City of Rochester	Black	.54	.49
	Hispanic	.42	.40
Remainder of County	Black	.33	.32
	Hispanic	.23	.22
Monroe County	Black	.70	.66
	Hispanic	.50	.45

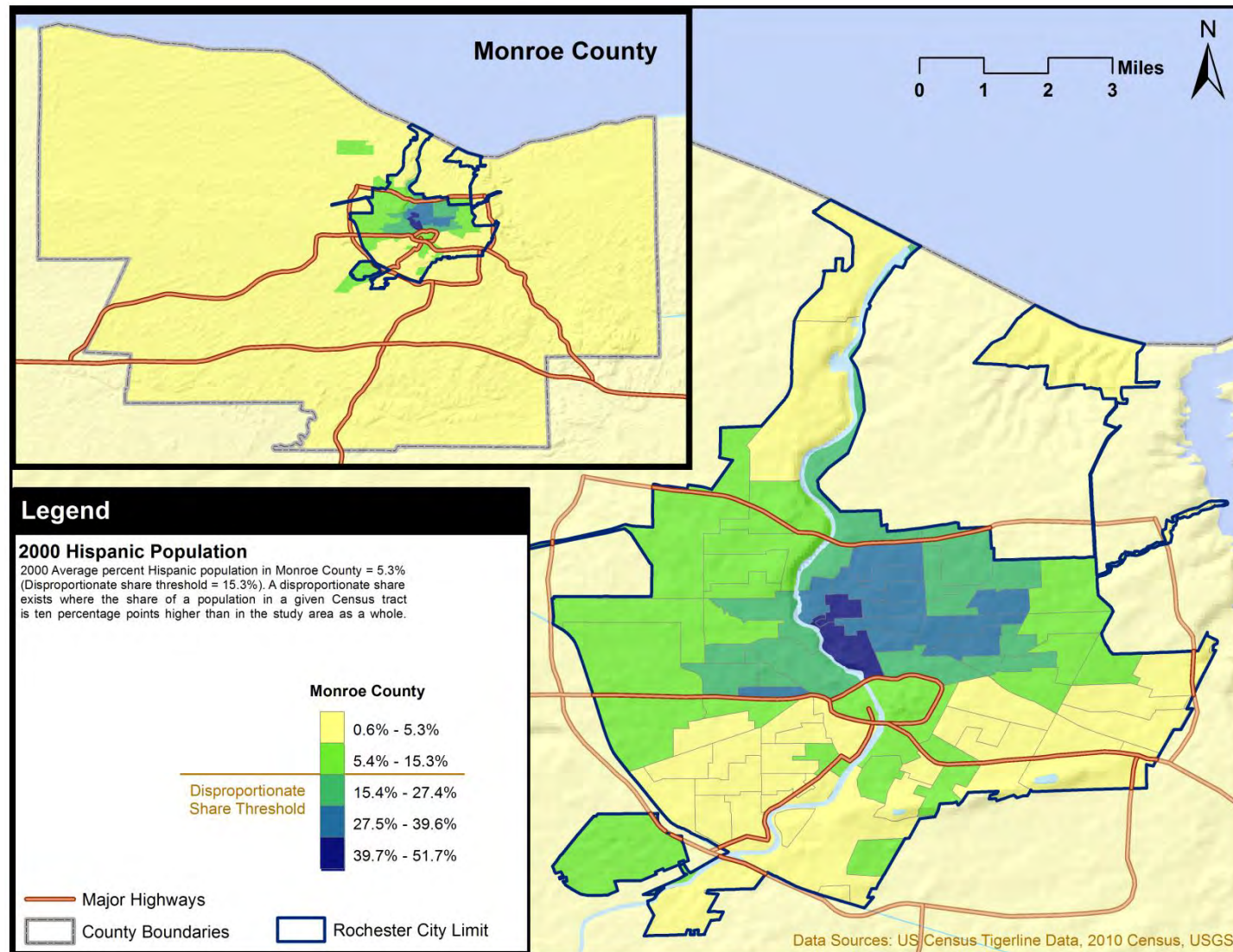
According to provisional guidelines set forth by HUD in 2013, an area is considered moderately segregated if the dissimilarity index ranges from 0.41 to 0.54, and highly segregated with an index value above 0.55. By those guidelines, black and white residents could be considered moderately segregated in the city in 2000 and 2010, and highly segregated in the county as a whole. Hispanic and non-Hispanic residents were moderately segregated in the county as a whole, as well as in the city in 2000. The figures also suggest that segregation in all areas lessened between 2000 and 2010.

²⁷Additional data concerning the distribution of residents by race, as well as along dimensions of poverty, age, and other characteristics, is presented in an interactive online exhibit created by the Demographics Research Group at the University of Virginia. The exhibit, available at <http://statchatva.org/changing-shape-of-american-cities/>, further bears out the data presented in this report, demonstrating that black residents are highly concentrated within 5.5 miles of the city center. Households in poverty are also shown to be highly concentrated near the city center. In addition, the area near the city center has experienced a net drop in per capita income since 1990.

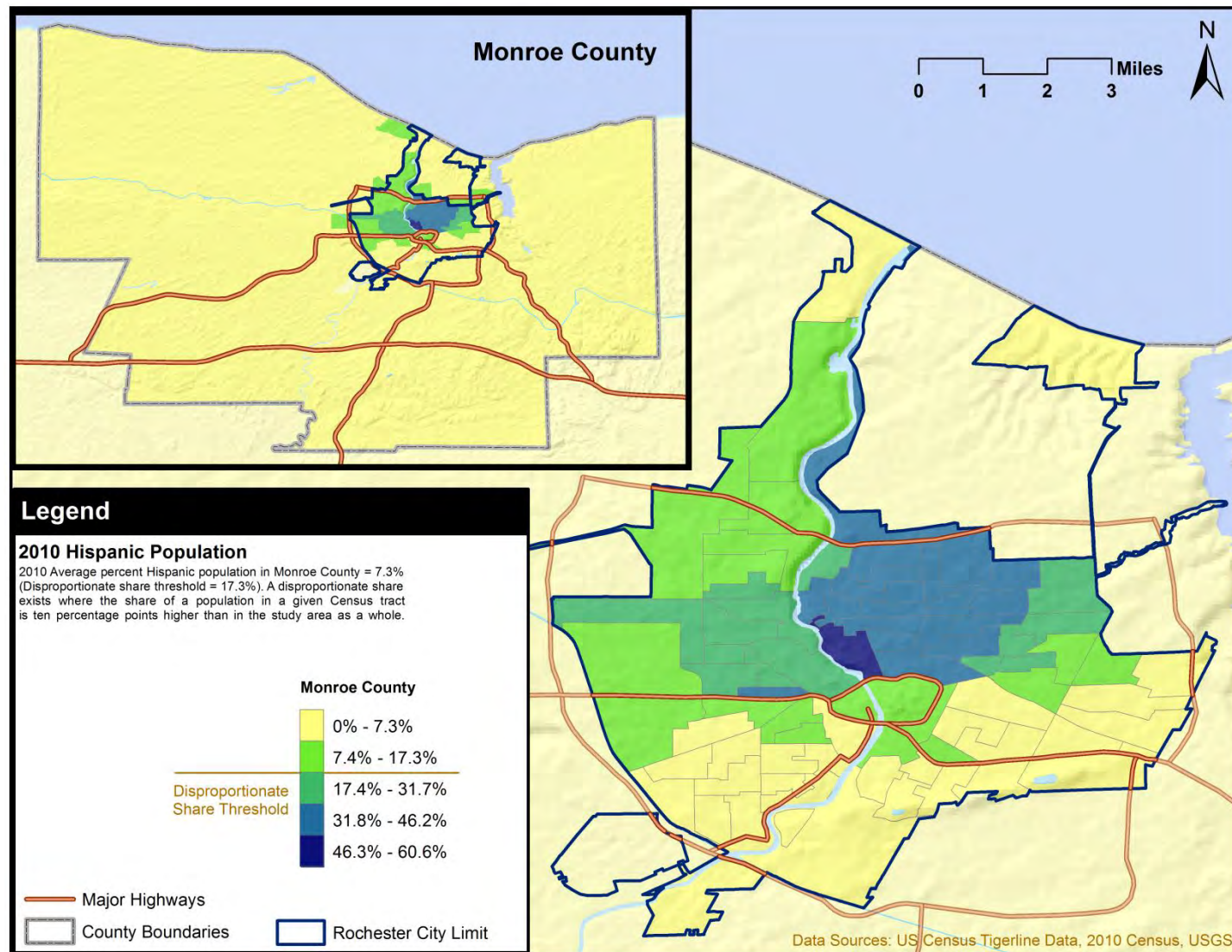
Map II.2
Black Population by Census Tract
 City of Rochester
 2010 Census Data



Map II.3
Hispanic Population by Census Tract
 City of Rochester
 2000 Census Data



Map II.4
Hispanic Population by Census Tract
 City of Rochester
 2010 Census Data



DISABILITY STATUS

Residents with disabilities accounted for just under a quarter of all city residents in 2000, as shown in Table II.6 at right. This figure included some 49,442 residents, including 9,217 who were over the age of 65. Residents in that age bracket were considerably more likely to experience some form of disability; indeed, nearly half of these residents were living with some form of disability in that year. Residents with disabilities accounted for a smaller share of the population in the remainder of the county and in the county as a whole.

In 2008-2012, 16.8 percent of the population of Rochester was living with some form of disability, as shown in Table II.7 below.²⁸ Once again, disability became progressively more common as the age of residents increased. The figures were considerably lower in the remainder of the county, where 10.3 percent of the population lived with some form of disability in 2008-2012. For the county as a whole, the figure was 12.1 percent in those years.

Table II.6

Disability by Age

City of Rochester and Monroe County
2000 Census SF3 Data

Age	Total	
	Disabled Population	Disability Rate
City of Rochester		
5 to 15	3,849	9.8%
16 to 64	36,376	26.0%
65 and older	9,217	47.5%
Total	49,442	24.9%
Remainder of Monroe County		
5 to 15	5,557	6.8%
16 to 64	41,069	12.5%
65 and older	23,530	33.4%
Total	70,156	14.6%
Monroe County		
5 to 15	9,406	7.8%
16 to 64	77,445	16.5%
65 and older	32,747	36.5%
Total	119,598	17.6%

Table II.7

Disability by Age

City of Rochester and Monroe County
2012 Five-Year ACS Data

Age	Male		Female		Total	
	Disabled Population	Disability Rate	Disabled Population	Disability Rate	Disabled Population	Disability Rate
City of Rochester						
Under 5	106	1.4%	11	0.1%	117	0.8%
5 to 17	2,439	13.3%	1,317	7.3%	3,756	10.3%
18 to 34	2,781	9.3%	3,040	9.2%	5,821	9.2%
35 to 64	8,370	23.2%	9,578	25.0%	17,948	24.2%
65 to 74	1,370	31.0%	1,838	31.0%	3,208	31.0%
75 or Older	1,448	48.2%	2,609	54.3%	4,057	52.0%
Total	16,514	16.6%	18,393	17.0%	34,907	16.8%
Remainder of Monroe County						
Under 5	157	1.1%	14	0.1%	171	0.6%
5 to 17	2,437	5.4%	1,329	3.1%	3,766	4.3%
18 to 34	3,900	6.9%	3,118	5.7%	7,018	6.3%
35 to 64	8,840	8.4%	10,177	8.8%	19,017	8.6%
65 to 74	3,318	17.1%	3,654	16.3%	6,972	16.7%
75 or Older	6,243	40.4%	11,149	45.7%	17,392	43.6%
Total	24,895	9.7%	29,441	10.8%	54,336	10.3%
Monroe County						
Under 5	263	1.2%	25	0.1%	288	0.7%
5 to 17	4,876	7.7%	2,646	4.3%	7,522	6.0%
18 to 34	6,681	7.7%	6,158	7.0%	12,839	7.4%
35 to 64	17,210	12.1%	19,755	12.9%	36,965	12.5%
65 to 74	4,688	19.7%	5,492	19.4%	10,180	19.5%
75 or Older	7,691	41.6%	13,758	47.1%	21,449	45.0%
Total	41,409	11.6%	47,834	12.6%	89,243	12.1%

²⁸ Note that because of changes to the ACS questionnaire in 2008, subsequent estimates of the population with disabilities do not capture exactly the same population as the 2000 Census. For this reason, the Census Bureau discourages comparison between the two.

As with racial and ethnic concentrations, high shares of persons with disabilities in particular Census tracts do not necessarily point to an impediment to fair housing choice, although they may be the direct result of impediments, such as policies that limit accessible multi-family housing. The population with disabilities was largely concentrated within the city limits in 2000, as shown in Map II.5 on the following page. The highest concentrations of residents with disabilities were observed in Census tracts on the outskirts of the city center. A similar overall pattern was observed in 2008-2012, as shown in Map II.6 on page 49. However, in that year, the highest concentrations of residents with disabilities were observed in the city center itself.

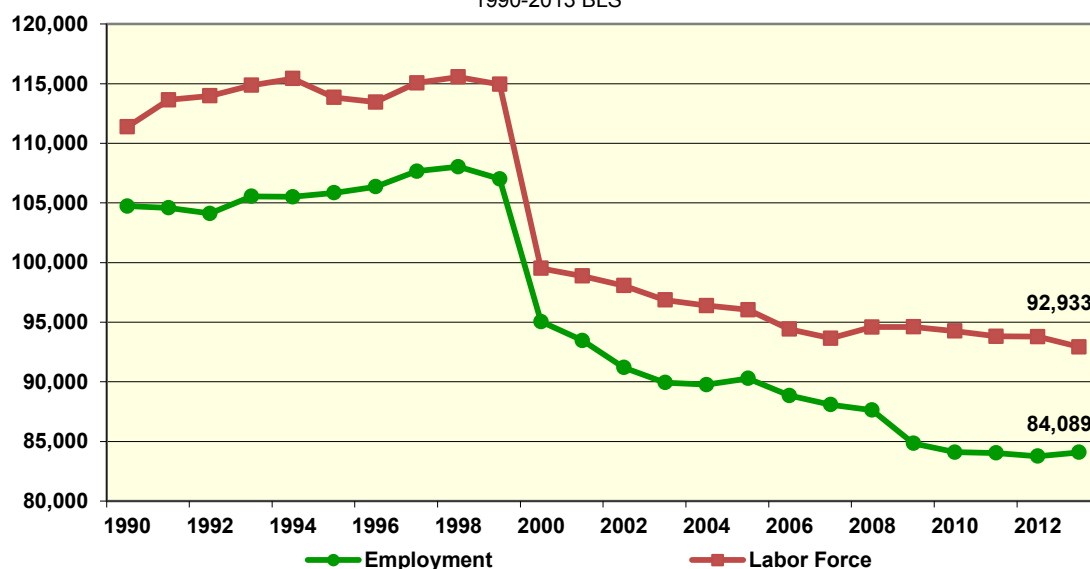
ECONOMICS

Data indicating the size and dynamics of the City of Rochester's job markets, workforce, incomes, and persons in poverty provide essential contextual background and indicate the potential buying power or other limitations of city residents when making a housing choice. A review of the city's residents in such a context shows where additional attention may be needed to address needs and challenges.

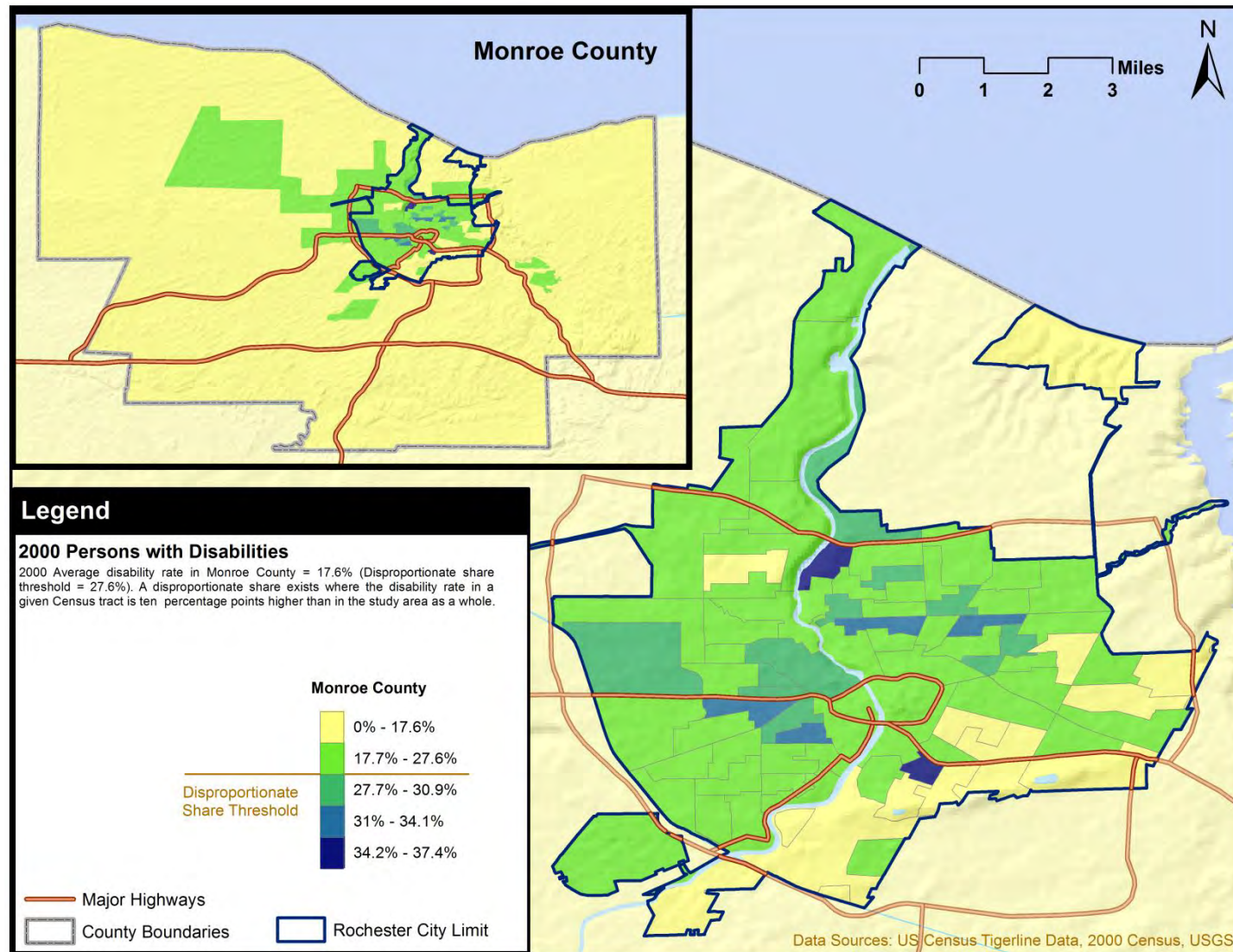
LABOR FORCE AND EMPLOYMENT

Data regarding the labor force and number of employed are gathered and reported by the Bureau of Economic Analysis (BEA). The labor force includes both those who are employed and those who are unemployed but looking for work. As shown in Diagram II.1 below, the overall trends in employment and the labor force since 2000 have been downward. In the three years after 2000, the number of employed fell from around 95,000 to approximately 90,000, and in spite of a brief pause in 2004 and 2005, this decline continued through 2008. The drop in employment accelerated in 2009 as the national recession impacted local job markets across the country. In recent years, the decline in employment appears to have slowed.

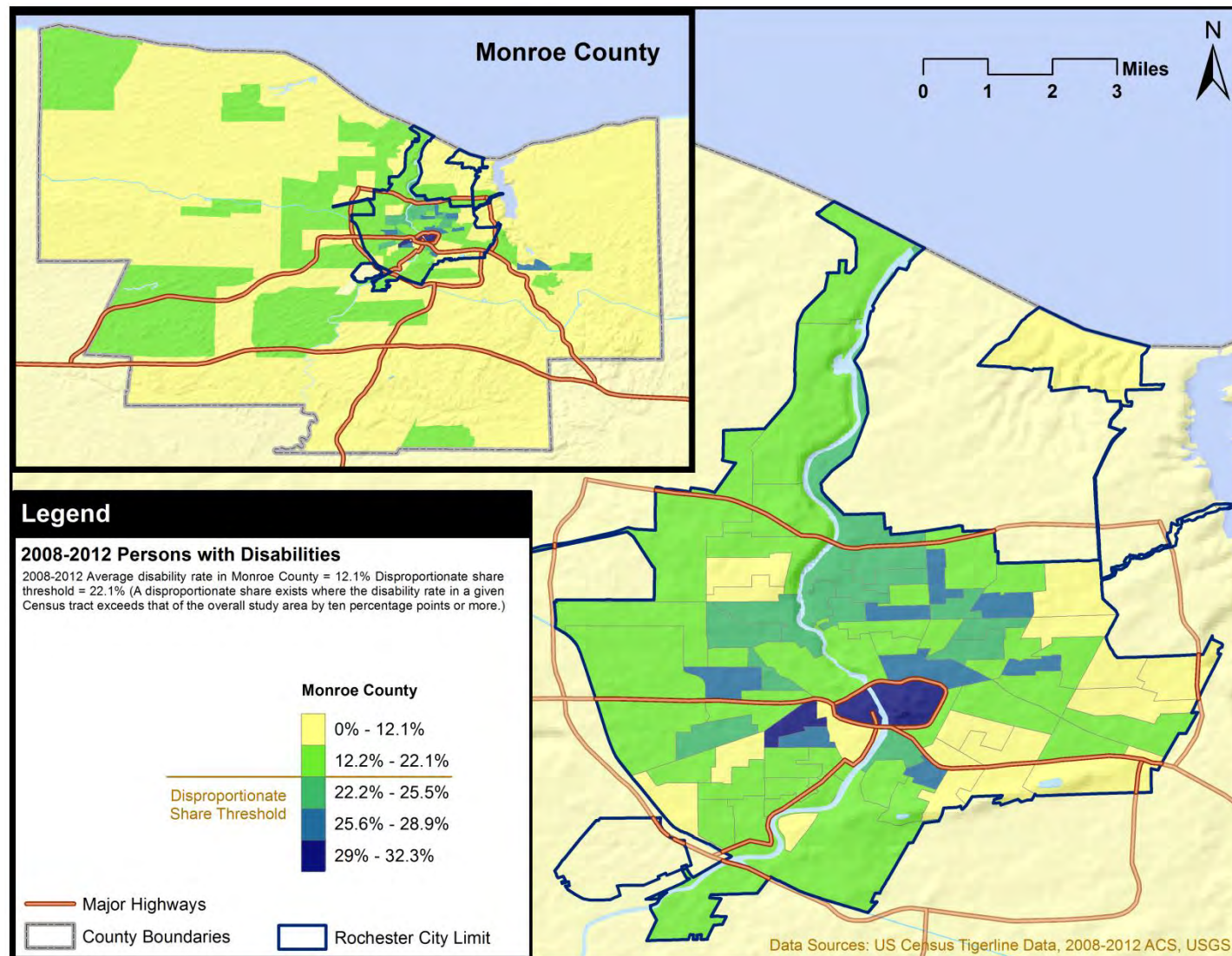
Diagram II.1
Employment and Labor Force
City of Rochester
1990-2013 BLS



Map II.5
Disabled Population by Census Tract
 City of Rochester
 2000 Census Data

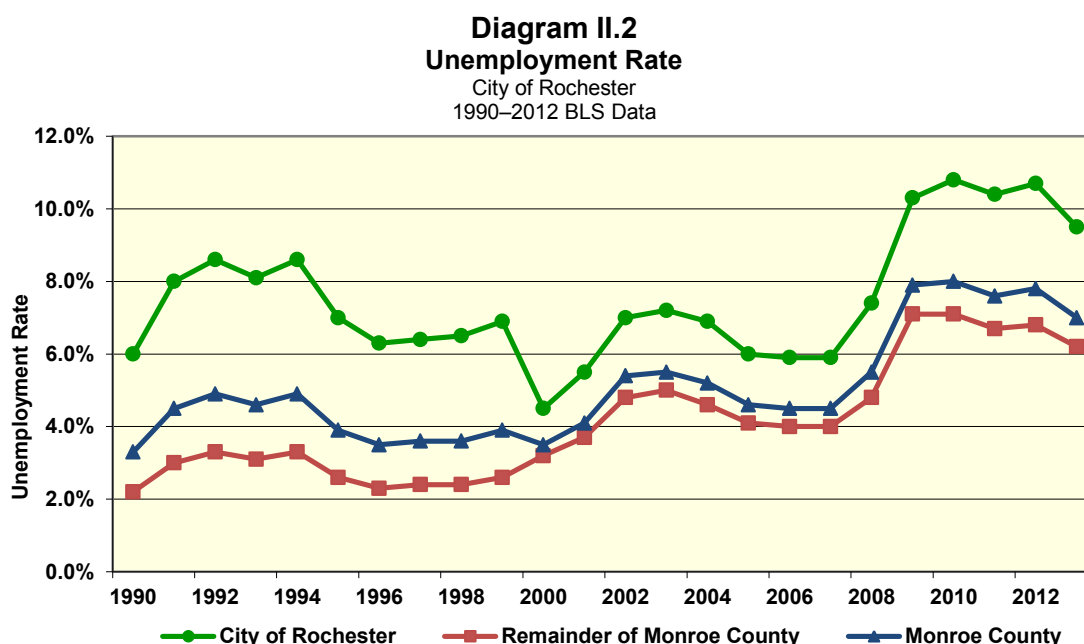


Map II.6
Disabled Population by Census Tract
 City of Rochester
 2008-2012 ACS Data



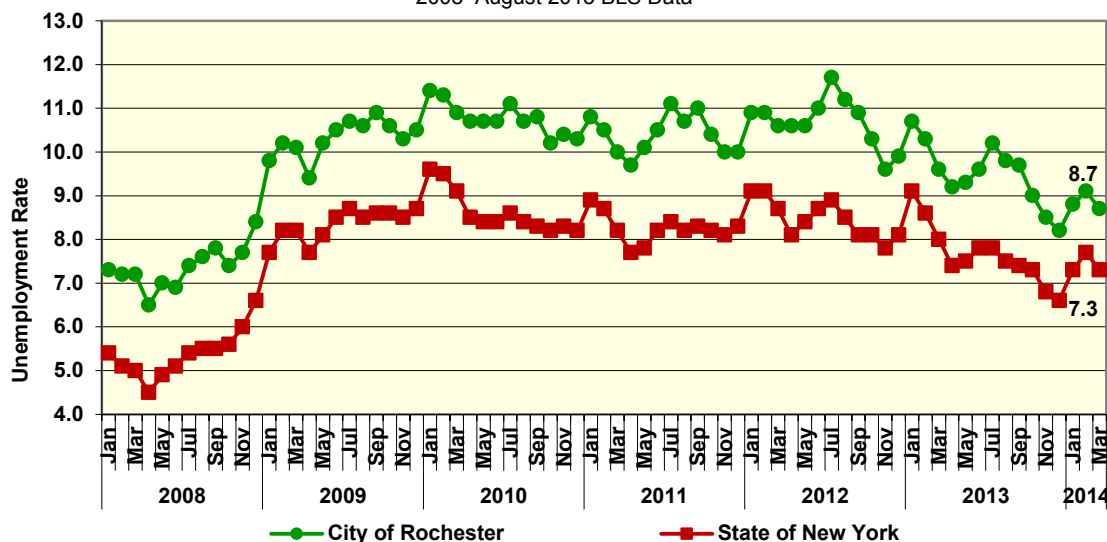
Like the overall trend in employment, the general trend in the labor force since 2000 has been downward. In 2000, nearly 100,000 people were working or looking for work in the city—by late 2014, that figure had fallen below 93,000. However, the decline in the labor force was not as rapid as the decline in the number of employed. As a general rule, when the gap between the two widens the unemployment rate increases.

As shown in Diagram II.2 below, the unemployment rate in Rochester and Monroe County has been trending upward since 2000. However, there has been considerable fluctuation in unemployment during that time. After rising to 7.2 percent in 2003, the unemployment rate in the city fell to 6 percent by 2005, and stayed around that mark for two years, before increasing dramatically in 2008 and 2009. The unemployment rate hovered between ten and eleven percent over the next three years, but had fallen to 9.5 percent by 2013 as a result of a slight uptick in employment, accompanied by a minor reduction in the size of the labor force. The same overall trends obtained for the remainder of the county, as well as the county at large. However, these trends have been more muted than in the city; the unemployment rate has also been lower in the county than in the city.



As shown in Diagram II.3 on the following page, monthly BLS data from 2008 through March 2014 reveals that the recent spike in unemployment began in earnest around April of 2008, and continued through July of 2012. Unemployment has trended downward since that time, in spite of marked seasonal fluctuation in the unemployment rate.

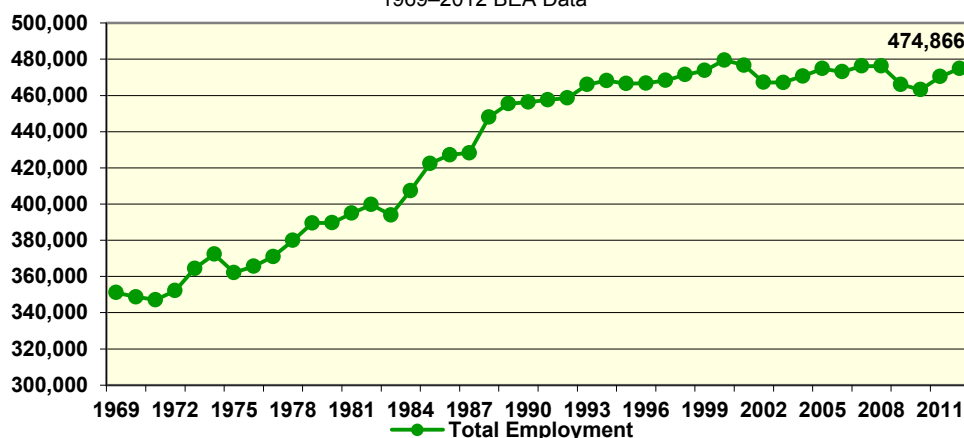
Diagram II.3
Monthly Unemployment Rate
 City of Rochester
 2008–August 2013 BLS Data



FULL- AND PART-TIME EMPLOYMENT AND EARNINGS

Total employment, as measured by the Bureau of Economic Analysis, refers to the total number of part-time and full-time jobs in Monroe County. Unlike data from the BLS, people who work more than one job are counted more than once. As shown in Diagram II.4 below, the total number of jobs in the county grew between 2002 and 2008, with some yearly fluctuation, in spite of the decline in employment in the city over the same period, as discussed above. However, the number of jobs fell considerably after 2008, from 476,241 to 463,109 by 2010. Since that time, the number of jobs in the state has grown steadily.

Diagram II.4
Full- and Part-Time Employment
 Monroe County
 1969–2012 BEA Data

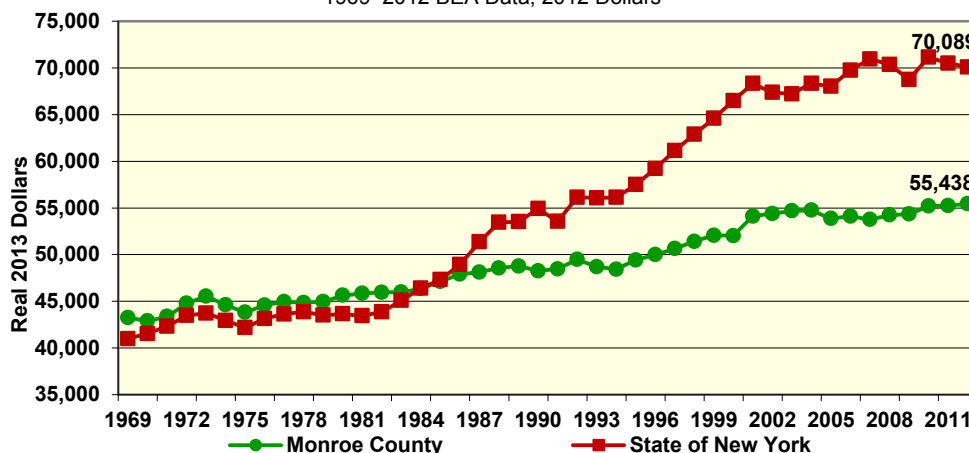


Real average earnings per job, defined as the total amount earned from jobs in an area divided by the total number of jobs, has grown very little since 2001, as shown in Diagram II.5 on the following page. In that year, the average worker earned just over \$54,000 per year in 2012 dollars. In 2012, the average worker earned a little over \$55,400. Though earnings in Monroe County exceeded those of the state as a whole during the seventies, earnings at the state level

surpassed those of the county in 1985, and continued to grow even as earnings in the county have largely stagnated.

Diagram II.5
Real Average Earnings Per Job

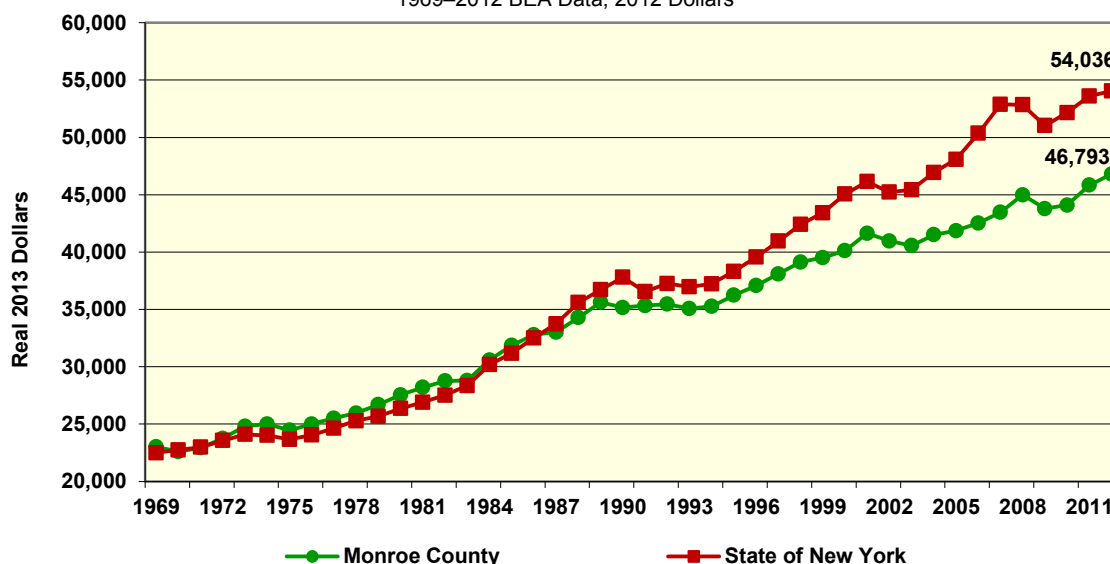
Monroe County
1969–2012 BEA Data, 2012 Dollars



By contrast, growth in real average per capita income (PCI) in the county has followed state level trends more closely, and both have generally been positive since 1969. Real average per capita income represents the total income from an area—including wages, transfer payments, stock dividends, etc.—divided by the population of that area. As shown in Diagram II.6 below, growth in real PCI in the county fell behind statewide figures in 1987. Nevertheless, PCI at the county level showed strong growth through the middle to late nineties and, after a brief decline in 2002-2003, through 2008. In that year, the income of the average Monroe County residents was just under \$45,000. However, real PCI fell by over \$1,000 over the next year, before resuming a pattern of strong growth in 2011. By 2012, real PCI in the county stood at \$46,793.

Diagram II.6
Real Average Per Capita Income

Monroe County
1969–2012 BEA Data, 2012 Dollars



HOUSEHOLD INCOME

Household incomes increased between 2000 and 2012 as measured in current dollars, as shown in Table II.8 on the following page. One index of this growth was the 3 percentage-point decline in the share of households making \$15,000 or less and a concomitant increase of around 3 percentage points in the share of households making \$100,000 per year or more. In fact, the shares of all households in income brackets below \$50,000 fell after 2000, while the shares of households earning more than \$50,000 per year increased. Similar shifts were observed in the remainder of the county and in the county as a whole; however, in these cases, growth in the share of households was confined to the top two income brackets, and growth in the top income bracket was more dramatic than at the city level.

Table II.8
Households by Income

City of Rochester and Monroe County
2000 Census SF3 & 2012 Five-Year ACS Data

Income	2000 Census		2012 Five-Year ACS	
	Households	% of Total	Households	% of Total
City of Rochester				
Less than \$15,000	25,839	29.0%	22,388	26.0%
\$15,000 to \$19,999	8,483	9.5%	7,160	8.3%
\$20,000 to \$24,999	7,234	8.1%	6,407	7.4%
\$25,000 to \$34,999	12,650	14.2%	11,849	13.8%
\$35,000 to \$49,999	13,372	15.0%	11,545	13.4%
\$50,000 to \$74,999	12,170	13.7%	12,593	14.6%
\$75,000 to \$99,999	5,202	5.8%	7,310	8.5%
\$100,000 or More	4,143	4.7%	6,898	8.0%
Total	89,093	100.0%	86,150	100.0%
Remainder of Monroe County				
Less than \$15,000	16,912	8.6%	16,438	7.9%
\$15,000 to \$19,999	9,168	4.6%	8,067	3.9%
\$20,000 to \$24,999	10,315	5.2%	9,091	4.4%
\$25,000 to \$34,999	21,663	11.0%	19,467	9.3%
\$35,000 to \$49,999	32,141	16.3%	28,391	13.6%
\$50,000 to \$74,999	45,310	22.9%	40,982	19.6%
\$75,000 to \$99,999	28,907	14.6%	31,964	15.3%
\$100,000 or More	33,311	16.8%	54,176	26.0%
Total	197,727	100.0%	208,576	100.0%
Monroe County				
Less than \$15,000	42,751	14.9%	38,826	13.2%
\$15,000 to \$19,999	17,651	6.2%	15,227	5.2%
\$20,000 to \$24,999	17,549	6.1%	15,498	5.3%
\$25,000 to \$34,999	34,313	12.0%	31,316	10.6%
\$35,000 to \$49,999	45,513	15.9%	39,936	13.6%
\$50,000 to \$74,999	57,480	20.0%	53,575	18.2%
\$75,000 to \$99,999	34,109	11.9%	39,274	13.3%
\$100,000 or More	37,454	13.1%	61,074	20.7%
Total	286,820	100.0%	294,726	100.0%

POVERTY

In spite of the shift among all households toward higher incomes, the poverty rate in the city increased by nearly 6 percentage points from 2000 through 2008-2012, as shown in Table II.9 on the following page. Just over a quarter of the city's households were living in poverty in 2000; by 2012, that figure had grown to 31.6 percent, representing an estimated 63,771

households. The poverty rate was considerably lower in the remainder of the county, as well as in the county as a whole.

The differences in poverty rates at the city and county level were reflected in the geographic distribution of Census tracts with disproportionately high rates of poverty, all of which lay within the city limits of Rochester. As shown in Map II.7 on the following page, very few Monroe County Census tracts outside of Rochester had poverty rates exceeding the countywide average of 11.2 percent. By contrast, poverty rates exceeded the county average in most Census tracts within the city. Poverty rates were especially high in Census tracts to the immediate north of the city center. In most of these areas, the poverty rate exceeded 35.2 percent—in some areas, it was as high as 63 percent.

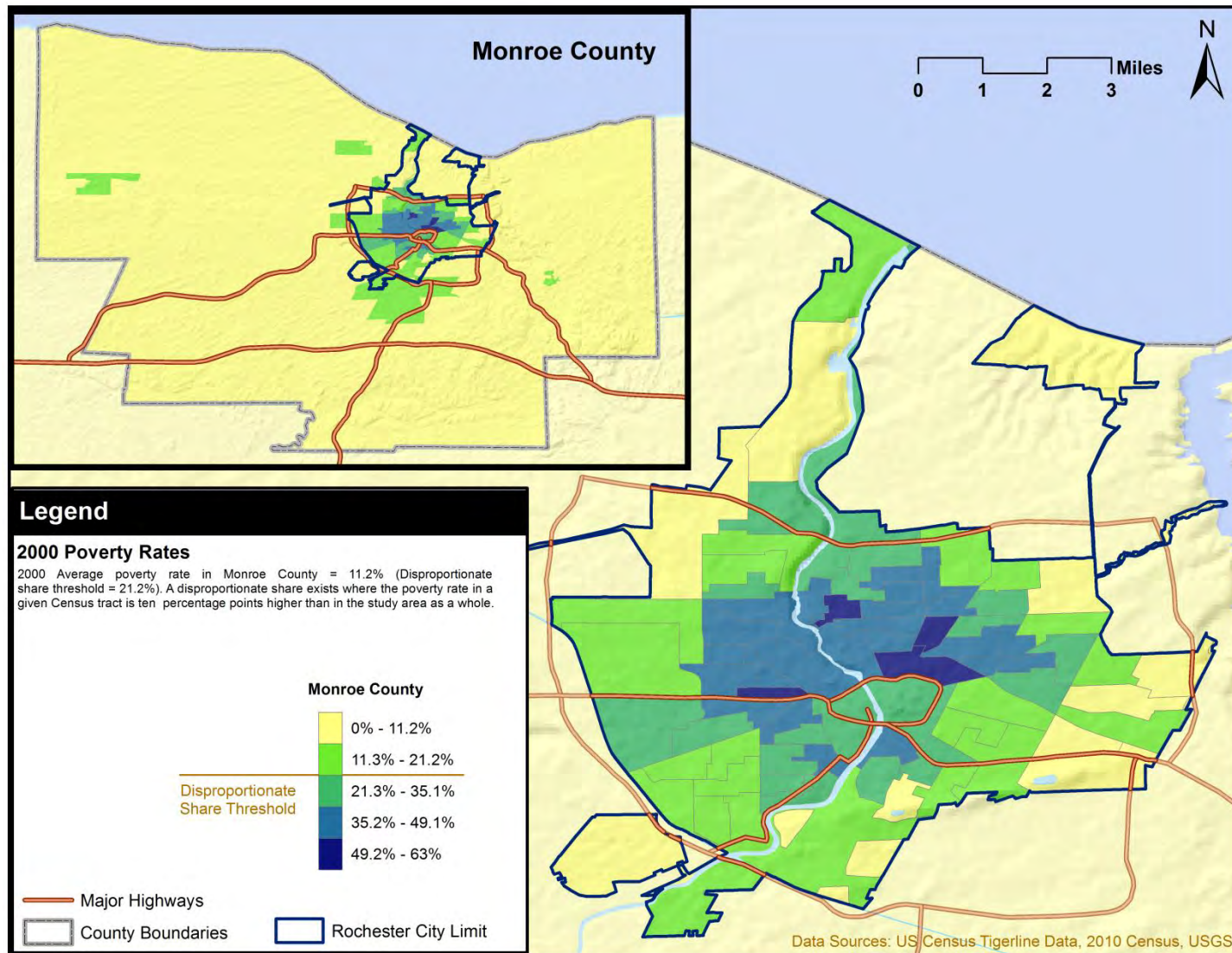
Unfortunately, as the poverty rate in the county overall increased between 2000 and 2012, many of those same areas became even more heavily impacted by poverty. As shown in Map II.8 on page 56, the poverty rate ranged from 55.2 to 70.3 percent in Census tracts to the immediate north of the city center. In fact, more than a quarter of residents were living in poverty throughout most of the wider city center.

Table II.9
Poverty by Age

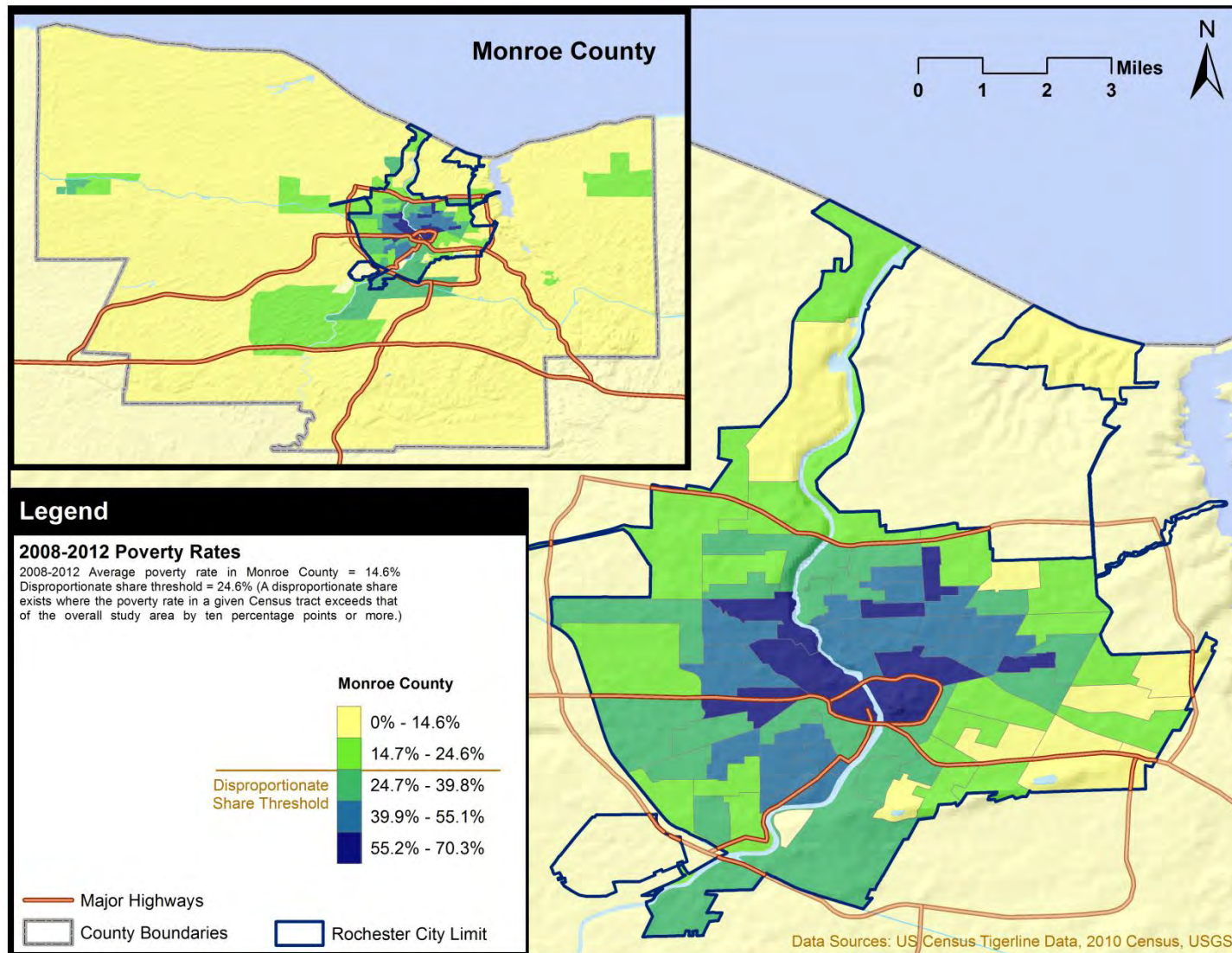
City of Rochester and Monroe County
2000 Census SF3 & 2012 Five-Year ACS Data

Age	2000 Census		2012 Five-Year ACS	
	Persons in Poverty	% of Total	Persons in Poverty	% of Total
City of Rochester				
Under 6	7,993	14.6%	9,047	14.2%
6 to 17	14,934	27.3%	14,742	23.1%
18 to 64	28,803	52.6%	36,964	58.0%
65 or Older	2,983	5.5%	3,018	4.7%
Total	54,713	100.0%	63,771	100.0%
Poverty Rate	25.9%	.	31.6%	.
Remainder of Monroe County				
Under 6	1,872	7.6%	3,133	7.7%
6 to 17	4,578	18.6%	7,420	18.1%
18 to 64	14,450	58.7%	25,912	63.3%
65 or Older	3,698	15.0%	4,476	10.9%
Total	24,598	100.0%	40,941	100.0%
Poverty Rate	4.9%	.	7.9%	.
Monroe County				
Under 6	9,865	12.4%	12,180	11.6%
6 to 17	19,512	24.6%	22,162	21.2%
18 to 64	43,253	54.5%	62,876	60.0%
65 or Older	6,681	8.4%	7,494	7.2%
Total	79,311	100.0%	104,712	100.0%
Poverty Rate	11.2%	.	14.6%	.

Map II.7
Poverty Rate by Census Tract
 City of Rochester
 2000 Census Data



Map II.8
Poverty Rate by Census Tract
 City of Rochester
 2012 Five-Year ACS Data



HOUSING

Simple counts of housing by age, type, tenure, and other characteristics form the basis for the housing stock background, suggesting the available housing in the city from which residents have to choose. Examination of households shows how residents use the available housing, and shows household size and housing problems such as incomplete plumbing and/or kitchen facilities. Review of housing costs reveals the markets in which housing consumers in the city can shop, and may help to identify needs for certain populations.

CHARACTERISTICS OF THE HOUSING STOCK

The number of housing units in Monroe County increased by 5.3 percent, even as the number of housing units in the city fell by 2.6 percent. These trends were largely in line with trends in the population, which declined by 4.2 percent in the city and grew by 1.2 percent in the county as a whole, as well as changes in the number of households in the city and county over roughly the same time period.

Changes in the tenure of Rochester's housing units were relatively minor from 2000 through 2010, as shown in Table II.10 below. Occupied housing units accounted for 89.2 percent of all housing units in 2000 and 89.6 percent in 2010. Among occupied housing units, majorities were renter-occupied in both years, and this share grew by 2.5 percentage points over the decade. By 2010, 62.3 percent of occupied housing units were renter-occupied and 37.7 percent were owner-occupied. By contrast, more than three-quarters of occupied households were owner-occupied in the remainder of the county in both decennial Census counts. Vacant units represented 10.8 percent of all housing units in the city 2000; a share that fell by 0.4 percent by 2010. Vacant units represented 3.5 percent of all housing units in the remainder of the county in 2000, those this share grew by a percentage point over the decade.

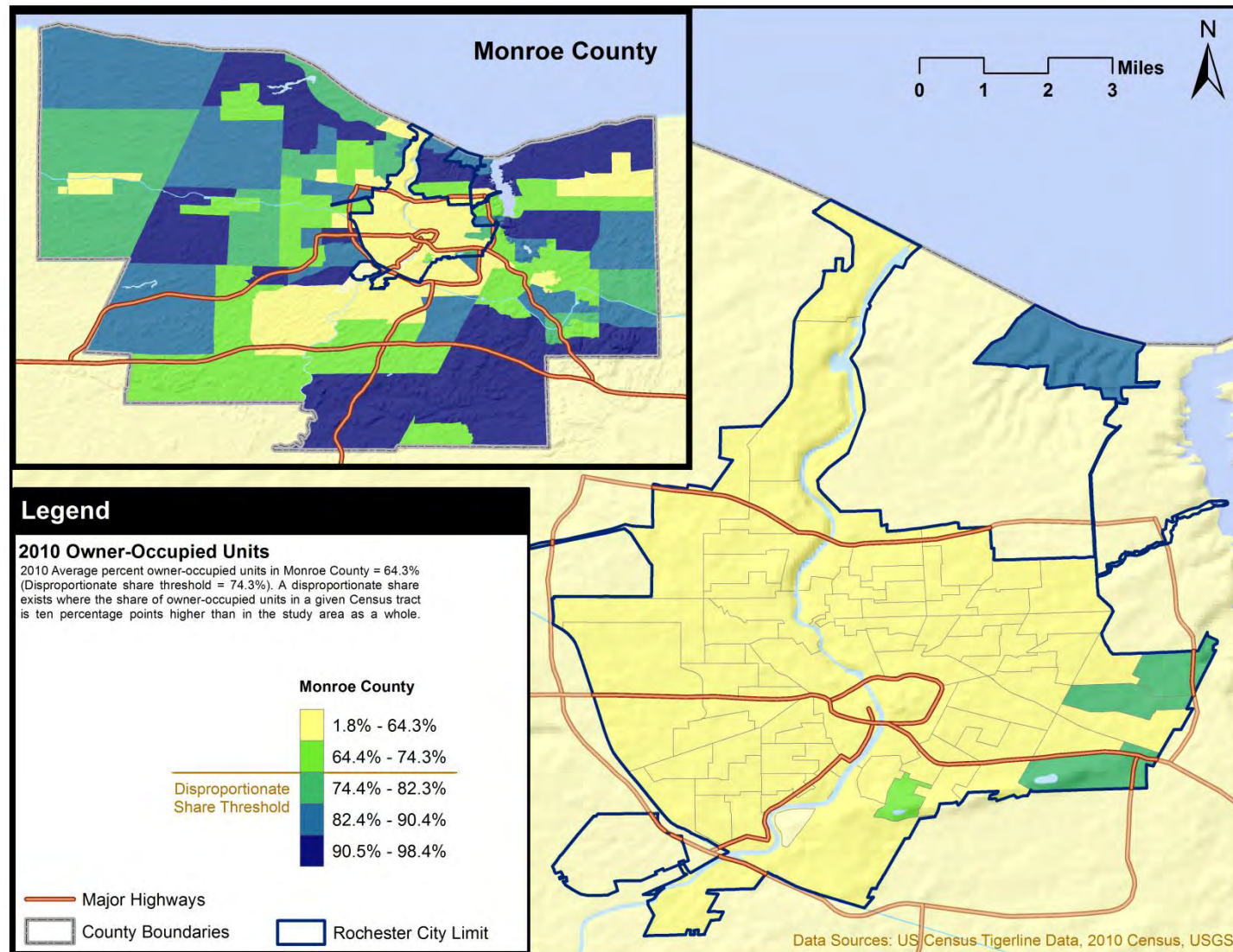
Table II.10
Housing Units by Tenure
City of Rochester and Monroe County
2000 & 2010 Census SF1 Data

Tenure	2000 Census		2010 Census		% Change 00–10
	Units	% of Total	Units	% of Total	
City of Rochester					
Occupied Housing Units	88,999	89.2%	87,027	89.6%	-2.2%
Owner-Occupied	35,747	40.2%	32,779	37.7%	-8.3%
Renter-Occupied	53,252	59.8%	54,248	62.3%	1.9%
Vacant Housing Units	10,790	10.8%	10,131	10.4%	-6.1%
Total Housing Units	99,789	100.0%	97,158	100.0%	-2.6%
Remainder of Monroe County					
Occupied Housing Units	197,513	96.5%	213,395	95.5%	8.0%
Owner-Occupied	150,679	76.3%	160,346	75.1%	6.4%
Renter-Occupied	46,834	23.7%	53,049	24.9%	13.3%
Vacant Housing Units	7,086	3.5%	10,040	4.5%	41.7%
Total Housing Units	204,599	100.0%	223,435	100.00%	9.2%
Monroe County					
Occupied Housing Units	286,512	94.1%	300,422	93.7%	4.9%
Owner-Occupied	186,426	65.1%	193,125	64.3%	3.6%
Renter-Occupied	100,086	34.9%	107,297	35.7%	7.2%
Vacant Housing Units	17,876	5.9%	20,171	6.3%	12.8%
Total Housing Units	304,388	100.0%	320,593	100.0%	5.3%

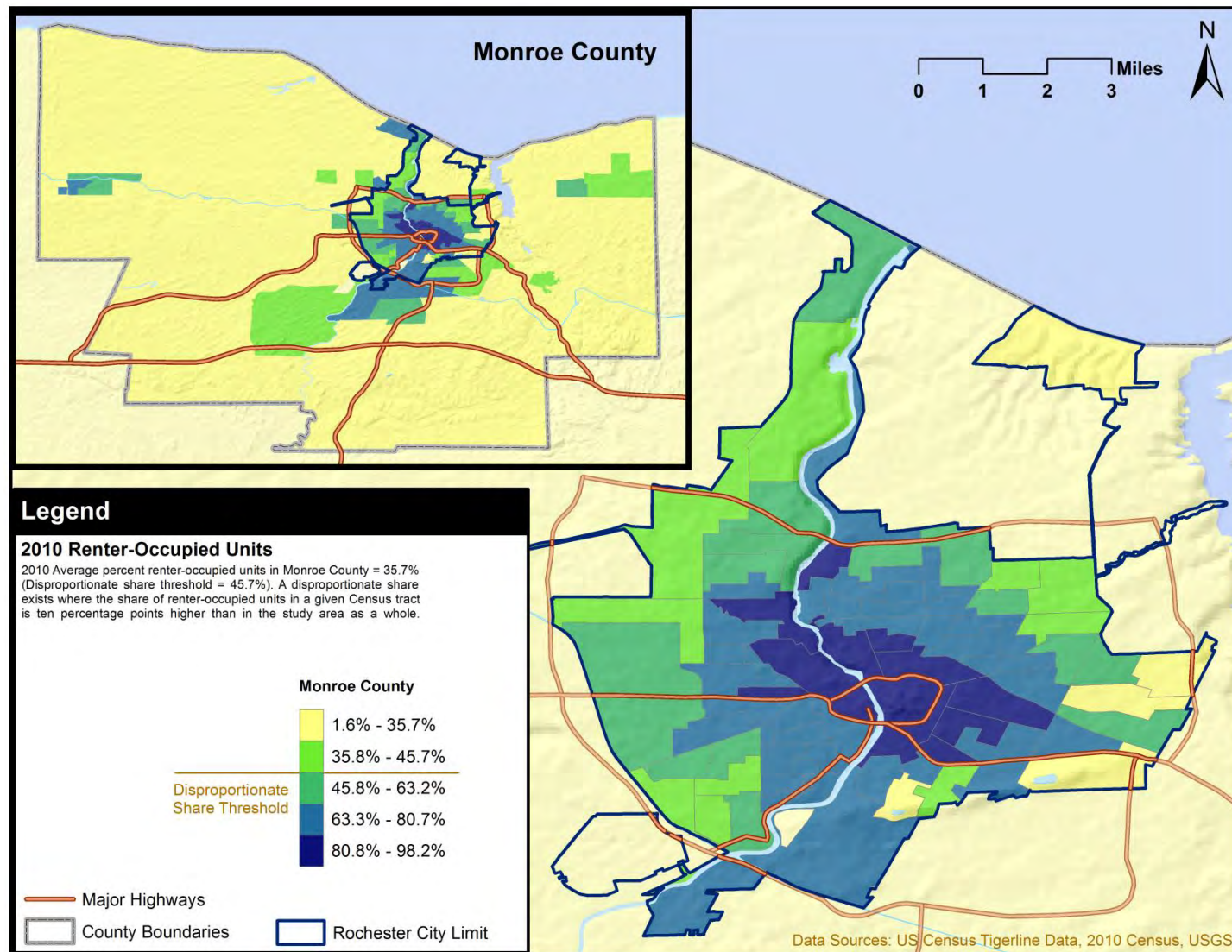
Owner-occupied housing units accounted for 64.3 percent of all occupied housing units in Monroe County in 2010. As shown in Map II.9 on the following page, such units tended to be highly concentrated in areas outside of the City of Rochester. Within the city, only five Census tracts had shares of owner-occupied units that exceeded that county average. These were located near the eastern city limit and the Durand Eastman County Park.

Renter-occupied units, on the other hand, were highly concentrated within the Rochester city limits, as shown in Map II.10 on page 60. The highest concentrations of these units were observed in and around the city center, where as much as 98 percent of housing units were occupied by rental tenants. Renter-occupied units made up a smaller share of housing units in Census tracts that were farther from the city center. Beyond the city limits, the only Census tracts observed to hold disproportionate shares of renter-occupied housing units were located in or around Brockport and Webster, as well as to the immediate south of Rochester.

Map II.9
Owner-Occupied Housing Units
 City of Rochester
 2010 Census Data



Map II.10
Renter-Occupied Housing Units
 City of Rochester
 2010 Census Data



VACANT HOUSING

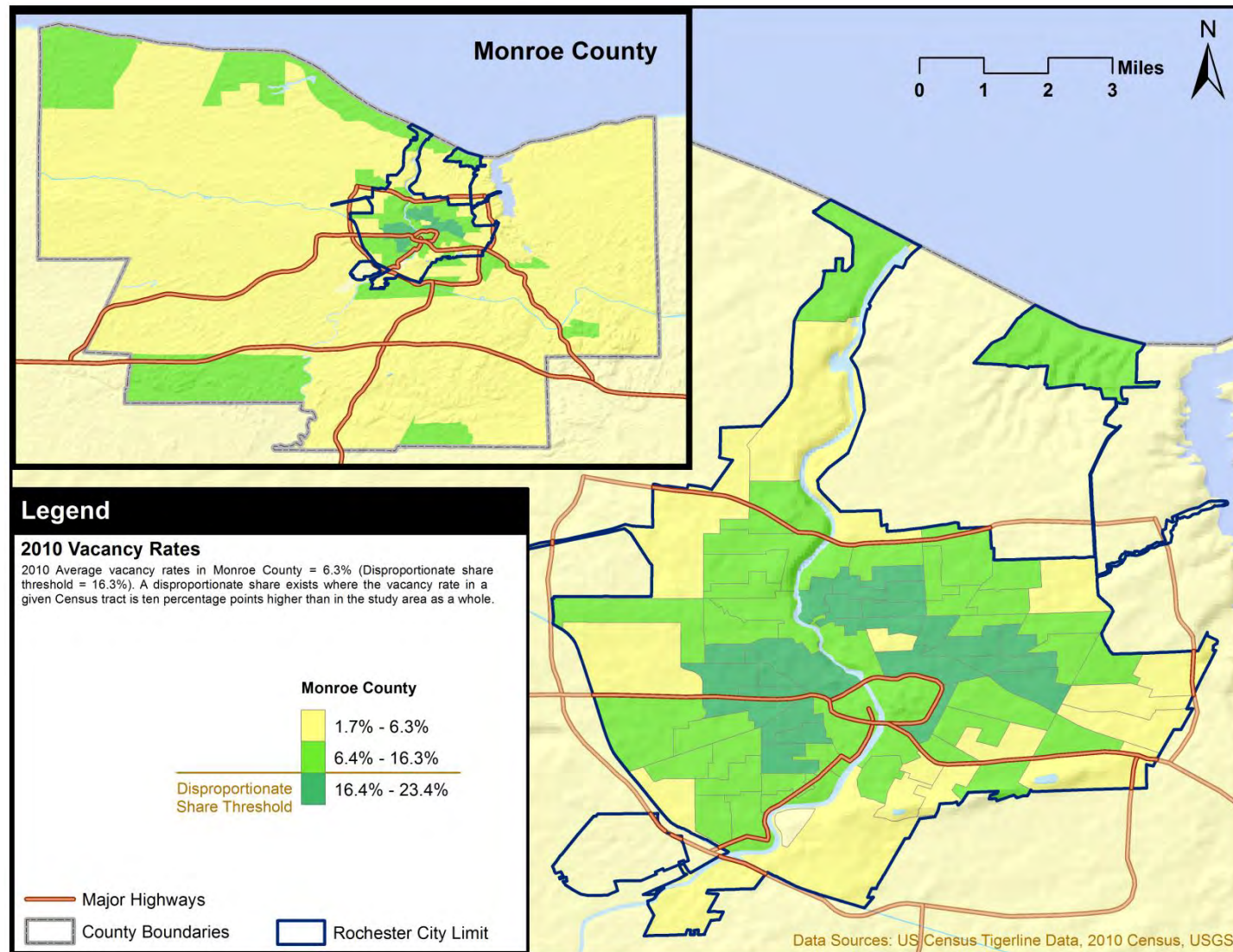
The largest share of vacant units in the city in 2000 and 2010 was comprised of units available for rent, as shown in Table II.11 below. However, vacant units that were classified as “other vacant” also represented a relatively large share of vacant units, and this share increased by nearly five percentage points over the decade. By 2010, over a third of Rochester’s vacant units were “other vacant” units, which are not available to the market place. Such units may present a blighting influence where they are grouped in close geographic proximity. “Other vacant” units represented a considerably smaller share of all vacant units in the remainder of the county. Nevertheless, more than a quarter of vacant units in the county as a whole were classified as “other vacant” in 2010.

Table II.11
Disposition of Vacant Housing Units
 City of Rochester and Monroe County
 2000 & 2010 Census SF1 Data

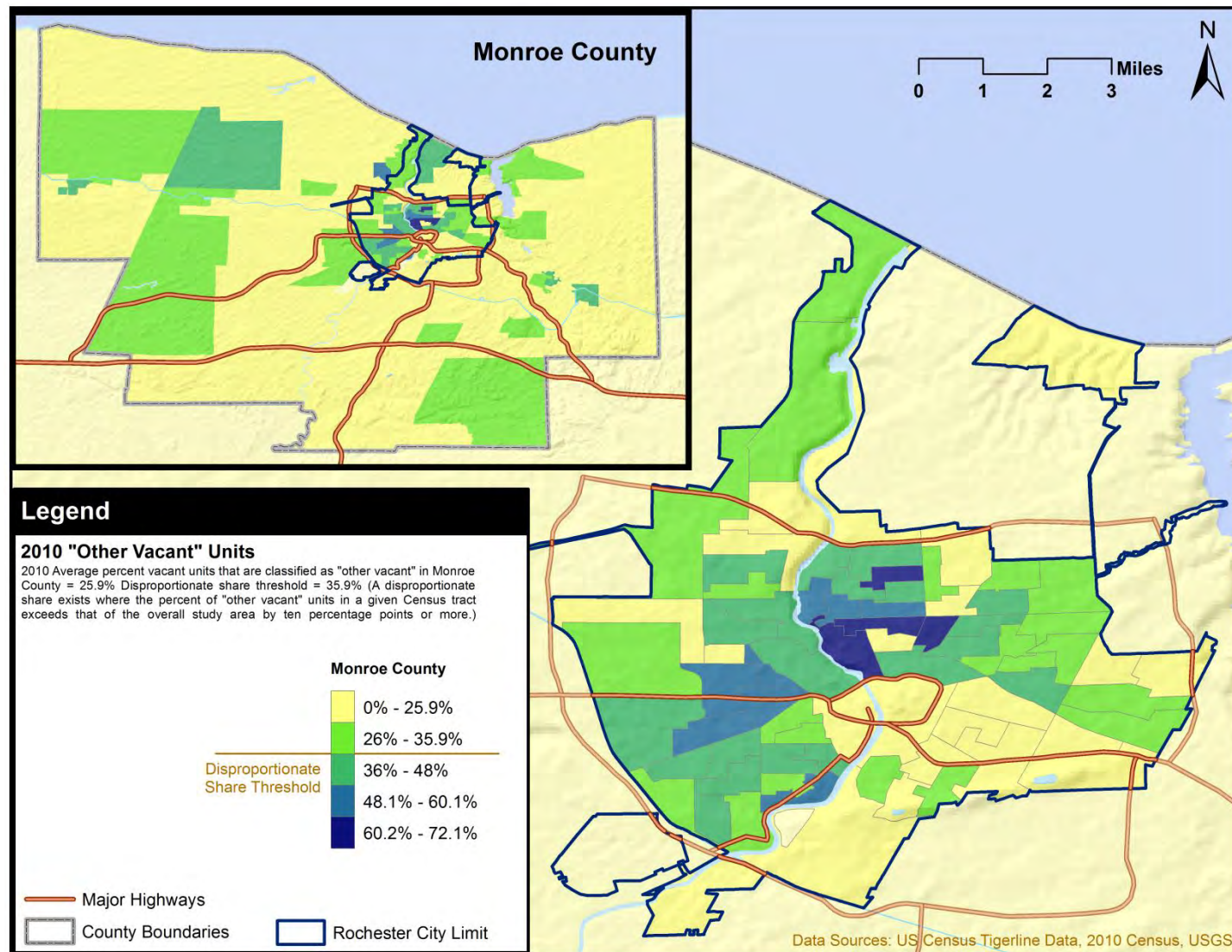
Disposition	2000 Census		2010 Census		% Change 00–10
	Units	% of Total	Units	% of Total	
City of Rochester					
For Rent	5,261	48.8%	5,206	51.4%	-1.0%
For Sale	1,406	13.0%	798	7.9%	-43.2%
Rented or Sold, Not Occupied	775	7.2%	443	4.4%	-42.8%
For Seasonal, Recreational, or Occasional Use	218	2.0%	257	2.5%	17.9%
For Migrant Workers	0	0.0%	1	0.0%	0.0%
Other Vacant	3,130	29.0%	3,426	33.8%	9.5%
Total	10,790	100.0%	10,131	100.0%	-6.1%
Remainder of Monroe County					
For Rent	2,941	41.5%	4,242	42.3%	44.2%
For Sale	1,193	16.8%	1,754	17.5%	47.0%
Rented or Sold, Not Occupied	749	10.6%	856	8.5%	14.3%
For Seasonal, Recreational, or Occasional Use	957	13.5%	1,354	13.5%	41.5%
For Migrant Workers	7	0.1%	29	0.3%	314.3%
Other Vacant	1,239	17.5%	1,805	18.0%	45.7%
Total	7,086	100.0%	10,040	100.0%	41.7%
Monroe County					
For Rent	8,202	45.9%	9,448	46.8%	15.2%
For Sale	2,599	14.5%	2,552	12.7%	-1.8%
Rented or Sold, Not Occupied	1,524	8.5%	1,299	6.4%	-14.8%
For Seasonal, Recreational, or Occasional Use	1,175	6.6%	1,611	8.0%	37.1%
For Migrant Workers	7	0.0%	30	0.1%	328.6%
Other Vacant	4,369	24.4%	5,231	25.9%	19.7%
Total	17,876	100.0%	20,171	100.0%	12.8%

Vacant housing units tended to be concentrated in the city center, though there were other areas in the county with above-average shares of rental units in 2010. As shown in Map II.11 on the following page, vacant units accounted for more than 16 percent of all housing units in Census tracts surrounding the city center. Unfortunately, a large share of vacant units in these areas was classified as “other vacant”, as shown in Map II.12 on page 63. In several Census tracts to the immediate north of the city center, as much as 70 percent of vacant units were classified as “other vacant”, and relatively high concentrations were observed throughout that area and the area to the southwest of the city center.

Map II.11
Vacant Housing Units
 City of Rochester
 2010 Census Data



Map II.12
“Other Vacant” Housing Units
 City of Rochester
 2010 Census Data



HOUSEHOLD SIZE

The number of households in the city fell by 2.2 percent overall between 2000 and 2010, as shown in Table II.12 below. The number of households with between three to six members declined between Censuses, while growth was positive but modest among households with two members and those with seven or more members. Meanwhile, the number of one person households grew by 1.6 percent, contributing in a shift toward smaller households in the city. In the remainder of the county, the number of households grew between Census counts, driven by growth in the number of smaller households. The number of households with seven members or more also grew considerably, but accounted for a relatively small share of households in the remainder of the county. Altogether, the number of households in the county grew by 4.9 percent.

Table II.12
Households by Household Size
 City of Rochester and Monroe County
 2000 & 2010 Census SF1 Data

Size	2000 Census		2010 Census		%
	Households	% of Total	Households	% of Total	Change 00–10
City of Rochester					
One Person	32,994	37.1%	33,512	38.5%	1.6%
Two Persons	24,198	27.2%	24,242	27.9%	0.2%
Three Persons	13,431	15.1%	12,813	14.7%	-4.6%
Four Persons	9,676	10.9%	8,575	9.9%	-11.4%
Five Persons	4,993	5.6%	4,473	5.1%	-10.4%
Six Persons	2,239	2.5%	1,911	2.2%	-14.6%
Seven Persons or More	1,468	1.6%	1,501	1.7%	2.2%
Total	88,999	100.0%	87,027	100.0%	-2.2%
Remainder of Monroe County					
One Person	49,048	24.8%	58,126	27.2%	18.5%
Two Persons	68,314	34.6%	75,522	35.4%	10.6%
Three Persons	31,799	16.1%	33,853	15.9%	6.5%
Four Persons	31,113	15.8%	29,755	13.9%	-4.4%
Five Persons	12,574	6.4%	11,341	5.3%	-9.8%
Six Persons	3,390	1.7%	3,356	1.6%	-1.0%
Seven Persons or More	1,275	0.6%	1,442	0.7%	13.1%
Total	197,513	100.0%	213,395	100.0%	8.0%
Monroe County					
One Person	82,042	28.6%	91,638	30.5%	11.7%
Two Persons	92,512	32.3%	99,764	33.2%	7.8%
Three Persons	45,230	15.8%	46,666	15.5%	3.2%
Four Persons	40,789	14.2%	38,330	12.8%	-6.0%
Five Persons	17,567	6.1%	15,814	5.3%	-10.0%
Six Persons	5,629	2.0%	5,267	1.8%	-6.4%
Seven Persons or More	2,743	1.0%	2,943	1.0%	7.3%
Total	286,512	100.0%	300,422	100.0%	4.9%

Multi-family homes of various types accounted for more than half all of housing units in the city in both 2000 and 2008-2012, as shown in Table II.13 on the following page. Apartment units increased slightly as a share of the overall housing stock, and accounted for 21.7 percent of all housing units in 2008-2012. At the same time, duplex and multi-plex units declined as a share of the overall housing stock. Single family units accounted for the largest share of housing units of any type, representing 49.1 percent of housing units in 2008-2012. Single-family units represented a considerably larger share of housing units in the remainder of the

county—over 77 percent in both years. The same was true in the county as a whole, but to a lesser extent due to the inclusion of Rochester.

Table II.13
Housing Units by Type

City of Rochester and Monroe County
2000 Census SF3 & 2012 Five-Year ACS Data

Unit Type	2000 Census		2012 Five-Year ACS	
	Units	% of Total	Units	% of Total
City of Rochester				
Single-Family	47,371	47.5%	49,612	49.1%
Duplex	19,752	19.8%	18,431	18.3%
Tri- or Four-Plex	11,428	11.4%	10,719	10.6%
Apartment	21,180	21.2%	21,950	21.7%
Mobile Home	74	0.1%	200	0.2%
Boat, RV, Van, Etc.	15	0.0%	36	0.0%
Total	99,820	100.0%	100,948	100.0%
Remainder of Monroe County				
Single-Family	158,745	77.6%	170,640	77.8%
Duplex	4,838	2.4%	5,334	2.4%
Tri- or Four-Plex	9,632	4.7%	9,956	4.5%
Apartment	29,210	14.3%	31,416	14.3%
Mobile Home	2,092	1.0%	1,916	0.9%
Boat, RV, Van, Etc.	51	0.0%	28	0.0%
Total	204,568	100.0%	219,290	100.0%
Monroe County				
Single-Family	206,116	67.7%	220,252	68.8%
Duplex	24,590	8.1%	23,765	7.4%
Tri- or Four-Plex	21,060	6.9%	20,675	6.5%
Apartment	50,390	16.6%	53,366	16.7%
Mobile Home	2,166	0.7%	2,116	0.7%
Boat, RV, Van, Etc.	66	0.0%	64	0.0%
Total	304,388	100.0%	320,238	100.0%

HOUSING PROBLEMS

While the 2000 Census did not report significant details regarding the physical condition of housing units, some information can be derived from the SF3 data. These data relate to overcrowding, incomplete plumbing or kitchen facilities, and cost burdens. While these data were not collected during the 2010 Census, data were available for comparison from the 2008 to 2012 ACS averages.

Overcrowding occurs when a housing unit has more than one person per room but less than 1.5, with severe overcrowding occurring in housing units with 1.5 persons per room or more. As shown in Table II.14 on the following page, overcrowded and severely households accounted for a relatively small share of housing units in 2000—2.3 and 1.3 percent, respectively. These shares fell further between the two Census counts. Renter-occupied units were more prone to crowding and overcrowding in both years; however, overcrowding was still uncommon among renter-occupied units. In general, overcrowding was not a substantial problem in the city, and was even less common in the remainder of the county, as well as the county as a whole.

Table II.14
Overcrowding and Severe Overcrowding
 City of Rochester and Monroe County
 2000 Census SF3 & 2012 Five-Year ACS Data

2000 Census 50% & 2012 Five-Year ACS Data							
Data Source	No Overcrowding		Overcrowding		Severe Overcrowding		Total
	Households	% of Total	Households	% of Total	Households	% of Total	
City of Rochester							
Owner							
2000 Census	35,087	98.1%	518	1.4%	172	0.5%	35,777
2012 Five-Year ACS	34,515	99.2%	261	0.7%	31	0.1%	34,807
Renter							
2000 Census	50,733	95.3%	1,499	2.8%	994	1.9%	53,226
2012 Five-Year ACS	49,668	96.7%	1,237	2.4%	438	0.9%	51,343
Total							
2000 Census	85,820	96.4%	2,017	2.3%	1,166	1.3%	89,003
2012 Five-Year ACS	84,183	97.7%	1,498	1.7%	469	0.5%	86,150
Remainder of Monroe County							
Owner							
2000 Census	149,961	99.5%	664	0.4%	56	0.0%	150,681
2012 Five-Year ACS	158,310	99.6%	442	0.3%	230	0.1%	158,982
Renter							
2000 Census	45,482	97.1%	796	1.7%	550	1.2%	46,828
2012 Five-Year ACS	48,563	97.9%	798	1.6%	233	0.5%	49,594
Total							
2000 Census	195,443	99.0%	1,460	0.7%	606	0.3%	197,509
2012 Five-Year ACS	206,873	99.2%	1,240	0.6%	463	0.2%	208,576
Remainder of Monroe County							
Owner							
2000 Census	185,048	99.2%	1,182	0.6%	228	0.1%	186,458
2012 Five-Year ACS	192,825	99.5%	703	0.4%	261	0.1%	193,789
Renter							
2000 Census	96,215	96.2%	2,295	2.3%	1,544	1.5%	100,054
2012 Five-Year ACS	98,231	97.3%	2,035	2.0%	671	0.7%	100,937
Total							
2000 Census	281,263	98.2%	3,477	1.2%	1,772	0.6%	286,512
2012 Five-Year ACS	291,056	98.8%	2,738	0.9%	932	0.3%	294,726

Incomplete plumbing or kitchen facilities are other indicators of potential housing problems. According to the Census Bureau, a housing unit is classified as lacking complete plumbing facilities when any of the following are not present: piped hot and cold water, a flush toilet, and a bathtub or shower. Housing units with incomplete plumbing facilities were relatively uncommon, accounting for less than one percent of all housing units in 2000 and 2008-2012, as shown in Table II.15 on the following page.

Table II.15
Households with Incomplete Plumbing Facilities

City of Rochester and Monroe County
 2000 Census SF3 & 2012 Five-Year ACS Data

Households	2000 Census	2012 Five-Year ACS
City of Rochester		
With Complete Plumbing Facilities	88,343	85,640
Lacking Complete Plumbing Facilities	660	510
Total Households	89,003	86,150
Percent Lacking	0.7%	0.6%
Remainder of Monroe County		
With Complete Plumbing Facilities	196,962	207,986
Lacking Complete Plumbing Facilities	547	590
Total Households	197,509	208,576
Percent Lacking	0.3%	0.3%
Monroe County		
With Complete Plumbing Facilities	285,305	293,626
Lacking Complete Plumbing Facilities	1,207	1,100
Total Households	286,512	294,726
Percent Lacking	0.4%	0.4%

Incomplete kitchen facilities were only present in 0.9 percent of households in 2000, though that share grew to 1.1 percent by 2012, as shown in Table II.16 below. The proportion of households with incomplete plumbing or kitchen facilities was lower still in the remainder of the county and in the county as a whole.

Table II.16
Households with Incomplete Kitchen Facilities

City of Rochester and Monroe County
 2000 Census SF3 & 2012 Five-Year ACS Data

Households	2000 Census	2012 Five-Year ACS
City of Rochester		
With Complete Kitchen Facilities	88,172	85,215
Lacking Complete Kitchen Facilities	831	935
Total Households	89,003	86,150
Percent Lacking	0.9%	1.1%
Remainder of Monroe County		
With Complete Kitchen Facilities	197,023	207,203
Lacking Complete Kitchen Facilities	486	1,373
Total Households	197,509	208,576
Percent Lacking	0.2%	0.7%
Monroe County		
With Complete Kitchen Facilities	285,195	292,418
Lacking Complete Kitchen Facilities	1,317	2,308
Total Households	286,512	294,726
Percent Lacking	0.5%	0.8%

Cost-burdening was a more common problem among Rochester households, as shown in Table II.17 on the following page. Approximately 19.2 percent of households were paying 31 to 50 percent of their monthly income toward housing costs, while 22.2 percent were paying more than 50 percent. By 2012, the share of cost-burdened households had grown to 19.7 percent, an increase of 0.5 percentage points. The share of severely cost-burdened households grew by 5.6 percentage points. In both years, renter-occupied households were more heavily impacted

by cost-burdening: in 2008-2012, more than a third of rental households were severely cost-burdened. As had been the case with previous housing problems, cost-burdening impacted city residents to a greater extent than residents in the remainder of the county or the county as a whole.

Renters with a severe cost burden are at risk of homelessness. Cost-burdened renters who experience one financial setback often must choose between rent and food or rent and health care for their families. Similarly, homeowners with a mortgage who have just one unforeseen financial constraint, such as temporary illness, divorce, or the loss of employment, may face foreclosure or bankruptcy. Furthermore, households that no longer have a mortgage yet still experience a severe cost burden may be unable to conduct periodic maintenance and repair of their homes, and in turn, may contribute to a dilapidation and neighborhood blight problem. All three of these situations should be of concern to policymakers and program managers.

Table II.17
Cost Burden and Severe Cost Burden by Tenure

City of Rochester and Monroe County
2000 Census & 2012 Five-Year ACS Data

2000 Census & 2012 Five-Year ACS Data									
Data Source	Less Than 30%		31%-50%		Above 50%		Not Computed		Total
	Households	% of Total	Households	% of Total	Households	% of Total	Households	% of Total	
City of Rochester									
Owner With a Mortgage									
2000 Census	15,780	70.0%	4,090	18.1%	2,537	11.3%	130	0.6%	22,537
2012 Five-Year ACS	16,328	65.5%	4,836	19.4%	3,610	14.5%	164	0.7%	24,938
Owner Without a Mortgage									
2000 Census	6,629	79.2%	899	10.7%	642	7.7%	203	2.4%	8,373
2012 Five-Year ACS	7,596	77.0%	1,179	11.9%	939	9.5%	155	1.6%	9,869
Renter									
2000 Census	24,050	45.4%	11,152	21.0%	15,450	29.1%	2,374	4.5%	53,026
2012 Five-Year ACS	18,703	36.4%	10,996	21.4%	19,383	37.8%	2,261	4.4%	51,343
Total									
2000 Census	46,459	55.4%	16,141	19.2%	18,629	22.2%	2,707	3.2%	83,936
2012 Five-Year ACS	42,627	49.5%	17,011	19.7%	23,932	27.8%	2,580	3.0%	86,150
Remainder of Monroe County									
Owner With a Mortgage									
2000 Census	79,216	77.0%	16,592	16.1%	6,812	6.6%	192	0.2%	102,812
2012 Five-Year ACS	79,462	71.6%	20,511	18.5%	10,464	9.4%	485	0.4%	110,922
Owner Without a Mortgage									
2000 Census	32,894	87.0%	2,940	7.8%	1,651	4.4%	342	0.9%	37,827
2012 Five-Year ACS	39,745	82.7%	4,869	10.1%	3,105	6.5%	341	0.7%	48,060
Renter									
2000 Census	26,943	57.9%	9,684	20.8%	7,946	17.1%	1,948	4.2%	46,521
2012 Five-Year ACS	23,744	47.9%	11,537	23.3%	11,698	23.6%	2,615	5.3%	49,594
Total									
2000 Census	139,053	74.3%	29,216	15.6%	16,409	8.8%	2,482	1.3%	187,160
2012 Five-Year ACS	142,951	68.5%	36,917	17.7%	25,267	12.1%	3,441	1.6%	208,576
Monroe County									
Owner With a Mortgage									
2000 Census	94,996	75.8%	20,682	16.5%	9,349	7.5%	322	0.3%	125,349
2012 Five-Year ACS	95,790	70.5%	25,347	18.7%	14,074	10.4%	649	0.5%	135,860
Owner Without a Mortgage									
2000 Census	39,523	85.5%	3,839	8.3%	2,293	5.0%	545	1.2%	46,200
2012 Five-Year ACS	47,341	81.7%	6,048	10.4%	4,044	7.0%	496	0.9%	57,929
Renter									
2000 Census	50,993	51.2%	20,836	20.9%	23,396	23.5%	4,322	4.3%	99,547
2012 Five-Year ACS	42,447	42.1%	22,533	22.3%	31,081	30.8%	4,876	4.8%	100,937
Total									
2000 Census	185,512	68.4%	45,357	16.7%	35,038	12.9%	5,189	1.9%	271,096
2012 Five-Year ACS	185,578	63.0%	53,928	18.3%	49,199	16.7%	6,021	2.0%	294,726

HOUSING COSTS

Median housing costs grew from 2000 through 2012, as shown in Table II.18 at right. Median contract rent, which does not include additional charges such as utilities and garbage, rose from \$553 to \$607 from 2000 through 2012. At the same time, median home values increased from \$61,300 to \$75,800. In Monroe County, the median contract rent grew from \$612 to \$680 between 2000 and 2010, while home values rose from \$98,700 to \$134,200.

Table II.18
Median Housing Costs

City of Rochester and Monroe County
2000 Census SF3 & 2012 Five-Year ACS Data

Housing Cost	2000	2010
City of Rochester		
Median Contract Rent	\$553	\$607
Median Home Value	\$61,300	\$75,800
Monroe County		
Median Contract Rent	\$612	\$680
Median Home Value	\$98,700	\$134,200

Median contract rent prices were highest outside of the city, particularly in Census tracts with a shore on Lake Ontario and tracts to the immediate northwest of Rochester, as shown in Map II.13 on the following page. Overall, median contract rental prices were seen to be relatively low in the city center, notably in Census tracts to the north of the city center, and to increase with the distance between the Census tract and city center.

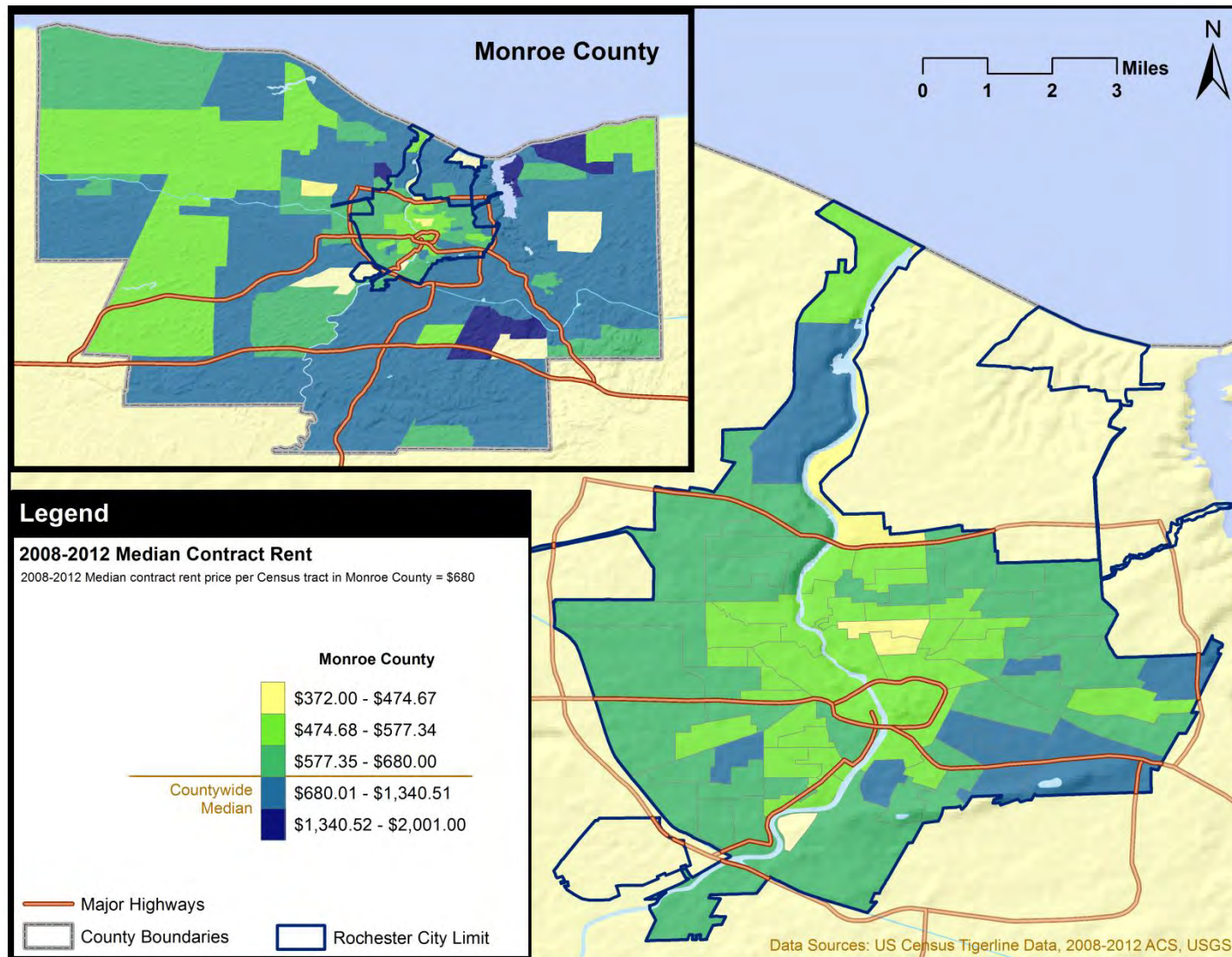
A similar pattern was observed in the distribution of median home values in Monroe County, as shown in Map II.14 on page 71. The median home value was at or below \$55,200 in many Census tracts in the city center, especially those that lay to the north of the city's inner loop. Home values tended to be higher to the south of the city center and in Census tracts in the remainder of the county. The highest median home values were observed in Census tracts in the southeastern portion of the county, where median home values exceeded \$250,000.

SUMMARY

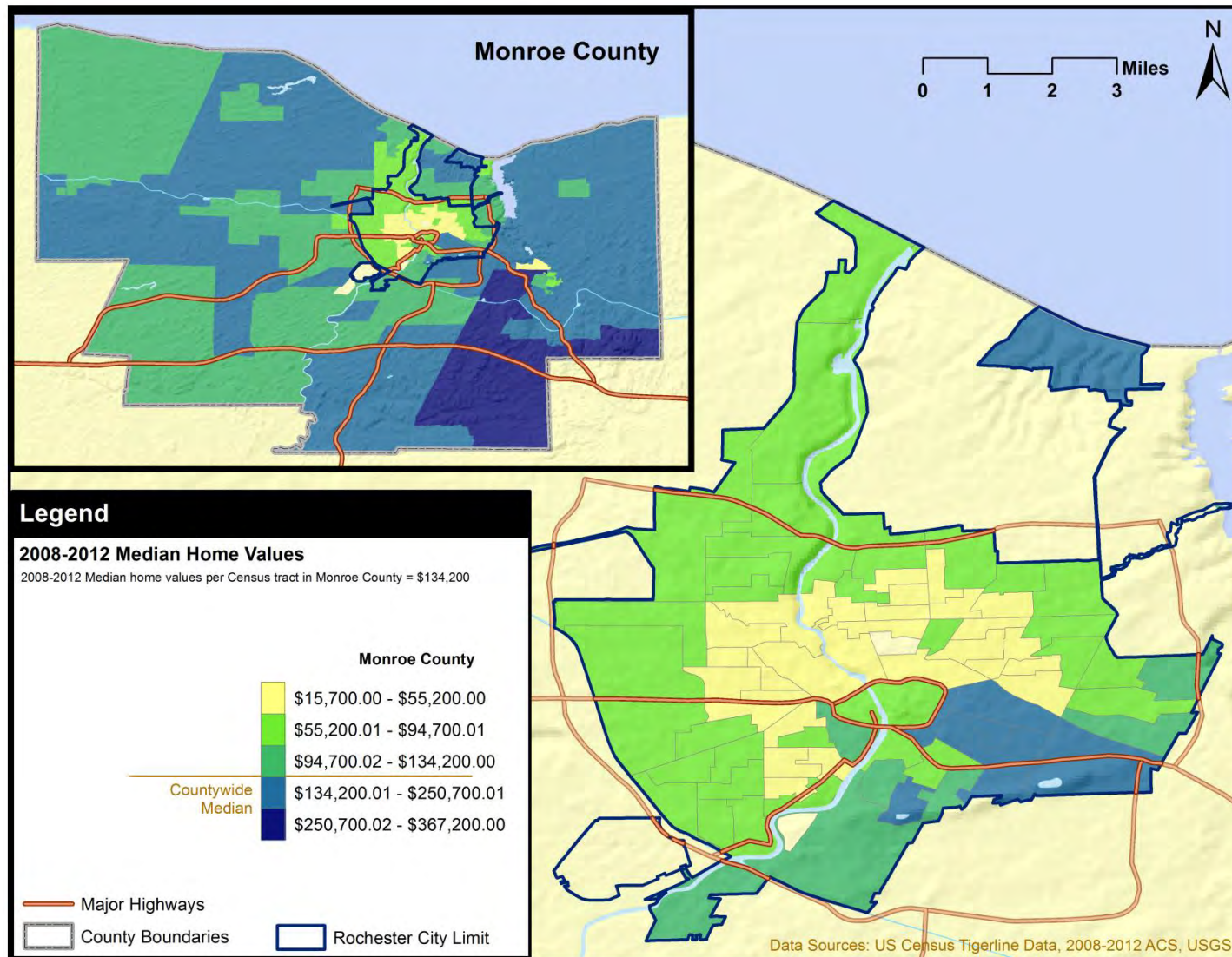
As the population of Monroe County grew by 1.2 percent between 2000 and 2010, the population in Rochester fell by 4.2 percent. Though the decline in the city's population was relatively rapid in the middle of the last decade, that decline has slowed considerably in recent years. Analysis of changes to the city and county population by age cohort suggests that the decline in the city population, and the relatively slow rate of growth in the county population, was due in large part to a reduction in the number of residents aged 25 to 54 years of age, along with the number of residents aged less than 19.

The number of white residents in the city and county also declined between 2000 and 2010, by 13.4 percent. By contrast, the number of black residents increased by 3.8 percent in the city, and 12 percent in the county as a whole. Together, black and white residents accounted for more than 90 percent of county residents in 2010, and more than 85 percent of the city's population. However, considerable growth was observed in the number of Hispanic residents, who accounted for 16.4 percent of the city population in 2010, up from 12.8 percent in 2000. Black and Hispanic residents were both disproportionately concentrated in Census tracts within the City of Rochester in 2000 and 2010. Black residents tended to be highly concentrated in the area to the southwest of the city center, while Hispanic residents tended to be disproportionately concentrated to the north of the city center. Outside of the city of Rochester, these residents tended to account for relatively small shares of the population. Dissimilarity indices from the city and county confirm moderate to high levels of racial and ethnic segregation in both areas, but also indicate that these areas became less segregated between 2000 and 2010.

Map II.13
Median Contract Rent
 City of Rochester and Monroe County
 2012 Five-Year ACS Data



Map II.14
Median Home Value
 City of Rochester and Monroe County
 2012 Five-Year ACS Data



The city and county have also experienced increasing levels of immigration in recent years, as noted in the draft of the 2014 Draft of the city's Language Access Plan. Among recent arrivals to the city have been significant numbers of arrivals from Bhutan, Burma, Cuba, Iraq, and Somalia.

Residents with disabilities were also more common within the city center than in the rest of the county. These residents accounted for 17.6 percent of the county population in 2000, but in the city nearly one resident in four was living with some form of disability in that year. In 2008-2012, residents with disabilities represented 12.1 percent of the county population and 16.8 percent of the city population. These residents continued to be concentrated within the City of Rochester in that year.²⁹

The number of employed workers in the city also declined between 2000 and 2012. According to the Bureau of Labor Statistics, some 95,000 workers were employed in the city in 2000. By 2012, that figure had fallen by more than 10,000, though there was a slight increase in the number of employed in 2013. This overall decline in the number of employed was accompanied by a reduction in the size of the labor force; however, because the number of employed generally declined faster than the number of workers in the labor force, the unemployment rate has seen an overall increase since 2000. This increase was exacerbated by the national recession of the late 2000s, and though the unemployment rate fell considerably in 2013, it still exceeded 9 percentage points in that year.

The drop in the number of employed between 2000 and 2012 was reflected in tepid growth in total employment, which refers to the total number of full- and part-time jobs in Monroe County. The total number of jobs in the county grew very little between 2005 and 2011, and declined dramatically from 2008 through 2010. Since that year, total employment has shown signs of recovery.

Like the number of full- and part-time jobs in the county, growth in real average earnings per job was slow for most of the period from 2005 to the present. In 2005, the average Monroe County worker earned just under \$54,000³⁰; by 2010, that figure had grown by around \$1,200, and had increased to \$55,438 by 2012. By contrast, real per capita income in the county has grown steadily since 2003, with the exception of a brief period of decline after 2008. By 2012, the average county resident had an income of \$46,793. Both earnings and per capita income have lagged behind statewide figures since the late eighties.

Household incomes also increased in the city and county also increased between 2000 and 2012, as measured in current dollars. The shares of households making less than \$50,000 per year fell in Rochester, while the share of households earning more than \$100,000 per year nearly doubled. At the same time, the county saw reduced shares of households from all income groups below \$75,000 per year in 2008-2012, accompanied by a marked increase in the shares of households earning \$100,000 or more, which accounted for more than a fifth of all household in the county in 2008-2012. In spite of these increased household incomes, the percentage of households living in poverty in Rochester grew from 25.9 to 31.6 percent over the same time period. In the county, the share of households living in poverty in the county

²⁹ It should be noted that, due to changes to the conceptual framework employed in the ACS questions concerning disability, the Census Bureau discourages direct comparisons between Census and ACS figures from before and after 2008. Thus, it would not be correct to infer, for example, that the population with disabilities in the city fell by 8.1 percentage points.

³⁰ Dollar figures are presented in 2012 dollars.

grew from 11.2 to 14.6 percent. In both years, these households were observed to be highly concentrated in Census tracts in and around the city center.

In addition, fewer housing units in Rochester were occupied by their owners in 2010 than had been in 2000, while the number of renter-occupied households increased by 1.9 percent. The number of housing units overall fell by 2.6 percent—fortunately, this reduction was greater among vacant housing units than among occupied units. In the surrounding county, by contrast, the number of vacant housing units increased considerably. Nevertheless, vacant housing units of all kinds tended to be disproportionately concentrated within the city limits of Rochester in 2010, as did vacant units classified as “other vacant”. These units, which may constitute a blighting influence where they are grouped in close geographic proximity, accounted for as much as 72.1 percent of all vacant housing units in Census tracts to the immediate north of the city center.

The number of one- and two-person households grew in the city and county between 2000 and 2010, along with the number of three-person households in the county. The number of larger households generally declined over this time period (households with seven members or more grew, but this growth was relatively minor in both the city and county). This shift toward smaller households was reflected in the decreased incidence of overcrowding in the city after 2000. By 2012, overcrowded households accounted for 2.3 percent of households in the city, and less than one percent of households in the surrounding county.

As a housing problem, overcrowding affected relatively few household in the city or county. Similarly, less than one percent of housing units in the city and county lacked complete plumbing facilities in 2000, and this share only fell after that year. The share of housing with incomplete kitchen facilities grew, but still only accounted for 1.1 percent of housing units by 2012, and 0.8 percent of units in the county as a whole. A more common problem in the county was cost-burdening, which describes a situation in which households spend more than 30 percent of their total income on housing costs. Nearly one household in five was cost-burdened in the city in 2000 and 2008-2012, while the share of severely cost-burdened households, which spend more than 50 percent of their income on housing costs, grew from 22.2 to 27.8 percent over the decade. Though cost-burdening was less pervasive in the surrounding county, it still affected nearly thirty percent of households outside of Rochester. The increased incidence of cost-burdening corresponded with increases in median rental costs and home values between 2000 and 2012.

SECTION III. FAIR HOUSING LAW, STUDY, AND CASE REVIEW

As part of the AI process, existing fair housing laws, studies, cases, and other relevant materials were reviewed on a national and local scale. Results of this review are presented below.

FAIR HOUSING LAWS

FEDERAL FAIR HOUSING LAWS

Federal laws provide the backbone for U.S. fair housing regulations. While some laws have been previously discussed in this report, a brief list of laws related to fair housing, as defined on the U.S. Department of Housing and Urban Development's (HUD's) website, is presented below:

Fair Housing Act Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), as amended, prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, religion, sex, familial status (including children under the age of 18 living with parents or legal custodians, pregnant women, and persons securing custody of children under the age of 18), and handicap (disability).³¹

Title VIII was amended in 1988 (effective March 12, 1989) by the *Fair Housing Amendments Act*. In connection with prohibitions on discrimination against individuals with disabilities, the Act contains design and construction accessibility provisions for certain new multi-family dwellings developed for first occupancy on or after March 13, 1991.³²

Title VI of the Civil Rights Act of 1964. Title VI prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving federal financial assistance.

Section 504 of the Rehabilitation Act of 1973 Section 504 prohibits discrimination based on disability in any program or activity receiving federal financial assistance.

Section 109 of the Housing and Community Development Act of 1974 Section 109 prohibits discrimination on the basis of race, color, national origin, sex or religion in programs and activities receiving financial assistance from HUD's Community Development and Block Grant Program.

Title II of the Americans with Disabilities Act of 1990. Title II prohibits discrimination based on disability in programs, services, and activities provided or made available by public entities. HUD enforces Title II when it relates to state and local public housing, housing assistance and housing referrals.

³¹ "HUD Fair Housing Laws and Presidential Executive Orders."

http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/FHLaws

³² "Title VIII: Fair Housing and Equal Opportunity."

http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/progdesc/title8

Architectural Barriers Act of 1968 The Architectural Barriers Act requires that buildings and facilities designed, constructed, altered, or leased with certain federal funds after September 1969 be accessible to and useable by handicapped persons.

Age Discrimination Act of 1975 The Age Discrimination Act prohibits discrimination on the basis of age in programs or activities receiving federal financial assistance.

Title IX of the Education Amendments Act of 1972 Title IX prohibits discrimination on the basis of sex in education programs or activities that receive federal financial assistance.³³

These laws pertain to programs receiving federal assistance, and in some cases expand the scope of fair housing policy beyond that of the fair housing act by including additional conditions on the use of federal funding.

STATE FAIR HOUSING LAWS

Article 15 of New York Executive Law (“New York Human Rights Law”) was the first state-level human rights law enacted in the United States.³⁴ The law protects housing-seekers from unlawful discrimination on the basis of race, creed, color, national origin, sexual orientation, military status, sex, age, disability, marital status, or familial status.

LOCAL FAIR HOUSING LAWS

In addition to federal and state law, citizens of the City of Rochester are also protected by Chapter 63 of the city’s code of ordinances (“Rochester Human Rights Law”). This law prohibits discrimination on the basis of age, race, creed, color, national origin, gender, gender identity or expression, sexual orientation, disability, or marital status.

FAIR HOUSING STUDIES

NATIONAL FAIR HOUSING STUDIES

In 2000, HUD released a publication entitled “Discrimination in Metropolitan Housing Markets,” which measured the prevalence of housing discrimination based on race and ethnicity in the U.S. This was the third nationwide effort to measure discrimination against minority home seekers since 1977, conducted in three phases.

1. Phase 1 – Black and Hispanic Populations

The study, based on 4,600 paired tests in 23 metropolitan cities in the U.S., found large decreases in the levels of discrimination against black and Hispanic home seekers between 1989 and 2000. In the rental markets, a moderate decrease was seen in discrimination toward black individuals, who experienced adverse treatment more often than white individuals, whereas the Hispanic population was more likely to face discrimination in the rental markets than its black and white counterparts. Many black

³³ “HUD Fair Housing Laws and Presidential Executive Orders.”

³⁴ *Mission Statement*. New York Division of Human Rights. Website. <http://www.dhr.ny.gov/mission-statement>. Accessed Dec 14, 2014.

and Hispanic home seekers were told that units were unavailable, although the same units were available to white home seekers, and the black and Hispanic populations were also shown and told about fewer units. In addition, Hispanic individuals were more likely in 2000 than in 1989 to be quoted a higher rent than white individuals who sought to rent the same unit.

2. Phase 2 – Asian and Pacific Islander Populations

This study, conducted in 2000 and 2001 and based on 889 paired tests in 11 metropolitan areas in the U.S., showed that Asian and Pacific Islander individuals who sought to rent a unit experienced adverse treatment compared to white individuals in 21.5 percent of tests, which was similar to the rate black and Hispanic individuals saw. The study also showed that Asian and Pacific Islander prospective homebuyers experienced adverse treatment compared to white prospective homebuyers 20.4 percent of the time, with discrimination occurring in the availability of housing, inspections, assistance with financing, and encouragement by agents.

3. Phase 3 – American Indian Population

The last phase of HUD's nationwide effort to measure housing discrimination involved estimating the level of discrimination experienced by American Indian individuals in their search for housing in metropolitan areas across Minnesota, Montana, and City of Rochester. The findings showed that the American Indian population experienced adverse treatments compared to white individuals in 28.5 percent of rental tests. White individuals were consistently told about advertised units, similar units, and more units than American Indian individuals with similar qualifications. The high level of discrimination experienced by the American Indian population in these areas surpassed rates seen by Hispanic, black, and Asian individuals in the metropolitan rental markets nationwide.³⁵

In April 2002, HUD released a national study that assessed public awareness of and support for fair housing law titled *How Much Do We Know?: Public Awareness of the Nation's Fair Housing Laws*. The study found that only 50 percent of the population was able to identify most scenarios describing illegal conduct. In addition, 14 percent of the nationwide survey's adult participants believed that they had experienced some form of housing discrimination in their lifetime. However, only 17 percent of those who had experienced housing discrimination had taken action to resolve the issue, such as filing a fair housing complaint. Finally, two-thirds of all respondents said that they would vote for a fair housing law.³⁶

As a follow-up, HUD later released a study in February 2006 called *Do We Know More Now?: Trends in Public Knowledge, Support and Use of Fair Housing Law*. One aim of the study was to determine whether a nationwide media campaign had proven effective in increasing the public's awareness of housing discrimination, and another goal was to determine the public's desire to report such discrimination. Unfortunately, the study found that overall public knowledge of fair housing law did not improve between 2000 and 2005. As before, just half of

³⁵ "Discrimination in Metropolitan Housing Markets: National Results from Phase 1, Phase 2, and Phase 3 of the Housing Discrimination Study (HDS)." <http://www.huduser.org/portal/publications/hsgfin/hds.html>

³⁶ U.S. Department of Housing and Urban Development, Office of Policy Development and Research. *How Much Do We Know?: Public Awareness of the Nation's Fair Housing Laws*. April 2002. <http://www.huduser.org/portal/publications/fairhsg/hmwk.html>

the public knew the law regarding six or more illegal housing activities. The report showed that 17 percent of the study's adult participants experienced discrimination when seeking housing; however, after reviewing descriptions of the perceived discrimination, it was determined that only about 8 percent of the situations might be covered by the Fair Housing Act. Four out of five individuals who felt they had been discriminated against did not file a fair housing complaint, indicating that they felt it "wasn't worth it" or that it "wouldn't have helped." Others did not know where to complain, assumed it would cost too much, were too busy, or feared retaliation. One positive finding of the survey was that public support for fair housing law increased from 66 percent in 2000 to 73 percent in 2005.³⁷

In 2004, the U.S. General Accounting Office's (GAO) released a report titled *Fair Housing: Opportunities to Improve HUD's Oversight and Management of the Enforcement Process*. The GAO report found that between 1996 and 2003, the median number of days required to complete fair housing complaint investigations was 259 for HUD's Fair Housing and Equal Opportunity Offices and 195 for Fair Housing Assistance Program (FHAP) agencies, far above the 100-day mandate. However, the report did find a higher percentage of investigations completed within that time limit. The GAO report also identified the following trends between 1996 and 2003:

- The number of fair housing complaints filed each year steadily increased since 1998. An increasing proportion of grievances alleged discrimination based on disability and a declining proportion alleged discrimination based on race, although race was still the most cited basis of housing discrimination³⁸;
- FHAP agencies conducted more fair housing investigations than Fair Housing and Equal Opportunity (FHEO) agencies over the eight-year period. The total number of investigations completed each year increased slightly after declining in 1997 and 1998; and
- Over this time period, an increasing percentage of investigations closed without finding reasonable cause to believe discrimination occurred. However, a declining percentage of investigations were resolved by the parties themselves or with help from FHEO or FHAP agencies.³⁹

In 2006, the University of Southern California and Oregon State University collaborated to study rental discrimination and race. The universities responded to 1,115 advertisements regarding apartment vacancies in Los Angeles County and signed the bottom of each email with Tyrell Jackson, a traditionally black name; Patrick McDougall, a traditionally white name; or Said Al-Rahman, a traditionally Arab name. Analysis indicated that individuals who were perceived as black were four times more likely to be discouraged from viewing an apartment than persons perceived as white, and individuals considered to be Arab were three times more likely to be discouraged from viewing an apartment than individuals who appeared white. The analysis also noted that applicants perceived as black were more likely to receive negative responses, such as the apartment was no longer available for market rate or above market rate

³⁷ U.S. Department of Housing and Urban Development, Office of Policy Development and Research. *Do We Know More Now?: Trends in Public Knowledge, Support and Use of Fair Housing Law*. February 2006. <http://www.huduser.org/portal/publications/hsgfin/FairHsgSurvey.html>

³⁸ In more recent studies published by the National Fair Housing Alliance, disability has consistently been identified as the most prevalent complaint basis among complaints filed with HUD in 2009-2014.

³⁹ U.S. General Accounting Office. "Fair Housing: Opportunities to Improve HUD's Oversight and Management of the Enforcement Process." April 2004. <http://gao.gov/products/GAO-04-463>

apartments. For example, only an email signed Tyrell Jackson received a reply that reiterated the apartment cost to ensure the apartment was within the applicant's price range. The study also analyzed the responses from private property owners versus corporate property owners, but found no statistical difference in the way the two groups responded to applicants of different races.⁴⁰

Released by the Poverty & Race Research Action Council in January 2008, *Residential Segregation and Housing Discrimination in the United States* asserts that many current governmental efforts to further fair housing actually result in furthering unfair housing practices across the U.S. This article suggests that fair housing efforts can cause residential segregation. For example, if the majority of public housing residents are non-white and most public housing accommodations are grouped in the same Census tracts, residential segregation is resultant. Similarly, many Section 8 voucher holders are racial or ethnic minorities, and most housing that accepts Section 8 vouchers is grouped in selected areas, which again results in residential segregation. The report offers recommendations to curb such residential segregation, including dispersing public housing developments throughout cities and communities and providing greater incentives for landlords with several properties to accept the vouchers.⁴¹

National Fair Housing Alliance Annual Reports

The National Fair Housing Alliance (NFHA) is "a consortium of more than 220 private, non-profit fair housing organizations, state and local civil rights agencies, and individuals from throughout the United States⁴²." In service to its mission to eliminate housing discrimination, the NFHA promotes fair housing choice through "leadership, education, outreach, membership services, public policy initiatives, advocacy and enforcement." As part of this overall effort, the NFHA publishes reports detailing trends and issues in fair housing, a selection of which are summarized below.

Published in 2009 by the National Fair Housing Alliance, *For Rent: No Kids!: How Internet Housing Advertisements Perpetuate Discrimination* presented research on the prevalence of discriminatory housing advertisements on popular websites such as Craigslist. According to the article, while newspapers are prohibited from publishing discriminatory housing advertisements, no such law exists for websites like Craigslist, as they are considered interactive internet providers rather than publishers of content. As such, they are not held to the same legal standards as newspapers. While individual landlords who post discriminatory advertisements may be held responsible, there are no such standards for companies like Craigslist that post the discriminatory advertisements. Newspapers and other publishers of content are required to screen the advertisements they accept for publishing for content that could be seen as discriminatory. This may include phrases like "no children" or "Christian only," which violate provisions of the Fair Housing Act that state families with children and religious individuals are federally protected groups.⁴³

⁴⁰ Carpusor, Adrian and William Loges. "Rental Discrimination and Ethnicity in Names." *Journal of Applied Social Psychology* 36(4).

⁴¹ U.S. Housing Scholars and Research and Advocacy Organizations. *Residential Segregation and Housing Discrimination in the United States*. January 2008. <http://prrac.org/pdf/FinalCERDHOusngDiscriminationReport.pdf>

⁴² "About NFHA". National Fair Housing Alliance website. Accessed January 6, 2015. www.nationalfairhousing.org.

⁴³ National Fair Housing Alliance. *For Rent: No Kids!: How Internet Housing Advertisements Perpetuate Discrimination*. August 2009. <http://www.nationalfairhousing.org/LinkClick.aspx?fileticket=zgbukJP2rMM%3D&tabid=2510&mid=8347>

In May 2010, the National Fair Housing Alliance published a fair housing trends report, *A Step in the Right Direction*, which indicated that recent years have demonstrated forward movement in furthering fair housing. The report began with a commendation of HUD's federal enforcement of fair housing law and noted the agency's willingness to challenge local jurisdictions that failed to affirmatively further fair housing. In response to the recent foreclosure crisis, many credit institutions have implemented tactics to reduce risk. However, this report suggests that policies that tighten credit markets, such as requiring larger cash reserves, higher down payments, and better credit scores, may disproportionately affect lending options for communities of color and women. *A Step in the Right Direction* concludes with examples of ways in which the fair housing situation could be further improved, including addressing discriminatory internet advertisements and adding gender identity, sexual orientation, and source of income as federally protected classes.⁴⁴

The positive note that the NFHA struck in its 2010 report carried over into the following year's *The Big Picture: How Fair Housing Organizations Challenge Systemic and Institutionalized Discrimination*, published by the Alliance in April of 2011. This report began by noting an encouraging downward trend in the proportion of individuals in large metropolitan areas living in segregation, which had dropped from 69 to 65 percent between 2000 and 2010, according to census data from 2010. The report also highlighted the work of fair housing organizations to combat systemic and institutionalized discrimination produced by exclusionary zoning, NIMBYism, the dual credit market, and other fair housing challenges, often on limited budgets and with limited personnel. The NFHA closed its 2011 report by praising the work of private fair housing organizations while underscoring the need for continued work.⁴⁵

The 2012 report from the NFHA focused on issues of fair housing in the context of the shifting demographic composition of the United States, where the white population is projected to no longer represent a majority of residents within thirty years. The report discussed encouraging signals from HUD and the Justice Department, who have "increased their efforts and announced landmark cases of mortgage lending, zoning, and other issues that get to the heart of the [Fair Housing] Act: promoting diverse and inclusive communities⁴⁶." The report also highlights a new arena for discrimination in housing, which has emerged as a result of the massive level of foreclosures in the country in recent years: uneven maintenance of Real Estate Owned (REO) properties in white and minority areas. In concluding, the report hails the creation of the Consumer Financial Protection Bureau as a new ally for fair housing and equal opportunity.⁴⁷

In its 2013 trends report, the NFHA outlined an ambitious policy goal: expansion of the Fair Housing Act to prohibit discrimination based on source of income, sexual orientation, gender identity, and marital status. The report notes that cases of housing discrimination in general increased between 2011 and 2012, and that complaints based on non-protected statuses (source of income, etc.) were included in that upward trend. In spite of this, only 12 states included protections based on source of income in that year; 21 states prohibited discrimination based on sexual orientation, 16 states protected against discrimination based on

⁴⁴ *A Step in the Right Direction: 2010 Fair Housing Trends Report*. National Fair Housing Alliance. May 2010. <http://www.nationalfairhousing.org/Portals/33/Fair%20Housing%20Trends%20Report%202010.pdf>

⁴⁵ *The Big Picture: How Fair Housing Organizations Challenge Systemic and Institutionalized Discrimination*. National Fair Housing Alliance 2011 Fair Housing Trends Report. April 29, 2011.

⁴⁶ *Fair Housing in a Changing Nation: 2012 Fair Housing Trends Report*. National Fair Housing Alliance. April 30, 2012.

⁴⁷ *Ibid.*

gender identity, and 22 states offer protections based on marital status. The District of Columbia also extended protections on all of these bases in that year. In concluding the report, the NFHA advocates the modernization and expansion of the FHA to bring the protection of individuals based on source of income, sexual orientation, gender identity, and marital status within its compass.⁴⁸

In its 2014 Fair Housing trends report, entitled “Expanding Opportunities: Systemic Approaches to Fair Housing”, the NFHA began by lauding the efforts of HUD, DOJ, and private non-profit fair housing organizations for their efforts over the past year in promoting fair housing choice across the United States. The report also noted an increase in the number of fair housing complaints relating to real estate sales, homeowner’s insurance, and housing advertisements, even as the overall number of housing complaints remained relatively steady. The 2014 report also featured a regional analysis of housing discrimination complaints, which indicated that complaints of housing discrimination were more common in the more racially and ethnically segregated metropolitan statistical areas of the country.⁴⁹

LOCAL STUDY

A special report entitled *Poverty and the Concentration of Poverty in the Nine-County Greater Rochester Area* was prepared by the Rochester Area Community Foundation and ACT Rochester and published in December 2013. The report details the extent of poverty in the region, both through a survey of statistical data and through the personal testimonies of area residents who are living in poverty. The study is not only intended to describe local economic conditions and challenges, but to increase public awareness and initiate a broader discussion within the community concerning potential solutions to those challenges. The study also served to inform and enrich the present study, and is cited at several points in this AI.⁵⁰

A CHANGING FAIR HOUSING LANDSCAPE

NATIONAL FAIR HOUSING CASES

As noted in the introduction to this report, provisions to affirmatively further fair housing (AFFH) are long-standing components of HUD’s Housing and Community Development programs. In fact, in 1970, *Shannon v. HUD* challenged the development of a subsidized low-income housing project in an urban renewal area of Philadelphia that was racially and economically integrated. Under the Fair Housing Act, federal funding for housing must further integrate community development as part of furthering fair housing, but the plaintiffs in the *Shannon* case claimed that the development would create segregation and destroy the existing balance of the neighborhood. As a result of the case, HUD was required to develop a system to consider the racial and socio-economic impacts of their projects.⁵¹ The specifics of the system were not decided upon by the court, but HUD was encouraged to consider the racial composition and income distribution of neighborhoods, racial effects of local regulations, and

⁴⁸ *Modernizing the Fair Housing Act for the 21st Century: 2013 Fair Housing Trends Report*. National Fair Housing Alliance. April 11, 2013.

⁴⁹ *Expanding Opportunity: Systemic Approaches to Fair Housing*. National Fair Housing Alliance. August 13, 2014.

⁵⁰ Doherty, Edward. *Poverty and the Concentration of Poverty in the Nine-County Greater Rochester Area*. Rochester Area Community Foundation. December 2013.

⁵¹ U.S. HUD. *39 Steps Toward Fair Housing*. <http://www.hud.gov/offices/fheo/39steps.pdf>

practices of local authorities.⁵² The Shannon case gave entitlement jurisdictions the responsibility of considering the segregation effects of publicly-funded housing projects on their communities as they affirmatively further fair housing.

More recently, in a landmark fraud case, Westchester County, New York, was ordered to pay more than \$50 million to resolve allegations of misusing federal funds for public housing projects and falsely claiming their certification of affirmatively furthering fair housing. The lawsuit was filed in 2007 by the Anti-Discrimination Center (ADC), a New York-based non-profit organization, under the False Claims Act. According to the ADC, the County “failed to consider race-based impediments to fair housing choice; failed to identify and take steps to overcome impediments; and failed to meet its obligations to maintain records concerning its efforts.”

In a summary judgment in February 2009, a judge ruled that the County had made “false certifications on seven annual AFFH certifications and on more than a thousand implied certifications of compliance when it requested a drawdown of HUD funds”. Pursuant to a settlement agreement brokered by the Obama Administration in April 2009, Westchester County was required to pay more than \$30 million to the federal government, with roughly \$20 million eligible to return to the County to aid in public housing projects. The County was also ordered set aside \$20 million to build public housing units in suburbs and areas with mostly white populations, and to promote legislation “currently before the Board of Legislators to ban ‘source-of-income’ discrimination in housing (§33(g))”.⁵³

Finding that Westchester had failed to affirmatively further fair housing in the manner agreed upon in the earlier settlement, HUD rejected the County’s AFFH certification and discontinued federal funding in 2011. As of April 2013, HUD’s decision had been upheld through several rounds of appeals by the County⁵⁴. The case is likely to have ramifications for entitlement communities across the nation; activities taken to affirmatively further fair housing will likely be held to higher levels of scrutiny to ensure that federal funds are being spent to promote fair housing and affirmatively further fair housing. The case also signals an increased willingness on the part of HUD to bring enforcement pressure to bear in order to ensure that state and local jurisdictions comply with the AFFH requirements.

Affirmatively Furthering Fair Housing

At the same time that HUD has pursued a more active role in fair housing enforcement, the agency has sought to bring additional guidance and clarity to fair housing policy. This effort was inspired in part by the agency’s own assessment of shortcomings in current policy, and in part by criticism from other agencies; notably the Government Accountability Office (GAO).⁵⁵ In 2009, HUD noted that many of the AI’s it reviewed as part of an internal study did not conform to the agency’s guidelines. This finding was reaffirmed in a 2010 study conducted by the GAO, which sought to assess the effectiveness of Analyses of Impediments as a tool to affirmatively further fair housing, as well as their effectiveness as planning documents.

⁵² Orfield, Myron. “Racial Integration and Community Revitalization: Applying the Fair Housing Act to the Low Income Housing Tax Credit.” *Vanderbilt Law Review*, November 2005.

⁵³ <http://www.hud.gov/content/releases/settlement-westchester.pdf>

⁵⁴ *United States v Westchester County* 712 F.3d 761 2013 U.S. App.

⁵⁵ 24 CFR §5, 91, 92, et al. (2013)(Proposed Rule)

According to the GAO, an estimated 29 percent of CDBG and HOME grantees' AIs were prepared in 2004 or earlier, and were therefore likely to be of limited usefulness in current planning efforts. Furthermore, the GAO found that those AIs that were up to date largely lacked features that would render them more effective as planning documents, including timetables and the signatures of top elected officials. More generally, the GAO noted that HUD guidelines concerning AIs are unclear, and that its requirements for the analyses are minimal⁵⁶. Under those requirements, the agency observed, grantees are "not required through regulation to update their AIs periodically, include certain information, follow a specific format in preparing AIs, or submit them to HUD for review⁵⁷."

The conclusion of the GAO study is reflected in its title: *HUD Needs to Enhance Its Requirements and Oversight of Jurisdictions' Fair Housing Plans*. In response to the criticism of the GAO, as well as a longstanding recognition on the part of HUD that fair housing policy stood in need of improvement and clarification, the agency developed and published a proposed rule entitled *Affirmatively Furthering Fair Housing* in July of 2013. The proposed rule represents a substantial restructuring of the AFFH process, eliminating the AI and replacing it with the Assessment of Fair Housing (AFH). According to the rule, the AFH will (1) incorporate key demographic and econometric metrics specifically identified by HUD, (2) be completed with nationally uniform data provided by HUD, and (3) be submitted to HUD for review in advance of the consolidated plan to insure that the findings of the fair housing analysis are fully integrated into the consolidated planning process.⁵⁸ The comment period for the proposed rule ended in September of 2013. The final rule was announced on July 8, 2015 and published on July 16, 2015.

As noted in the winter edition of the Pennsylvania Association of Housing and Redevelopment Agencies Monitor, "the [proposed rule's] four specifically articulated goals are noble, if not perhaps aspirational:

1. "Improve integrated living patterns and overcome historic patterns of segregation;
2. Reduce or eliminate racially and ethnically concentrated areas of poverty;
3. Reduce disparities in access to community assets such as education, transit access, employment, as well as exposure to environmental health hazards and other stressors that harm a person's quality of life; and
4. Address disproportionate housing needs by protected classes⁵⁹."

Nevertheless, according to the author, the Final Rule has the potential to "divert much needed funds away from impacted neighborhoods"; accordingly, "it remains to be seen whether the final version of the rule will truly facilitate [meaningful fair housing planning] and lead to greater housing opportunity, mobility, and choice⁶⁰." Note that because the provisions of the new rule do not come into force until 2016 at the earliest, the current AI effort being undertaken in conformity to HUD guidance that is currently in place, as articulated in the Fair Housing Planning Guide and subsequent memoranda.

⁵⁶ "HUD Needs to Enhance Its Requirements and Oversight of Jurisdictions' Fair Housing Plans". *Government Accountability Office*. September 2010.

⁵⁷ *Ibid.*, page 32.

⁵⁸ 24 CFR §5, 91, 92, et al. (2013)(Proposed Rule)

⁵⁹ Poltrock, Leigh A. "Affirmatively Furthering Fair Housing: The Good, the Bad, and the Ugly of the Proposed Rule and Draft Assessment Tool." *Pennsylvania Association of Housing and Redevelopment Agencies Monitor*. Winter 2014-2015, page 19. Accessible at <http://pahra.org/wp-content/uploads/2015/01/PAHRA-Monitor-Winter-2014-15.pdf>

⁶⁰ *Ibid.*

Discriminatory Effects and the Fair Housing Act

In addition to the proposed rule that seeks to update and clarify the AFFH requirements for states and local jurisdictions, HUD finalized a rule in February 2015 that was intended to “formalize HUD’s long-held interpretation of the availability of ‘discriminatory effects’ liability under the Fair Housing Act⁶¹.” According to HUD, individuals and businesses may be held liable for policies and actions that are neutral on their face but have a discriminatory effect. This theory of liability had not yet been articulated by the signing of the Civil Rights Acts of 1964 or 1968; however, it has been an important test for discrimination in employment since the Supreme Court found in 1971⁶² that the Civil Rights Act “proscribes not only overt discrimination but also practices that are fair in form, but discriminatory in operation⁶³.” The first test of “disparate impact theory” in housing law came in 1974, with *United States v. City of Black Jack*⁶⁴. In that case, the government alleged that the City of Black Jack had “exercised its zoning powers to exclude... a federally-subsidized housing development”, thereby excluding residents of low-income housing, who were disproportionately black.⁶⁵

In deciding on the matter, the Eight Circuit Court maintained that a plaintiff “need prove no more than that the conduct of the defendant actually or predictably results in racial discrimination” to make a case that the conduct is itself discriminatory⁶⁶. The theory of discriminatory effect established in this case has been consistently applied in fair housing cases and upheld in every district court decision in which it served to establish or support the charge of housing discrimination.⁶⁷ On June 25, 2015, the Supreme Court affirmed that discriminatory effects liability is available under the Fair Housing Act, and individuals, businesses, and jurisdictions can be held liable for policies that actually or predictably result in discrimination, not just those that are intentionally discriminatory, as summarized below:⁶⁸

Texas Department of Housing and Community Affairs v. The Inclusive Communities Project

In 2008, a Dallas-based non-profit organization called the Inclusive Communities Project (“the Project”) sued the Texas Department of Housing and Community Affairs (“the Department”), claiming that the point system by which it allocates federal tax subsidies serves to concentrate subsidized housing in low-income communities.⁶⁹ In the lawsuit, the Project relies on the theory of disparate impact that has been established through decades of jurisprudence but on which the Supreme Court has never definitively ruled.

According to the Project, the Department disproportionately allocates low-income housing tax credits in minority areas while denying those credits in predominantly white communities. In addition to the direct effect of concentrating units subsidized through these tax credits, the Project alleges that this manner of allocation leads to the further concentration of Section 8

⁶¹ 24 CFR §100 (2013)

⁶² Garrow, David J. “Toward a Definitive History of *Griggs v. Duke Power Company*”. 67 Vand. L. Rev. 197 (2014).

⁶³ *Griggs v. Duke Power Co.*, 401 U.S. 430 (1971).

⁶⁴ Rich, Joseph D. “HUD’s New Discriminatory Effects Regulation: Adding Strength and Clarity to Efforts to End Residential Segregation.” Lawyers’ Committee for Civil Rights Under Law. May 2013.

⁶⁵ *United States v. City of Black Jack, Missouri*, 508 F.2d 1179, 1184 (8th Cir. 1974)

⁶⁶ *Ibid.*

⁶⁷ 24 CFR §100 (2013); Rich, Joseph D. “HUD’s New Discriminatory Effects Regulation: Adding Strength and Clarity to Efforts to End Residential Segregation.” Lawyers’ Committee for Civil Rights Under Law. May 2013.

⁶⁸ Rich, Joe and Thomas Silverstein. “Symposium: The case for disparate impact under the Fair Housing Act.” Supreme Court of the United States Blog. January 6, 2015. Accessible at <http://www.scotusblog.com/2015/01/symposium-the-case-for-disparate-impact-under-the-fair-housing-act/>

⁶⁹ *Inclusive Communities Project v. Texas Department of Housing and Community Affairs* (2014).

Housing in those same areas⁷⁰, which serves to limit housing options for low-income, minority residents to areas with high concentrations of racial minority residents.⁷¹ In its original complaint, the Project argued both that the point scheme was intentionally discriminatory and that it produced a disparate impact on minority residents. The District Court for the Northern District of Texas found that the Project had failed to prove intentional discrimination but had proved its disparate impact claim.

Having been upheld in the U.S., Court of Appeals for the Fifth Circuit, the matter then moved to the Supreme Court at the request of the Department.⁷² In asking the Supreme Court to consider the case, the Department presented the court with two questions: First, “are disparate-impact claims cognizable under the Fair Housing Act?”⁷³ In other words, does the Act permit disparate-impact claims? Second, in the event that the Court finds that the FHA does allow such claims, the Department also asked “what standards and burdens of proof that should apply.”⁷⁴ The Court’s decision on this matter, handed down on June 25, 2015, upheld the availability of discriminatory effects liability under the Fair Housing Act.⁷⁵

LOCAL FAIR HOUSING CASES

Recent U.S. Department of Justice Cases

The U.S. Department of Justice (DOJ) enacts lawsuits on behalf of individuals based on referrals from HUD. Under the Fair Housing Act, the DOJ may file lawsuits in the following instances:

- Where there is reason to believe that a person or entity is engaged in what is termed a “pattern or practice” of discrimination or where a denial of rights to a group of people raises an issue of general public importance;
- Where force or threat of force is used to deny or interfere with fair housing rights; and
- Where persons who believe that they have been victims of an illegal housing practice file a complaint with HUD or file their own lawsuit in federal or state court.⁷⁶

The DOJ has only filed one housing discrimination case in the Western District of New York in the last ten years. That case, *United States of America v. Erie Insurance Company, et al.*, was filed in response to a HUD complaint that was originally filed by the Fair Housing Council of Central New York in 2002, and amended in 2006. In the complaint, the Department of Justice alleged that the Pennsylvania-based insurer engaged in practices that amounted to redlining, based on analyses that revealed statistically significant disparities in the company’s activities in the areas with higher concentrations of black residents. The specific allegations included the following:

⁷⁰ *Ibid.* Section 8 housing vouchers, which are not generally accepted by private landlords, cannot be turned down by those who receive low income housing tax credits.

⁷¹ *Ibid.*

⁷² Howe, Amy. “Will the third time be the charm for the Fair Housing Act and disparate-impact claims? In Plain English.” Supreme Court of the United States Blog. January 6, 2015. Accessible at “<http://www.scotusblog.com/2015/01/will-the-third-time-be-the-charm-for-the-fair-housing-act-and-disparate-impact-claims-in-plain-english/>”

⁷³ *Texas Department of Housing and Community Affairs v. The Inclusive Communities Project* (2014). Petition for a Writ of Certiorari.

⁷⁴ *Ibid.*

⁷⁵ *Texas Department of Housing and Community Affairs v. The Inclusive Communities Project* (2015)

⁷⁶ “The Fair Housing Act.” The United States Department of Justice. http://www.justice.gov/crt/about/hce/housing_coverage.php

- “As the percentage of black population increases, there are fewer agents selling [Erie Insurance Company’s] homeowner’s and renter’s insurance policies.
- As the percentage of black population increases, [Erie Insurance Company’s] share of the homeowner’s insurance market decreases.
- As the percentage of black population increases, [Erie Insurance Company’s] share of the renter’s insurance market decreases.
- As the percentage of black population increases, the percentage of Erie policies that [offer expanded coverage] decreases.”⁷⁷

The complaint was filed on December 23, 2008, and the case was settled on the same day. As terms of the settlement, the insurer was required to take reasonable, practical steps to market its insurance policies in Census blocks in which the black population accounts for thirty percent of the population or greater, and to offer policies that are at least as favorable as those offered in Census tracts with lower concentrations of black residents. In addition, the insurer agreed to undergo fair housing training; employ a Director of Diversity and Community Outreach; pay \$225,000 in damages to the Fair Housing Council of Central New York; allocate \$140,000 toward expanded marketing, advertising, and outreach programs designed to generate sales in Census tracts with relatively high concentrations of black residents; and to submit to monitoring for compliance.⁷⁸

SUMMARY

Residents throughout the United States are protected from discrimination in the housing market by a suite of federal laws, most notably the federal Fair Housing Act. This law protects individuals and families from discrimination on the basis of race, color, religion, sex, national origin, familial status, and disability. In spite of these protections, national studies indicate that discrimination on these bases has persisted; however, it has taken on subtler forms than in past years, when discrimination on those bases was comparatively overt.

In addition to federal laws prohibiting discrimination in the housing market, New York Human Rights Law expands upon the protections guaranteed by the Fair Housing Act by extending additional protections based on sexual orientation, military status, age, and marital status. Rochester Human Rights law also expands upon the federal law by prohibiting discrimination on the basis of age, gender identity or expression, sexual orientation, or marital status. However, while Rochester law also prohibits discrimination on most of the bases included in the federal FHA, it does not include protections based on familial status.

Housing law and jurisprudence has evolved considerably since the FHA was first enacted in 1968. The Fair Housing Amendments Act of 1988 added additional protections, strengthened the Act’s relatively weak enforcement provisions, and gave the Department of Housing and Urban Development enhanced authority to enforce the Act. In addition, since the early 1970s the FHA has consistently been interpreted to apply to laws and policies that are apparently neutral with respect to protected class status, but which nevertheless “actually or predictably”⁷⁹

⁷⁷ *United States v. Erie Insurance Company, et al.* Complaint. (2008).

⁷⁸ *United States v. Erie Insurance Company, et al.* Consent Decree. (2008).

⁷⁹ *United States v. City of Black Jack, Missouri*, 508 F.2d 1179, 1184 (8th Cir. 1974) It was racial discrimination, specifically, that was at issue in this case.

result in discrimination. In 2013, HUD finalized a rule formalizing its interpretation of discriminatory effects liability under the FHA.

This theory of liability was recently tested in a case before the Supreme Court of the United States. That case was brought before the Court through the efforts of the Texas Department of Housing and Community Affairs (“HCA”), which was sued in 2008 by the Dallas-based Inclusive Communities Project over the alleged disparate impact of criteria by which it places affordable housing units. In petitioning the court to hear the case, the HCA asked the justices to issue a definitive ruling on the availability of disparate impact liability under the FHA. A decision on the matter was rendered on June 25, 2015, when the Supreme Court affirmed that businesses, jurisdictions, and individuals could indeed be held liable not only for intentional discrimination but also for the discriminatory effects of apparently non-discriminatory policies and practices.

Following on the heels of the Supreme Court decision, HUD announced a final rule significantly revamping its long-standing requirement to affirmatively further fair housing (AFFH). In developing and finalizing this rule, HUD has substantially revised the AFFH process by (1) replacing the analysis of impediments with the assessment of fair housing (AFH), (2) integrating fair housing planning into the consolidated planning process, and (3) providing a fair housing assessment tool and nationally standardized datasets, among other changes. Generally speaking, the new rule will apply to local entitlement jurisdictions that are due to begin their next five-year planning cycle in 2017 or later. For smaller entitlement jurisdictions, as well as states and insular areas, the new rule will apply to those set to begin their next planning cycle in 2018 or later. Until jurisdictions are required to submit an AFH, they are required to continue submitting analyses of impediments.

Only one fair housing complaint has been filed by the Department of Justice against an individual or business in western New York over the last decade. In that case, allegations that a Pennsylvania-based insurer had engaged in redlining throughout the State of New York were settled in December 2008. Among the conditions of the settlement were the requirements that the insurer affirmatively market loans in areas with relatively high concentrations of black residents, and that the terms of any loans offered in those areas be at least as favorable as loans marketed elsewhere.

SECTION IV. REVIEW OF THE EXISTING FAIR HOUSING STRUCTURE

The purpose of this section is to provide a profile of fair housing in the City of Rochester based on a number of factors, including an enumeration of key agencies and organizations that contribute to affirmatively furthering fair housing, evaluation of the presence and scope of services of existing fair housing organizations, and a review of the complaint process.

FAIR HOUSING AGENCIES

FEDERAL AGENCIES

U.S. Department of Housing and Urban Development

The U.S. Department of Housing and Urban Development (HUD) oversees, administers, and enforces the federal Fair Housing Act. HUD's regional office in New York City oversees housing, community development, and fair housing enforcement in New Jersey, New York, and the Caribbean. Contact information for HUD's Washington Office is listed below⁸⁰:

Address:

Office of Fair Housing and Equal Opportunity
Department of Housing and Urban Development
451 Seventh Street SW, Room 5204
Washington, DC 20410-2000

Telephone: (202) 708-1112

Toll Free: (800) 669-9777

Web Site: <http://www.HUD.gov/offices/fheo/online-complaint.cfm>

The contact information for the regional HUD office in New York is as follows:

Address:

New York Regional Office of Fair Housing and Equal Opportunity
U.S. Department of Housing and Urban Development
26 Federal Plaza, Room 3532
New York, New York 10278-0068

Telephone: (212) 542-7519

Toll Free: (800) 496-4294

TTY: (212) 264-0927

The Office of Fair Housing and Equal Opportunity (FHEO) within HUD's New York office enforces the Fair Housing Act and other civil rights laws that prohibit discrimination in housing, mortgage lending, and other related transactions in City of Rochester. HUD also provides education and outreach, monitors agencies that receive HUD funding for compliance

with civil rights laws, and works with city and local agencies under the Fair Housing Assistance Program (FHAP) and Fair Housing Initiative Program (FHIP), as described below.

Fair Housing Assistance Program

The Fair Housing Assistance Program (FHAP) was designed to support local and city agencies that enforce local fair housing laws, provided that these laws are substantially equivalent to the Fair Housing Act. Substantial equivalency certification is a two-phase process: in the first phase, the Assistant Secretary for Fair Housing and Equal Opportunity makes a *prima facie* determination on the substantial equivalency of a city or local law to the federal Fair Housing Act. Once this determination has been made, and the law has been judged to be substantially equivalent, the agency enforcing the law is certified on an interim basis for a period of three years. During those three years, the local enforcement organization “builds its capacity to operate as a fully certified substantially equivalent agency.” FHAP grants during this time period are issued to support the process of building capacity. When the interim certification period ends after three years, the Assistant Secretary issues a determination on whether or not the city law is substantially equivalent to the Fair Housing Act “in operation”, this is the second phase of the certification process. If the law is judged to be substantially equivalent in operation, the agency enforcing the law is fully certified as a substantially equivalent agency for five years.

HUD will typically refer most complaints of housing discrimination to a substantially equivalent city or local agency for investigation (such complaints are dual-filed at HUD and the city or local agency), if such an agency exists and has jurisdiction in the area in which the housing discrimination was alleged to have occurred. When federally subsidized housing is involved, however, HUD will typically investigate the complaint.

The benefits of substantially equivalent certification include the availability of funding for local fair housing activities, shifted enforcement power from federal to local authorities, and the potential to make the fair housing complaint process more efficient by vesting enforcement authority in those who are more familiar with the local housing market. In addition, additional funding may be available to support partnerships between local FHAP grantees and private fair housing organizations. (Mention FHAP grantees in the city or state, if any)

Fair Housing Initiative Program

The Fair Housing Initiative Program (FHIP) is designed to support fair housing organizations and other non-profits that provide fair housing services to people who believe they have faced discrimination in the housing market. These organizations provide a range of services including initial intake and complaint processing, referral of complainants to government agencies that enforce fair housing law, preliminary investigations of fair housing complaints, and education and outreach on fair housing law and policy.

FHIP funding is available through three initiatives⁸¹: the Fair Housing Organizations Initiative (FHOI), the Private Enforcement Initiative (PEI), and the Education and Outreach Initiative (EOI). These initiatives are discussed in more detail below:

- **The Fair Housing Organizations Initiative (FHOI):** FHOI funds are designed to help non-profit fair housing organizations build capacity to effectively handle fair housing enforcement and outreach activities. A broader goal of FHOI funding is to strengthen the national fair housing movement by encouraging the creation of fair housing organizations.
- **The Private Enforcement Initiative (PEI):** PEI funds are intended to support the fair housing activities of established non-profit organizations, including testing and enforcement, and more generally to offer a “range of assistance to the nationwide network of fair housing groups”.
- **The Education and Outreach Initiative (EOI):** EOI funding is available to qualified fair housing non-profit organizations as well as city and local government agencies. The purpose of the EOI is to promote initiatives that explain fair housing to the general public and housing providers, and provide the latter with information on how to comply with the requirements of the FHA.

Non-profit organizations are eligible to apply for funding under each or all of these initiatives. To receive FHOI funding, such organizations must have at least two years’ experience in complaint intake and investigation, fair housing testing, and meritorious claims in the three years prior to applying for funding. Eligibility for PEI funding is subject to “certain requirements related to the length and quality of previous fair housing enforcement experience.” Organizations applying for the EOI must also have two years’ experience in the relevant fair housing activities; EOI funds are also potentially available to city and local government agencies.

Legal Assistance of Western New York (LawNY), a non-profit law firm that provides a range of free legal services to residents of 14 counties in western New York, serves residents of Rochester as a FHIP participant. LAWNY received \$277,000 in funding through the Private Enforcement Initiative in 2011 and 2012, and \$298,000 in 2013 and 2014.⁸² Another non-profit operating in Rochester and Monroe County, the Housing Council at Path Stone, received \$102,577 in FHIP funding in 2011 through the Education and Outreach Initiative.⁸³ Both organizations have been periodic recipients of FHIP funding since 2004-2005.

⁸¹ Though there are four initiatives included in the FHIP, no funds are currently available through the Administrative Enforcement Initiative.

⁸² *What is the Fair Housing Initiatives Program (FHIP)?*. HUD.gov. Webpage. Accessed January 5, 2015. Available from http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/partners/FHIP and associated web pages.

⁸³ At the time, the Housing Council at Path Stone was doing business as “The Housing Council in the Monroe County Area”.

STATE AGENCIES

New York Division of Human Rights

The New York Division of Human Rights (DHR) was created to enforce the state Human Rights Law. In service to its mission to ensure that “every individual... has an equal opportunity to participate fully in the economic, cultural, and intellectual life of the State”, the DHR prosecutes unlawful discriminatory practices; receives, investigates, and resolves complaints of discrimination; promotes awareness among members of the public concerning their rights and obligations under the law; and develops human rights policies and legislation for the State. Rochester residents who believe that their right to fair housing choice has been violated may contact the local office of the Division of Human Rights through the following information:⁸⁴

Address:

New York Division of Human Rights
One Monroe Square
259 Monroe Avenue, Suite 308
Rochester, New York 14607

Telephone: (585) 238-8250

Email: InfoRochester@dhr.ny.gov

NON-PROFIT ORGANIZATIONS

The Center for Dispute Settlement (“The Center”) has served residents of Western New York since 1973, and provides mediation, fact-finding, and arbitration services to Rochester residents. The Center is designated under Rochester Human Rights law as the organization to which city residents may address complaints of housing discrimination, and may be contacted through the following information:

Address:

Center for Dispute Settlement (Monroe County)
Reynold’s Arcade Building
Suite 800
16 East Main Street
Rochester, NY 14614

Telephone: (585) 546-5110

Fax: (585) 546-4391

Email: info@cdsadr.org

The Housing Council at Path Stone

The Housing Council has served residents of Rochester since 1971, and has partnered with HUD as a FHIP grantee in several years since 2004. As part of a range of services designed to aid housing seekers, homeowners, tenants, and landlords in Rochester, the housing council conducts outreach and education relating to fair housing and helps those who believe that they

⁸⁴ <http://www.dhr.ny.gov/contact-us> The Rochester office of the DHR also serves residents of the wider Monroe County, as well as the counties of Allegany, Genesee, Livingston, Ontario, Orleans, Schuyler, Seneca, Steuben, Wayne, Wyoming, and Yates.

have been subjected to illegal discrimination in the housing market file a fair housing complaint. The Council may be contacted through the following information:

Address:

The Housing Council
75 College Avenue
Rochester, New York 14607

Telephone: (585) 546-3700

Email: info@thehousingcouncil.org

Legal Assistance of Western New York

A non-profit law firm with seven offices in Western New York, Legal Assistance of Western New York (LawNY) provides a range of services to residents with civil legal problems in western New York. A consistent FHIP grantee over the last decade, LawNY conducts complaint-based and systemic fair housing testing in Monroe County as part of the Fair Housing Enforcement Project, and may be reached through the following information:

Address:

Monroe County Legal Assistance Center
One West Main Street, Fourth Floor
Rochester, New York 14614

Telephone: (585) 325-2520

COMPLAINT PROCESS REVIEW

COMPLAINT PROCESSES FOR FAIR HOUSING AGENCIES

U.S. Department of Housing and Urban Development

The intake stage is the first step in the complaint process. When a complaint is submitted, intake specialists review the information and contact the complainant (the party alleging housing discrimination) in order to gather additional details and determine if the case qualifies as possible housing discrimination. If the discriminatory act alleged in the complaint occurred within the jurisdiction of a substantially equivalent city or local agency under the FHAP, the complaint is referred to that agency, which then has 30 days to address the complaint. If that agency fails to address the complaint within that time period, HUD can take the complaint back.

If HUD determines that it has jurisdiction and accepts the complaint for investigation, it will draft a formal complaint and send it to the complainant to be signed. Once HUD receives the signed complaint, it will notify the respondent (the party alleged to have discriminated against the complainant) within ten days that a complaint has been filed against him or her. HUD also sends a copy of the formal complaint to the respondent at this stage. Within ten days of receiving the formal complaint, the respondent must respond to the complaint.

Next, the circumstances of the complaint are investigated through interviews and examination of relevant documents. During this time, the investigator attempts to have the parties rectify the

complaint through conciliation. The case is closed if conciliation of the two parties is achieved or if the investigator determines that there was no reasonable cause of discrimination. If conciliation fails, and reasonable cause is found, then either a federal judge or a HUD Administrative Law Judge hears the case and determines damages, if any.⁸⁵ In the event that the federal court judge finds the discrimination alleged in a complaint to have actually occurred, the respondent may be ordered to:

- Compensate for actual damages, including humiliation, pain, and suffering;
- Provide injunctive or other equitable relief to make the housing available;
- Pay the federal government a civil penalty to vindicate the public interest, with a maximum penalty of \$10,000 for a first violation and \$50,000 for an additional violation within seven years; and/or
- Pay reasonable attorneys' fees and costs.⁸⁶

If neither party elects to go to federal court, a HUD Administrative Law Judge will hear the case. Once the judge has decided the case, he or she issues an initial decision. If the judge finds that housing discrimination has occurred, he or she may award a civil penalty of up to \$11,000 to the complainant, along with actual damages, court costs, and attorney's fees. When the initial decision is rendered, any party that is adversely affected by that decision can petition the Secretary of HUD for review within 15 days. The Secretary has 30 days following the issuance of the initial decision to affirm, modify, or set aside the decision, or call for further review of the case. If the Secretary does not take any further action on the complaint within 30 days of the initial decision, the decision will be considered final. After that, any aggrieved party must appeal to take up their grievance in the appropriate court of appeals.⁸⁷

New York Division of Human Rights

New York Human Rights Law is more comprehensive than federal law in its protected class designations. As a result, New Yorkers who have faced discrimination based on sexual orientation, age, marital status, and military status may file a complaint with the New York Division of Human Rights (DHR).

To file a complaint with the DHR, complainants are encouraged to contact their nearest regional office and send in a complaint form by mail or deliver it in person. Complainants are urged to furnish the names, titles, addresses, and phone numbers of all persons alleged to have discriminated against them, along with photocopies of any documentation that supports their discrimination claim and the name of witnesses to the alleged discrimination, if possible. When the regional office receives a discrimination complaint, it takes the following actions:

- 1) Notifies the respondent (the person or entity alleged to have practiced discrimination),
- 2) Resolve issues of jurisdiction,
- 3) Forward, if requested, a copy of the complaint sent to HUD,
- 4) Investigate "through appropriate methods"⁸⁸

⁸⁵ "HUD's Title VIII Fair Housing Complaint Process." <http://www.hud.gov/offices/fheo/complaint-process.cfm>

⁸⁶ "Fair Housing—It's Your Right." <http://www.hud.gov/offices/fheo/FHLaws/yourrights.cfm>

⁸⁷ "HUD's Title VIII Fair Housing Complaint Process." <http://www.hud.gov/offices/fheo/complaint-process.cfm>

⁸⁸ Examples of such methods offered by the DHR include a "written inquiry, field investigation, investigatory conference, etc."

- 5) Determine if there is probable cause to believe that an act of discrimination has occurred, upon which they will notify the complainant and respondent in writing.

Following such a determination, the DHR will either dismiss the complaint for lack of probable cause or jurisdiction, or set up a public hearing if they find probable cause. Complainants wishing to pursue their complaint in the case of dismissal can appeal to the state supreme court within 60 days. Once probable cause has been established, a complainant may be represented by a DHR attorney or may retain outside counsel. A Notice of Hearing will be issued following the establishment of good cause, and the hearing will be conducted before an Administrative Law Judge. After the hearing, a Recommended Order will be sent to all of the parties, who will then have a chance to comment. Finally, a Commissioner's Order will either dismiss the complaint or confirm that discrimination has occurred. In the latter case, the respondent may be required to take a number of actions to address the discriminatory behavior in question and make restitutions for it. Within a year of the order, the DHR Compliance Investigation Unit will follow up to determine whether or not the respondent has complied with the order.

City of Rochester

The City of Rochester Human Rights Law also provides for the resolution of complaints arising from alleged housing discrimination. Under this law, Rochester residents who believe that they have been subjected to discrimination on the basis of age, race, creed, color, national origin, gender, gender identity or expression, sexual orientation, disability, or marital status may file a complaint with the Center for Dispute Settlement, which provides mediation services to residents of Rochester and Monroe County in addition to other nearby counties and jurisdictions. Alternately, complainants may choose to resolve the claim of housing discrimination through a civil action in “any court or appropriate jurisdiction” unless they have already filed a civil claim based on the same alleged violation or has filed a complaint with the New York Division of Human Rights. Any claims of housing discrimination must be filed within a year of the alleged discriminatory act. Unlike the Federal Fair Housing Act or New York State Human Rights Law, Rochester Human Rights Law does not provide for an administrative process for the intake, investigation, or resolution of complaints by any government agency.

SUMMARY

The fair housing infrastructure of Rochester and Monroe County is composed of agencies and organizations—operating on the federal, state, and local levels—that work to ensure and promote fair housing choice on behalf of city and county residents. At the federal level, HUD administers and enforces the provisions of the fair housing act throughout the country, and represents the backbone of fair housing policy nationally. However, residents of New York State are granted protections through New York Human Rights Law that exceed those of the national fair housing law in scope and effect, extending fair housing protections to include those who may suffer discrimination on the basis of their sexual orientation, military status, age, and marital status. Those who have suffered discrimination on those bases may file a complaint with the New York Division of Human Rights (NYDHR).

The NYDHR serves all New Yorkers as a participant in the Fair Housing Assistance Program, which means that the law that the agency administers has been deemed substantially

equivalent to the federal Fair Housing Act. It also means that when residents of New York file a fair housing complaint with HUD, that complaint will be referred to the NYDHR for further investigative and enforcement measures.

Residents of Rochester are served by several local organizations that provide a range of fair housing services. The Housing Council, which has served as a participant in HUD's Fair Housing Initiatives Program several times since 2004, provides fair housing outreach and education to Rochester residents, as well as assistance in filing fair housing complaint forms. In addition, Legal Services of Western New York, a frequent FHIP grantee, conducts fair housing testing and enforcement activities in Monroe County through the Fair Housing Enforcement Project. Finally, Rochester Human Rights Law encourages those who believe that they have been subjected to unlawful discrimination in the housing market to contact the Center for Dispute Settlement, which will attempt to mediate the complaint.

The organizations described above constitute the fair housing infrastructure of Rochester, and provide for a variety of administrative, judicial, and "out-of-court" remedies to those who have been victims of unlawful discrimination in the housing market. Of course, those who have suffered violations of federal, state, or local fair housing laws may also seek recourse through a civil action, filed in a federal, state, or local court, depending on which law was violated.

SECTION V. FAIR HOUSING IN THE PRIVATE SECTOR

As part of the AI process, the U.S. Department of Housing and Urban Development (HUD) suggests that the analysis focus on possible housing discrimination issues in both the private and public sectors. Examination of housing factors in the City of Rochester's and Monroe County's public sectors is presented in **Section VI**, while this section focuses on research regarding the city's private sector, including the mortgage lending market, the real estate market, the rental market, and other private sector housing industries.

LENDING ANALYSIS

HOME MORTGAGE DISCLOSURE ACT

Since the 1970s, the federal government has enacted several laws aimed at promoting fair lending practices in the banking and financial services industries. A brief description of selected federal laws aimed at promoting fair lending follows:

- The 1968 *Fair Housing Act* prohibits discrimination in housing based on race, color, religion, and national origin. Later amendments added sex, familial status, and disability. Under the Fair Housing Act, it is illegal to discriminate against any of the protected classes in the following types of residential real estate transactions: making loans to buy, build, or repair a dwelling; selling, brokering, or appraising residential real estate; and selling or renting a dwelling.
- The *Equal Credit Opportunity Act* was passed in 1974 and prohibits discrimination in lending based on race, color, religion, national origin, sex, marital status, age, receipt of public assistance, and the exercise of any right under the Consumer Credit Protection Act.
- The *Community Reinvestment Act* was enacted in 1977 and requires each federal financial supervisory agency to encourage financial institutions in order to help meet the credit needs of the entire community, including low- and moderate-income neighborhoods.
- Under the *Home Mortgage Disclosure Act (HMDA)*, enacted in 1975 and later amended, financial institutions are required to publicly disclose the race, sex, ethnicity, and household income of mortgage applicants by the Census tract in which the loan is proposed as well as outcome of the loan application.⁸⁹ The analysis presented herein is from the HMDA data system.

⁸⁹ *Closing the Gap: A Guide to Equal Opportunity Lending*, The Federal Reserve Bank of Boston, April 1993. <http://www.bos.frb.org/commdev/closing-the-gap/closingt.pdf>

The HMDA requires both depository and non-depository lenders to collect and publicly disclose information about housing-related applications and loans.⁹⁰ Both types of lending institutions must meet the following set of reporting criteria:

1. The institution must be a bank, credit union, or savings association;
2. The total assets must exceed the coverage threshold;⁹¹
3. The institution must have had an office in a Metropolitan Statistical Area (MSA);
4. The institution must have originated at least one home purchase loan or refinancing of a home purchase loan secured by a first lien on a one- to four-family dwelling;
5. The institution must be federally insured or regulated; and
6. The mortgage loan must have been insured, guaranteed, or supplemented by a federal agency or intended for sale to the Federal National Mortgage Association (FNMA or Fannie Mae) or the Federal Home Loan Mortgage Corporation (FHLMC or Freddie Mac). These agencies purchase mortgages from lenders and repackage them as securities for investors, making more funds available for lenders to make new loans.

For other institutions, including non-depository institutions, additional reporting criteria are as follows:

1. The institution must be a for-profit organization;
2. The institution's home purchase loan originations must equal or exceed 10 percent of the institution's total loan originations, or more than \$25 million;
3. The institution must have had a home or branch office in an MSA or have received applications for, originated, or purchased five or more home purchase loans, home improvement loans, or refinancing mortgages on property located in an MSA in the preceding calendar year; and
4. The institution must have assets exceeding \$10 million or have originated 100 or more home purchases in the preceding calendar year.

HMDA data represent most mortgage lending activity and are thus the most comprehensive collection of information available regarding home purchase originations, home remodel loan originations, and refinancing. The Federal Financial Institutions Examination Council (FFIEC) makes HMDA data available on its website. While HMDA data are available for more years than are presented in the following pages, modifications were made in 2004 for documenting loan applicants' race and ethnicity, so data are most easily compared after that point.

Home Purchase Loans

Rochester residents applied for 87,087 home purchase loans from 2004 through 2013, as shown in Table V.1 on the following page. Of these, 34,847 were home-purchase loans. In the remainder of the county, residents applied for 283,516 loans, around 115,000 of which were home purchase loans.

⁹⁰ Data are considered "raw" because they contain entry errors and incomplete loan applications. Starting in 2004, the HMDA data made significant changes in reporting, particularly regarding ethnicity data, loan interest rates, and the multi-family loan applications.

⁹¹ Each December, the Federal Reserve announces the threshold for the following year. The asset threshold may change from year to year based on changes in the Consumer Price Index for Urban Wage Earners and Clerical Workers.

Table V.1
Purpose of Loan by Year
 City of Rochester and Monroe County
 2004–2013 HMDA Data

Purpose	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
City of Rochester											
Home Purchase	4,568	5,341	5,936	4,944	3,084	2,624	2,272	1,819	1,959	2,300	34,847
Home Improvement	1,623	2,209	2,647	1,902	1,137	840	820	870	924	924	13,896
Refinancing	8,225	7,813	6,305	4,565	2,593	2,179	1,602	1,514	1,856	1,692	38,344
Total	14,416	15,363	14,888	11,411	6,814	5,643	4,694	4,203	4,739	4,916	87,087
Remainder of Monroe County											
Home Purchase	13,580	14,085	14,300	12,932	10,060	10,786	9,498	9,025	10,026	10,662	114,954
Home Improvement	3,556	4,233	4,838	4,118	2,631	2,340	2,083	2,193	2,544	2,520	31,056
Refinancing	20,963	18,518	17,241	13,241	9,014	13,410	11,426	11,098	12,684	9,911	137,506
Total	38,099	36,836	36,379	30,291	21,705	26,536	23,007	22,316	25,254	23,093	283,516
Monroe County											
Home Purchase	18,148	19,426	20,236	17,876	13,144	13,410	11,770	10,844	11,985	12,962	149,801
Home Improvement	5,179	6,442	7,485	6,020	3,768	3,180	2,903	3,063	3,468	3,444	44,952
Refinancing	29,188	26,331	23,546	17,806	11,607	15,589	13,028	12,612	14,540	11,603	175,850
Total	52,515	52,199	51,267	41,702	28,519	32,179	27,701	26,519	29,993	28,009	370,603

Table V.2 below presents the occupancy status of home purchase loan applications in the city and county. Of the 34,847 home purchase loan applications that Rochester residents submitted over the ten-year period, 26,801 were intended to finance the purchase of housing units in which prospective borrowers intended to live. The discussion in the AI will focus on these loan applications, as they provide the best index of an applicant's ability to choose where he or she will live. In the remainder of the county, 110,271 home purchase loan applications were for owner-occupied units, out of 114,954 applications total.

Table V.2
Occupancy Status for Home Purchase Loan Applications
 City of Rochester and Monroe County
 2004–2013 HMDA Data

Status	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
City of Rochester											
Owner-Occupied	3,684	3,966	4,056	3,296	2,214	2,342	2,042	1,547	1,698	1,956	26,801
Not Owner-Occupied	824	1,321	1,839	1,606	839	270	218	260	246	318	7,741
Not Applicable	60	54	41	42	31	12	12	12	15	26	305
Total	4,568	5,341	5,936	4,944	3,084	2,624	2,272	1,819	1,959	2,300	34,847
Remainder of Monroe County											
Owner-Occupied	13,036	13,414	13,576	12,244	9,658	10,529	9,206	8,682	9,660	10,266	110,271
Not Owner-Occupied	490	609	667	658	378	250	270	324	344	370	4,360
Not Applicable	54	62	57	30	24	7	22	19	22	26	323
Total	13,580	14,085	14,300	12,932	10,060	10,786	9,498	9,025	10,026	10,662	114,954
Monroe County											
Owner-Occupied	16,720	17,380	17,632	15,540	11,872	12,871	11,248	10,229	11,358	12,222	137,072
Not Owner-Occupied	1,314	1,930	2,506	2,264	1,217	520	488	584	590	688	12,101
Not Applicable	114	116	98	72	55	19	34	31	37	52	628
Total	18,148	19,426	20,236	17,876	13,144	13,410	11,770	10,844	11,985	12,962	149,801

Denial Rates

After the owner-occupied home purchase loan application is submitted, the applicant receives one of the following status designations:

- “Originated,” which indicates that the loan was made by the lending institution;
- “Approved but not accepted,” which notes loans approved by the lender but not accepted by the applicant;
- “Application denied by financial institution,” which defines a situation wherein the loan application failed;
- “Application withdrawn by applicant,” which means that the applicant closed the application process;
- “File closed for incompleteness” which indicates the loan application process was closed by the institution due to incomplete information; or
- “Loan purchased by the institution,” which means that the previously originated loan was purchased on the secondary market.

These outcomes were used to determine denial rates presented in the following section. Factors in denial of home purchase loans, such as credit scores or down payment amounts, are not reported in every report submitted through the HMDA, so the reasons for specific loan denials are often unknown. However, with that caveat in mind, the ratio of loan originations to loan denials can be seen as an indicator of the overall success or failure of home purchase loan applicants.

In the City of Rochester, 18.3 percent of the owner-occupied home purchase loan applications submitted by city residents were denied from 2004 through 2013, as shown in Table V.3 on the following page. The yearly denial rate in the city ranged from around 11.3 percent to around 22.8 percent, and was highest in 2006. Denial rates were considerably lower in the remainder of the county, where 9 percent of loan applications were denied over the ten-year period. The yearly denial rate in the county as a whole peaked in 2007 at 13.4 percent, fell steadily over the next two years, and fluctuated between 9 and 10 percent over the next four years. Since 2011, the denial rate in the City of Rochester has been increasing. Yearly denial rates are presented in Diagram V.1 below. As shown, denial rates in the city tended to be lower than denial rates in the remainder of the county.

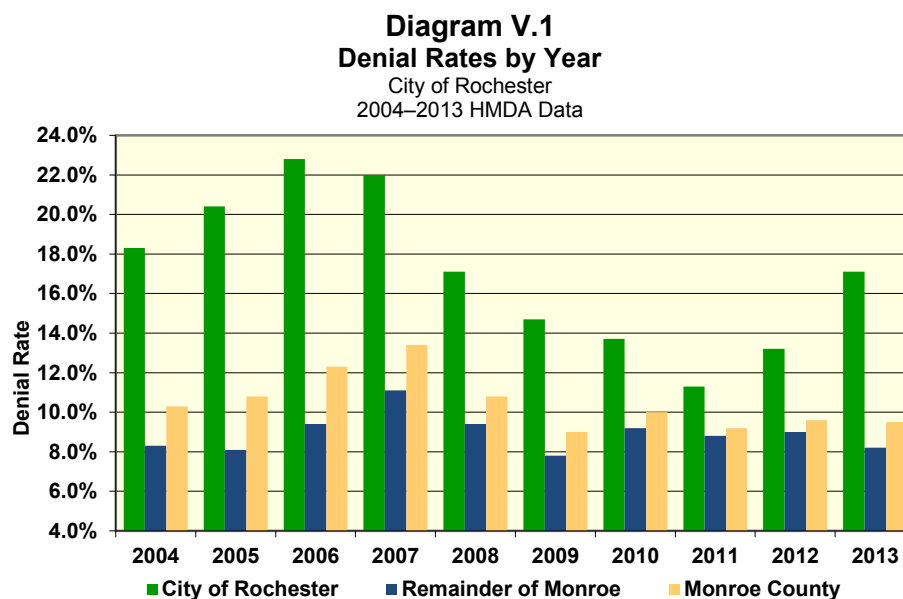


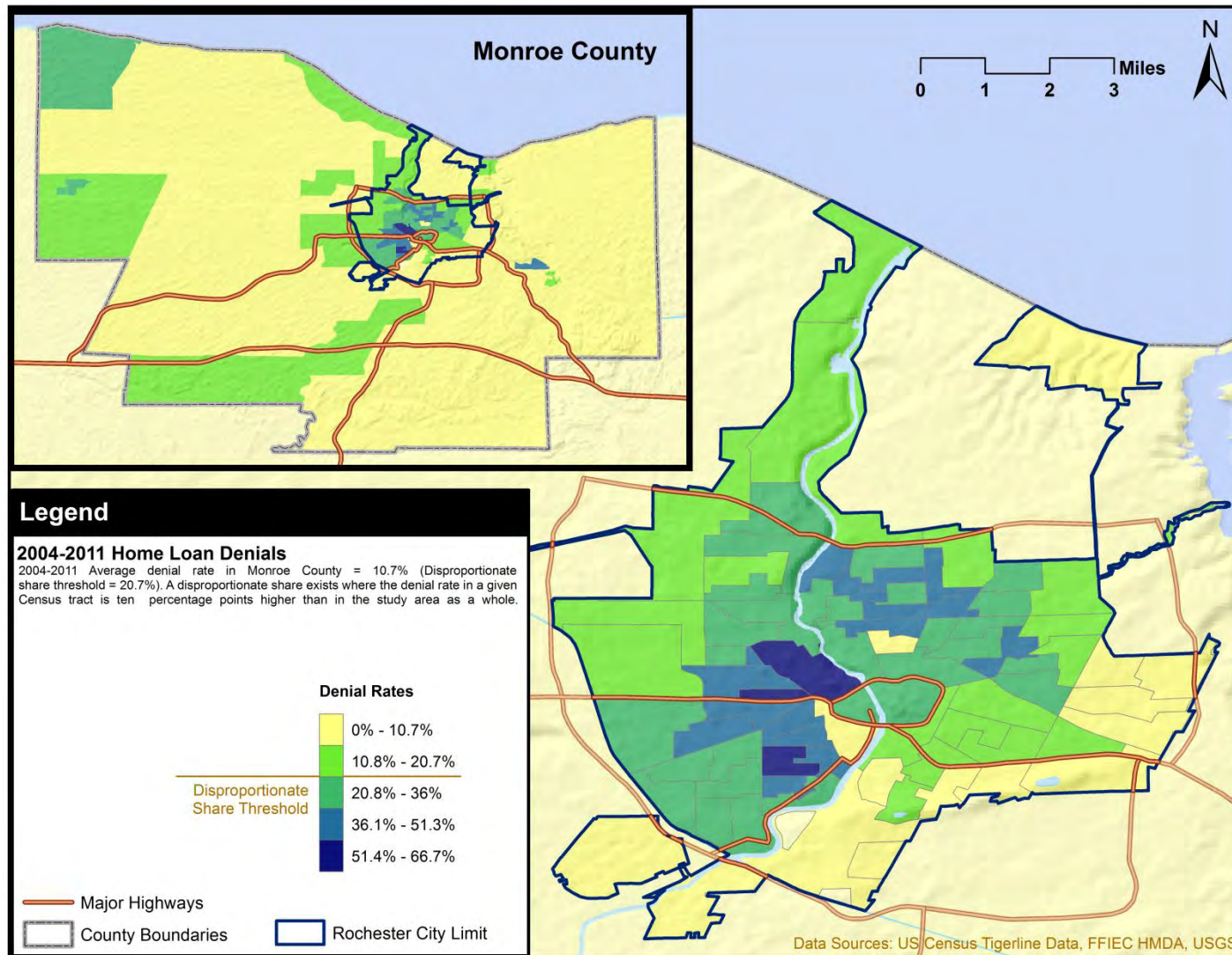
Table V.3
Loan Applications by Action Taken
 City of Rochester and Monroe County
 2004–2013 HMDA Data

Action	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
City of Rochester											
Loan Originated	1,894	2,030	1,982	1,725	1,260	1,193	1,021	828	870	949	13,752
Application Approved but not Accepted	216	242	191	212	100	71	34	32	27	36	1,161
Application Denied	423	519	585	487	260	206	162	105	132	196	3,075
Application Withdrawn by Applicant	198	239	270	172	91	95	81	59	63	64	1,332
File Closed for Incompleteness	92	107	88	81	51	28	16	18	14	23	518
Loan Purchased by the Institution	861	828	937	619	452	748	728	505	592	688	6,958
Preapproval Request Denied	0	1	2	0	0	1	0	0	0	0	4
Preapproval Approved but not Accepted	0	0	1	0	0	0	0	0	0	0	1
Total	3,684	3,966	4,056	3,296	2,214	2,342	2,042	1,547	1,698	1,956	26,801
Denial Rate	18.3%	20.4%	22.8%	22.0%	17.1%	14.7%	13.7%	11.3%	13.2%	17.1%	18.3%
Remainder of Monroe County											
Loan Originated	8,381	8,591	8,292	7,411	5,952	5,854	5,048	5,009	5,446	6,129	66,113
Application Approved but not Accepted	675	669	702	715	570	352	280	226	159	203	4,551
Application Denied	755	761	862	930	617	495	514	483	537	551	6,505
Application Withdrawn by Applicant	489	628	633	452	398	430	337	335	344	384	4,430
File Closed for Incompleteness	214	343	310	291	168	74	73	83	77	84	1,717
Loan Purchased by the Institution	2,522	2,419	2,773	2,445	1,953	3,314	2,954	2,546	3,097	2,914	26,937
Preapproval Request Denied	0	3	2	0	0	10	0	0	0	0	15
Preapproval Approved but not Accepted	0	0	2	0	0	0	0	0	0	1	3
Total	13,036	13,414	13,576	12,244	9,658	10,529	9,206	8,682	9,660	10,266	110,271
Denial Rate	8.3%	8.1%	9.4%	11.1%	9.4%	7.8%	9.2%	8.8%	9.0%	8.2%	9.0%
Monroe County											
Loan Originated	10,275	10,621	10,274	9,136	7,212	7,047	6,069	5,837	6,316	7,078	79,865
Application Approved but not Accepted	891	911	893	927	670	423	314	258	186	239	5,712
Application Denied	1,178	1,280	1,447	1,417	877	701	676	588	669	747	9,580
Application Withdrawn by Applicant	687	867	903	624	489	525	418	394	407	448	5,762
File Closed for Incompleteness	306	450	398	372	219	102	89	101	91	107	2,235
Loan Purchased by the Institution	3,383	3,247	3,710	3,064	2,405	4,062	3,682	3,051	3,689	3,602	33,895
Preapproval Request Denied	0	4	4	0	0	11	0	0	0	0	19
Preapproval Approved but not Accepted	0	0	3	0	0	0	0	0	0	1	4
Total	16,720	17,380	17,632	15,540	11,872	12,871	11,248	10,229	11,358	12,222	137,072
Denial Rate	10.3%	10.8%	12.3%	13.4%	10.8%	9.0%	10.0%	9.2%	9.6%	9.5%	10.7%

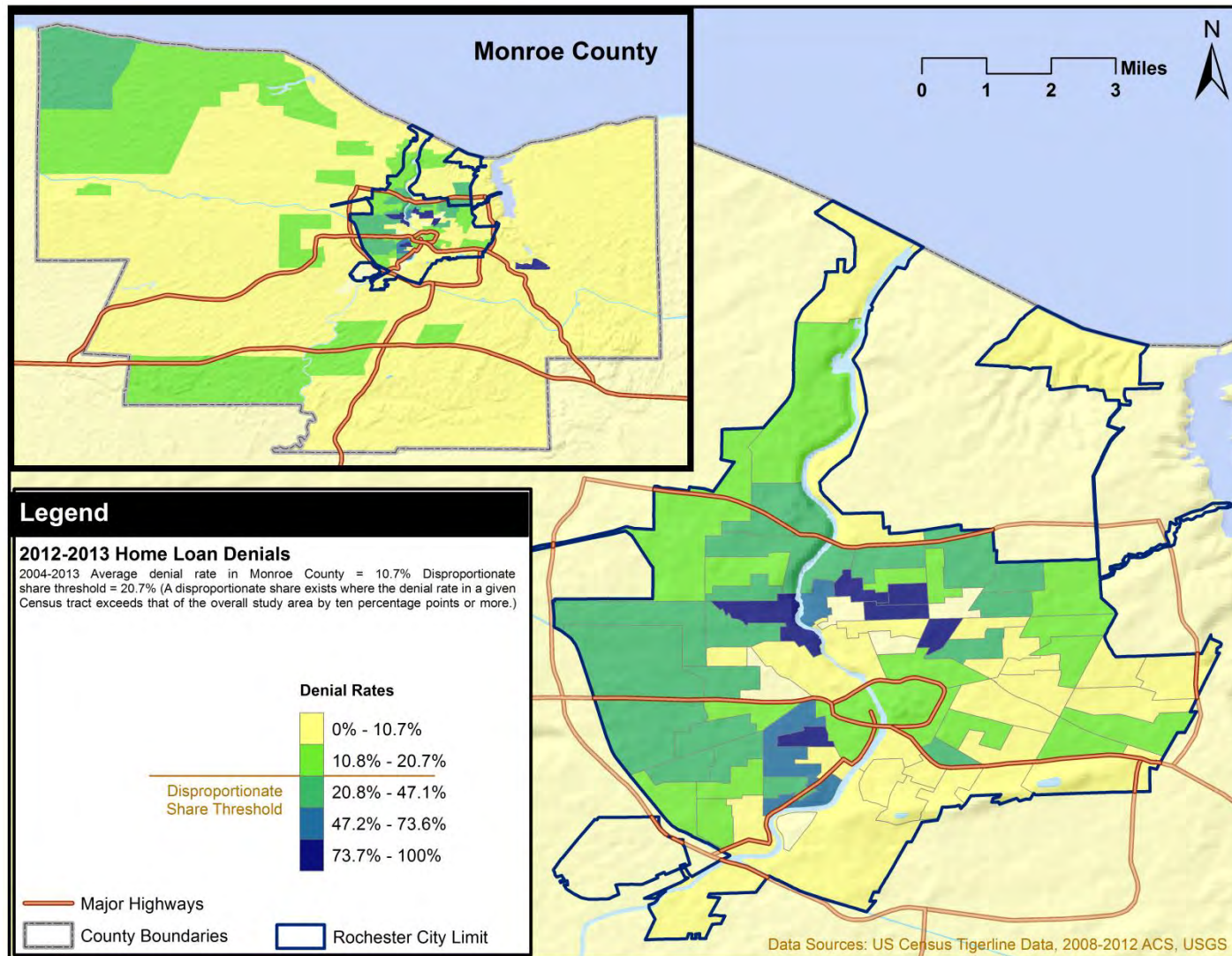
Census tracts with relatively high denial rates were almost exclusively concentrated within the city, as shown in Map V.1 on the following page. The highest denial rates over the period from 2004 through 2011 were observed in tracts to the west and north of the city center, as well as in the city center itself. In these areas, more than a fifth of home purchase loan applications were turned down. In fact, denial rates were higher than average in most areas of the city. The few exceptions included the Census tract to the immediate southwest of the city center and a relatively large area in the southeast of the city.

The overall pattern of loan denials in the city in 2012 and 2013 was similar to what was observed from 2004 through 2011. As shown in Map V.2 on page 103, Census tracts with relatively high denial rates continued to be concentrated within the city, though denial rates continued to be at or below average in much of the southeastern part of the city.

Map V.1
Denial Rates by Census Tract, 2004-2011
 City of Rochester and Monroe County
 2004-2011 HMDA Data



Map V.2
Denial Rates by Census Tract, 2012-2013
 City of Rochester
 2012-2013 HMDA Data



Denial rates differed slightly according to the gender of the applicant, as shown in Table V.4 below. The overall denial rate for male applicants in the city was 1.1 percentage points below the average denial rate, while the denial rate for female applicants was 0.2 percentage points above average. In the remainder of the county, the denial rate for female applicants was 9.7 percent, compared to a denial rate of 8.3 percent for male applicants. In the county as a whole, the denial rate for male applicants was 0.9 points below average; for female applicants, it was 1.1 points above average.

Table V.4
Denial Rates by Gender of Applicant
 City of Rochester and Monroe County
 2004–2013 HMDA Data

Year	Male	Female	Not Available	Not Applicable	Average
City of Rochester					
2004	16.9%	17.9%	46.6%	0.0%	18.3%
2005	17.9%	21.9%	38.6%	100.0%	20.4%
2006	20.6%	24.2%	41.7%	0.0%	22.8%
2007	22.2%	20.8%	38.3%	0.0%	22.0%
2008	15.4%	19.2%	19.2%	0.0%	17.1%
2009	13.7%	15.5%	26.7%	0.0%	14.7%
2010	13.5%	13.8%	17.4%	0.0%	13.7%
2011	13.0%	8.5%	19.0%	0.0%	11.3%
2012	13.6%	12.0%	31.3%	0.0%	13.2%
2013	17.3%	16.6%	23.3%	0.0%	17.1%
Average	17.2%	18.5%	34.3%	50.0%	18.3%
Remainder of Monroe County					
2004	7.9%	8.3%	16.2%	0.0%	8.3%
2005	7.1%	9.3%	18.3%	0.0%	8.1%
2006	8.2%	11.0%	18.9%	0.0%	9.4%
2007	10.1%	12.9%	14.8%	0.0%	11.1%
2008	9.1%	9.6%	15.3%	0.0%	9.4%
2009	7.5%	8.5%	5.1%	0.0%	7.8%
2010	9.1%	9.0%	16.9%	0.0%	9.2%
2011	8.4%	9.2%	12.5%	0.0%	8.8%
2012	8.4%	10.0%	12.1%	0.0%	9.0%
2013	7.8%	8.6%	14.6%	0.0%	8.2%
Average	8.3%	9.7%	15.2%	0.0%	9.0%
Monroe County					
2004	9.4%	10.8%	22.4%	0.0%	10.3%
2005	9.1%	12.7%	23.1%	100.0%	10.8%
2006	10.6%	14.5%	24.4%	0.0%	12.3%
2007	12.2%	15.0%	19.4%	0.0%	13.4%
2008	10.1%	11.8%	16.3%	0.0%	10.8%
2009	8.5%	10.1%	9.0%	0.0%	9.0%
2010	9.7%	10.1%	17.0%	0.0%	10.0%
2011	9.0%	9.1%	13.2%	0.0%	9.2%
2012	9.0%	10.4%	14.3%	0.0%	9.6%
2013	9.0%	10.0%	15.9%	0.0%	9.5%
Average	9.8%	11.8%	18.9%	20.0%	10.7%

The rate at which loans were denied to Rochester and Monroe County residents differed markedly according to the race and ethnicity of the applicant, as shown in Table V.5 on the following page. White applicants in the city were denied loans at a rate of 13.7 percent, below the average rate. By contrast, the denial rate for black applicants was over ten percentage points higher than average in the city, and more than twice the average rate in the area outside

of the city. Likewise, Hispanic residents were denied loans more frequently than non-Hispanic residents in Rochester, the remainder of Monroe County, and the county as a whole. Diagram V.2 below shows overall denial rates by race and ethnicity from 2004 through 2013.

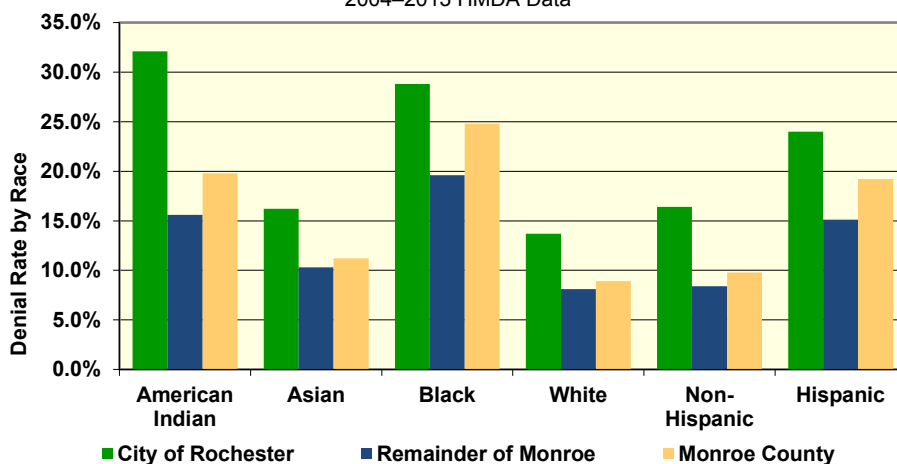
Table V.5
Denial Rates by Race/Ethnicity of Applicant

City of Rochester and Monroe County
2004–2013 HMDA Data

Race/Ethnicity	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Average
City of Rochester											
American Indian	60.0%	25.0%	36.4%	22.2%	80.0%	0.0%	0.0%	0.0%	33.3%	0.0%	32.1%
Asian	15.9%	22.6%	11.1%	26.2%	6.5%	11.1%	16.7%	11.1%	14.3%	20.0%	16.2%
Black	22.8%	32.9%	35.9%	31.5%	25.0%	22.5%	23.6%	21.7%	22.4%	31.1%	28.8%
White	14.9%	13.6%	15.6%	16.7%	14.6%	12.4%	10.8%	8.7%	10.2%	13.0%	13.7%
Not Available	37.0%	44.8%	42.6%	47.2%	21.1%	27.8%	18.5%	14.0%	22.6%	31.0%	35.6%
Not Applicable	9.4%	100.0%	%	%	%	0.0%	0.0%	%	%	%	11.8%
Average	18.3%	20.4%	22.8%	22.0%	17.1%	14.7%	13.7%	11.3%	13.2%	17.1%	18.3%
Non-Hispanic	16.1%	17.9%	20.5%	19.9%	15.9%	13.0%	13.6%	10.5%	11.9%	14.9%	16.4%
Hispanic	24.5%	24.1%	27.1%	28.6%	27.1%	24.8%	9.1%	15.6%	19.1%	26.2%	24.0%
Remainder of Monroe County											
American Indian	10.7%	0.0%	25.0%	26.7%	23.8%	12.5%	0.0%	28.6%	0.0%	22.2%	15.6%
Asian	5.8%	8.7%	10.0%	9.7%	7.9%	7.5%	11.8%	14.8%	17.6%	12.3%	10.3%
Black	16.3%	17.9%	20.5%	29.4%	16.6%	19.7%	19.5%	15.3%	19.7%	16.6%	19.6%
White	7.5%	6.9%	8.0%	10.0%	9.0%	7.4%	8.3%	8.0%	8.1%	7.5%	8.1%
Not Available	15.5%	22.9%	21.8%	16.9%	11.9%	8.7%	16.6%	13.8%	13.7%	14.2%	16.4%
Not Applicable	10.3%	%	%	%	0.0%	0.0%	0.0%	%	%	%	9.8%
Average	8.3%	8.1%	9.4%	11.1%	9.4%	7.8%	9.2%	8.8%	9.0%	8.2%	9.0%
Non-Hispanic	7.9%	7.1%	8.4%	10.6%	9.1%	7.4%	8.8%	8.6%	8.7%	7.6%	8.4%
Hispanic	15.9%	14.3%	16.9%	19.4%	14.5%	17.3%	13.0%	11.2%	12.3%	13.8%	15.1%
Monroe County											
American Indian	18.2%	7.4%	28.6%	25.0%	34.6%	10.5%	0.0%	25.0%	11.8%	15.4%	19.8%
Asian	7.8%	10.9%	10.2%	11.9%	7.7%	8.1%	12.4%	14.5%	17.2%	13.3%	11.2%
Black	20.3%	26.9%	29.8%	30.6%	21.5%	21.2%	21.5%	18.3%	20.9%	23.1%	24.8%
White	8.7%	8.1%	9.3%	11.1%	9.9%	8.2%	8.7%	8.1%	8.3%	8.2%	8.9%
Not Available	20.9%	29.4%	27.9%	23.9%	14.2%	12.6%	17.0%	13.8%	15.6%	17.3%	21.0%
Not Applicable	9.9%	100.0%	%	%	0.0%	0.0%	0.0%	%	%	%	10.7%
Average	10.3%	10.8%	12.3%	13.4%	10.8%	9.0%	10.0%	9.2%	9.6%	9.5%	10.7%
Non-Hispanic	9.4%	9.3%	10.9%	12.5%	10.3%	8.4%	9.6%	8.9%	9.1%	8.6%	9.8%
Hispanic	20.5%	19.1%	21.9%	24.0%	20.8%	20.5%	11.5%	12.9%	14.8%	19.1%	19.2%

Diagram V.2
Denial Rates by Race/Ethnicity of Applicant

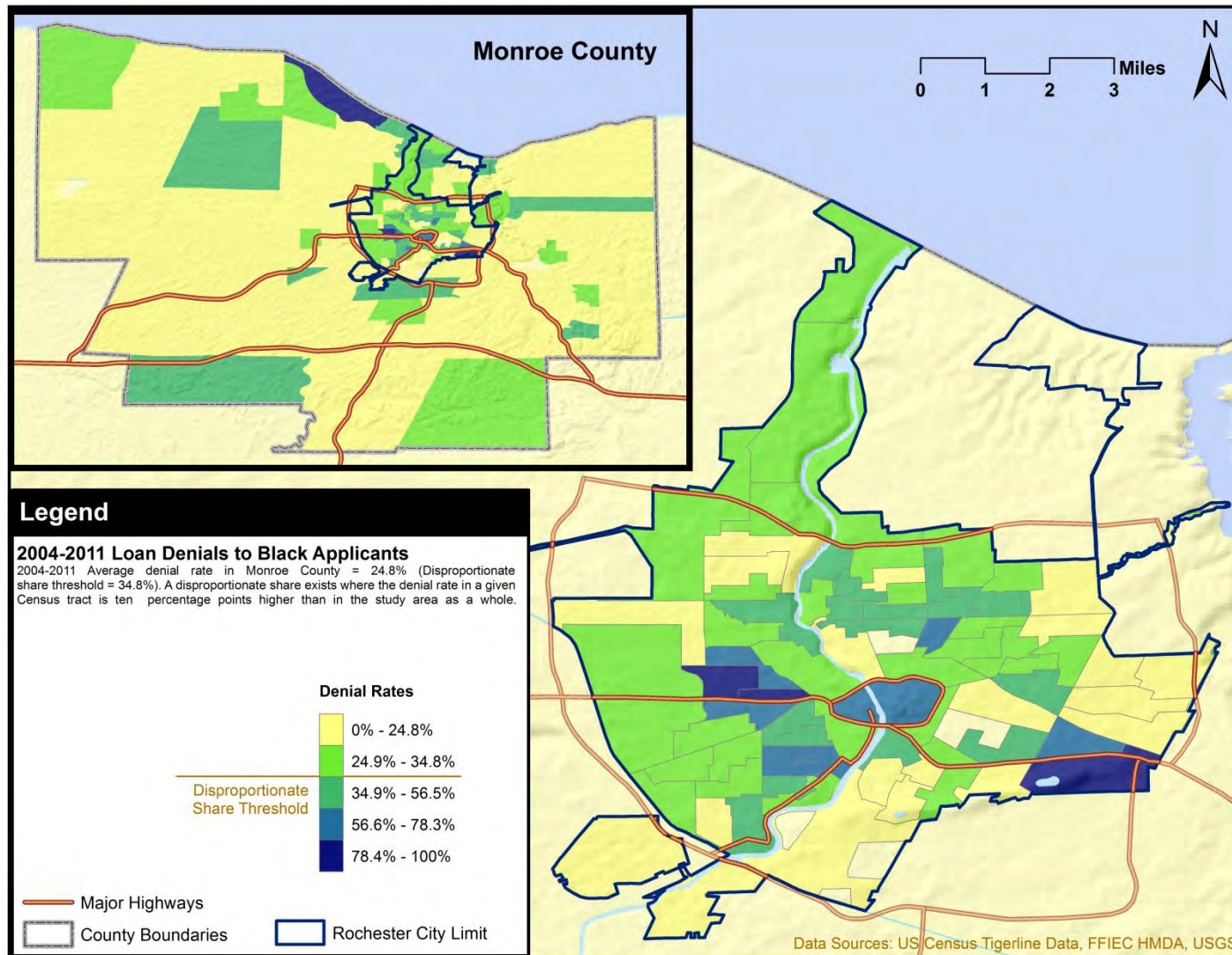
City of Rochester and Monroe County
2004–2013 HMDA Data



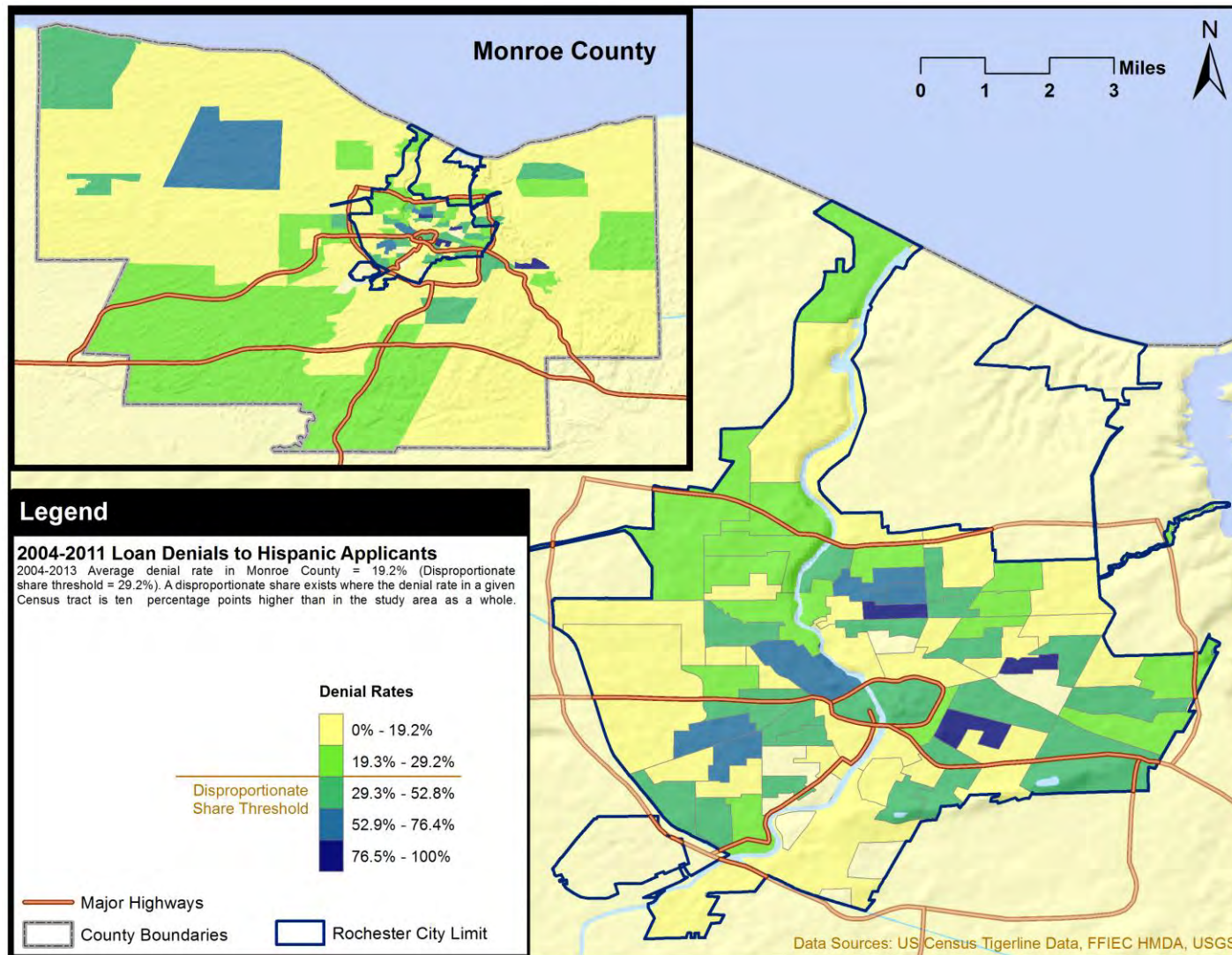
Nevertheless, the highest loan denial rates for black applicants appeared in Census tracts largely within the city, as shown in Map V.3 on the following page. More than a quarter of loan applications from black applicants were turned down throughout much of the city, including in areas to the west and north of the city center; areas that were observed to hold high concentrations of black residents in 2000 and 2010.

Census tracts with relatively high rates of loan denials to Hispanic applicants were also observed to be concentrated in the city, as shown in Map V.4 on page 108. In some cases, these Census tracts were the same as those in which black loan applicants tended to be subjected to high denial rates, e.g., in the area to the west and southwest of the city center. However, Hispanic applicants also tended to experience high denial rates in Census tracts in the eastern and southeastern parts of the city.

Map V.3
Denial Rates for Black Applicants, 2004-2011
 City of Rochester and Monroe County
 2004-2011 HMDA Data



Map V.4
Denial Rates for Hispanic Applicants, 2004-2011
 City of Rochester
 2004-2011 HMDA Data



Credit history and debt-to-income ratio were the most common primary factors in loan denials in the city, as shown in Table V.6 below. These factors figured in around 37 percent of all loan denials over the ten year period. The same is true in the remainder of the county; however, while the most common primary factor in loan denials at the city-level had been credit history, debt-to-income ratio was the most common primary factor in the remainder of the county, where more than a fifth of loans were denied in part for that reason.

Table V.6
Loan Applications by Reason for Denial
 City of Rochester and Monroe County
 2004–2013 HMDA Data

Denial Reason	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
City of Rochester											
Debt-to-Income Ratio	66	80	76	56	30	31	35	21	25	38	458
Employment History	9	13	6	15	5	10	7	3	3	9	80
Credit History	105	129	99	134	66	44	25	21	24	34	681
Collateral	38	36	50	33	28	29	27	14	13	23	291
Insufficient Cash	8	4	13	14	7	7	5	4	5	8	75
Unverifiable Information	7	15	21	46	14	8	8	6	5	6	136
Credit Application Incomplete	28	37	44	49	10	8	6	4	18	15	219
Mortgage Insurance Denied	1	0	2	0	4	2	0	0	0	2	11
Other	62	102	65	51	24	14	17	10	12	17	374
Missing	99	103	209	89	72	53	32	22	27	44	750
Total	423	519	585	487	260	206	162	105	132	196	3,075
Remainder of Monroe County											
Debt-to-Income Ratio	129	123	121	164	111	128	161	142	167	137	1,383
Employment History	16	21	17	19	14	17	15	16	18	18	171
Credit History	159	148	144	196	123	77	74	79	83	96	1,179
Collateral	46	42	57	55	50	39	63	46	42	42	482
Insufficient Cash	19	16	18	22	27	19	18	16	15	21	191
Unverifiable Information	21	43	42	66	37	18	18	34	15	25	319
Credit Application Incomplete	63	90	90	115	60	34	43	47	69	65	676
Mortgage Insurance Denied	4	1	5	0	8	7	5	2	0	1	33
Other	137	112	130	118	60	41	36	51	43	32	760
Missing	161	165	238	175	127	115	81	50	85	114	1,311
Total	755	761	862	930	617	495	514	483	537	551	6,505
Monroe County											
Debt-to-Income Ratio	195	203	197	220	141	159	196	163	192	175	1,841
Employment History	25	34	23	34	19	27	22	19	21	27	251
Credit History	264	277	243	330	189	121	99	100	107	130	1,860
Collateral	84	78	107	88	78	68	90	60	55	65	773
Insufficient Cash	27	20	31	36	34	26	23	20	20	29	266
Unverifiable Information	28	58	63	112	51	26	26	40	20	31	455
Credit Application Incomplete	91	127	134	164	70	42	49	51	87	80	895
Mortgage Insurance Denied	5	1	7	0	12	9	5	2	0	3	44
Other	199	214	195	169	84	55	53	61	55	49	1,134
Missing	260	268	447	264	199	168	113	72	112	158	2,061
Total	1,178	1,280	1,447	1,417	877	701	676	588	669	747	9,580

As one might expect, denial rates fell as the income of the applicant increased. As shown in Table V.7 on the following page, only 12.3 percent of Rochester applicants earning more than \$75,000 per year were denied loans, compared to 55.6 percent of applicants earning less than \$15,000 per year. This overall pattern was reflected in denial rates in the remainder of the county, as well as in the county as a whole.

Table V.7
Denial Rates by Income of Applicant
 City of Rochester and Monroe County
 2004–2013 HMDA Data

Income	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
City of Rochester											
\$15,000 or Below	52.6%	59.2%	60.0%	54.5%	50.0%	46.7%	25.0%	60.0%	63.6%	66.7%	55.6%
\$15,001–\$30,000	22.2%	25.9%	29.5%	27.8%	20.6%	21.9%	16.0%	13.6%	18.7%	24.9%	23.6%
\$30,001–\$45,000	15.6%	18.7%	18.6%	21.8%	17.4%	14.6%	12.8%	12.4%	12.3%	16.7%	17.1%
\$45,001–\$60,000	17.5%	16.6%	21.9%	16.9%	12.1%	9.6%	10.3%	8.8%	10.9%	13.8%	15.0%
\$60,001–\$75,000	9.1%	10.7%	20.3%	18.1%	15.2%	11.7%	10.0%	10.8%	11.5%	14.2%	13.5%
Above \$75,000	13.1%	17.5%	13.0%	15.2%	14.2%	7.8%	15.1%	4.7%	8.1%	9.3%	12.3%
Data Missing	24.1%	17.9%	47.2%	40.6%	23.1%	30.0%	36.4%	33.3%	28.6%	50.0%	30.6%
Total	18.3%	20.4%	22.8%	22.0%	17.1%	14.7%	13.7%	11.3%	13.2%	17.1%	18.3%
Remainder of Monroe County											
\$15,000 or Below	25.8%	41.7%	32.4%	41.5%	24.1%	44.4%	68.8%	66.7%	90.9%	88.9%	41.4%
\$15,001–\$30,000	14.5%	18.7%	18.4%	23.1%	19.7%	15.3%	17.9%	19.0%	20.2%	17.2%	18.2%
\$30,001–\$45,000	9.9%	9.4%	10.9%	13.1%	10.6%	8.3%	12.0%	9.0%	11.2%	10.2%	10.5%
\$45,001–\$60,000	7.9%	7.0%	10.5%	11.5%	10.4%	7.2%	8.7%	9.7%	9.2%	8.0%	9.0%
\$60,001–\$75,000	5.6%	5.8%	9.6%	9.2%	8.0%	6.9%	6.5%	7.2%	7.4%	6.8%	7.3%
Above \$75,000	5.2%	5.3%	5.7%	7.7%	6.6%	6.1%	6.9%	6.3%	5.5%	5.8%	6.1%
Data Missing	18.2%	13.6%	11.3%	18.6%	16.9%	10.1%	13.7%	19.2%	17.7%	18.8%	15.4%
Total	8.3%	8.1%	9.4%	11.1%	9.4%	7.8%	9.2%	8.8%	9.0%	8.2%	9.0%
Monroe County											
\$15,000 or Below	38.2%	48.8%	46.8%	46.0%	34.0%	45.5%	54.2%	64.0%	77.3%	74.1%	47.7%
\$15,001–\$30,000	18.1%	22.3%	24.2%	25.7%	20.1%	18.1%	17.0%	16.9%	19.7%	20.1%	20.7%
\$30,001–\$45,000	11.3%	12.2%	13.3%	15.7%	12.6%	9.8%	12.2%	9.7%	11.4%	11.4%	12.2%
\$45,001–\$60,000	9.4%	8.8%	12.9%	12.5%	10.6%	7.6%	8.9%	9.5%	9.5%	8.8%	10.0%
\$60,001–\$75,000	6.0%	6.4%	11.0%	10.2%	9.0%	7.4%	6.8%	7.6%	7.8%	7.6%	8.0%
Above \$75,000	5.9%	6.4%	6.4%	8.4%	7.2%	6.3%	7.5%	6.2%	5.7%	6.1%	6.6%
Data Missing	19.4%	14.3%	16.9%	21.5%	17.9%	12.1%	16.7%	21.2%	18.8%	20.5%	17.7%
Total	10.3%	10.8%	12.3%	13.4%	10.8%	9.0%	10.0%	9.2%	9.6%	9.5%	10.7%

This overall pattern also held, generally speaking, regardless of whether the applicant was white or black and Hispanic or non-Hispanic, with some exceptions⁹². However, consideration of differences in denial rates by race within income groups reveals that black residents were more likely than white residents to be denied home loans at all income levels, as shown in Table V.8 on the following page. For example, black residents earning more than \$75,000 per year were turned down 26.3 percent of the time in the City of Rochester, on average, compared to a denial rate of 10.4 percent for similarly situated white residents. The same was true of Hispanic residents with respect to non-Hispanic residents: at 22.4 percent, the denial rate for Hispanic residents earning more than \$75,000 per year was nearly double the rate for non-Hispanic residents in the same income bracket. These discrepancies held, almost without exception, for the remainder of the county, as well as in the county as a whole.⁹³

⁹² For example, the denial rate for Hispanic applicants making between \$60,000 and \$75,000 per year was higher than the denial rate for those making \$30,000 to \$45,000 per year.

⁹³ The denial rate for non-Hispanic residents making less than \$15,000 per year in the remainder of Monroe County was 3.3 percentage points higher than the denial rate for Hispanic residents.

Table V.8
Denial Rates of Loans by Race/Ethnicity and Income of Applicant
 City of Rochester and Monroe County
 2004–2013 HMDA Data

Race	<= \$15K	\$15K– \$30K	\$30K– \$45K	\$45K– \$60K	\$60K– \$75K	Above \$75K	Data Missing	Average
City of Rochester								
American Indian	0.0%	37.5%	38.9%	25.0%	28.6%	0.0%	%	32.1%
Asian	28.6%	16.3%	19.0%	11.1%	25.0%	9.2%	20.0%	16.2%
Black	65.2%	28.8%	27.3%	27.3%	26.7%	26.3%	47.4%	28.8%
White	49.0%	18.9%	12.3%	11.2%	10.5%	10.4%	23.2%	13.7%
Not Available	76.9%	40.8%	31.5%	36.1%	23.9%	26.0%	51.1%	35.6%
Not Applicable	%	11.8%	14.3%	0.0%	0.0%	50.0%	0.0%	11.8%
Average	55.6%	23.6%	17.1%	15.0%	13.5%	12.3%	30.6%	18.3%
Non-Hispanic	54.4%	21.8%	15.7%	13.4%	12.8%	11.3%	26.6%	16.4%
Hispanic	51.1%	24.9%	21.3%	19.7%	14.0%	22.4%	45.0%	24.0%
Remainder of Monroe County								
American Indian	33.3%	15.4%	21.6%	14.8%	5.3%	13.0%	100.0%	15.6%
Asian	25.0%	16.3%	14.9%	9.4%	6.7%	8.0%	24.5%	10.3%
Black	62.5%	27.1%	20.9%	20.1%	17.6%	15.4%	31.6%	19.6%
White	39.9%	17.2%	9.2%	8.0%	6.5%	5.6%	12.1%	8.1%
Not Available	71.4%	30.4%	23.1%	17.4%	14.2%	9.0%	40.3%	16.4%
Not Applicable	%	0.0%	0.0%	15.4%	0.0%	0.0%	66.7%	9.8%
Average	41.4%	18.2%	10.5%	9.0%	7.3%	6.1%	15.4%	9.0%
Non-Hispanic	37.3%	17.2%	9.8%	8.5%	6.8%	5.9%	12.6%	8.4%
Hispanic	81.8%	25.9%	13.2%	14.1%	15.1%	10.8%	30.3%	15.1%
Monroe County								
American Indian	25.0%	27.6%	27.3%	17.1%	11.5%	12.3%	100.0%	19.8%
Asian	26.7%	16.3%	15.8%	9.6%	8.9%	8.0%	24.1%	11.2%
Black	64.9%	28.6%	25.0%	23.2%	19.9%	17.5%	39.5%	24.8%
White	43.0%	17.8%	9.9%	8.5%	6.9%	5.9%	13.5%	8.9%
Not Available	75.0%	36.5%	26.0%	21.4%	15.8%	10.5%	43.1%	21.0%
Not Applicable	%	8.7%	11.1%	12.5%	0.0%	6.7%	33.3%	10.7%
Average	47.7%	20.7%	12.2%	10.0%	8.0%	6.6%	17.7%	10.7%
Non-Hispanic	43.8%	19.1%	11.2%	9.3%	7.5%	6.3%	14.5%	9.8%
Hispanic	56.9%	25.1%	17.2%	15.5%	14.6%	12.1%	35.8%	19.2%

Predatory Lending

In addition to modifications implemented in 2004 to correctly document loan applicants' race and ethnicity, the HMDA reporting requirements were changed in response to the Predatory Lending Consumer Protection Act of 2002 as well as the Home Owner Equity Protection Act (HOEPA). Consequently, loan originations are now flagged in the data system for three additional attributes:

1. If they are HOEPA loans;⁹⁴
2. Lien status, such as whether secured by a first lien, a subordinate lien, not secured by a lien, or not applicable (purchased loans); and
3. Presence of high annual percentage rate (APR) loans (HALs), defined as more than three percentage points higher than comparable treasury rates for home purchase loans, or five percentage points higher for refinance loans.⁹⁵

⁹⁴ Loans are subject to the HOEPA if they impose rates or fees above a certain threshold set by the Federal Reserve Board. "HMDA Glossary." <http://www.ffiec.gov/hmda/glossary.htm#H>

⁹⁵ 12 CFR Part 203, http://www.ffiec.gov/hmda/pdf/regc_020702.pdf

For the 2015 AI analysis, originated owner-occupied home purchase loans qualifying as HALs were examined for 2004 through 2013. In the City of Rochester, 13 percent of home purchase loans issued from 2004 through 2013 were HALs, as shown in Table V.9 below. HAL rates during this time period were considerably lower than denial rates only because of a sharp drop in the number of HALs issued in the city after 2006. In that year, 26 percent of all owner-occupied loans were HALs; by 2010, that figure had fallen below one percent. HAL rates were higher in the remainder of the county and in the county as a whole, but the yearly trends followed the same general pattern as city-level trends.

Table V.9
Originated Owner-Occupied Loans by HAL Status

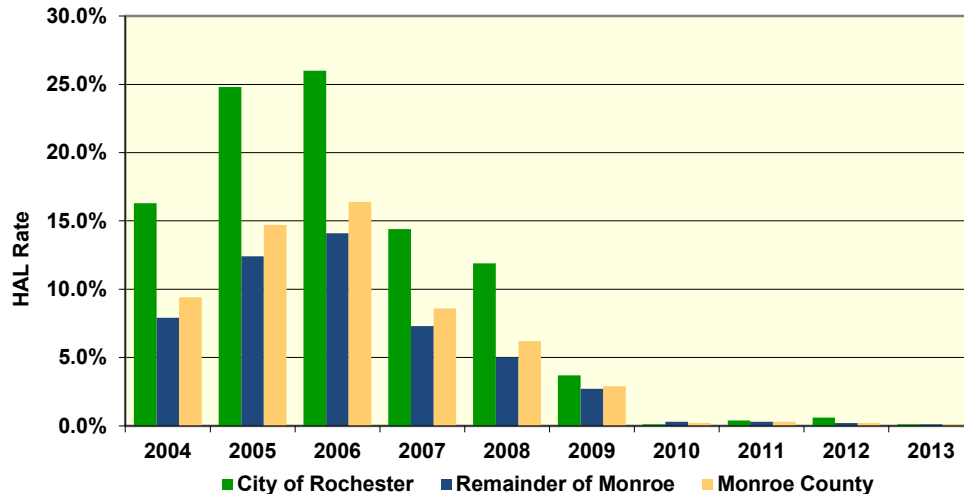
City of Rochester and Monroe County
2004–2013 HMDA Data

Loan Type	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
City of Rochester											
Other	1,585	1,526	1,466	1,476	1,110	1,149	1,020	825	865	948	11,970
HAL	309	504	516	249	150	44	1	3	5	1	1,782
Total	1,894	2,030	1,982	1,725	1,260	1,193	1,021	828	870	949	13,752
Percent HAL	16.3%	24.8%	26.0%	14.4%	11.9%	3.7%	0.1%	0.4%	0.6%	0.1%	13.0%
Remainder of Monroe County											
Other	7,722	7,530	7,125	6,873	5,653	5,694	5,034	4,994	5,436	6,122	62,183
HAL	659	1,061	1,167	538	299	160	14	15	10	7	3,930
Total	8,381	8,591	8,292	7,411	5,952	5,854	5,048	5,009	5,446	6,129	66,113
Percent HAL	7.9%	12.4%	14.1%	7.3%	5.0%	2.7%	0.3%	0.3%	0.2%	0.1%	5.9%
Monroe County											
Other	9,307	9,056	8,591	8,349	6,763	6,843	6,054	5,819	6,301	7,070	74,153
HAL	968	1,565	1,683	787	449	204	15	18	15	8	5,712
Total	10,275	10,621	10,274	9,136	7,212	7,047	6,069	5,837	6,316	7,078	79,865
Percent HAL	9.4%	14.7%	16.4%	8.6%	6.2%	2.9%	0.2%	0.3%	0.2%	0.1%	7.2%

The yearly trend in HALs is illustrated in Diagram V.3 below. As shown, predatory style lending peaked in 2006, coming to account for a considerably smaller percentage of lending overall after that year. By 2010, HALs constituted less than one percent of home mortgages issued in the city and county.

Diagram V.3
HAL Rates by Year

City of Rochester and Monroe County
2004–2013 HMDA Data



As had been the case with loan denials, the rate of HALs varied by race and ethnicity, with black and Hispanic residents being issued HALs more frequently than white and non-Hispanic residents, respectively. As shown in Table V.10 below, the HAL rate for black borrowers, at 23.7 percent, was more than twice the rate of HALs for white borrowers in the City of Rochester. In the surrounding county, the HAL rate for black residents was nearly three times the HAL rate for white applicants. The discrepancy between Hispanic and non-Hispanic borrowers was not as pronounced: 14.5 percent of loans issued to Hispanic borrowers in Rochester were HALs, compared to 12.1 percent of loans issued to non-Hispanic residents. Again, the same overall patterns were observed for the remainder of the county, where HAL rates for all groups were higher than in the city.

Table V.10
Rate of HALs Originated by Race/Ethnicity of Borrower
 City of Rochester and Monroe County
 2004–2013 HMDA Data

Race	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Average
City of Rochester											
American Indian	100.0%	50.0%	42.9%	14.3%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	25.0%
Asian	20.7%	24.4%	16.7%	6.5%	24.1%	3.1%	0.0%	0.0%	0.0%	0.0%	12.5%
Black	24.8%	43.0%	43.5%	27.9%	19.3%	5.3%	0.0%	0.8%	0.0%	0.0%	23.7%
White	12.8%	19.2%	19.7%	9.9%	9.7%	3.4%	0.1%	0.2%	0.4%	0.1%	9.7%
Not Available	30.7%	38.6%	42.5%	34.8%	12.0%	3.8%	0.0%	2.7%	4.9%	0.0%	23.3%
Not Applicable	3.4%	%	%	%	%	%	0.0%	%	%	%	3.3%
Average	16.3%	24.8%	26.0%	14.4%	11.9%	3.7%	0.1%	0.4%	0.6%	0.1%	13.0%
Non-Hispanic	15.7%	23.4%	24.5%	13.5%	10.9%	3.8%	0.0%	0.3%	0.1%	0.1%	12.1%
Hispanic	17.5%	29.3%	28.5%	14.3%	19.0%	2.3%	1.1%	1.3%	1.3%	0.0%	14.5%
Remainder of Monroe County											
American Indian	36.0%	10.5%	38.9%	9.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	14.6%
Asian	6.2%	8.0%	11.1%	4.0%	2.3%	1.6%	0.6%	0.0%	0.0%	0.5%	4.0%
Black	16.3%	32.6%	39.2%	20.2%	7.2%	2.8%	0.0%	0.6%	0.0%	0.5%	15.7%
White	7.2%	11.5%	12.4%	6.8%	4.9%	2.8%	0.2%	0.3%	0.2%	0.1%	5.5%
Not Available	12.3%	16.2%	25.1%	9.3%	7.3%	2.4%	1.5%	0.0%	1.1%	0.0%	9.5%
Not Applicable	11.4%	%	%	%	100.0%	0.0%	%	%	%	%	13.5%
Average	7.9%	12.4%	14.1%	7.3%	5.0%	2.7%	0.3%	0.3%	0.2%	0.1%	5.9%
Non-Hispanic	8.0%	11.9%	13.3%	7.0%	4.8%	2.7%	0.2%	0.3%	0.1%	0.1%	5.7%
Hispanic	12.4%	21.7%	19.8%	9.4%	6.5%	4.7%	0.7%	0.0%	0.0%	0.0%	8.6%
Monroe County											
American Indian	40.7%	20.0%	40.0%	11.1%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	16.9%
Asian	8.8%	10.2%	12.0%	4.3%	5.4%	1.9%	0.5%	0.0%	0.0%	0.5%	5.1%
Black	21.3%	38.3%	41.6%	24.7%	13.9%	4.2%	0.0%	0.7%	0.0%	0.3%	19.9%
White	8.1%	12.8%	13.6%	7.3%	5.6%	2.9%	0.2%	0.3%	0.2%	0.1%	6.1%
Not Available	15.9%	21.4%	29.2%	13.4%	8.4%	2.6%	1.3%	0.4%	1.8%	0.0%	12.2%
Not Applicable	7.8%	%	%	%	100.0%	0.0%	0.0%	%	%	%	9.0%
Average	9.4%	14.7%	16.4%	8.6%	6.2%	2.9%	0.2%	0.3%	0.2%	0.1%	7.2%
Non-Hispanic	9.4%	13.9%	15.3%	8.2%	5.8%	2.9%	0.2%	0.3%	0.1%	0.1%	6.7%
Hispanic	15.0%	25.2%	23.8%	11.7%	12.2%	3.7%	0.9%	0.5%	0.5%	0.0%	11.2%

The geographic distribution of HALs within the city and county from 2004 through 2011 is presented in Map V.5 on the following page. As shown, tracts with relatively high HAL rates were considerably more common in the city than in the remainder of the county. Within the city, the highest HAL rates were observed in Census tracts to the immediate west of the city center and to the north of the city center. The difference in HAL rates by race and ethnicity are portrayed in Diagram V.4 on page 115.

Map V.5
Rate of HALs by Census Tract, 2004-2011
 City of Rochester and Monroe County
 2004-2011 HMDA Data

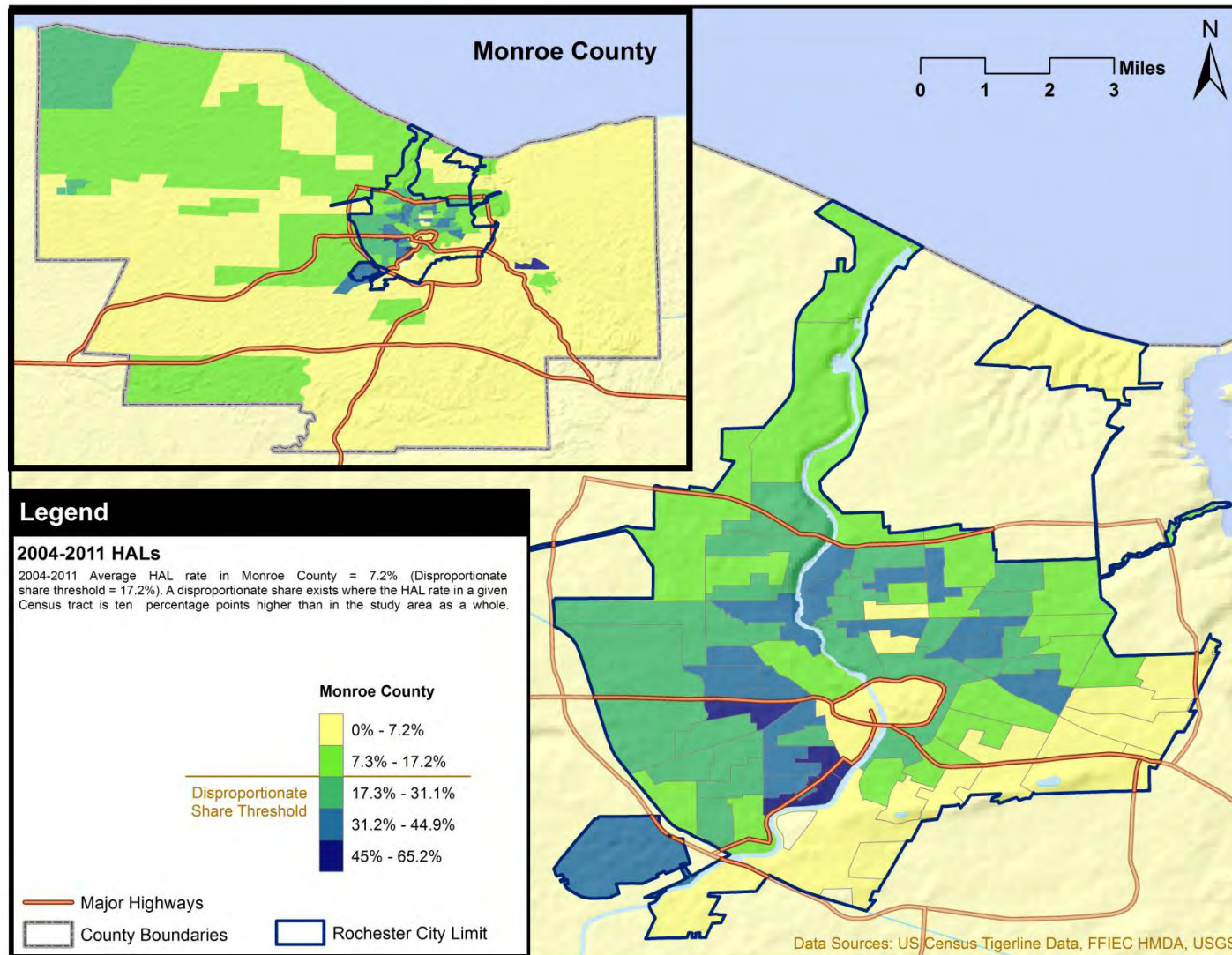
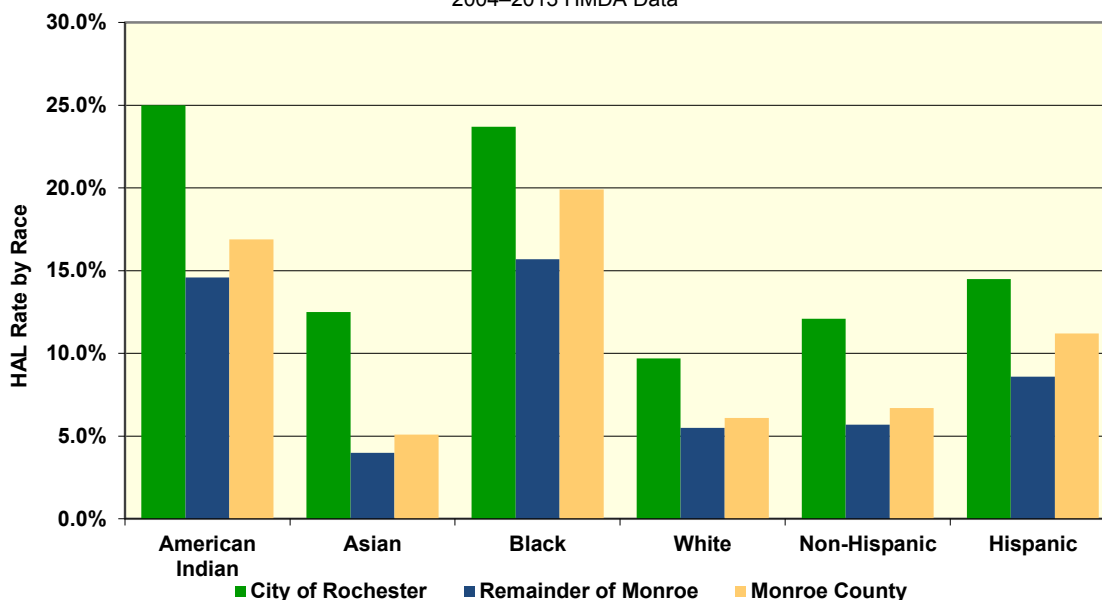


Diagram V.4
Rate of HALs Originated by Race/Ethnicity of Borrower
 City of Rochester and Monroe County
 2004–2013 HMDA Data



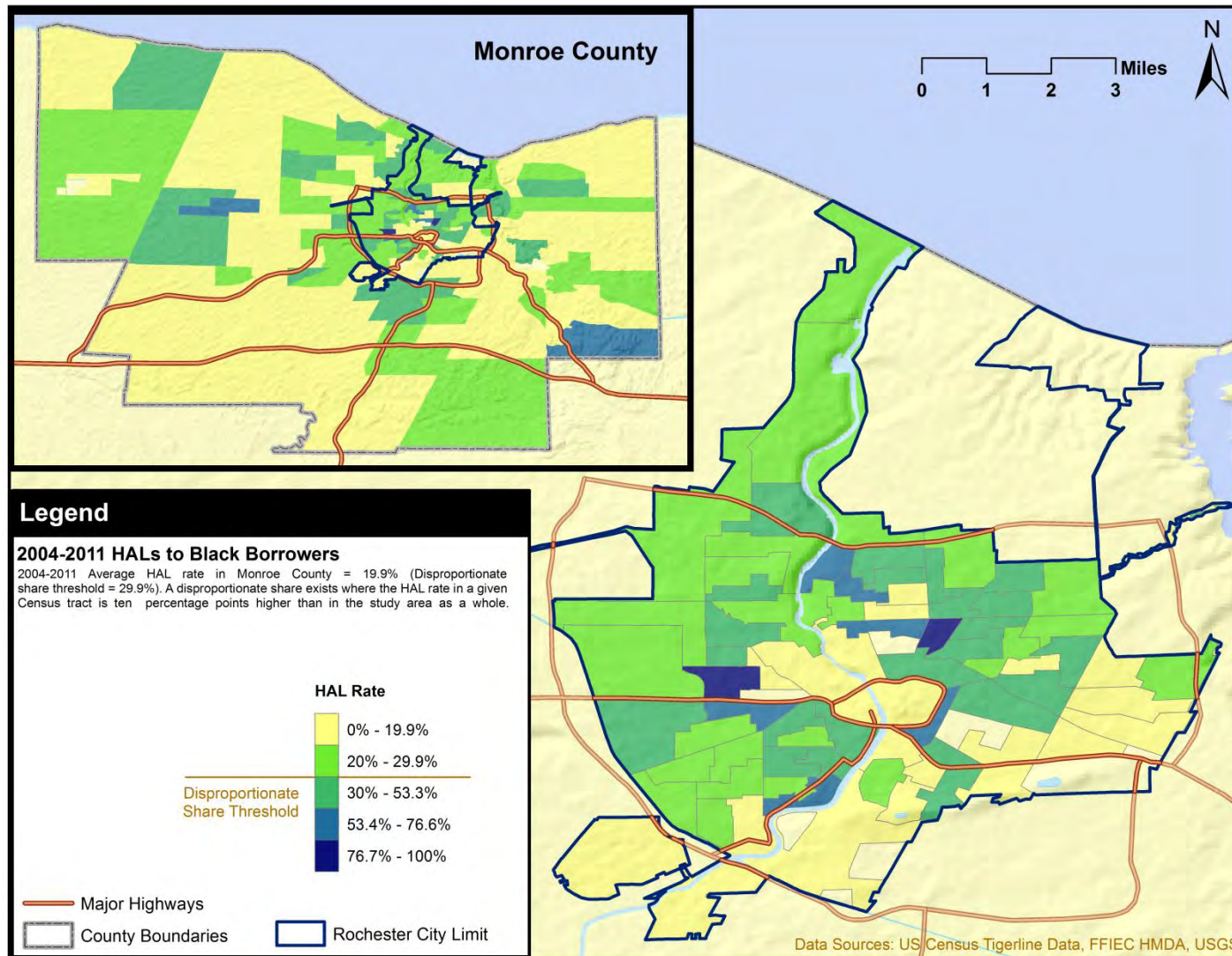
The distribution of HALs to black borrowers in Rochester and the surrounding county is presented in Map V.6 on the following page. As shown, Census tracts with relatively high HAL rates tended to be more highly clustered in the city, and particularly in the city center. HAL rates in excess of 30 percent were observed throughout much of that area, often in Census tracts with relatively large shares of black residents. A handful of Census tracts with similar levels of high cost lending were observed in surrounding areas of the county.

The share of loans to Hispanic borrowers that were predatory in nature also tended to be high in tracts within the city, as shown in Map V.7 on page 117. In many cases, high HAL rates to Hispanic borrowers coincided with relatively high shares of Hispanic residents, as in Census tracts to the immediate north of the city center. However, relatively high concentrations of HALs also appeared in Census tracts to the southwest of the city center, where Hispanic residents accounted for less than 7.3 percent of the population in 2010.

COMMUNITY REINVESTMENT ACT DATA

Economic vitality of neighborhoods can partly be measured through Community Reinvestment Act (CRA) data. According to these data, 55,584 small business loans were extended to businesses in the City of Rochester during the period from 2000 to 2013, of which approximately 35 percent were valued at less than \$1,000,000. Some 168,742 loans were issued in the surrounding county over the same period, more than three times the number that was issued in the city. A similar proportion of these loans were valued at less than \$1,000,000. Small business loans were also analyzed to determine the location of funding in relation to median family income (MFI) levels. Diagram V.5 on page 118 presents the distribution of small business loans by value and by percent of the area MFI by Census tract within the city.

Map V.6
HALs to Black Applicants, 2004-2011
 City of Rochester and Monroe County
 2004-2011 HMDA Data



Map V.7
HALs to Hispanic Applicants, 2004-2011
 City of Rochester and Monroe County
 2004-2011 HMDA Data

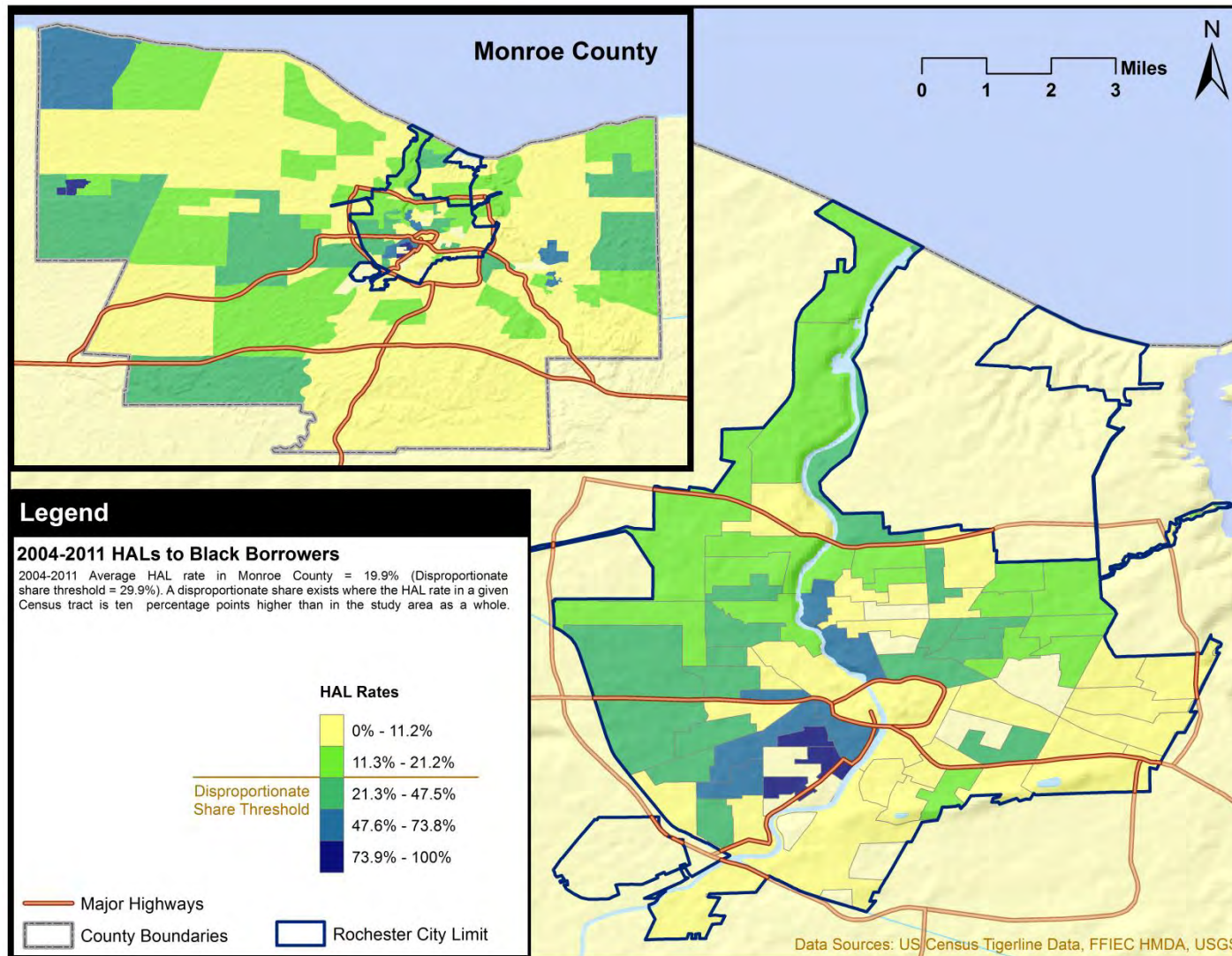
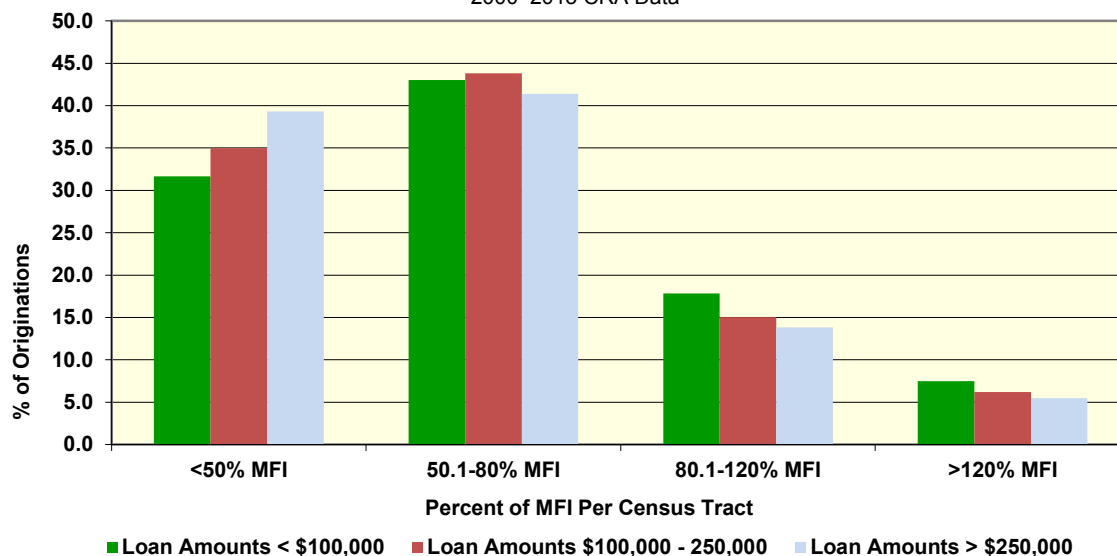


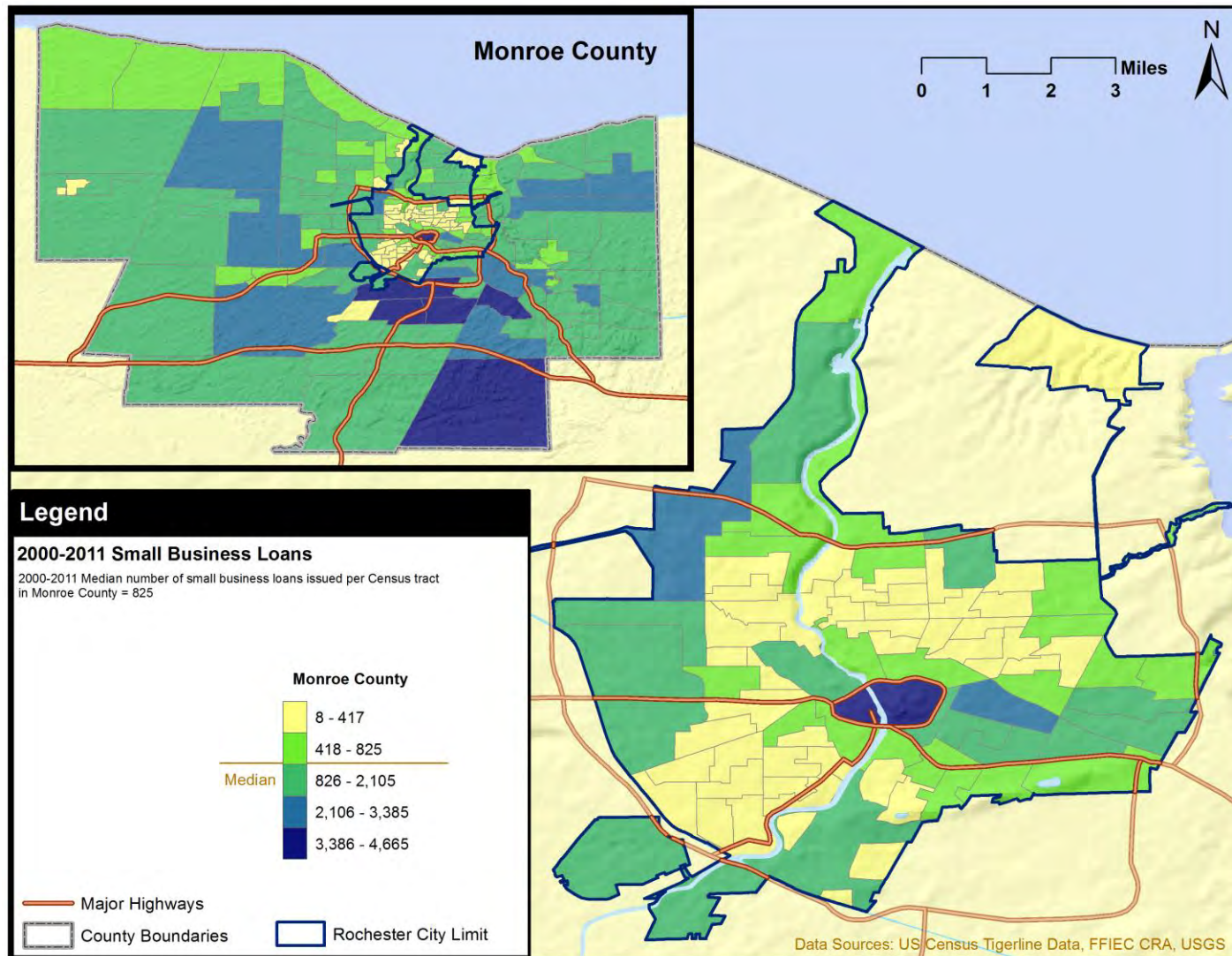
Diagram V.5
Percent of Small Business
Loans Originated by Census Tract MFI
 City of Rochester
 2000–2013 CRA Data



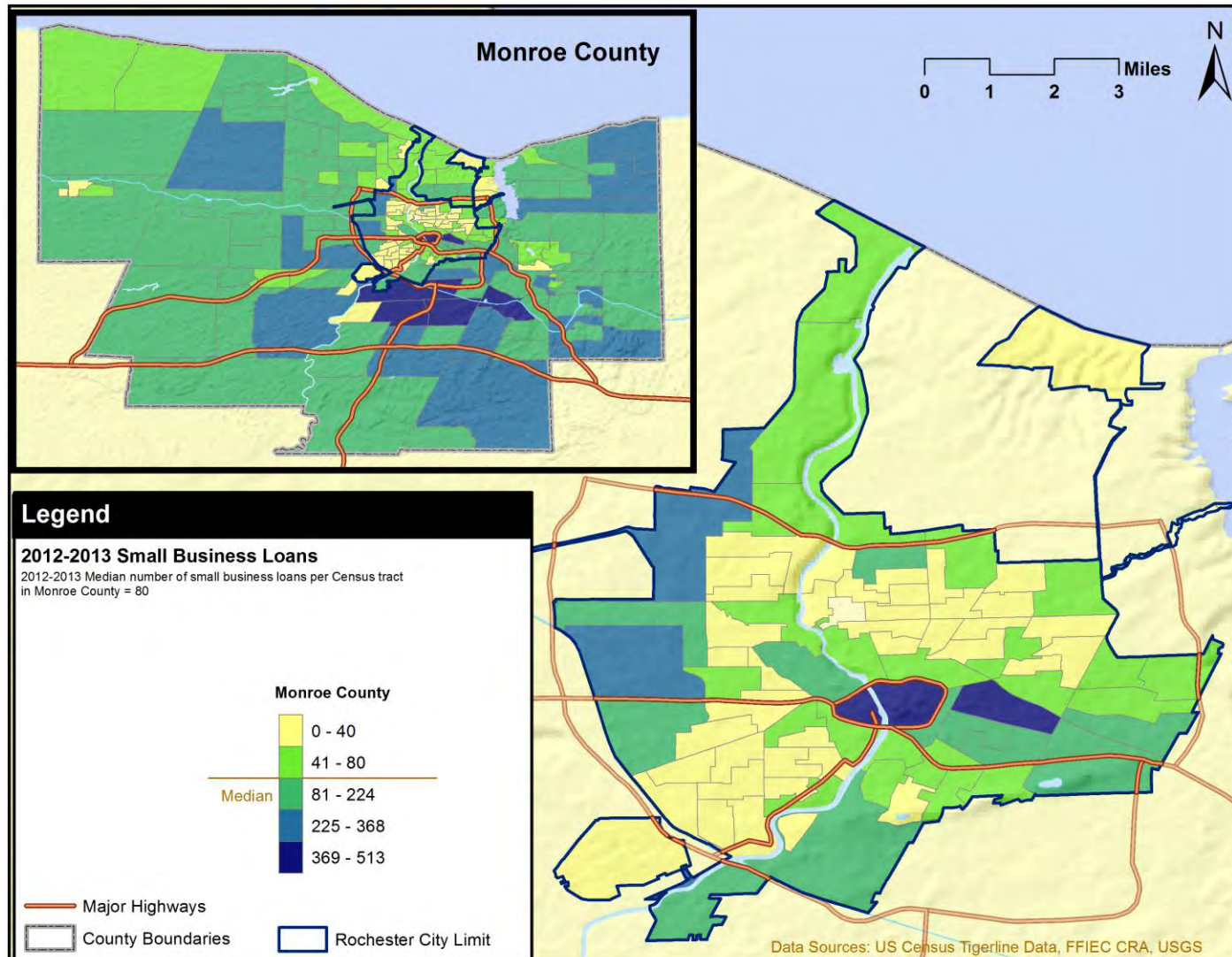
As shown in Map V.8 on the following page, small business lending within the city tended to be directed toward the city center, with a relatively large number of loans going to Census tracts to the immediate east of the city center and in the northwest of the city from 2000 through 2011. In considering the inset, which portrays small business lending patterns throughout the county, it becomes apparent the total number of small business loans tended to be higher in Census tracts outside of the city. Indeed, tracts in which the number of small business loans was well below the county median were almost exclusively located within the city, generally in tracts with relatively high concentrations of black or Hispanic residents. As shown in Map V.9 on page 120, this same overall pattern has continued in recent years.

Unsurprisingly, areas with relatively high numbers of loans also tended to receive more loan dollars, as shown in Map V.10 on page 121. The total value of all loans issued in a Census tract was above the countywide median in most Census tracts outside of the city, with the highest values observed in Census tracts to the immediate south of the city. Within the city, the total value of small business loans was generally below the countywide median, though there were some exceptions including the city center and tracts to the immediate east of the city center. As shown in Map V.11 on page 122, this same overall pattern has changed little since 2011.

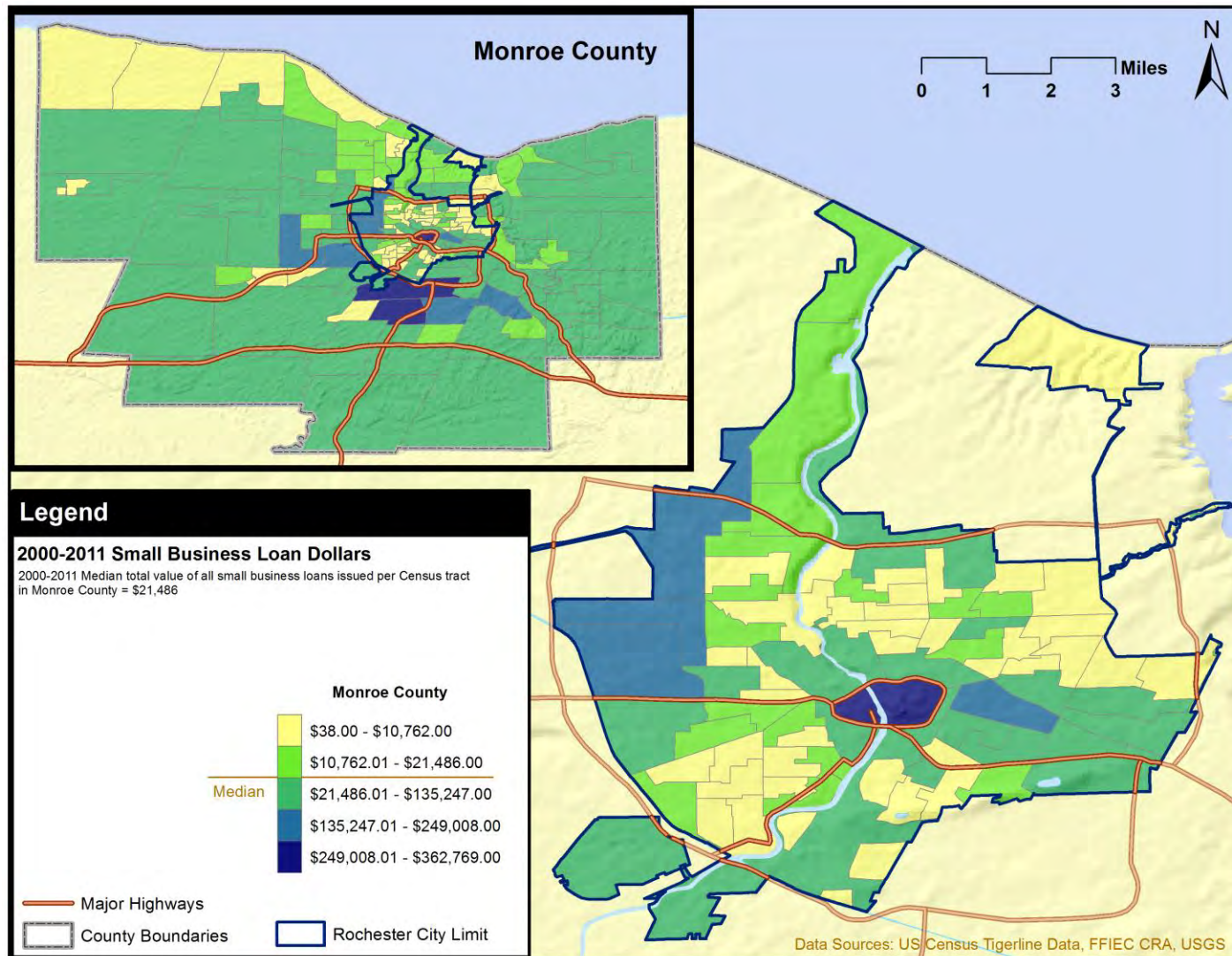
Map V.8
Number of Small Business Loans, 2000-2011
 City of Rochester and Monroe County
 2000-2011 CRA Data



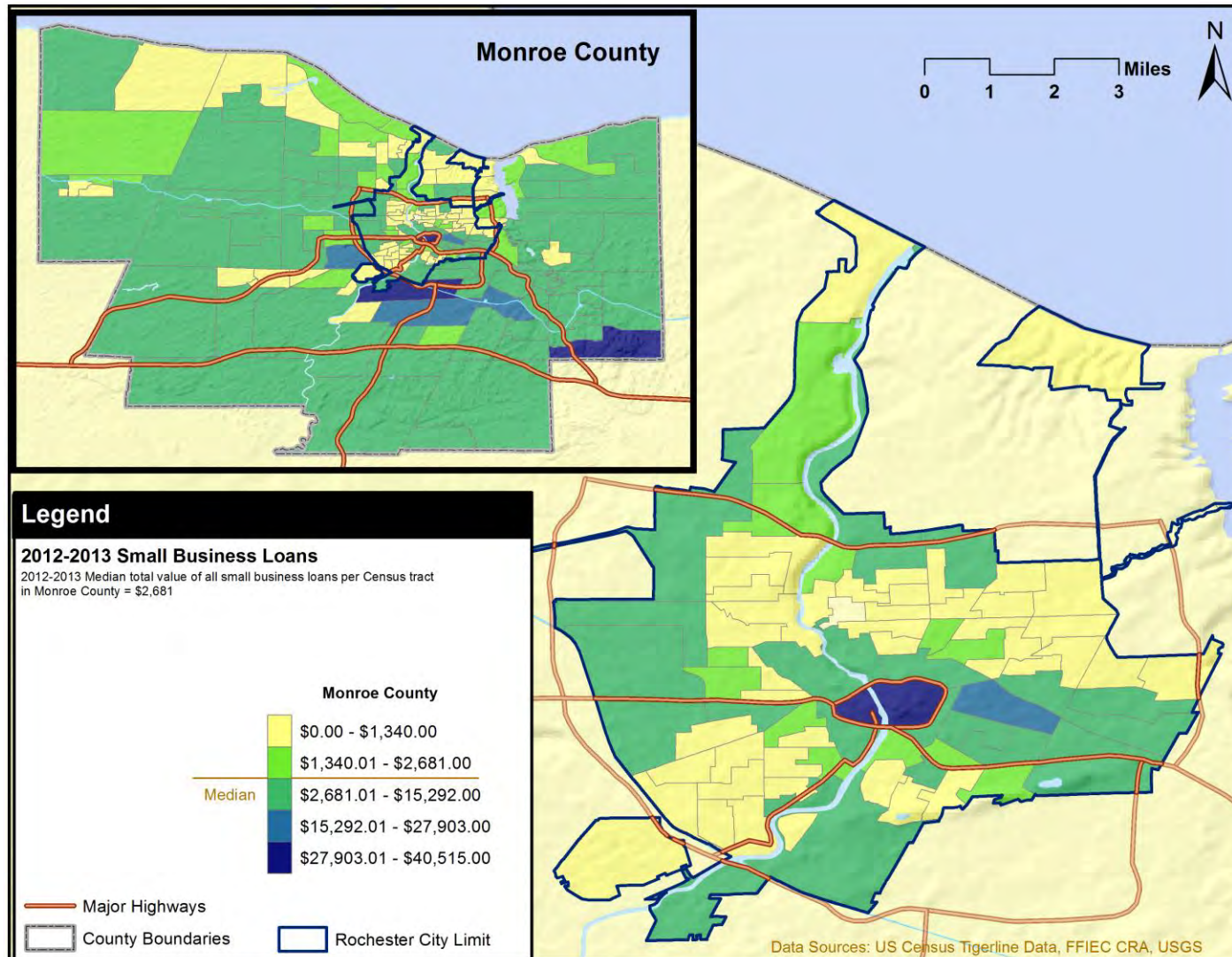
Map V.9
Number of Small Business Loans, 2012-2013
 City of Rochester and Monroe County
 2012-2013 CRA Data



Map V.10
Amount of Small Business Loan Dollars, 2000-2011
 City of Rochester and Monroe County
 2000-2011 CRA Data



Map V.11
Amount of Small Business Loan Dollars, 2012-2013
 City of Rochester and Monroe County
 2012-2013 CRA Data



FAIR HOUSING COMPLAINTS

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

HUD maintains records of complaints that represent potential and actual violations of federal housing law, as described in **Section IV**. According to HUD, residents of Rochester filed 196 complaints against housing providers from 2004 through 2014, as shown in Table V.11 below. The number of complaints per year ranged from a maximum of 31 in 2004 to a minimum of 13 in 2006 and 2007, with 2014 only a partial year. In some cases, those who lodge a complaint with HUD believe that they have suffered discrimination on more than one basis. Accordingly, complainants from Rochester cited 343 bases in connection with those 196 complaints. The most common complaint basis was disability, cited in 101 complaints, followed by race, sex, and family status, cited in 80, 48, and 41 complaints, respectively.

Table V.11
Fair Housing Complaints by Basis

City of Rochester
2004–2014 HUD Data

Basis	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	Total
Disability	8	9	5	7	10	15	12	7	11	12	5	101
Race	11	8	6	2	10	17	8	5	5	5	3	80
Sex	5	2	2		7	12	6	6	3	4	1	48
Family Status	7	1	2	5	4	5	3	3	3	6	2	41
National Origin	5	3	1	2	5	3	2	1	1	3	1	27
Color		2			2	5	4		3	1	1	18
Religion		1	1	1	2	4	2	1	2	1		15
Retaliation				1	1	4	2	1		2	2	13
Total Bases	36	26	17	18	41	65	39	24	28	34	15	343
Total Complaints	31	21	13	13	20	24	20	14	17	15	8	196

In addition to the basis for discrimination, HUD records the issue, or alleged discriminatory action related to each complaint. These are presented in Table V.12 at right. A complete version of this table with yearly complaint data is included in Appendix D. As shown, the most common complaints alleged discriminatory terms, conditions, privileges, or services and facilities; cited in 78 complaints; along with discrimination in terms, conditions, or privileges relating to rental; cited in 63 complaints. The third most common type of discriminatory behavior cited in these complaints consisted of acts prohibited under Section 818 of the FHA, which involves attempts to prevent potential fair housing complainants from lodging a complaint

Table V.12
Fair Housing Complaints by Issue

City of Rochester
2004–2014 HUD Data

Issue	Total
Discriminatory terms, conditions, privileges, or services and facilities	78
Discrimination in term, conditions or privileges relating to rental	63
Discriminatory acts under Section 818 (coercion, etc.)	53
Discriminatory refusal to rent	47
Other discriminatory acts	30
Discriminatory refusal to rent and negotiate for rental	24
Otherwise deny or make housing available	18
Failure to make reasonable accommodation	14
False denial or representation of availability - rental	8
Discriminatory financing (includes real estate transactions)	8
Discriminatory refusal to negotiate for rental	4
Discriminatory advertising, statements and notices	4
Discriminatory advertisement - rental	3
False denial or representation of availability	3
Discriminatory brokerage service	3
Discrimination in services and facilities relating to rental	3
Blockbusting - rental	2
Discriminatory refusal to sell and negotiate for sale	1
Discrimination in making of loans	1
Total Issues	367
Total Complaints	196

through the use of threats and other coercive means. The fourth most common allegation cited discriminatory refusal to rent, accounting for 47 complaints.

More than half of the fair housing complaints lodged with HUD from 2004 through 2014 were determined to have no cause during the subsequent investigation, as shown in Table V.13 at right. Twenty-one complaints were withdrawn after resolution, fourteen were conciliated or settled, and eleven were settled through a judicial consent order by the Division of Human Rights; for the purposes of this study these complaints are considered to have cause.

Table V.14
Fair Housing
Complaints Found
With Cause by Basis
City of Rochester
2004–2014 HUD Data

Basis	Total
Disability	30
Family Status	10
Race	9
Sex	8
National Origin	4
Color	3
Religion	3
Retaliation	1
Total Bases	68
Total Complaints	46

As had been the case in complaints more generally, disability was the most common complaint basis in complaints considered to have cause, as shown in Table V.14 at left. Family status was next cited in ten complaints, followed by race and sex, cited in nine and eight complaints, respectively. A complete version of this table, with complaint data for all years, is included in Appendix D.

The 46 complaints found to be with cause are separated by issue in Table V.15 below. A complete version of this table with yearly complaint data is included in Appendix D. As shown, discrimination in terms, conditions, or privileges relating to rental was a relatively common accusation; cited in 18 complaints; followed by discriminatory terms, conditions, privileges, or services and facilities, cited in seventeen complaints, and discriminatory refusal to rent, cited in twelve complaints, and discriminatory refusal to rent, cited in twelve.

Table V.15
Fair Housing Complaints Found
With Cause by Issue
City of Rochester
2004–2014 HUD Data

Issue	Total
Discrimination in term, conditions or privileges relating to rental	18
Discriminatory terms, conditions, privileges, or services and facilities	17
Discriminatory refusal to rent	12
Discriminatory acts under Section 818 (coercion, etc.)	9
Otherwise deny or make housing available	7
Other discriminatory acts	6
Discriminatory refusal to rent and negotiate for rental	5
Failure to make reasonable accommodation	5
Discriminatory advertising, statements and notices	2
False denial or representation of availability - rental	2
Discriminatory refusal to sell and negotiate for sale	1
False denial or representation of availability	1
Discriminatory financing (includes real estate transactions)	1
Total Issues	86
Total Complaints	46

Table V.13
Fair Housing Complaints
By Closure Status
City of Rochester
2004–2014 HUD Data

Closure Status	Total
No Cause	132
Withdrawal After Resolution	21
Conciliated / Settled	14
FHAP Judicial Consent Order	11
Withdrawal Without Resolution	6
Lack of Jurisdiction	4
Trial has Begun	2
Open	6
Total Complaints	196

NEW YORK DIVISION OF HUMAN RIGHTS

The New York Division of Human Rights also accepts and catalogs complaints from New Yorkers who believe that they have been subjected to unlawful discrimination in the housing market. As a FHAP participant, the agency also receives and investigates complaints that were dually filed with HUD. The 294 complaints received by the DHS are presented in Table V.16 at right, and include complaints lodged from residents throughout Monroe County. As shown, 146 of these complaints alleged discrimination on the basis of disability, accounting for nearly one half of all complaints. The next most common complaint alleged discrimination on the basis of race or color, which cited in 117, followed by sex, cited in 60 complaints, and familial status, cited in 58.

Table V.17
Fair Housing Complaints By
Complaint Description

Monroe County
New York State Division of Human
Rights 2004-2014

Event Description	Total
No Probable Cause Determination Issued	191
Conciliation Closing Issued	51
Complaint Dismissed	36
Serve Order After Stipulation of Settlement	10
Withdrawn Without Benefits	4
AC: Other	1
Serve Order After Hearing: Sustaining A Demurrer	1
Total	294

race/color, cited in 17 complaints, and violations based on familial status, cited in 10 complaints. Sex, age, and creed accounted for relatively few conciliated complaints.

LEGAL ASSISTANCE OF WESTERN NEW YORK

As discussed in **Section IV**, residents of Rochester and Monroe County who believe that they have been subjected to unlawful discrimination in the local housing market may file a complaint with the Rochester Office of Legal Assistance of Western New York (LawNY). As shown in Table V.19 on the following page at right, three-quarters of complaints that the organization received in 2013 were from residents who believed that they had suffered discrimination on the basis of disability.

Table V.16
Fair Housing Complaints by
Basis of Complaints

Monroe County
New York State Division of Human Rights
2004-2014

Basis	Total
Disability	146
Race/Color	117
Sex	60
Familial Status	58
Creed	26
Opposed Discrimination/Retaliation	26
Age	21
Marital Status	7
Sexual Orientation	5
Arrest Record	3
Total Basis	469
Total Complaints	294

Once again, more than half of the complaints that Monroe County residents lodged with the DHS were found to have no probable cause, while 51 of those complaints were conciliated, as shown in Table V.17 at left. The next most common outcome of complaint investigations carried out by the NYDHR was the dismissal of those complaints.

Disability was again the most common complaint basis among conciliated complaints in the county, as shown in Table V.18 at right. The next most commonly alleged violations included discrimination on the basis of

Table V.18
Conciliated Fair Housing
Complaints by Basis of
Complaints

Monroe County
New York State Division of Human
Rights 2004-2014

Basis	Total
Disability	38
Race/Color	17
Familial Status	10
Sex	6
Age	4
Creed	3
Opposed Discrimination/Retaliation	2
Total Basis	80
Total Conciliated Complaints	51

The race or disability status of those who filed a complaint with LawNY is presented in Table V.20 below, at left. Caucasian respondents accounted for approximately 47 percent of those who lodged complaints with LawNY, followed by African-American complainants, who accounted for around 38 percent. Nine residents filed a fair housing complaint with Law NY in 2013 as it relates to their Hispanic ethnicity, representing approximately 11 percent of all complainants.

Table V.20
Race/Ethnicity of
Complainant

City of Rochester
2013 LawNY Fair Housing
Complaints

Race/Ethnicity	Count
Caucasian	38
African American	31
Hispanic	9
Native American	1
Other	1
Race	1
Total	81
Race/Ethnicity	

The closure status of the fair housing complaints the organization received in 2013 is presented in Table V.21 below, at right. As shown, just over half of all complaints from that year ended in an administrative closure, twenty nine were still open at the end of 2013, and nine ended in a settlement or reasonable accommodation for complainants with disabilities.

In addition to accepting fair housing complaints from local residents, LawNY also conducts complaint-based fair housing testing. In a typical fair housing test, two representatives of LawNY will visit or call local housing providers to inquire about the availability of a housing unit. These fair housing “testers” will represent themselves as having roughly the same qualifications (i.e., income, credit history, etc.), differing only in the protected class characteristic that was alleged as the basis for discrimination in the original complaint. As shown in Table V.22 below, testers from LawNY conducted 127 in-person fair housing tests from 2005 through 2014, and conducted 102 by telephone, for a total of 229 fair housing testing activities conducted during the time period. The number of tests conducted in any given year varied considerably, ranging from zero in 2008 to forty-one in 2012.

Table V.19
Fair Housing Complaints
by Basis of Complaints

City of Rochester
2013 LawNY Fair Housing
Complaints

Basis	Count
Disability	61
Race	6
Family Status	5
Gender	3
Sex	3
Ethnicity	1
Felony Record	1
Sexual Orientation	1
Total Basis	81

Table V.21
Complaints by Closure Status

City of Rochester
2013 LawNY Fair Housing Complaints

Closure	Count
Administrative	42
Counsel/Advice	1
Settlement/Reasonable Accommodation	9
Open	29
Total	81

Table V.22
Type of Testing Activity

City of Rochester
LawNY Fair Housing Complaints
2005-2014

Testing Type	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	Total
Site Visit	26	16	18	0	2	2	19	25	12	7	127
Telephone	12	4	6	0	5	10	5	16	20	24	102
Total	38	20	24	0	7	12	24	41	32	31	229

Most of the fair housing tests conducted in the city of Rochester and the surrounding area concerned allegations of discrimination on the basis of race, disability, or familial status. As shown in Table V.23 on the following page, 81 housing tests were conducted to test for race-based discrimination, followed by disability and familial status, which were the subject of 47 and 42 tests, respectively.

Table V.23
Protected Class in Fair Housing Activities
 City of Rochester
 2013 LawNY Fair Housing Complaints

Protected Class	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	Total
Race	7	11	8	0	5	6	8	22	9	5	81
Disability	1	0	0	0	0	0	4	15	7	20	47
Familial Status	1	0	6	0	2	4	8	2	15	4	42
1st test	0	0	10	0	0	0	0	0	0	0	10
Ethnicity	0	3	0	0	0	0	2	2	0	2	9
Gender	0	0	0	0	0	2	2	0	0	0	4
Missing	29	6	0	0	0	0	0	0	1	0	36
Total	38	20	24	0	7	12	24	41	32	31	229

In the vast majority of cases, fair housing tests did not produce conclusive evidence of housing discrimination. As shown in Table V.24 below, the results of 207 fair housing tests were inconclusive, while 19 tests produced positive evidence of discrimination. All of the tests that produced positive evidence of discrimination were conducted in the last four years included here, with nearly a third of the tests uncovering positive evidence of discrimination in 2014.

Table V.24
Results of Fair Housing Testing
 City of Rochester
 2013 LawNY Fair Housing Complaints

Result	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	Total
Advanced Call	0	0	0	0	0	0	0	0	0	1	1
Incomplete	2	0	0	0	0	0	0	0	0	0	2
Inconclusive	36	20	24	0	7	12	20	37	30	21	207
Positive	0	0	0	0	0	0	4	4	2	9	19
Total	38	20	24	0	7	12	24	41	32	31	229
Percent Positive	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	16.7%	9.8%	6.3%	29.0%	8.3%

As shown in Table V.25 below, fair housing testers discovered positive evidence of discrimination on the basis of disability, familial status, and race: the same three protected classes constituted the majority of all fair housing tests undertaken from 2005 through 2014. The most common protected class positively identified as a basis for discrimination was disability, cited in 11 complaints, followed by race and familial status, cited in 6 and 2 complaints, respectively.

Table V.25
Positive Fair Housing Tests by Basis
 City of Rochester
 2013 LawNY Fair Housing Complaints

Basis	2011	2012	2013	2014	Total
Disability	4	0	0	7	11
Familial Status	0	0	2	0	2
Race	0	4	0	2	6
Total	4	4	2	9	19

LawNY also engages in litigation of fair housing complaints on behalf of residents that believe that they have been subjected to illegal discrimination in the housing market. The organization has filed approximately 50 cases with the U.S. District Court of Western New York since 1998: as shown in Table V.26 at right, disability was most commonly cited as the basis for complaints that were litigated by LawNY, figuring in 24 cases. Familial status was the next most common, cited in 14 complaints, followed by race, cited in 6. All told, the organization has recovered approximately \$1.3 million on behalf of its clients through these civil actions.

Table V.26
Litigated Fair
Housing Complaints
City of Rochester
1998-2015 LawNY

Basis	Total
Disability	24
Familial Status	14
Race	6
Gender	3
Religion	3
National Origin	2
Sexual Orientation	1

FAIR HOUSING SURVEY – PRIVATE SECTOR RESULTS

Additional evaluation of fair housing within the City of Rochester and Monroe County was conducted via an online survey of stakeholders that began in October 2014. The purpose of the survey, a relatively qualitative component of the AI, was to gather insight into the knowledge, experiences, and opinions of stakeholders and interested citizens regarding fair housing. Results and comments related to the questions in the private sector are presented in the following narrative, and additional survey results are discussed in **Sections VI** and **VII**.

The 2015 City of Rochester Fair Housing Survey was completed by 249 persons and was conducted entirely online. Individuals solicited for participation included representatives of housing groups, minority organizations, disability resource groups, real estate and property management associations, banking entities, and other groups involved in the fair housing arena. Most questions in the survey required simple “yes,” “no,” or “don’t know” responses, although many questions allowed the respondent to offer written comments. When many respondents reported that they were aware of questionable practices or barriers, or when multiple narrative responses indicated similar issues, findings suggested likely impediments to fair housing choice.

Numerical tallies of results and summaries of some comment-driven questions are presented in this section. A complete list of written responses is available in Appendix B.

FAIR HOUSING IN THE PRIVATE SECTOR

In order to address perceptions of fair housing in the City of Rochester and Monroe County’s private housing sector, survey respondents were asked to identify their awareness of possible housing discrimination issues in a number of areas within the private housing sector, including:

- The rental housing market,
- Real estate industry,
- Mortgage and home lending industry,
- Housing construction or accessible housing design fields,
- Home insurance industry,
- Home appraisal industry, and
- Any other housing services.

If respondents indicated that they were aware of possible discriminatory issues in any of these areas, they were asked to further describe issues in a narrative fashion. Tallies for each question are presented in Table V.27 below. Note that where percentages are reported in the following narrative, those percentages are based on the number of respondents who actually answered each question: “missing” responses have been omitted.

As shown in the table, respondents were more likely to perceive of questionable practices or barriers to fair housing choice in the rental housing market, the mortgage and home lending industry, and in the maintenance of foreclosed vacant properties than in any other industry or practice. Nearly a third of respondents stated that they were aware of such barriers in the rental housing market, and just under a quarter were aware of issues of housing discrimination in the other two areas. In addition, approximately one-fifth of respondents maintained that they knew of barriers to fair housing choice in the real estate industry. The share of respondents who claimed to be aware of issues in other areas was lower, but was by no means negligible: between 13 and 15 percent of respondents professed to be aware of questionable practices or barriers to fair housing choice in the housing construction or accessible housing design fields, the home insurance industry, and the home appraisal industry.

Table V.27
Barriers to Fair Housing in the Private Sector
 City of Rochester and Monroe County
 2015 Fair Housing Survey Data

Question	Yes	No	Don't Know	Missing	Total
Are you aware of any questionable practices or barriers to fair housing choice in:					
The rental housing market?	51	49	58	91	249
The real estate industry?	31	46	81	91	249
The mortgage and home lending industry?	39	38	81	91	249
The housing construction or accessible housing design fields?	22	43	92	92	249
The home insurance industry?	23	36	97	93	249
The home appraisal industry?	21	36	99	93	249
Maintenance of foreclosed vacant properties	38	27	90	94	249
Any other housing services?	20	35	100	94	249

Much of the commentary submitted with the private sector portion of the fair housing survey centered on perceived discrimination on the basis of race or ethnicity. According to respondents, landlords were more likely to represent that their property is unavailable when they find out that a potential applicant is a racial or ethnic minority, or to refuse to rent to an applicant based on his or her surname. According to one respondent, landlords “can easily screen and discriminate against renters they don’t like.” In the real estate market, perceived discrimination against applicants on the basis of race or ethnicity took the form of steering, whereby real estate agencies present different properties to different homebuyers, depending on their race or ethnicity, or limit the number of properties shown to racial or ethnic minority homebuyers. Many respondents also maintained that racial and ethnic minorities are routinely subjected to higher interest rates on home purchase loans, a perception that is largely borne out by analyses presented earlier in this section.

A number of commenters also cited perceived discrimination on the basis of familial status and disability. Perceived discrimination on the basis of familial status took the form of steering in the real estate market, or of implicit “no child” policies. Respondents also felt that persons with disabilities were often effectively barred from properties that were not accessible to them and whose owners were unwilling to make a reasonable accommodation for them.

SUMMARY

A number of factors affect the housing choices available to residents of Rochester and the surrounding area: such factors include patterns in home purchase and small business lending, perceived and actual discrimination in the housing market, and policies and practices of individuals and businesses in the housing market. For the present study, assessment of these factors was undertaken through a review of lending data collected from the Federal Financial Institutions Examination Council (FFIEC); complaint data collected by federal, state, and local agencies and organizations; and the 2015 City of Rochester Fair Housing Survey.

The FFIEC collected data on nearly 150,000 home-purchase loan applications in Monroe County from 2004 through 2013. These data, gathered under the Home Mortgage Disclosure Act (HMDA), indicate that most of those home purchase loans were intended to purchase of homes in which the applicant intended to live. Over 18 percent of the loan applications submitted in the city were denied, while nine percent of applications were denied in the surrounding county. Credit history and unfavorable debt-to-income ratios were the most common reasons for these loan denials. The likelihood that a loan application would be denied differed markedly according to the race or ethnicity of the applicant: black applicants were nearly three times as likely to be turned down as white applicants in the county as a whole while Hispanic applicants were nearly twice as likely as non-Hispanic residents to be denied a loan. These discrepancies persisted even when applicants were similarly situated with respect to income. Black and Hispanic residents who were able to secure a loan were also more likely to be issued a high-cost, predatory style loan than white or non-Hispanic borrowers, respectively.

The analysis of small business lending in the city indicated that a majority of small business loans issued in the city went to low- to moderate-income Census tracts⁹⁶. However, such tracts also accounted for a large share of Rochester tracts in general, and when the analysis is broadened to consider small business lending in the county as a whole it becomes apparent that many of the high-poverty tracts surrounding the city center attracted comparatively little in the way of small business lending. Small business lending from 2000 through 2013 tended to target the city center itself, city Census tracts to the southeast of the city center, and county Census tracts to the south of the city.

The review of complaints received by HUD, the New York Division of Human Rights, and Legal Assistance of Western New York (LawNY) indicate that residents of Rochester and the surrounding areas were more likely to file complaints with those organizations in response to perceived discrimination on the basis of disability, race, or familial status; and alleged discrimination in the rental market figured strongly among those complaints. LawNY carries out fair housing testing in response to complaints it receives from area residents, and as one might expect, a majority of those tests concerned alleged discrimination on the bases of disability, familial status, and race. Approximately 8.3 percent of those tests uncovered evidence of discrimination on the part of housing providers; all of these were conducted in the last four years, and more than half pertained to discrimination on the basis of disability. Nearly one-

⁹⁶ Income levels are established with reference to the median family income for the entire metropolitan statistical area (MSA). The Rochester MSA includes the city itself, along with the counties of Genesee, Livingston, Monroe, Ontario, Orleans, and Wayne.

third of the tests conducted in 2014 produced positive evidence of discrimination. Disability, race, and familial status were also the most common allegations in complaints that served as the basis for approximately 50 civil cases that LawNY has litigated on behalf of its clients since 1998.

Finally, nearly a third of respondents to the 2015 Fair Housing Survey professed to be aware of questionable practices or barriers to fair housing choice in the rental housing market, nearly a quarter were aware of such practices in the mortgage and home lending industry and in the maintenance of foreclosed vacant properties, and around one-fifth claimed to know of such issues in the real estate industry. Those who submitted additional comments to the survey most commonly perceived racial and ethnic minority residents to be the victims of discrimination in these industries or areas. However, a significant number of respondents also maintained that discrimination against families with children and residents with disabilities was an issue in the city and county.

SECTION VI. FAIR HOUSING IN THE PUBLIC SECTOR

While the previous section presented a review of the status of fair housing in the private sector, this section will focus specifically on fair housing in the public sector. The U.S. Department of Housing and Urban Development (HUD) recommends that the AI investigate a number of housing factors within the public sector, including health and safety codes, construction standards, zoning and land use policies, tax policies, and development standards. The AI should also examine the placement of public housing as well as its access to government services.

PUBLIC HOUSING

Public or assisted housing can exist in several forms, including low-income housing projects, housing voucher programs, and supportive housing. The objective of public and other forms of assisted housing is to provide housing that is suitable for persons with special needs or families of low- to moderate-income levels and to promote access to jobs, transportation, and related community resources. Uneven distribution of public and assisted housing can be the result of an impediment such as land use policies that discourage multi-family or low-income housing in some areas, thus leading to segregation of low-income and other populations.

MULTI-FAMILY ASSISTED HOUSING UNITS

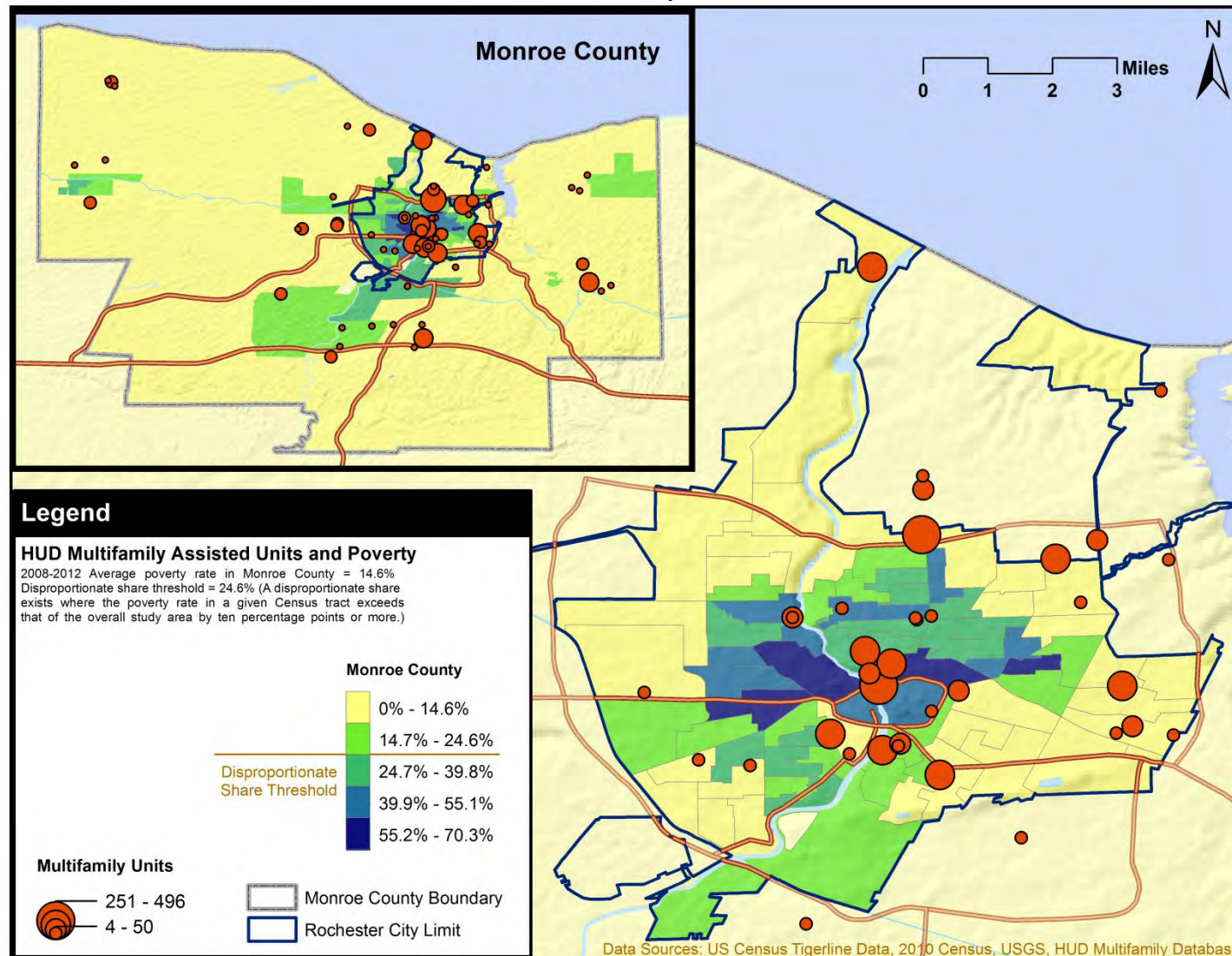
HUD maintains a database of housing projects that are funded through a variety of federal programs, including Housing Choice Vouchers and supportive housing for elderly residents and residents with disabilities. The locations of these units in Monroe County are presented in Map VI.1 on the following page. Though more multifamily *projects* were located in the surrounding county than were located in the city, the number of *units* in the city was considerably higher than in the surrounding county, owing to the presence of several large housing projects around the city center.⁹⁷

LOW-INCOME HOUSING TAX CREDIT PROGRAM

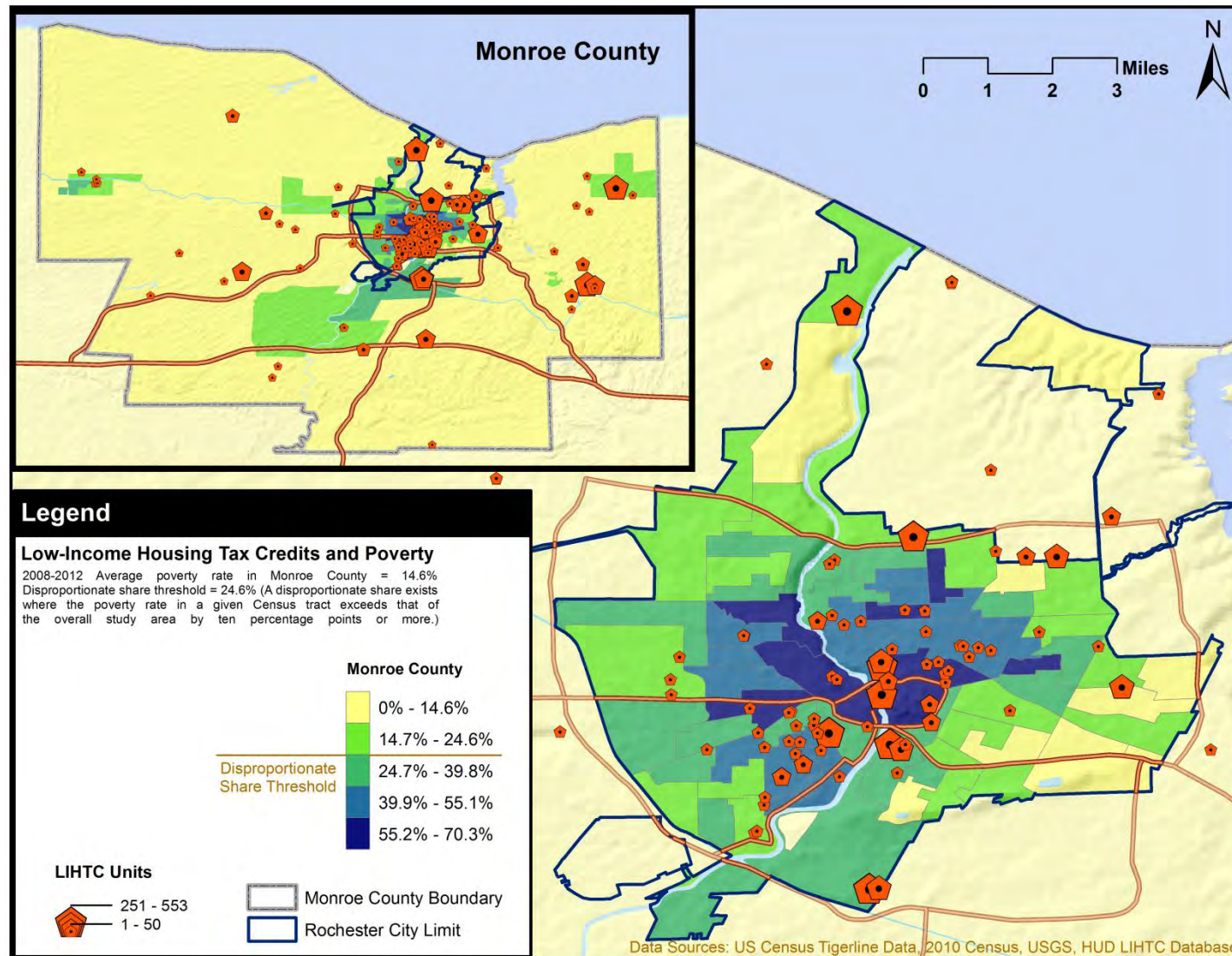
The distribution of units financed through the Low-Income Housing Tax Credit (LIHTC) Program followed a similar distribution to HUD-assisted multifamily units, as shown in Map VI.2 on page 135. The LIHTC program is designed to promote investment in affordable rental housing by providing tax credits to developers of qualified projects. To qualify for the tax credits, housing projects must be residential rental properties in which a proportion of available units are rent-restricted and reserved for low-income families. Property owners are required to maintain rent and income restrictions for at least thirty years, pursuant to the HUD-mandated minimum affordability period, though in some areas they are required to operate under these restrictions for longer time periods. As shown in the map, these units were largely concentrated within the city, particularly in Census tracts with high concentrations of poverty around the city center.

⁹⁷ There were 37 HUD-funded projects in the county and 29 in the city, according to the HUD multifamily database. However, the average project in the county contained 47 units, compared to the 103 units of the average city project. In total, the database included 3,000 units located within the city, and 1,730 located in the surrounding county.

Map VI.1
Multi-Family Assisted Housing Units
 City of Rochester and Monroe County
 2015 HUD Multifamily Database



Map VI.2
Low-Income Housing Tax Credit Units
 City of Rochester and Monroe County
 2015 HUD LIHTC Data



SECTION 8 HOUSING UNITS

Two types of Section 8 Housing were analyzed for the 2015 AI: Housing choice vouchers and Project-based units. The principal difference between the two is that Housing Choice Vouchers are portable: recipients can choose where to live as long as the landlord accepts the vouchers and the unit meets a certain set of HUD-defined criteria. Such criteria include maximum income limits and the “reasonableness” of the monthly rent charges as compared to units on the private market. The program covers monthly rental costs minus the tenant’s contribution, which is at most thirty percent of his or her monthly adjusted income or ten percent of monthly unadjusted gross income. By contrast, Project-based Section 8 Housing is funded, as the name suggests, by project.

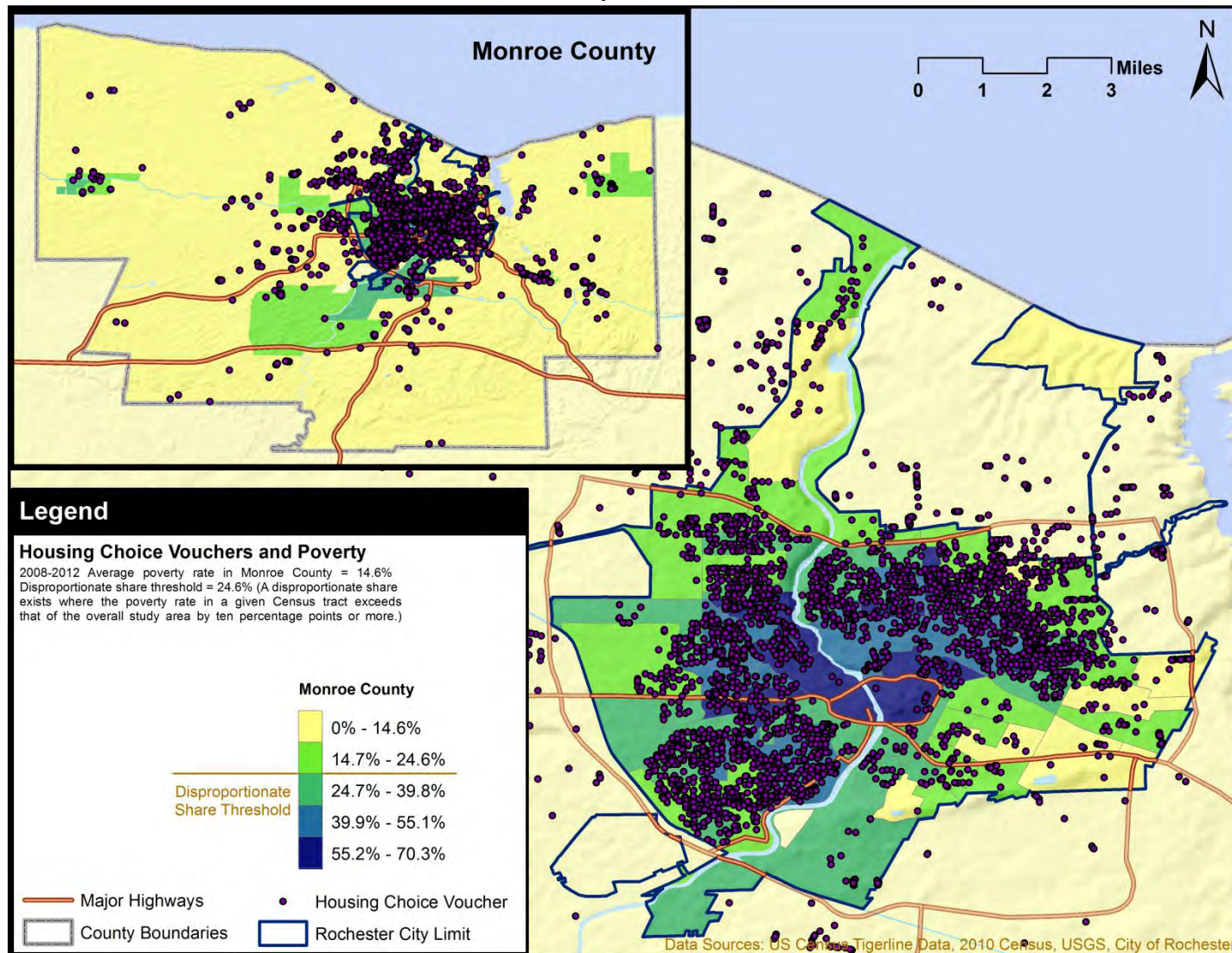
As shown in Map VI.3 on the following page, the geographic trend in the distribution of housing choice vouchers was similar to the overall trend in the distribution of LIHTC and HUD Multifamily units. These vouchers were largely concentrated in Rochester; over 71 percent of vouchers in the county were located within its city limits; and tended to be concentrated in high-poverty Census tracts to the north and west of the city center.

Similarly, over 71 percent of units funded through Project-based Section 8 housing subsidies were located within Rochester’s city limits. As shown in Map VI.4 on page 138, these units tended to be concentrated in areas with relatively high poverty rates. However, this trend was not as pronounced as it had been in the case of housing choice vouchers, and many Project-based units were located in Census tracts with relatively low poverty rates.

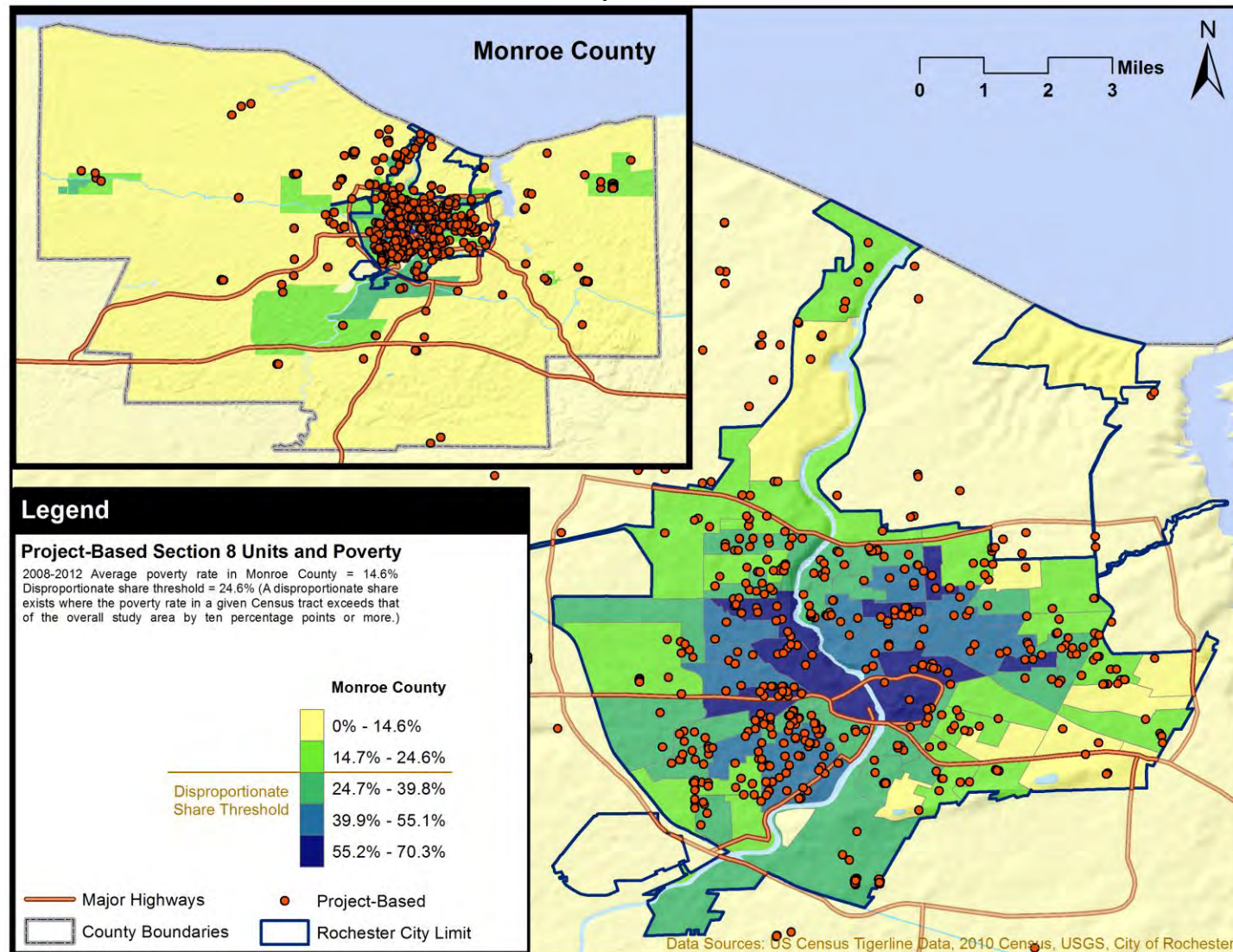
PUBLIC HOUSING UNITS

Public Housing units are subsidized by HUD, but owned and administered by the Rochester Housing Authority (RHA). The RHA, which serves as the regional housing authority for the five-county Greater Rochester region, provides housing with subsidized rents to over 2,500 households in Rochester and Monroe County. The geographic distribution of these units is presented in Map VI.5 on page 139. These units were not as highly concentrated in the City of Rochester as Section 8-assisted units: around 54 percent of Public Housing units were located within the city limits. However, Public Housing units in the city did tend to be concentrated to the northeast and southwest of the city center, in areas with relatively high concentrations of poverty and black residents.

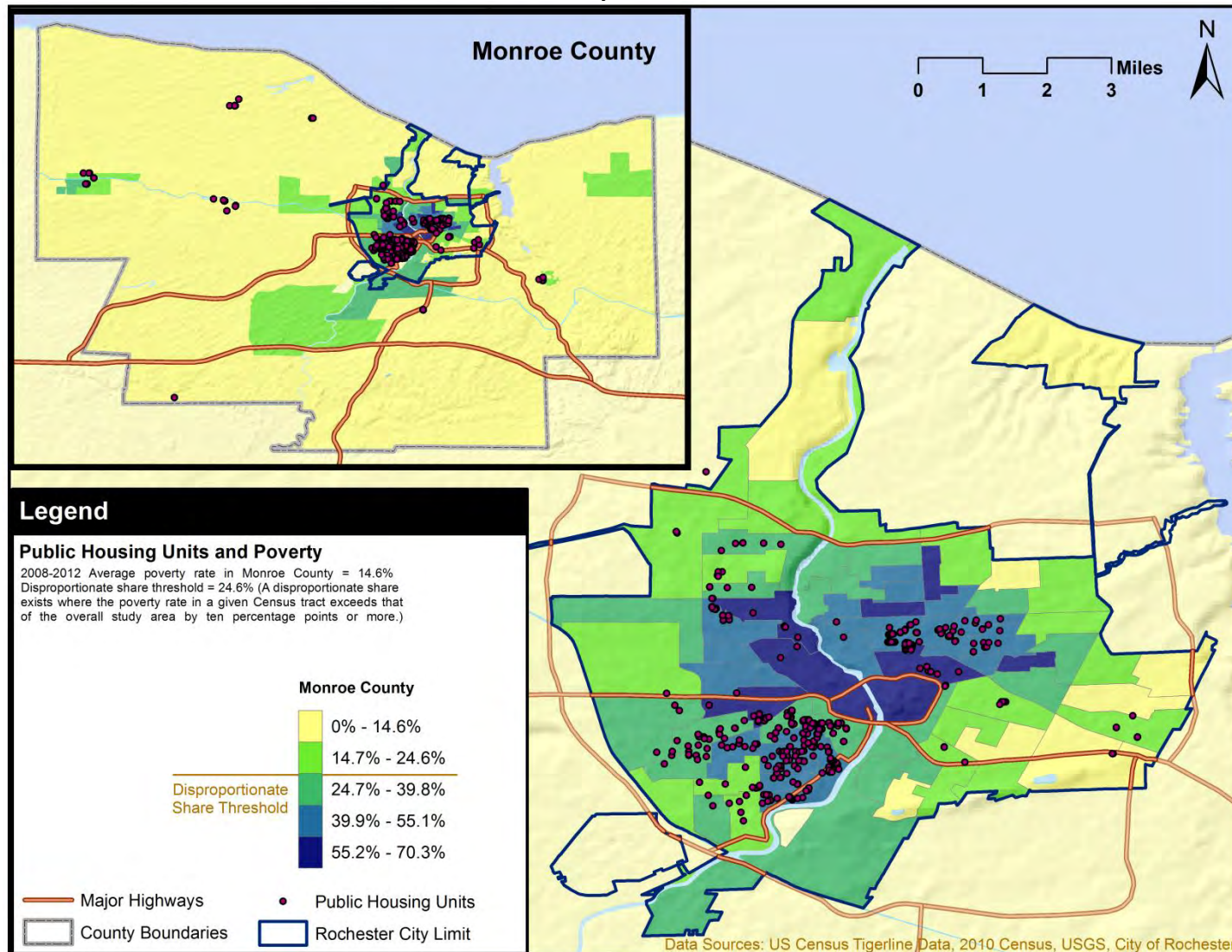
Map VI.3
Housing Choice Vouchers
 City of Rochester and Monroe County
 2013 City of Rochester



Map VI.4
Project-Based Section 8 Housing Units
 City of Rochester and Monroe County
 2014 City of Rochester



Map VI.5
Public Housing Units
 City of Rochester and Monroe County
 2014 City of Rochester



FAIR HOUSING SURVEY – PUBLIC SECTOR RESULTS

As mentioned previously, further evaluation of the status of fair housing within City of Rochester and Monroe County was conducted via an online 2015 Fair Housing Survey, which was completed by 249 stakeholders and citizens. Those solicited for participation included a wide variety of individuals in the fair housing arena. Most questions in the survey required “yes,” “no,” or “don’t know” responses, and many allowed the respondent to offer written comments. While the numerical tallies of results are presented in this section, along with summaries of some comment-heavy questions, a complete list of written responses is available in Appendix B. Other survey results are also discussed in **Sections V and VII**.

FAIR HOUSING IN THE PUBLIC SECTOR

Public sector effects on housing can be complex and varied. The questions in this section of the survey asked respondents to think about possible barriers to fair housing choice within very specific areas of the public sector, as follows:

- Land use policies,
- Zoning laws,
- Occupancy standards or health and safety codes,
- Property tax policies,
- Permitting processes,
- Housing construction standards,
- Neighborhood or community development policies,
- Access to government services, and
- Any other public administrative actions or regulations.

If respondents indicated affirmatively that they were aware of possible discriminatory issues in any of these areas, they were asked to further describe issues in a narrative fashion. Tallies for each question are presented in Table VI.1 on the following page. In most cases, more than half of respondents who answered each question responded with “don’t know.” However, questions concerning limitations in the provision of public services received a relatively high number of “yes” responses, as did the question concerning the impact of local school districts on the housing locational choices. Over a third of respondents maintained that they were aware of barriers that limited access to government services, with many commenters citing perceived limitations in existing transit networks. One respondent offered that, “[p]ublic affordable transportation is limited in the city and very limited in the Monroe County suburbs,” an impression shared by a number of respondents. In addition to limiting access to housing and employment opportunities, limitations in public transit networks restrict access to other government services, according to respondents.

In addition, over two-thirds of respondents affirmed that the perceived quality of public schools has an impact on residents’ decisions on where to live. However, as one respondents pointed out, the quality of local schools only has an impact on a family’s choice of housing location to the degree that a family has the financial ability to choose a home in a desirable school district. The upshot, according to another commenter, is that “[the Rochester City School District]’s poor performance pushes out families with the means to live in suburban districts with better

outcomes, leaving behind the poorest who can't overcome obstacles to get their children into better schools." Many respondents shared the impression that the quality of local school districts, perceived or actual, has a considerable impact on where residents choose to live.

In addition to questions concerning access to government services and the quality of local school districts, more than fifteen percent of respondents maintained that they were aware of questionable practices or barriers to fair housing choice in local land-use policies, occupancy standards or health and safety codes, neighborhood or community development policies, and other public administrative actions or regulations.

In commenting on local land-use policies, many respondents stated that such policies often have the effect, if not the intention, of limiting the placement of affordable housing units. The adoption of such policies in suburban areas of Monroe County is perceived to contribute to the concentration of affordable, subsidized units within the city, especially in low income areas in which minority residents make up a large share of the population.

Many respondents who commented on barriers to fair housing choice in the enforcement of occupancy standards felt that those standards were enforced unevenly throughout the city, with several respondents citing the persistence of issues relating to lead paint, including lead poisoning.

Those who weighed in on barriers to fair housing choice in neighborhood and community development policies cited a number of issues, including policies that limit the placement of affordable housing units and uneven investment in community development throughout the city. However, commenters were somewhat divided on this second question, with some decrying what they perceived as a lack of investment in disadvantaged areas and others wary of gentrification that may accompany such investment, which may raise property values and taxes and force out lower-income residents who can no longer afford to live in the neighborhood.

Commentary on perceived barriers to fair housing choice in other public administrative actions or regulations was wide-ranging: several respondents cited a need for greater community input and involvement in decisions concerning their communities (this need was identified in commentary on other questions as well). Other commenters cited a general lack of fair housing resources, and resources in general.

Table VI.1
Barriers to Fair Housing in the Public Sector
City of Rochester and Monroe County
2015 Fair Housing Survey Data

Question	Yes	No	Don't Know	Missing	Total
Are you aware of any questionable practices or barriers to fair housing choice in:					
Land use policies?	23	42	79	105	249
Zoning laws?	20	42	83	104	249
Occupancy standards or health and safety codes?	28	35	83	103	249
Property tax policies?	15	34	96	104	249
Permitting process?	12	34	99	104	249
Housing construction standards?	13	34	97	105	249
Neighborhood or community development policies?	24	42	75	108	249
Limited access to government services, such as transportation or employment services?	49	36	56	108	249
Does the quality of local public school district affect the location of where households choose to live?	102	12	32	103	249
Other public administrative actions or regulations?	24	21	98	106	249

SUMMARY

Analysis of factors in the public sector that may impact fair housing choice included an examination of the distribution of public-assisted housing units in the city, as well as the results of the 2015 City of Rochester Fair Housing Survey.

Publicly assisted housing units in Monroe County included HUD multifamily projects funded through a variety of federal subsidies, projects financed in part through low income housing tax credits (LIHTC), Section 8 Housing Vouchers, and Project Based Section 8 Housing. Overall, analysis of the distribution of these different units and projects told the same story: affordable, publicly subsidized housing is highly concentrated within the City of Rochester, particularly within low-income areas of the city with relatively high proportions of racial and ethnic minority residents.

This fact was not lost on respondents to the 2015 City of Rochester Fair Housing Survey, who maintained that land-use policies in suburban Monroe County have the effect of limiting the placement of affordable housing units. These policies are not perceived to be limited to the county, however: several respondents cited land-use policies in connection with high concentrations of affordable housing units in certain areas of the city itself. However, the most salient issues among respondents to the fair housing survey pertained to the provision of government services, notably public transportation, and the effect that perceptions about the quality of Rochester-area school districts have upon the housing choices of area residents, and the effect that those housing choices have, in turn, upon area school districts.

SECTION VII. PUBLIC INVOLVEMENT

This section discusses analysis of fair housing in the City of Rochester and Monroe County as gathered from various public involvement efforts conducted as part of the AI process. Public involvement feedback is a valuable source of qualitative data about impediments, but, as with any data source, citizen comments alone do not necessarily indicate the existence of citywide impediments to fair housing choice. However, survey and forum comments that support findings from other parts of the analysis reinforce findings from other data sources concerning impediments to fair housing choice.

FAIR HOUSING SURVEY

As discussed in previous sections, the 2015 Fair Housing Survey comprised a large portion of the public involvement efforts associated with the development of the 2015 AI. While data from the survey regarding policies and practices within the private and public sectors have already been discussed, the remaining survey findings are presented below.

The purpose of the survey, a relatively qualitative component of the AI, was to gather insight into knowledge, experiences, opinions, and feelings of stakeholders and interested citizens regarding fair housing as well as to gauge the ability of informed and interested parties to understand and affirmatively further fair housing. Many organizations throughout the city were solicited to participate.

A total of 249 persons in the City of Rochester and Monroe County completed the survey, which was conducted entirely online. An identical version of the survey was also offered in Spanish, but no responses were received. A complete list of responses is included in Appendix B. Other survey results are also discussed in **Sections V and VI**. As shown in Table VII.1, at right, 73 respondents identified themselves as advocates or services providers, 30 as service providers, 25 as employed in property management, and 11 as employed in the legal profession or in legal services. The largest group of respondents identified their role as “other”, and 14 neglected to identify their role in the housing industry.

Table VII.1
Role of Respondent
City of Rochester and Monroe
County
2015 Fair Housing Survey Data

Primary Role	Total
Advocate/Service Provider	73
Service Provider	30
Property Management	25
Law/Legal Services	11
Local Government	9
Construction/Development	5
Lending/Mortgage Industry	5
Other Role	77
Missing	14
Total	249

Table VII.2
How Familiar are you
with Fair Housing Laws?
City of Rochester and Monroe
County
2015 Fair Housing Survey Data

Familiarity	Total
Not Familiar	44
Somewhat Familiar	94
Very Familiar	47
Missing	64
Total	249

The next question asked respondents about their familiarity with fair housing laws. Results of this question are presented in Table VII.2 at left. As shown, a majority of respondents considered themselves to be “somewhat” or “very familiar” with fair housing laws, though nearly a quarter felt that they were not.

Respondents to the fair housing survey were also asked to identify themselves as homeowners or renters. As shown in Table VII.3 on the following page, a majority of respondents were homeowners, though one fifth identified themselves as renters and 10 percent identified themselves as “other”.

Table VII.4 below shows the responses to four questions regarding federal, city, and local fair housing laws. As shown, 149 respondents considered fair housing laws to be useful, representing 80 percent of those who responded to that question. Respondents were more divided on the question of whether or not those laws are difficult to understand or follow: 79 felt that they were not difficult to understand or follow, while 52 respondents, or about 28 percent of those who answered the question, thought that they were. There was moderate support for changing fair housing laws: many of those who provided additional commentary on this question cited a need to make such laws more effective, while others favored the extension of protected class status to include groups not currently identified under fair housing laws in the state or country. In particular, about 15 percent of cited the need to expand fair housing protections based on “source of income” specifically. Finally, nearly half of all respondents maintained that fair housing laws are not adequately enforced, at present, though 43.5 percent felt that they were.

Table VII.3
Are you a homeowner or a renter?

City of Rochester and Monroe
County
2015 Fair Housing Survey Data

Tenure	Total
Homeowner	166
Renter	53
Other	25
Missing	5
Total	249

Table VII.4
Federal, city, and Local Fair Housing Laws

City of Rochester and Monroe County
2015 Fair Housing Survey Data

Question	Yes	No	Don't Know	Missing	Total
Do you think fair housing laws are useful?	148	11	25	65	249
Are fair housing laws difficult to understand or follow?	52	79	53	65	249
Do you think that fair housing laws should be changed?	46	32	101	70	249
Do you thing fair housing laws are adequately enforced?	77	88	12	72	249

The next section in the survey related to fair housing activities, including outreach and education and testing and enforcement. As shown in Table VII.5 below, 77 respondents were aware of a training process to learn about fair housing laws, and 48 respondents had taken advantage of such training opportunities. Over 42 percent of respondents felt that current levels of outreach and education were insufficient. Similarly, less than a quarter of respondents were aware of any fair housing testing efforts, and more than half felt that they did not know enough about current levels of fair housing testing to assess whether or not they were sufficient to meet the needs of city and county residents. Of those who did weigh in on the current level of fair housing testing, nearly nine in ten felt that current fair housing activities were insufficient.

Table VII.5
Fair Housing Activities

City of Rochester and Monroe County
2015 Fair Housing Survey Data

2015 Fair Housing Survey Data						
Question		Yes	No	Don't Know	Missing	Total
Is there a training process available to learn about fair housing laws?		77	88	12	72	249
Have you participated in fair housing training?		48	52	5	144	249
Are you aware of any fair housing testing?		41	105	31	72	249
Testing and education	Too Little	Right Amount	Too Much	Don't Know	Missing	Total
Is there sufficient outreach and education activity?	75	20	3	78	73	249
Is there sufficient testing?	42	4	2	127	74	249

As part of the process of measuring understanding of fair housing law through the survey instrument, respondents were asked to list their awareness of classes of persons protected by fair housing laws on federal, state, and local levels. Race and disability were offered as examples of protected classes in the question narrative, and respondents were encouraged to continue on and list other protected classes. Results of this question are presented at right in Table VII.6. More than half of respondents correctly identified gender, sexual orientations, and religion as classes of persons protected under federal or state fair housing law. More than a fifth correctly identified age, family status, national origin, and marital status as protected classes. Fewer than 15 percent of respondents correctly identified color or military status as protected classes, though protections on these bases are included in federal and state law, respectively (state law also includes protections based on color). New York anti-discrimination law is relatively expansive in its protected class designations, and few respondents identified protected classes that are not currently protected under federal or state law.

Table VII.6
Protected Classes

City of Rochester and Monroe County
2015 Fair Housing Survey Data

Protected Class	Total
Gender	74
Sexual Orientation	73
Religion	69
Age	58
Family Status	57
National Origin	36
Marital Status	29
Color	19
Ethnicity	19
Income	16
Military	15
Disability	7
Ancestry	6
Victims of Domestic Violence	6
Criminal History	4
Race	2
Persons with AIDS/HIV	1
Other	31
Total	524

Table VII.7 below presents tallied responses to survey questions related to the status of fair housing in the City of Rochester and Monroe County. As shown, only 25 respondents were aware of any city or county fair housing ordinance, regulation, or plan, less than 18 percent of those who answered the question. Around 82 percent of respondents were unaware of such a plan, or answered this question with “don’t know.” However, considerably more professed to be aware of geographic areas with fair housing problems, with many citing the Crescent or areas within the Crescent as particularly prone to fair housing issues. However, other respondents had a different perspective, identifying areas with higher income as areas with fair housing problems, owing in large part to the perception that those areas have adopted policies that limit the ability to low-income residents to move in. Several respondents cited the suburbs and surrounding county in this connection. Finally, several respondents considered the entire City of Rochester and Monroe County to suffer from fair housing problems in light of persistent racial, ethnic, and economic segregation in and between these areas.

Table VII.7
Local Fair Housing

City of Rochester and Monroe County
2015 Fair Housing Survey Data

Question	Yes	No	Don't Know	Missing	Total
Are you aware of any city or county fair housing ordinance, regulation, or plan?	25	63	54	107	249
Are there any specific geographic areas that have fair housing problems?	44	9	83	113	249

Respondents were also asked to offer any additional comments that they might have regarding fair housing in their communities. Twenty-four respondents took the opportunity to provide additional commentary, and the most common concern highlighted in commentary from these respondents pertained to affordable housing. Nearly thirty percent of commentators mentioned affordable housing, with some citing a general lack of affordable housing in the city and some noting that affordable units tended to be concentrated in low-income areas with high crime

rates. Other respondents took the opportunity to underscore the importance of fair housing law and policy.

FAIR HOUSING FORUMS AND FOCUS GROUPS

In addition to the Fair Housing Survey, the participation of residents and stakeholders in Rochester and Monroe County was sought through two fair housing forums and three focus group discussions. The topics covered in meeting presentations and subsequent discussions are summarized below, while the complete minutes of these meetings are presented in Appendix C.

FAIR HOUSING FORUMS

Two fair housing forum discussions were held in City of Rochester as part of the AI process, on January 15, 2015. The purpose of the forum presentation and subsequent discussion was to provide the public with an opportunity to learn more about the AI process and why it was conducted, and to share preliminary findings from the study. The complete minutes from the meetings are presented in Appendix C. In a discussion following the first presentation, participants discussed a wide range of topics, including the following:

- Actions that the city may take to address impediments identified during the AI process, including the promotion of “source of income” legislation and increased outreach and education;
- Challenges associated with an aging and dilapidated housing stock in certain areas of the city, which are perceived to be overvalued;
- The need for empowerment of citizens at the neighborhood level through community service and rehabilitation of salvageable vacant housing units;
- The need to promote development of affordable housing units in the suburbs, while expanding the number of units that accept housing subsidies;
- Challenges associated with Home Rule, and limitations on public transportation; and
- A need to promote homeownership.

The discussion following the second fair housing forum presentation also touched upon a wide array of topics, including the following:

- The limited availability of housing to residents with disabilities, as well as on the ability of small property management companies and apartment complexes with accessible units to advertise those units;
- The persistence of challenges that are the legacy of past discrimination; including exclusionary covenants;
- Problems endemic to disadvantaged neighborhoods, including poor neighborhood schools and drugs;
- The need for increased education and outreach relating to home mortgage lending and foreclosure prevention;
- A need to attract higher income suburban residents to the city center, and the attendant challenges of gentrification;
- A need to promote economic prosperity among low income individuals; and

- A need for greater outreach and education on the rights available to residents who feel that they have suffered illegal discrimination in the housing market.

FOCUS GROUPS

Three fair housing focus groups were held on December 10, 2014 via webinar. Each of these discussions focused on a different topic, the three topics being “home ownership”, “housing policy”, and “rental housing.” However, the meetings also included a general presentation of fair housing law and policy, along with data that had been gathered during the development of the analysis of impediments, though each presentation emphasized different aspects of the data according to the overall focus of the presentation. A brief summary of each discussion is presented below.

The Homeowner Focus Group

Participants in the home owner focus group discussion began by highlighting the high concentration of poverty near the city center, and discussed some of the potential avenues by which that concentration might be mitigated. Enhanced investment in and around the city center was seen as a potential path toward attracting higher income residents to those areas; however, it was agreed that a likely consequence of such investment would be the dislocation of current residents who would not be able to afford the higher rents and property taxes that would likely come with such investment. The South Wedge was cited in this connection, as a neighborhood that is becoming increasingly unaffordable to current residents. Participants largely agreed that policies designed to mitigate poverty in highly impacted areas of the city should consist of a balanced approach that would promote the transformation of high poverty areas into mixed income areas.

One policy approach discussed in the focus group was the promotion of legislation banning “source of income” discrimination, which would prevent landlords from denying applicants who use federal, state, or local income subsidies. Participants also cited a need for fair housing testing, noting that the organization that had previously conducted much of the testing in the city and county was no longer funded.

The Rental Housing Focus Group

Much of the discussion during the Rental Housing Focus Group focused on the high concentration of affordable units near the city center, and the relative paucity of such units in the surrounding county. According to those who commented on the distribution of affordable units in the county, differences in the availability of affordable units in these areas is closely tied to the high rate of poverty in Census tracts near the city center, and in the high concentration of racial and ethnic minority residents in many of those same areas. Commenters suggested several approaches for addressing this issue, including promotion of legislation banning “source of income” discrimination, revision of zoning codes to loosen restrictions stemming from density requirements, and increased advertisement of units built with federal tax credits, which are required by the terms of the tax credit program to accept housing choice vouchers. Wider acceptance of housing choice vouchers is also the policy aim of ordinances banning “source of income” legislation.

The discussion at the rental housing focus group also returned at several points to a need for greater outreach and education. According to one participant, “[e]ducation is important to everybody. To all three in the process: the tenant, the landlord, and the case worker that administers that voucher.” The same commenter noted that promoting education on the issues of fair housing and affordable housing would require a coordinated effort on the part of community partners. Discussants also noted a need to promote education in other areas, including education pertaining to reasonable accommodation and fair housing services available to city and county residents.

The Housing Policy Focus Group

Participants in the Housing Policy Focus Group discussed a variety of policy challenges in the housing market in the city and county, as well as potential approaches to addresses those challenges. As in the rental housing focus group, much of the discussion centered on the disparity between the city and county in terms of the amount of affordable housing units in each area, as well as the concentration of poverty and racial or ethnic minority residents within the city center. These concentrations were seen to be connected to limitations in public transportation, as well as the perceived quality of schools in the county as compared to city schools; however, NIMBYism and local opposition to affordable housing was also considered to play a considerable role.

In discussing potential policies to address high concentrations of poverty, racial and ethnic minorities, and affordable housing within the city, one participant suggested that the Housing Authority could increase the amount of rental assistance offered, allowing low-income residents to move outside of high poverty areas, but noted that the trade-off would be a reduction in the number of people it could support. Another suggested the establishment of an affordable housing trust fund, financed through a one-time transfer payment from housing developers, that would increase the stock of affordable housing in the city.

In addition to affordable housing, participants also discussed the prevalence of vacant units in the city, which was stated to have increased largely as a result of slow population growth. One commenter noted that much of the vacant housing stock is not accessible, which limits the ability of residents with disabilities to make use of them.

SUMMARY

Efforts to promote public involvement in the AI process included the 2015 Fair Housing Survey; a Fair Housing Forum, Focus Groups, and Outreach Meetings; and a public comment period, during which the City of Rochester sought public feedback on the findings of the AI and the actions proposed to address those findings.

The 2015 Fair Housing Survey received 249 respondents from city and county residents. Most respondents were homeowners, and many were connected to the housing industry through their positions as advocates, service providers, and property managers. Most also considered themselves to be at least somewhat familiar with fair housing laws, and 80 percent of respondents deemed those laws to be useful (excluding missing responses). Nevertheless, a quarter of respondents stated that they wished to see changes to current fair housing law, with many citing the need to extend additional protection based on source of income, and many

others citing a general need to increase the effectiveness of fair housing law. Nearly half of respondents felt that current levels of enforcement were insufficient.

Though 77 respondents were aware of available fair housing training opportunities, considerably fewer had actually participated in fair housing training, and around 43 percent of respondents considered current levels of fair housing outreach and education to be insufficient. Relatively few respondents were aware of any fair housing testing in the city or county, and fewer than half of respondents felt qualified to weigh in on current levels of fair housing testing; among those who did offer an assessment of fair housing testing, nine out of ten considered current levels to be insufficient.

When asked to identify the groups protected under federal or state fair housing law, more than half of respondents were able to correctly identify gender, sexual orientation, and religion as protected under federal or state law, excluding missing responses. Fewer, though still more than a fifth of respondents, were able to correctly identify age, family status, national origin, and marital status as protected class. Less than fifteen percent of respondents cited color or military status as protected class designations under federal or state law, though federal law includes color and state law includes both.

Finally, less than a fifth of respondents were aware of any fair housing ordinance, regulation, or plan at the city level. Nearly a third were aware of geographic areas that they considered to be particularly impacted by fair housing problems, with some identifying the Crescent, others identifying high income areas of the city and surrounding county, and still others claiming that the city and county in general were beset by fair housing problems in light of the persistence of racial, ethnic, and economic segregation throughout the area. Respondents who offered final commentary on fair housing in the survey underscored a need for more affordable housing, but noted that such affordable housing has often tended to be concentrated in low-income areas of the city.

Public involvement efforts during the AI process also included two fair housing forum presentations and discussions, and a series of three focus group discussions. The purpose of the fair housing forums, in addition to presenting findings from the AI and introducing the public to the AI process and fair housing policy more generally, was to gather public and stakeholder input on the AI findings, identified impediments, and actions proposed to address those impediments. Following both fair housing forum presentations, participants discussed a range of issues pertaining to fair housing policy, including issues relating to the availability of affordable housing, the need to promote economic prosperity in the city center, and the factors that have led to the concentration of poverty around the city center.

The focus group presentations included preliminary findings and data developed and gathered during the AI process. Each focus group session explored a different aspect of fair housing policy. The topics under discussion at these meetings were “homeownership”, “rental housing”, and “Housing Policy”. Participants in these meetings discussed challenges in each of these areas, as well as potential approaches by which those challenges may be addressed or resolved.

SECTION VIII. SUMMARY OF FINDINGS

This AI reviews both the public and private sector contexts for the City of Rochester's housing markets, in order to determine the effects these forces have on housing choice. As part of that review, analysis of demographic, economic, and housing data provide background context for the environments in which housing choices are made. Demographic data indicate the sizes of racial and ethnic populations and other protected classes; economic and employment data show additional factors in influencing housing choice; and counts of housing by type, tenure, quality, and cost indicate the ability of the housing stock to meet the needs of the city's residents.

Once this contextual background analysis has been performed, detailed review of fair housing laws, cases, studies, complaints, and public involvement data can be better supported by the background information. The structure provided by local, state, and federal fair housing laws shapes the complaint and advocacy processes available in the city, as do the services provided by local, state, and federal agencies. Private sector factors in the homeownership and rental markets, such as home mortgage lending practices, have substantive influence on fair housing choice. In the public sector, policies and codes of local governments and a limited location of affordable rental units can significantly affect the housing available in each area, as well as neighborhood and community development trends. Complaint data and AI public involvement feedback further help define problems and possible impediments to housing choice for persons of protected classes, and confirm suspected findings from the contextual and supporting data.

Socio-Economic Context

As the population of Monroe County grew by 1.2 percent between 2000 and 2010, the population in Rochester fell by 4.2 percent. Though the decline in the city's population was relatively rapid in the middle of the last decade, that decline has slowed considerably in recent years. Analysis of changes to the city and county population by age cohort suggests that the decline in the city population, and the relatively slow rate of growth in the county population, was due in large part to a reduction in the number of residents aged 25 to 54 years of age, along with the number of residents aged less than 19.

The number of white residents in the city and county also declined between 2000 and 2010, by 13.4 percent. By contrast, the number of black residents increased by 3.8 percent in the city, and 12 percent in the county as a whole. Together, black and white residents accounted for more than 90 percent of county residents in 2010, and more than 85 percent of the city's population. However, considerable growth was observed in the number of Hispanic residents, who accounted for 16.4 percent of the city population in 2010, up from 12.8 percent in 2000. Black and Hispanic residents were both disproportionately concentrated in Census tracts within the City of Rochester in 2000 and 2010. Black residents tended to be highly concentrated in the area to the southwest of the city center, while Hispanic residents tended to be disproportionately concentrated to the north of the city center. Outside of the city of Rochester, these residents tended to account for relatively small shares of the population. Dissimilarity indices from the city and county confirm moderate to high levels of racial and ethnic segregation in both areas, but also indicate that these areas became less segregated between 2000 and 2010.

The city and county have also experienced increasing levels of immigration in recent years, as noted in the draft of the 2014 Draft of the city's Language Access Plan. Among recent arrivals to the city have been significant numbers of arrivals from Bhutan, Burma, Cuba, Iraq, and Somalia.

Residents with disabilities were also more common within the city center than in the rest of the county. These residents accounted for 17.6 percent of the county population in 2000, but in the city nearly one resident in four was living with some form of disability in that year. In 2008-2012, residents with disabilities represented 12.1 percent of the county population and 16.8 percent of the city population. These residents continued to be concentrated within the City of Rochester in that year.⁹⁸

The number of employed workers in the city also declined between 2000 and 2012. According to the Bureau of Labor Statistics, some 95,000 workers were employed in the city in 2000. By 2012, that figure had fallen by more than 10,000, though there was a slight increase in the number of employed in 2013. This overall decline in the number of employed was accompanied by a reduction in the size of the labor force; however, because the number of employed generally declined faster than the number of workers in the labor force, the unemployment rate has seen an overall increase since 2000. This increase was exacerbated by the national recession of the late 2000s, and though the unemployment rate fell considerably in 2013, it still exceeded 9 percentage points in that year.

The drop in the number of employed between 2000 and 2012 was reflected in tepid growth in total employment, which refers to the total number of full- and part-time jobs in Monroe County. The total number of jobs in the county grew very little between 2005 and 2011, and declined dramatically from 2008 through 2010. Since that year, total employment has shown signs of recovery.

Like the number of full- and part-time jobs in the county, growth in real average earnings per job was slow for most of the period from 2005 to the present. In 2005, the average Monroe County worker earned just under \$54,000⁹⁹; by 2010, that figure had grown by around \$1,200, and had increased to \$55,438 by 2012. By contrast, real per capita income in the county has grown steadily since 2003, with the exception of a brief period of decline after 2008. By 2012, the average county resident had an income of \$46,793. Both earnings and per capita income have lagged behind statewide figures since the late eighties.

Household incomes also increased in the city and county between 2000 and 2012, as measured in current dollars. The shares of households making less than \$50,000 per year fell in Rochester, while the share of households earning more than \$100,000 per year nearly doubled. At the same time, the county saw reduced shares of households from all income groups below \$75,000 per year in 2008-2012, accompanied by a marked increase in the shares of households earning \$100,000 or more, which accounted for more than a fifth of all household in the county in 2008-2012. In spite of these increased household incomes, the percentage of households living in poverty in Rochester grew from 25.9 to 31.6 percent over the same time period. In the county, the share of households living in poverty in the county

⁹⁸ It should be noted that, due to changes to the conceptual framework employed in the ACS questions concerning disability, the Census Bureau discourages direct comparisons between Census and ACS figures from before and after 2008. Thus, it would not be correct to infer, for example, that the population with disabilities in the city fell by 8.1 percentage points.

⁹⁹ Dollar figures are presented in 2012 dollars.

grew from 11.2 to 14.6 percent. In both years, these households were observed to be highly concentrated in Census tracts in and around the city center.

In addition, fewer housing units in Rochester were occupied by their owners in 2010 than had been in 2000, while the number of renter-occupied households increased by 1.9 percent. The number of housing units overall fell by 2.6 percent; fortunately, this reduction was greater among vacant housing units than among occupied units. In the surrounding county, by contrast, the number of vacant housing units increased considerably. Nevertheless, vacant housing units of all kinds tended to be disproportionately concentrated within the city limits of Rochester in 2010, as did vacant units classified as “other vacant”. These units, which may constitute a blighting influence where they are grouped in close geographic proximity, accounted for as much as 72.1 percent of all vacant housing units in Census tracts to the immediate north of the city center.

The number of one- and two-person households grew in the city and county between 2000 and 2010, along with the number of three-person households in the county. The number of larger households generally declined over this time period (households with seven members or more grew, but this growth was relatively minor in both the city and county). This shift toward smaller households was reflected in the decreased incidence of overcrowding in the city after 2000. By 2012, overcrowded households accounted for 2.3 percent of households in the city, and less than one percent of households in the surrounding county.

As a housing problem, overcrowding affected relatively few household in the city or county. Similarly, less than one percent of housing units in the city and county lacked complete plumbing facilities in 2000, and this share only fell after that year. The share of housing with incomplete kitchen facilities grew, but still only accounted for 1.1 percent of housing units by 2012, and 0.8 percent of units in the county as a whole. A more common problem in the county was cost-burdening, which describes a situation in which households spend more than 30 percent of their total income on housing costs. Nearly one household in five was cost-burdened in the city in 2000 and 2008-2012, while the share of severely cost-burdened households, which spend more than 50 percent of their income on housing costs, grew from 22.2 to 27.8 percent over the decade. Though cost-burdening was less pervasive in the surrounding county, it still affected nearly thirty percent of households outside of Rochester. The increased incidence of cost-burdening corresponded with increases in median rental costs and home values between 2000 and 2012.

Review of Fair Housing Laws, Studies, and Cases

Residents throughout the United States are protected from discrimination in the housing market by a suite of federal laws, most notably the federal Fair Housing Act. This law protects individuals and families from discrimination on the basis of race, color, religion, sex, national origin, familial status, and disability. In spite of these protections, national studies indicate that discrimination on these bases has persisted; however, it has taken on subtler forms than in past years, when discrimination on those bases was comparatively overt.

In addition to federal laws prohibiting discrimination in the housing market, New York Human Rights Law expands upon the protections guaranteed by the Fair Housing Act by extending additional protections based on sexual orientation, military status, age, and marital status. Rochester Human Rights law also expands upon the federal law by prohibiting discrimination

on the basis of age, gender identity or expression, sexual orientation, and marital status. However, while Rochester law also prohibits discrimination on most of the bases included in the federal FHA, it does not include protections based on familial status.

Housing law and jurisprudence has evolved considerably since the FHA was first enacted in 1968. The Fair Housing Amendments Act of 1988 added additional protections, strengthened the Act's relatively weak enforcement provisions, and gave the Department of Housing and Urban Development enhanced authority to enforce the Act. In addition, since the early 1970s the FHA has consistently been interpreted to apply to laws and policies that are apparently neutral with respect to protected class status, but which nevertheless "actually or predictably"¹⁰⁰ result in discrimination. In 2013, HUD finalized a rule formalizing its interpretation of discriminatory effects liability under the FHA.

This theory of liability was recently tested in a case before the Supreme Court of the United States. That case was brought before the Court through the efforts of the Texas Department of Housing and Community Affairs ("HCA"), which was sued in 2008 by the Dallas-based Inclusive Communities Project over the alleged disparate impact of criteria by which it allocates tax credits for affordable housing units. In petitioning the court to hear the case, the HCA asked the justices to issue a definitive ruling on the availability of disparate impact liability under the FHA. A decision on the matter was rendered on June 25, 2015, when the Supreme Court affirmed that businesses, jurisdictions, and individuals could indeed be held liable not only for intentional discrimination but also for the discriminatory effects of apparently non-discriminatory policies and practices.

Following on the heels of the Supreme Court decision, HUD announced a final rule significantly revamping its long-standing requirement to affirmatively further fair housing (AFFH). In developing and finalizing this rule, HUD has substantially revised the AFFH process by (1) replacing the analysis of impediments with the assessment of fair housing (AFH), (2) integrating fair housing planning into the consolidated planning process, and (3) providing a fair housing assessment tool and nationally standardized datasets, among other changes. Generally speaking, the new rule will apply to local entitlement jurisdictions that are due to begin their next five-year planning cycle in 2017 or later. For smaller entitlement jurisdictions, as well as states and insular areas, the new rule will apply to those set to begin their next planning cycle in 2018 or later. Until jurisdictions are required to submit an AFH, they are required to continue submitting analyses of impediments.

Only one fair housing complaint has been filed by the Department of Justice against an individual or business in western New York over the last decade. In that case, allegations that a Pennsylvania-based insurer had engaged in redlining throughout the State of New York were settled in December 2008. Among the conditions of the settlement were the requirements that the insurer affirmatively market loans in areas with relatively high concentrations of black residents, and that the terms of any loans offered in those areas be at least as favorable as loans marketed elsewhere.

¹⁰⁰ *United States v. City of Black Jack, Missouri*, 508 F.2d 1179, 1184 (8th Cir. 1974) It was racial discrimination, specifically, that was at issue in this case.

Fair Housing Structure

The fair housing infrastructure of Rochester and Monroe County is composed of agencies and organizations operating on federal, state, and local levels that work to ensure and promote fair housing choice on behalf of city and county residents. At the federal level, HUD administers and enforces the provisions of the fair housing act throughout the country, and represents the backbone of fair housing policy nationally. However, residents of New York State are granted protections through New York Human Rights Law that exceed those of the national fair housing law in scope and effect, extending fair housing protections to include those who may suffer discrimination on the basis of their sexual orientation, military status, age, and marital status. Those who have suffered discrimination on those bases may file a complaint with the New York Division of Human Rights (NYDHR).

The NYDHR serves all New Yorkers as a participant in the Fair Housing Assistance Program, which means that the law that the agency administers has been deemed substantially equivalent to the federal Fair Housing Act. It also means that when residents of New York file a fair housing complaint with HUD, that complaint will usually be referred to the NYDHR for further investigative and enforcement measures.

Residents of Rochester are served by several local organizations that provide a range of fair housing services. The Housing Council, which has served as a participant in HUD's Fair Housing Initiatives Program (FHIP) several times since 2004, provides fair housing outreach and education to Rochester residents, as well as assistance in filing fair housing complaint forms. In addition, Legal Services of Western New York, a frequent FHIP grantee, conducts fair housing testing and enforcement activities in Monroe County through the Fair Housing Enforcement Project. Finally, Rochester Human Rights Law encourages those who believe that they have been subjected to unlawful discrimination in the housing market to contact the Center for Dispute Settlement, which will attempt to mediate the complaint.

The organizations described above constitute the fair housing infrastructure of Rochester, and provide for a variety of administrative, judicial, and "out-of-court" remedies to those who have been victims of unlawful discrimination in the housing market. Of course, those who have suffered violations of federal, state, or local fair housing laws may also seek recourse through a civil action, filed in a federal, state, or local court, depending on which law was violated.

Fair Housing in the Private Sector

A number of factors affect the housing choices available to residents of Rochester and the surrounding area: such factors include patterns in home purchase and small business lending, perceived and actual discrimination in the housing market, and policies and practices of individuals and businesses in the housing market. For the present study, assessment of these factors was undertaken through a review of lending data collected from the Federal Financial Institutions Examination Council (FFIEC); complaint data collected by federal, state, and local agencies and organizations; and the 2015 City of Rochester Fair Housing Survey.

The FFIEC collected data on nearly 150,000 home-purchase loan applications in Monroe County from 2004 through 2013. These data, gathered under the Home Mortgage Disclosure Act (HMDA), indicate that most of those home purchase loans were intended to purchase of

homes in which the applicant intended to live. Over 18 percent of the loan applications submitted in the city were denied, while nine percent of applications were denied in the surrounding county. Credit history and unfavorable debt-to-income ratios were the most common reasons for these loan denials. The likelihood that a loan application would be denied differed markedly according to the race or ethnicity of the applicant: black applicants were nearly three times as likely to be turned down as white applicants in the county as a whole while Hispanic applicants were nearly twice as likely as non-Hispanic residents to be denied a loan. These discrepancies persisted even when applicants were similarly situated with respect to income. Black and Hispanic residents who were able to secure a loan were also more likely to be issued a high-cost, predatory style loan than white or non-Hispanic borrowers, respectively.

The analysis of small business lending in the city indicated that a majority of small business loans issued in the city went to low- to moderate-income Census tracts¹⁰¹. However, such tracts also accounted for a large share of Rochester tracts in general, and when the analysis is broadened to consider small business lending in the county as a whole it becomes apparent that many of the high-poverty tracts surrounding the city center attracted comparatively little in the way of small business lending. Small business lending from 2000 through 2013 tended to target Census tracts in the area roughly bounded by the Inner Loop, city Census tracts to the southeast of the city center, and county Census tracts to the south of the city.

The review of complaints received by HUD, the New York Division of Human Rights, and Legal Assistance of Western New York (LawNY) indicate that residents of Rochester and the surrounding areas were more likely to file complaints with those organizations in response to perceived discrimination on the basis of disability, race, or familial status; and alleged discrimination in the rental market figured strongly among those complaints. LawNY carries out fair housing testing in response to complaints it receives from area residents, and as one might expect, a majority of those tests concerned alleged discrimination on the bases of disability, familial status, and race. Approximately 8.3 percent of those tests uncovered evidence of discrimination on the part of housing providers; all of these were conducted in the last four years, and more than half pertained to discrimination on the basis of disability. Nearly one-third of the tests conducted in 2014 produced positive evidence of discrimination. Disability, race, and familial status were also the most common allegations in complaints that served as the basis for approximately 50 civil cases that LawNY has litigated on behalf of its clients since 1998.

Finally, nearly a third of respondents to the 2015 Fair Housing Survey professed to be aware of questionable practices or barriers to fair housing choice in the rental housing market, nearly a quarter were aware of such practices in the mortgage and home lending industry and in the maintenance of foreclosed vacant properties, and around one-fifth claimed to know of such issues in the real estate industry. Those who submitted additional comments to the survey most commonly perceived racial and ethnic minority residents to be the victims of discrimination in these industries or areas. However, a significant number of respondents also maintained that discrimination against families with children and residents with disabilities was an issue in the city and county.

¹⁰¹ Income levels are established with reference to the median family income for the entire metropolitan statistical area (MSA). The Rochester MSA includes the city itself, along with the counties of Genesee, Livingston, Monroe, Ontario, Orleans, and Wayne.

Fair Housing in the Public Sector

Analysis of factors in the public sector that may impact fair housing choice included an examination of the distribution of public-assisted housing units in the city, as well as the results of the 2015 City of Rochester Fair Housing Survey.

Publicly assisted housing units in Monroe County included HUD multifamily projects funded through a variety of federal subsidies, projects financed in part through low income housing tax credits (LIHTC), Section 8 Housing Vouchers, and Project Based Section 8 Housing. Overall, analysis of the distribution of these different units and projects told the same story: affordable, publicly subsidized housing is highly concentrated within the City of Rochester, particularly within low-income areas of the city with relatively high proportions of racial and ethnic minority residents.

This fact was not lost on respondents to the 2015 City of Rochester Fair Housing Survey, who maintained that land-use policies in suburban Monroe County have the effect of limiting the placement of affordable housing units. These policies are not perceived to be limited to the county, however: several respondents cited land-use policies in connection with high concentrations of affordable housing units in certain areas of the city itself. However, the most salient issues among respondents to the fair housing survey pertained to the provision of government services, notably public transportation, and the effect that perceptions about the quality of Rochester-area school districts have upon the housing choices of area residents, and the effect that those housing choices have, in turn, upon area school districts.

Public Involvement

Efforts to promote public involvement in the AI process included the 2015 Fair Housing Survey; a Fair Housing Forum, Focus Groups, and Outreach Meetings; and a public comment period, during which the City of Rochester sought public feedback on the findings of the AI and the actions proposed to address those findings.

The 2015 Fair Housing Survey received 249 respondents from city and county residents. Most respondents were homeowners, and many were connected to the housing industry through their positions as advocates, service providers, and property managers. Most also considered themselves to be at least somewhat familiar with fair housing laws, and 80 percent of respondents deemed those laws to be useful (excluding missing responses). Nevertheless, a quarter of respondents stated that they wished to see changes to current fair housing law, with many citing the need to extend additional protection based on source of income, and many others citing a general need to increase the effectiveness of fair housing law. Nearly half of respondents felt that current levels of enforcement were insufficient.

Though 77 respondents were aware of available fair housing training opportunities, considerably fewer had actually participated in fair housing training, and around 43 percent of respondents considered current levels of fair housing outreach and education to be insufficient. Relatively few respondents were aware of any fair housing testing in the city or county, and fewer than half of respondents felt qualified to weigh in on current levels of fair housing

testing: among those who did offer an assessment of fair housing testing, nine out of ten considered current levels to be insufficient.

When asked to identify the groups protected under federal or state fair housing law, more than half of respondents were able to correctly identify gender, sexual orientation, and religion as protected under federal or state law, excluding missing responses. Fewer, though still more than a fifth of respondents, were able to correctly identify age, family status, national origin, and marital status as protected class. Less than fifteen percent of respondents cited color or military status as protected class designations under federal or state law, though federal law includes color and state law includes both.


Finally, less than a fifth of respondents were aware of any fair housing ordinance, regulation, or plan at the city level. Nearly a third were aware of geographic areas that they considered to be particularly impacted by fair housing problems, with some identifying the Crescent, others identifying high income areas of the city and surrounding county, and still others claiming that the city and county in general were beset by fair housing problems in light of the persistence of racial, ethnic, and economic segregation throughout the area. Respondents who offered final commentary on fair housing in the survey underscored a need for more affordable housing, but noted that such affordable housing has often tended to be concentrated in low-income areas of the city.

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The focus group presentations included preliminary findings and data developed and gathered during the AI process. Each focus group session explored a different aspect of fair housing policy. The topics under discussion at these meetings were “homeownership”, “rental housing”, and “Housing Policy”. Participants in these meetings discussed challenges in each of these areas, as well as potential approaches by which those challenges may be addressed or resolved.

SECTION IX: IMPEDIMENTS AND SUGGESTED ACTIONS

The City is proposing a series of actions that it will take independently to address the impediments presented in the following section, along with a series of actions designed to promote collaboration among regional stakeholders. The first series of actions, designated the “Rochester Fair Housing Action Plan”, are outlined below. Actions that are designed to promote a broader regional engagement on fair housing issues are included in the subsequent section, entitled “Regional Fair Housing Action Plan”. The impediments, actions, and measurable objectives included in the City of Rochester Fair Housing Action Plan are listed in order of their relative importance based on community feedback.

In addition, some of the actions that have been proposed to address these impediments were identified as “high priority” actions as a result of feedback from stakeholders and community members. Actions marked with the symbol  in the following pages were identified as high priority. The results of the prioritization exercise that ranked these actions are included in more detail in Appendix E.

These high priority actions will be the focus of the City’s fair housing efforts through the next five-year consolidated planning cycle. Additional actions that were not identified as high priority have been retained in the document to insure that all potential challenges, and avenues to address those challenges, were included. While the City does intend to address those additional actions where feasible, the emphasis will be on performing the high priority actions.


It is important to emphasize that the pursuit of fair housing reform in the community must be a collaborative effort, rather than undertaken primarily by the city. The reality of diminishing municipal resources and the nature of these complex challenges necessitates a robust network of not-for-profit agencies, private sector companies, and other community stakeholders to share ownership with the city in implementing the recommended actions in this section.

CITY OF ROCHESTER FAIR HOUSING ACTION PLAN


Private Sector Impediments, Suggested Actions, and Measurable Objectives

Private Sector Impediment 1: Financial capability and self-sufficiency of low income, black, and Hispanic residents. This impediment was identified through review of home lending and economic data gathered from the Federal Financial Institutions Examinations Council (FFIEC) and the Census Bureau, respectively, and in consultation with local stakeholders. Data from the FFIEC, gathered under the Home Mortgage Disclosure Act (HMDA), indicate that black residents are considerably more likely to be turned down for home loans than white residents, even when they are similarly situated with respect to income. The same is generally true of Hispanic applicants, as compared to non-Hispanic applicants. In addition, as one might expect, low-income applicants were generally less successful in obtaining a home purchase loan than higher income applicants, and those who were able to secure a home loan were more likely to receive loans with high annual percentage rates (HALs). Data from the American Community Survey revealed that more than thirty percent of the city’s population was living in poverty in 2008-2012, up from around 26 percent in 2000, and that areas with high poverty also tended to have high concentrations of black and Hispanic residents.

Taken together, these data indicate that the option to own a home is not available to many city residents, and is less likely to be available to black and Hispanic residents. This observation is similar in many respects to the observation offered in Private Sector Impediment 1, and much of the same evidence is marshalled in both cases. However, while the first impediment represents an “institution-oriented” approach to discrepant loan denial rates and other impediments related to the financial capacity of city residents, the actions proposed below are directed toward the housing consumer.

Action 1.1: Continue to support outreach and education activities offered to prospective homebuyers, focusing on strategies for establishing and maintaining good credit. Solicit the participation of local civic organizations (i.e., churches, schools, etc.), not-for profit organizations, and businesses (i.e., banks, lenders, etc.) to assist with promotion or other supportive actions. 

Measurable Objective 1.1: (a) The number of outreach and education activities offered, (b) the number of participants in these activities, (c) the number of community organizations and businesses participating, and (d) the number of participants that become home owners.

Action 1.2: The city will increase the visibility of local housing counseling agencies such as The Housing Council and NeighborWorks Rochester through advertisements targeted to potential low-income and minority homebuyers in a variety of media. Work on educating lenders and other local organizations on services offered for loan preparation to potential mortgage applicants. 

Measurable Objective 1.2: Number of additional low-income and minority residents utilizing housing-related services of The Housing Council and NeighborWorks Rochester.

Private Sector Impediment 2: Lack of understanding of fair housing law on the part of housing providers and consumers. This impediment was identified through review of the 2014 Fair Housing Survey, and was a prominent topic in fair housing forum and outreach committee discussions. When asked to identify protected classes, just over half of those who answered the question were able to correctly identify “gender” as a protected class, and more respondents identified gender than identified any other group as protected under federal, state, or local fair housing laws. Only around 14 percent of respondents correctly identified “color” as a protected class, and just over 11 percent identified “military”, which is protected under state law. No respondents identified “marital status” as a protected class, in spite of its inclusion as a protected class in New York and Rochester human rights laws.

In addition, area residents who believe that they have been subjected to discrimination in housing may not be aware of the fair housing resources that are available to them, according to participants in the first fair housing forum discussion. In some cases, due to limitations on the use of federal enforcement funding: “The money that we get from HUD is very restricted and we have to use them on enforcement activities and not on outreach,” according to a representative of one local enforcement organization. Naturally, residents who are not aware of available resources do not use them, as evidenced by a decline in the number of complaints filed with HUD or the New York Division of Human Rights in recent years. According to a representative of Legal Assistance of Western New York (LawNY), a non-profit organization

providing fair housing services, that decline coincided with a decline in the level of resources they were able to commit to advertising their efforts and services.

Action 2.1: Design a more dynamic and strategic outreach campaign that educates city residents, landlords, developers, lenders, insurance providers, and other housing professionals about fair housing rights and obligations and the continued existence of certain forms of discrimination, to be led by the AI Implementation Committee.¹⁰²

Measurable Objective 2.1: (a) The number of advertisements posted through various media and record of collaboration with local fair housing organizations, (b) the number of outreach and education activities, (c) a record of participating organizations, and (d) the number of enhanced advertisement activities.

Action 2.2: Update the city's Annual Action Plan, as part of the Consolidated Plan, to dedicate additional funds to education, outreach, and enforcement, even if those funding sources would come from private or not-for-profit resources.¹⁰³

Measurable Objective 2.2: Successful update of Annual Action Plan to reflect this action.

Action 2.3: Enhance outreach, education, and enforcement efforts related to fair housing requirements, compliance, and best practices to lenders, landlords, property owners, tenants, etc. This effort could include, but need not be limited to, the efforts of the Fair Housing Initiative (see Private Sector Action 1.3), training offered to staff of housing-based organizations and businesses, distribution of printed materials to public places (i.e. City Hall, community centers, schools, libraries, and Neighborhood Service Centers), and web-based resources. Consideration should also be given to opportunistic events, meetings, and transactions with housing providers and consumers whereby education related to fair housing can take place. Examples could include training and/or printed materials provided to: purchasers at the City's annual Property Tax Foreclosure Sale; property owners during the Certificate of Occupancy ("C of O") process; tenants receiving rental housing assistance vouchers.

Measurable Objective 2.3: Number of new and/or enhanced outreach and education initiatives.

Action 2.4: Explore opportunities for generating funds to support outreach and education efforts. Examples to consider include: assessing a fee during the Certificate of Occupancy ("C of O") process that could either directly cover fair housing-related training for that applicant or contribute to a fund dedicated to education and outreach efforts in general. In the latter scenario, the general fund could be directed at training for property owners and landlords that have a certain level of non-compliance with the City's code, in which case the issuance of future C of O's would be contingent on that applicant undergoing fair housing-related training.

Measurable Objective 2.4: (a) The identification of potential opportunities to generate funds to support outreach and education, (b) an assessment of the feasibility and

¹⁰² The campaign should have a clear vision as far as who the target audience is, what should be communicated, what media should be utilized, and the timing/frequency of outreach efforts.

¹⁰³ While the city's CDBG allocation has consistently been reduced in recent years, limiting the city's ability to fund such initiatives, the Consolidated Plan should express the intention to enhance education and outreach using a variety of available funding sources.

economic impact of each opportunity, and (c) a determination of whether to institute new fund-generating measures, and which ones to institute.

Private Sector Impediment 3: Lack of accessible housing limits rental choices for persons with disabilities. This impediment was identified through review of literature pertaining to fair housing; complaint data from HUD, the New York Division of Human Rights (NYDHR), and Legal Assistance of Western New York (LawNY); data concerning fair housing tests performed by LawNY; focus group discussions, and the Fair Housing Survey. According to yearly fair housing trend studies published by the National Fair Housing Alliance, disability has been the most common basis for complaints filed with HUD in recent years, and this trend was borne out at the local level by complaint data from Rochester and Monroe County. More than half of the complaints lodged with HUD by residents of Rochester alleged discrimination on the basis of disability; 65 percent of complaints considered to have cause. Nearly half of complaints lodged with the NYDHR concerned perceived discrimination on the basis of disability. LawNY received 61 complaints of disability-based discrimination in 2013 alone, accounting for three-quarters of all complaints the organizations received in that year. In addition, of the 19 fair housing tests conducted by LawNY that uncovered positive evidence of discrimination, more than half concerned discrimination on the basis of disability. Finally, survey respondents noted a lack of accessible housing in the city and county, and a perceived unwillingness on the part of local landlords and property managers to permit reasonable accommodations to those with disabilities.

Action 3.1: Increase outreach and education efforts targeting housing providers including landlords, developers, etc. as well as prospective tenants with disabilities. These efforts should underline legal requirements concerning reasonable accommodation; however, they should also focus on addressing misconceptions about reasonable accommodation, including the perception that landlords may be forced to pay for costly, permanent modifications to their property. See also: Regional Action Plan Private Sector Impediment 3.

Measurable Objective 3.1: (a) Number of outreach and education efforts implemented and (b) the number of participants in those activities.

Private Sector Impediment 4: Discriminatory terms and conditions in the rental housing market on the basis of race, ethnicity, or familial status. This impediment was identified through review of fair housing complaint data from HUD and the results of the Fair Housing Survey. Nearly 42 percent of the discriminatory issues cited in complaints lodged with HUD pertained explicitly to rental housing. In addition, a survey question asking respondents if they were aware of questionable practices in the rental market received the highest number of affirmative responses of any other question concerning the private sector. When asked to elaborate upon their responses to that question, many survey respondents cited perceived discrimination on the basis of race, ethnicity, or familial status. One specific example of discrimination identified was the potential practice of renting only to students, not families, in neighborhoods adjacent to the University of Rochester. These and other similar discriminatory practices should be closely monitored through fair housing testing of rental properties.

Action 4.1: Continue outreach and education efforts designed for landlords, property managers, and tenants.

Measurable Objective 4.1: The number of outreach and education efforts conducted by the city.

Action 4.2: Increase and enhance fair housing testing of rental properties and realtors that work with rental properties.¹⁰⁴

Measurable Objective 4.2: (a) Number of fair housing testing activities conducted and (b) number of enforcement actions filed.

Action 4.3: The city will provide technical assistance to support efforts of local entities, such as the Housing Council and LawNY to secure fair housing grants from HUD or other sources.

Measurable Objective 4.3: (a) Number and dollar amount of fair housing grants secured and (b) number of enforcement actions filed.

Action 4.4: Explore various policies intended to strengthen the presence of a local property manager. It was noted during community engagement for this plan that it can be a significant challenge to work with out-of-town landlords to address fair housing-related issues. Having a stronger, more reliable local presence for rental properties will assist with this challenge.

Measurable Objective 4.4: (a) The identification of policies designed to promote a local presence of residential property managers, and the (b) implementation of any policies identified.

Private Sector Impediment 5: Redlining and steering.¹⁰⁵ This impediment was identified through review of local fair housing cases, the results of the 2014 Fair Housing Survey, and at the Fair Housing Forums. Though the Department of Justice has only filed one fair housing case in the Western District of New York in the last ten years, that case underscored systemic disparities in the availability and quality of homeowner's and renter's insurance policies in the area. According to the DOJ, the amount of business that Erie Insurance Company conducted in a given area varied according to the percentage of the population in that area that was black: the higher that percentage, the fewer agents working in that area, the lower the company's participation in the insurance market, and the fewer top-tier insurance products offered. Respondents to the fair housing survey also considered steering and redlining to be a problem in the area, and nearly a quarter of respondents noted that they were aware of problematic practices in the mortgage and home lending market.

Action 5.1: Confirm inclusion of materials in the homebuyer and tenant education classes proposed in Impediment 6 below to explain steering and redlining, and encouraging prospective homebuyers to report any suspected instances of steering or redlining. Materials should also be made available through local housing organizations, lenders, and home owners' insurance agencies. Explore funding opportunities for additional tenant outreach efforts.

¹⁰⁴ Testing is a method of investigating fair housing complaints by using paired testers, with assigned identities, whose characteristics are closely matched except for the variable being tested for such as race, ethnicity, disability, etc. and deploying them to inquire about the availability of housing from a specific housing provider. By comparing the information given to the testers by the housing provider, discrimination that may have been previously undetected can become apparent.

¹⁰⁵ Redlining is a practice of financial and insurance institutions, by which these institutions offer inferior products, charge more for their products, or decline to do business in certain areas of the city due to the actual or perceived demographic composition of the area. Steering is a practice, among real estate professionals and others, of using a protected characteristic of a client (e.g., race or ethnicity) as a basis for deciding which properties or neighborhoods to present to prospective home buyers.

Measurable Objective 5.1: (a) Development of materials and inclusion in homebuyer education curriculum and (b) number of contacts to agencies about suspected instances of steering or redlining.

Action 5.2: Increase and enhance fair housing testing of rental properties and realtors that work with rental properties. (See footnote 10 on page 12.)

Measurable Objective 5.2: (a) Number of fair housing testing activities conducted and (b) number of agreements established with rental property owners and insurance providers.

Private Sector Impediment 6: High rates of home purchase loan denials for black and Hispanic applicants, creating a lack of access to neighborhoods of opportunity.

Neighborhoods of opportunity are areas where residents benefit from a relatively safe environment, access to goods and services, stable housing stock, and an environment that fosters upward economic mobility. This impediment was identified through review of home purchase loan data gathered under the Home Mortgage Disclosure Act (“HMDA data”), results of and commentary from the 2014 City of Rochester Fair Housing Survey, fair housing focus group discussions, and the review of fair housing cases brought against housing providers in the state. These data indicated that black loan applicants were more than twice as likely as white residents to be denied a home purchase loan in the city from 2004 through 2013. Likewise, Hispanic applicants were nearly twice as likely as non-Hispanic applicants to be denied home purchase loans over the same period.

These patterns held even when income was taken into account. For example, denial rate for black applicants who earned more than \$75,000 per year, at 26.3 percent in the city, was more than twice the denial rate for white applicants in the same income range. Similarly, the denial rate for Hispanic applicants earning more than \$75,000 per year was 22.4 percent in the city: nearly twice the denial rate for non-Hispanic applicants who were similarly situated with respect to income.

The perception that racial and ethnic minority applicants were less likely to be able to secure a loan was common among survey respondents, nearly a quarter of whom noted that they were aware of questionable practices or barriers to fair housing choice in the home lending industry. Though only one case was filed by the Department of Justice against local housing providers in the last ten years, that case revealed systemic disparities in the availability and quality of insurance policies offered by Erie Insurance Company. According to the complaint, there was a statistically significant, negative relationship between the share of black residents in an area and the amount of business that the company conducted in that area.

Action 6.1.1: Consider the establishment of a policy for the City of Rochester that would require banks to submit annual reports with the city that detail the programs and products they have offered to meet the community’s credit needs, and a plan for what they will offer in the future.

Measurable Objective 6.1.1: (a) A record of deliberations related to the development of a new city policy; (b) the number of agencies, organizations, and business involved in that development; (c) the draft policy; and (d) successful passage of the policy.

Action 6.1.2: Pending the establishment of a policy, the City will evaluate the banks' performance based on the reports submitted by the banks.¹⁰⁶

Measurable Objective 6.1.2: (a) The number of reports generated by area banks, (b) the programs and products that the banks develop to serve the community's credit needs, and (c) the performance of the banks with respect to those reports.

Action 6.2: Encourage various housing-related entities to offer key publications (print and web) in Spanish and additional languages, as needed.

Measurable Objective 6.2: Number of translated publications and websites.

Action 6.3: The city will support efforts of local entities, such as the Housing Council and LawNY to secure fair housing grants from HUD or other sources, which will support vital services such as tracking the status of fair housing complaints, education, outreach, and enforcement, including fair housing testing.

Measurable Objective 6.3: Number and dollar amount of fair housing grants secured.

Public Sector Impediments, Suggested Actions, and Measurable Objectives

Public Sector Impediment 1: Significant concentrations of black and Hispanic residents, and households in poverty around the city center. This impediment was identified in part through review of the geographic distribution of poverty in the city, based on data from the 2000 Census and 2012 Five-Year American Community Survey (ACS), and the review of the geographic distribution of the city's black and Hispanic residents, based on data from the 2000 and 2010 Decennial Censuses. According to data from the 2000 and 2010 Census, black residents were observed to be highly concentrated in areas to the immediate southwest and north of the city center. Likewise, tracts with above-average concentrations of Hispanic residents were generally located to the immediate north of the city center.

The identification of this impediment was also based on the findings of an in-depth study of local poverty published by the Rochester Area Community Foundation (RACF) and ACT Rochester in 2013. According to data gathered from the Census Bureau, the poverty rate in the city was, at 31.6 percent in 2008-2012, four times higher than in the remainder of the county. In addition, the vast majority of the Census tracts with poverty rates exceeding the countywide average of 14.6 percent in 2008-2012 were located in the city. The highest poverty rates were observed in the area to the immediate north of the city center, where between approximately 40 and 70 percent of residents were living in poverty. In addition, though just under 20 percent of the population of the six-county Rochester metropolitan area live in the city, Rochester is home to 45.2 percent of the metropolitan area's poor, according to the recent RACF and ACT Rochester report.¹⁰⁷ According to the report, though the nation as a whole has experienced a marked decline in residential segregation in recent years, the process has been slower in "older, slow-growing cities such as Rochester."

Action 1.1: Continue to promote mixed-income development.

Measurable Objective 1.1: Number of mixed-income developments completed.

Action 1.2: Conduct a City-wide study to identify areas of concentrated public/affordable housing and opportunities to phase out clusters of such

¹⁰⁶ The ordinance and potential incentives offered should be explored in partnership with the GRCRC, drawing upon the experiences of other cities that have passed similar legislation, including New York City, Minneapolis, Cleveland, Detroit, and Los Angeles.

¹⁰⁷ Doherty, Edward. *Poverty and the Concentration of Poverty in the Nine-County Greater Rochester Area*. Rochester Area Community Foundation and ACT Rochester. December 2013.

developments. For example, as some of the Rochester Housing Authority (RHA) properties near the end of their life cycle, prioritize the redevelopment of the sites into mixed-income/mixed-use properties as is in line with City planning goals.

Measureable Objective 1.2: Number of 100% affordable housing/public housing properties redeveloped as mixed-income developments.

Action 1.3: Work with the county to explore the feasibility of raising the shelter allowance rate provided to tenants through the county's Department of Social Services.¹⁰⁸

Measureable Objective 1.3: Increase in the shelter allowance rate.

Action 1.4: Enhance the City Living Sundays event to feature all aspects of city living, not just real estate opportunities, so as to attract increased participation and investment from first-time home buyers.

Measureable Objective 1.4: Number of participants in the City Living Sundays event and number of home sales resulting from the event.

Action 1.5: Further align city resources with alleviation of poverty and economic development.

Measureable Objective 1.5: Expenditure of funds on specific tasks that contribute to lessening of poverty in affected areas.

Action 1.6: Promote rehabilitation of existing units in the city in areas with high concentrations of distressed units.

Measureable Objective 1.6: (a) The amount of funding dedicated to rehabilitation, (b) the number of units improved through rehabilitation funding, and (c) change in assessed value of distressed areas over time.

Public Sector Impediment 2: Significant concentrations of affordable housing in select areas of the city. This impediment was identified through review of the geographic location of assisted housing units in the city, the recent report prepared by the RACF and ACT Rochester, and results of and commentary from the Fair Housing Survey. Housing units that were financed in part through Housing Choice Vouchers, Low Income Housing Tax Credits, and the Public Housing program were heavily concentrated within the city limits, particularly in areas with relatively high concentrations of poverty. These units also tended to be concentrated in areas with high concentrations of black and Hispanic residents, and were less numerous in outlying areas in the southern, southeastern, and northern parts of the city. The recent report published by the RACF and ACT Rochester was admirably concise on the subject of affordable housing, maintaining that affordable rental housing in the suburbs is “nearly non-existent.” Furthermore, the author of the study indicates that most suburban public housing is limited to seniors or residents with disabilities. Finally, in commenting on land-use policies in the city, survey respondents noted that affordable housing is concentrated in the city.

It should be noted that the concept of providing opportunities for low-income residents to relocate outside of the city can take the form of proactive steps or organically occurring trends. Recent data shows the latter has been occurring in recent years. As for proactively providing affordable housing opportunities in the suburbs, the RHA cannot legally build public housing

¹⁰⁸ The rate has been stagnant for many years, which has negatively impacted recipient's ability to access quality, affordable housing choices. Low rates also contribute to the ability of some landlords to sufficiently maintain, let alone improve, their rental properties.

outside of the city. Therefore, those efforts are limited to the activities of non-RHA developers and the proliferation of RHA housing vouchers outside of the city.

Action 2.1: Continue to promote mixed-income development.

Measureable Objective 2.1: Number of mixed-income developments completed.

Action 2.2: Develop a program for rehabilitating homes to bring them up to RHA standards. This would enable these homes to be eligible for RHA's Section 8 vouchers, expanding safe and decent affordable housing options for residents.

Measureable Objective 2.2: Number of homes or rental units renovated to meet RHA standards.

Action 2.3: Expand outreach efforts to educate landlords on the benefits of accommodating Section 8 vouchers, i.e. stability of income. Ideally, this would result in more frequent acceptance of Section 8 vouchers in areas of the city with low concentrations of such vouchers.

Measureable Objective 2.3: Number of Section 8 vouchers utilized in areas with previously below-average concentrations of vouchers.

Action 2.4: Explore various alternatives for refining the City of Rochester's Homebuyer Assistance Program in order to have stronger alignment with poverty de-concentration objectives.

Measureable Objective 2.4: Record of discussion and agreed upon next steps, if any, for revising the Homebuyer Assistance Program.

Action 2.5: Further align city resources with alleviation of poverty and economic development. For example, as the city continues to see reduced CDBG resources each year, the use of those resources needs to be refined and more strategically directed at generating wealth in the community and leveraging other resources.

Measureable Objective 2.5: Expenditure of funds on specific tasks that contribute to lessening of poverty in affected areas.

REGIONAL FAIR HOUSING ACTION PLAN

Many of the factors that influence the Rochester Housing Market transcend the city boundaries. Regional trends in areas as diverse as home lending, affordable housing, labor and employment, and the quality of local schools all affect the availability of housing in the city and county, as does the changing demographic composition of the region as a whole. For example, among the factors contributing to the high concentration of subsidized units in the city center are a lack of areas zoned for multifamily housing and limitations in current public transit networks in suburban areas. The concentration of subsidized units in the city center, in turn, is connected to the high concentrations of poverty and racial and ethnic minorities in the city center. For that reason, the resolution of many of the fair housing challenges facing the city calls for close collaboration among government agencies, organizations, and stakeholders in the city, county, and the wider region.

At the conclusion of the 2015 City of Rochester Analysis of Impediments to Fair Housing Choice, the City would like to work in collaboration with various partners in the region, creating an overarching Implementation Committee that will work on Suggested Actions listed in this section. The committee will be tasked with prioritizing actions, creating more detailed work plans where necessary, directing specific tasks, and establishing a means for tracking

progress of each action. Ideally, this committee would have participation from Monroe County to ensure maximum regional effectiveness and to lay the groundwork for the next AI to be a joint process. These efforts should be carried out in the context of and in coordination with the anti-poverty efforts occurring in the Rochester region. In addition, the City should explore ways to support greater collaboration among service providers and community organizations (i.e., churches, neighborhood associations, etc.) to advance outreach and education initiatives.

Impediments, suggested actions, and measurable objectives are presented below. They are divided into Private Sector and Public Sector categories.

Private Sector Impediments, Suggested Actions, and Measurable Objectives

Private Sector Impediment 1: High rates of home purchase loan denials for black and Hispanic applicants, creating a lack of access to neighborhoods of opportunity. Neighborhoods of opportunity are areas where residents benefit from a relatively safe environment, access to goods and services, stable housing stock, and an environment that fosters upward economic mobility. This impediment was identified through review of home purchase loan data gathered under the Home Mortgage Disclosure Act (“HMDA data”), results of and commentary from the 2014 City of Rochester Fair Housing Survey, fair housing focus group discussions, and the review of fair housing cases brought against housing providers in the state. These data indicated that black loan applicants were more than twice as likely as white residents to be denied a home purchase loan in the city, the surrounding county, and the county as a whole from 2004 through 2013. Likewise, Hispanic applicants were nearly twice as likely as non-Hispanic applicants to be denied home purchase loans over the same period.

These patterns held even when income was taken into account. For example, denial rate for black applicants who earned more than \$75,000 per year, at 17.5 percent in Monroe County, was nearly three times the denial rate for white applicants in the same income range. Similarly, the denial rate for Hispanic applicants in that income range was 12.1 percent in the county: nearly twice the denial rate for non-Hispanic applicants who were similarly situated with respect to income.

The perception that racial and ethnic minority applicants were less likely to be able to secure a loan was common among survey respondents, nearly a quarter of whom noted that they were aware of questionable practices or barriers to fair housing choice in the home lending industry. Though only one case was filed by the Department of Justice against local housing providers in the last ten years, that case revealed systemic disparities in the availability and quality of insurance policies offered by Erie Insurance Company. According to the complaint, there was a statistically significant, negative relationship between the share of black residents in an area and the amount of business that the company conducted in that area.

Action 1.1.1: Explore alternative funding sources, city or otherwise, and supportive services to reactivate the Greater Rochester Community Reinvestment Coalition (GRCRC) along with enhanced funding mechanisms to maximize the GRCRC's effectiveness and ability to deliver impactful outcomes.

Measurable Objective 1.1.1: The number of alternative funding sources identified and established, and the amount of funding secured.

Action 1.1.2: Pending successful reactivation of the GRCRC, task the coalition with the analysis of Home Mortgage Disclosure Act (HMDA) data and other resources and identify strengths and weaknesses in lending patterns.

Measurable Objective 1.1.2: (a) The completion of the analysis described above, and (b) the factors identified that contribute to discrepant patterns in home lending.

Action 1.1.3: Using the data generated through the analysis of home mortgage lending data, direct the GRCRC to engage the mortgage lenders, home owners' insurance providers, community stakeholders, and city and county representatives in dialogue about industry practices that result in disparate impact and/or impediments to fair housing choice.

Measurable Objective 1.1.3: (a) The number of banks, other mortgage lenders, and homeowner's insurance providers contacted by the GRCRC, and (b) the number that contribute to the dialogue by providing feedback, additional data, etc.

Private Sector Impediment 2: Discriminatory terms and conditions in the rental housing market on the basis of race, ethnicity, or familial status. This impediment was identified through review of fair housing complaint data from HUD and the results of the Fair Housing Survey. Nearly 42 percent of the discriminatory issues cited in complaints lodged with HUD pertained explicitly to rental housing. In addition, a survey question asking respondents if they were aware of questionable practices in the rental market received the highest number of affirmative responses of any other question concerning the private sector. When asked to elaborate upon their responses to that question, many survey respondents cited perceived discrimination on the basis of race, ethnicity, or familial status. One specific example of discrimination identified was the potential practice of renting only to students, not families, in neighborhoods adjacent to the University of Rochester. These and other similar discriminatory practices should be closely monitored through fair housing testing of rental properties.

Action 2.1: Increase the visibility of local fair housing enforcement organizations (LawNY and The Housing Council) through advertisements in a variety of media (i.e., city website, Facebook, public transit, print, etc.), working in coordination with the organizations themselves and regional partners.

Measurable Objective 2.1: (a) The number of advertisements posted through various media, (b) record of collaboration with local fair housing organizations, (c) the number of people served by these organizations, and (d) the number of complaint cases opened.

Action 2.2: Continue outreach and education efforts designed for landlords, property managers, and tenants in the city, county, and region.

Measurable Objective 2.2: The number of outreach and education efforts conducted.

Action 2.3: Increase and enhance fair housing testing of rental properties throughout the region. (See footnote 10 on page 12.)

Measurable Objective 2.3: (a) Number of fair housing testing activities conducted throughout the region and (b) number of enforcement actions filed.

Private Sector Impediment 3: Lack of accessible housing limits rental choices for persons with disabilities. This impediment was identified through review of literature pertaining to fair housing; complaint data from HUD, the New York Division of Human Rights (NYDHR), and Legal Assistance of Western New York (LawNY); data concerning fair housing tests performed by LawNY; focus group discussions, and the Fair Housing Survey. According to yearly fair

housing trend studies published by the National Fair Housing Alliance, disability has been the most common basis for complaints filed with HUD in recent years, and this trend was borne out at the local level by complaint data from Rochester and Monroe County. More than half of the complaints lodged with HUD by residents of Rochester alleged discrimination on the basis of disability; 65 percent of complaints considered to have cause. Nearly half of complaints lodged with the NYDHR concerned perceived discrimination on the basis of disability. LawNY received 61 complaints of disability-based discrimination in 2013 alone, accounting for three-quarters of all complaints the organizations received in that year. In addition, of the 19 fair housing tests conducted by LawNY that uncovered positive evidence of discrimination, more than half concerned discrimination on the basis of disability. Finally, survey respondents noted a lack of accessible housing in the city and county, and a perceived unwillingness on the part of local landlords and property managers to permit reasonable accommodations to those with disabilities.

Action 3.1: Coordinate with the Center for Disability Rights (CDR), the Regional Center for Independent Living (CIL), and other regional agencies and non-profit organizations to promote outreach and education efforts outlined in the Rochester Action Plan Private Sector Action 3.1.

Measurable Objective 3.1: The number of outreach and education projects accomplished through coordination with the CDR and CIL, among others.

Action 3.2: Promote a centralized regional affordable rental listing service that will allow landlords to define and renters to search for specific accessibility features.¹⁰⁹

Measurable Objective 3.2: The creation of a searchable easy to use database of accessible housing units.

Private Sector Impediment 4: Lack of understanding of fair housing law on the part of housing providers and consumers. This impediment was identified through review of the 2014 Fair Housing Survey, and was a prominent topic in fair housing forum and outreach committee discussions. When asked to identify protected classes, just over half of those who answered the question were able to correctly identify “gender” as a protected class, and more respondents identified gender than identified any other group as protected under federal, state, or local fair housing laws. Only around 14 percent of respondents correctly identified “color” as a protected class, and just over 11 percent identified “military”, which is protected under state law. No respondents identified “marital status” as a protected class, in spite of its inclusion as a protected class in New York and Rochester human rights laws.

In addition, area residents who believe that they have been subjected to discrimination in housing may not be aware of the fair housing resources that are available to them, according to participants in the first fair housing forum discussion. In some cases, due to limitations on the use of federal enforcement funding: “The money that we get from HUD is very restricted and we have to use them on enforcement activities and not on outreach,” according to a representative of one local enforcement organization. Naturally, residents who are not aware of available resources do not use them, as evidenced by a decline in the number of complaints filed with HUD or the New York Division of Human Rights in recent years. According to a

¹⁰⁹ New York State and the Rochester Housing Authority currently utilize Social Serve (socialserve.com) to provide these customized housing locator services. By promoting the use of Social Serve to property owners, potential tenants and local service agencies Rochester can create a centralized database of available accessible units.

representative of Legal Assistance of Western New York (LawNY), a non-profit organization providing fair housing services, that decline coincided with a decline in the level of resources they were able to commit to advertising their efforts and services.

Action 4.1: Design a more dynamic and strategic outreach campaign that educates city residents, landlords, developers, lenders, insurance providers, and other housing professionals about fair housing rights and obligations, to be led by the AI Implementation Committee¹¹⁰ in partnership with county and regional non-profit organizations.

Measurable Objective 4.1: (a) The number of advertisements posted through various media and record of collaboration with local fair housing organizations, (b) the number of outreach and education activities conducted, (c) a record of participating organizations, and (d) the number of enhanced advertisement activities.

Private Sector Impediment 5: Redlining and steering. ¹¹¹ This impediment was identified through review of local fair housing cases, the results of the 2014 Fair Housing Survey, and at the Fair Housing Forums. Though the Department of Justice has only filed one fair housing case in the Western District of New York in the last ten years, that case underscored systemic disparities in the availability and quality of homeowner's and renter's insurance policies in the area. According to the DOJ, the amount of business that Erie Insurance Company conducted in a given area varied according to the percentage of the population in that area that was black: the higher that percentage, the fewer agents working in that area, the lower the company's participation in the insurance market, and the fewer top-tier insurance products offered. Respondents to the fair housing survey also considered steering and redlining to be a problem in the area, and nearly a quarter of respondents noted that they were aware of problematic practices in the mortgage and home lending market.

Action 5.1.1: Explore alternative funding sources, city or otherwise, and supportive services to reactivate the Greater Rochester Community Reinvestment Coalition (GRCRC) along with enhanced funding mechanisms to maximize the GRCRC's effectiveness and ability to deliver impactful outcomes.

Measurable Objective 5.1.1: The number of alternative funding sources identified and established, and the amount of funding secured.

Action 5.1.2: Pending successful reactivation of the GRCRC, task the coalition with the analysis of Home Mortgage Disclosure Act (HMDA) data and other resources and identify strengths and weaknesses in lending patterns.

Measurable Objective 5.1.2: The completion of the analysis described above, and the factors identified that contribute to discrepant patterns in home lending.

Action 5.1.3: Using the data generated through the analysis of home mortgage lending data, direct the GRCRC to engage the mortgage lenders, home owners' insurance providers, community stakeholders, and city and county

¹¹⁰ The campaign should have a clear vision as far as who the target audience is, what should be communicated, what media should be utilized, and the timing/frequency of outreach efforts.

¹¹¹ Redlining is a practice of financial and insurance institutions, by which these institutions offer inferior products, charge more for their products, or decline to do business in certain areas of the city due to the actual or perceived demographic composition of the area. Steering is a practice, among real estate professionals and others, of using a protected characteristic of a client (e.g., race or ethnicity) as a basis for deciding which properties or neighborhoods to present to prospective home buyers.

representatives in dialogue about industry practices that result in disparate impact and/or impediments to fair housing choice.

Measurable Objective 5.1.3: The number of banks, other mortgage lenders, and homeowner's insurance providers contacted by the GRCRC, and the number that contribute to the dialogue by providing feedback, additional data, etc.

Action 5.2: Increase and enhance fair housing testing of rental properties and homeowners'/renters' insurance providers throughout the region, in partnership with LawNY and other local non-profits.¹¹²

Measurable Objective 5.2 (a) Number of fair housing testing activities conducted and (b) number of agreements established with rental property owners and insurance providers.

Private Sector Impediment 6: Financial capability and self-sufficiency of low income, black, and Hispanic residents. This impediment was identified through review of home lending and economic data gathered from the Federal Financial Institutions Examinations Council (FFIEC) and the Census Bureau, respectively, and in consultation with local stakeholders. Data from the FFIEC, gathered under the Home Mortgage Disclosure Act (HMDA), indicate that black residents are considerably more likely to be turned down for home loans than white residents, even when they are similarly situated with respect to income. The same is generally true of Hispanic applicants, as compared to non-Hispanic applicants. In addition, as one might expect, low-income applicants were generally less successful in obtaining a home purchase loan than higher income applicants, and those who were able to secure a home loan were more likely to receive loans with high annual percentage rates (HALs). Data from the American Community Survey revealed that more than thirty percent of the city's population was living in poverty in 2008-2012, up from around 26 percent in 2000, and that areas with high poverty also tended to have high concentrations of black and Hispanic residents.

Taken together, these data indicate that the option to own a home is not available to many city residents, and is less likely to be available to black and Hispanic residents. This observation is similar in many respects to the observation offered in Private Sector Impediment 1, and much of the same evidence is marshalled in both cases. However, while the first impediment represents an "institution-oriented" approach to discrepant loan denial rates and other impediments related to the financial capacity of city residents, the actions proposed below are directed toward the housing consumer.

Action 6.1: Introduce or enhance credit counseling and personal finance training sessions targeting students and young adults, in coordination with local schools and other civic organizations, such as the C.A.S.H. Coach program. A particular need is education that helps young people avoid payday loans, predatory loans, and other abusive products that can ensnare them in bad debts for many years. Currently, the following organizations provide these types of services: The Housing Council, Marketview Heights Association, Urban League of Rochester, Consumer Credit Counseling Services of Rochester, NeighborWorks Rochester and other HUD-approved housing counseling agencies.

¹¹² Testing is a method of investigating fair housing complaints by using paired testers, with assigned identities, whose characteristics are closely matched except for the variable being tested for (e.g. race, ethnicity, disability, etc.) and deploying them to inquire about the availability of housing from a specific housing provider. By comparing the information given to the testers by the housing provider, discrimination that may have been previously undetected can become apparent.

Measurable Objective 6.1: (a) The number of credit counseling sessions offered, (b) the number of participants, and (c) the number of civic organizations participating.

Public Sector Impediments, Suggested Actions, and Measurable Objectives

Public Sector Impediment 1: Public transit routes and their schedules do not sufficiently connect jobs to neighborhoods with low car-ownership. This impediment was identified through review of the 2014 Fair Housing Survey and the minutes from the 2014 Rental Housing Focus Group, held in December 2014. Over 34 percent of survey respondents stated that they were aware of questionable practices or barriers to fair housing choice in the provision of government services in general. A considerable percentage of those who provided additional commentary on this question cited a lack of viable public transit options, stating that existing routes do not effectively or efficiently connect commuters to job opportunities. According to one respondent, it is “very difficult for [residents of] inner city neighborhoods to get jobs in suburbs if those jobs are not 9-5 type” jobs. Focus group participants also cited the challenges of limited public transportation options for residents of rental housing that do not have reliable transportation of their own, particular those who might otherwise take advantage of subsidized housing in the suburbs and outlying areas of the city.

Action 1.1: Collaborate with various local, county, regional, and state agencies to perform a detailed analysis of multi-modal accessibility to jobs from city neighborhoods.¹¹³

Measurable Objective 1.1: Completion of analysis of multi-modal accessibility to jobs.

Action 1.2: Establish a series of meetings between Regional Transit Service (RTS), affordable housing providers/ developers, major employers, the City of Rochester's Housing Division, and the city's Transportation Specialist to discuss opportunities for expanding transportation opportunities (RTS-provided or otherwise) for low-income residents. The group should also discuss inclusion of affordable housing developments into transit planning, and vice versa.

Measurable Objective 1.2: Establishment of the committee.

Public Sector Impediment 2: Significant concentrations of black and Hispanic residents, and households in poverty around the city center. This impediment was identified through review of the geographic distribution of poverty in the county, based on data from the 2000 Census and 2012 Five-Year American Community Survey (ACS), a review of the geographic distribution of the city's black and Hispanic residents, based on data from the 2000 and 2010 Decennial Censuses. In addition, this impediment was based on the findings of an in-depth study of local poverty published by the Rochester Area Community Foundation (RACF) and ACT Rochester in 2013. According to data gathered from the Census Bureau, the poverty rate in the city was, at 31.6 percent in 2008-2012, four times higher than in the remainder of the county. In addition, the vast majority of the Census tracts with poverty rates exceeding the countywide average of 14.6 percent in 2008-2012 were located in the city. The highest poverty

¹¹³ This analysis is needed to gain an accurate understanding of the challenges residents face in securing and maintaining employment. Limited accessibility to jobs and services by means other than a private automobile is disproportionately harmful to lower-income households, as the cost of transportation erodes the already-strained household budget, reducing income available for food, housing, health care, and other vital quality of life expenses. Scenario planning that considers different land use and transportation investment options and weighs their impacts on low-income residents is an important aspect of the proposed accessibility analysis. These scenarios should then be considered as city, county, regional, and state agencies make investment decisions.

rates were observed in the area to the immediate north of the city center, where between approximately 40 and 70 percent of residents were living in poverty. In addition, though just under 20 percent of the population of the six-county Rochester metropolitan area live in the city, Rochester is home to 45.2 percent of the metropolitan area's poor, according to the recent RACF and ACT Rochester report.¹¹⁴ This concentration of poverty is perpetuated by a lack of access to neighborhoods of opportunity, which are areas where residents benefit from a relatively safe environment, access to goods and services, stable housing stock, and an environment that fosters upward economic mobility.

With regards to concentration of racial and ethnic minorities, according to data from the 2000 and 2010 Census, black residents were observed to be highly concentrated within the city limits of Rochester, especially in areas to the immediate southwest and north of the city center. Likewise, tracts with above-average concentrations of Hispanic residents were almost exclusively located within the city, particularly in the area to the immediate north of the city center. According to the report, though the nation as a whole has experienced a marked decline in residential segregation in recent years, the process has been slower in "older, slow-growing cities such as Rochester."

Action 2.1: Continue to partner with Monroe County officials and discuss potential avenues toward, and incentives for, closer coordination on issues and policies impacting the housing market, including the renewal of close collaboration during the consolidated planning and AI processes.

Measurable Objective 2.1: (a) Record of contact with county officials, (b) their responses, and (c) the potential avenues identified.

Public Sector Impediment 3: Significant concentrations of affordable housing in select areas of the city. This impediment was identified through review of the geographic location of assisted housing units in the city, the recent report prepared by the RACF and ACT Rochester, and results of and commentary from the Fair Housing Survey. Housing units that were financed in part through Housing Choice Vouchers, Low Income Housing Tax Credits, and the Public Housing program were heavily concentrated within the city limits, particularly in areas with relatively high concentrations of poverty. These units also tended to be concentrated in areas with high concentrations of black and Hispanic residents, and were less numerous in outlying areas in the southern, southeastern, and northern parts of the city. The recent report published by the RACF and ACT Rochester was admirably concise on the subject of affordable housing, maintaining that affordable rental housing in the suburbs is "nearly non-existent." Furthermore, the author of the study indicates that most suburban public housing is limited to seniors or residents with disabilities. Finally, in commenting on land-use policies in the city, survey respondents noted that affordable housing is concentrated in the city.

It should be noted that the concept of providing opportunities for low-income residents to relocate outside of the city can take the form of proactive steps or organically occurring trends. Recent data shows the latter has been occurring in recent years. As for proactively providing affordable housing opportunities in the suburbs, the RHA cannot legally build public housing

¹¹⁴ Doherty, Edward. *Poverty and the Concentration of Poverty in the Nine-County Greater Rochester Area*. Rochester Area Community Foundation and ACT Rochester. December 2013.

outside of the city. Therefore, those efforts are limited to the activities of non-RHA developers and the proliferation of RHA housing vouchers outside of the city.

Action 3.1: Continue to partner with Monroe County officials and discuss potential avenues toward, and incentives for, closer coordination on issues and policies impacting the housing market, including the renewal of close collaboration during the consolidated planning and AI processes.

Measurable Objective 3.1: (a) Record of contact with county officials, (b) their responses, and (c) the potential avenues identified.

Action 3.2: Discuss with Monroe County officials potential strategies for deconcentrating poverty outside of the city. These strategies may include, but are not limited to, the development of mixed-income, multi-family housing in the county and consideration of raising the county's Department of Human Services Shelter Allowance Rate. The latter would be intended to make a larger portion of suburban housing options affordable for those receiving assistance.

Measurable Objective 3.2: Record of discussion and agreed upon next steps with county officials concerning strategies for de-concentration of poverty within the county.

Action 3.3: Expand outreach efforts to educate landlords on the benefits of accommodating Section 8 vouchers, i.e. stability of income.

Measurable Objective 3.3: Number of Section 8 vouchers utilized outside of the city.

Additional Considerations

The above recommended actions will be pursued by the Implementation Committee, as mentioned at the beginning of this section. The Implementation Committee should also explore additional future or follow-on activities related to those outlined in this section. Lastly, this section discusses two significant issues that were prominent in survey responses, focus group discussions, and Fair Housing Forum discussions – the influence of the Rochester City School District on the concentration of poverty and “source of income” as an impediment to fair housing choice.

Influence of Rochester City School District

During the community engagement process, many residents and stakeholders cited the condition of the Rochester City School District (RCSD) as having an impact on concentrated poverty and other housing related issues. This issue was also identified through review of the 2014 Fair Housing Survey. Nearly 70 percent of survey respondents maintained that the quality of the local school district impacts the housing choices of area residents, and commentary submitted with this portion of the survey noted that the movement of more financially secure families out of the city, in part to relocate away from the RCSD, compounds the challenges facing city schools. One respondent stated unequivocally that families “are moving out of the City because of the Rochester [City School District]”.

While the condition of the RCSD remains one of the most significant challenges in the community, it is not an impediment to fair housing choice *per se*. Therefore, this document recognizes the RCSD's condition as a significant contributor to concentrated poverty but it does

not put forth recommended actions aimed at reducing the RCSD's impact on fair housing choice.

Source of Rent Discrimination

This issue was identified through review of fair housing laws and ordinances at the federal, state, and local level; review of stakeholder input offered in commentary in the 2015 Fair Housing Survey; and discussions with participants in fair housing forums and focus group discussions. There is currently no law at the federal, state, or local level that prohibits discrimination in the housing market based on a housing seeker's source of rent payments. As a result, landlords and property managers can turn away recipients of federal housing vouchers, limiting the choice of housing for those individuals to landlords that are willing to accept those vouchers, contributing to the concentration of low-income households and subsidized housing in certain areas of the city. The impact of legal discrimination on the basis of source of rent was underscored in commentary submitted by respondents to the 2015 Fair Housing Survey, many of whom specifically favored expanding current housing protections to prohibit discrimination on the basis of source of rent. Many respondents felt that the lack of such protection represented a barrier to fair housing choice in the city and county, an impression shared by participants in fair housing forum and focus group discussion.

However, while this form of discrimination can certainly be viewed as unethical, passing legislation that would establish source of rent as a protected class has some notable drawbacks. Most importantly, if landlords in the city were prohibited from this form of discrimination, but landlords outside the city could continue the practice, it would likely result in a further concentration of poverty in the city. Even if the legislation were passed at the county level, it might still result in furthering the concentration of poverty in the city, presuming that a majority share of discriminatory practices are occurring where the majority share of rental units exist—in the City of Rochester.

Therefore, this document recognizes source of rent discrimination as impacting fair housing choice but does not put forth recommended actions to address the issue at this time, since it is not obliged to do so. The Implementation Committee should examine the pros and cons of making source of rent a protected class, especially during the next Analysis of Impediments to Fair Housing Choice, which is expected to be completed as a joint process between the city and county.

SECTION X. GLOSSARY

Accessible housing: Housing designed to allow easier access for physically disabled or vision impaired persons.

ACS: American Community Survey

AI: Analysis of Impediments to Fair Housing Choice

AMI: Area median income

BEA: Bureau of Economic Analysis

BLS: Bureau of Labor Statistics

CDBG: Community Development Block Grant

Census tract: Census tract boundaries are updated with each decennial census. They are drawn based on population size and ideally represent approximately the same number of persons for each tract.

Consolidated Plan: Consolidated Plan for Housing and Community Development

Cost burden: Occurs when a household has gross housing costs that range from 30.1 to 50 percent of gross household income. A **severe cost burden** occurs when gross housing costs represent 50.1 percent or more of gross household income.

CRA: Community Reinvestment Act

Disability: A lasting physical, mental, or emotional condition that makes it difficult for a person to conduct daily activities of living or impedes him or her from being able to go outside the home alone or to work.

Disproportionate share: Exists when the percentage of a population is 10 percentage points or more above the study area average.

DOJ: U.S. Department of Justice

ESG: Emergency Shelter Grants program

Fannie Mae: Federal National Mortgage Association (FNMA), a government-sponsored enterprise that purchases mortgages from lenders and repackages them as mortgage-backed securities for investors.

Family: A family is a group of two people or more related by birth, marriage, or adoption and residing together.

FFIEC: Federal Financial Institutions Examination Council

FHAP: Fair Housing Assistance Program

FHEO: Fair Housing and Equal Opportunity

FHIP: Fair Housing Initiative Program

Floor area ratio: The ratio of the total floor area of a building to the land on which it is situated, or the limit imposed on such a ratio.

Freddie Mac: Federal Home Loan Mortgage Corporation (FHLMC), a government-sponsored enterprise that purchases mortgages from lenders and repackages them as mortgage-backed securities for investors.

GAO: U.S. General Accounting Office

Gross housing costs: For homeowners, gross housing costs include property taxes, insurance, energy payments, water and sewer service, and refuse collection. If the homeowner has a mortgage, the determination also includes principal and interest payments on the mortgage loan. For renters, this figure represents monthly rent and electricity or natural gas energy charges.

HAL: High annual percentage rate (APR) loan, defined as more than three percentage points higher than comparable treasury rates for home purchase loans, or five percentage points higher for refinance loans.¹¹⁵

HMDA: Home Mortgage Disclosure Act

HOME: HOME Investment Partnerships

HOPWA: Housing Opportunities for Persons with AIDS

Household: A household consists of all the people who occupy a housing unit. A house, an apartment or other group of rooms, or a single room, is regarded as a housing unit when it is occupied or intended for occupancy as separate living quarters; that is, when the occupants do not live with any other persons in the structure and there is direct access from the outside or through a common hall.

Housing problems: Overcrowding, incomplete plumbing or kitchen facilities, or cost burdens

HUD: U.S. Department of Housing and Urban Development

Incomplete kitchen facilities: A housing unit is classified as lacking complete kitchen facilities when any of the following are not present: a sink with piped hot and cold water, a range or cook top and oven, and a refrigerator.

Incomplete plumbing facilities: A housing unit is classified as lacking complete plumbing facilities when any of the following are not present: piped hot and cold water, a flush toilet, and a bathtub or shower.

Labor force: The total number of persons working or looking for work

MFI: Median family income

Mixed-use development: The use of a building, set of buildings, or neighborhood for more than one purpose.

MSA: Metropolitan Statistical Area

NIMBYism: "Not in my backyard" mentality among community members, often in protest of affordable or multi-family housing.

Other vacant units: Housing units that are not for sale or rent

Overcrowding: Overcrowding occurs when a housing unit has more than one to 1.5 persons per room. **Severe overcrowding** occurs when a housing unit has more than 1.5 persons per room.

Poverty: The Census Bureau uses a set of money income thresholds that vary by family size and composition to determine who is in poverty. If a family's total income is less than the family's threshold, then that family and every individual in it is considered in poverty. The official poverty thresholds do not vary geographically, but they are updated for inflation using Consumer Price Index (CPI-U). The official poverty definition uses money income before taxes and does not include capital gains or noncash benefits (such as public housing, Medicaid, and food stamps).

Predatory loans: As defined by the Predatory Lending Consumer Protection Act of 2002 as well as the Home Owner Equity Protection Act (HOEPA), loans are considered predatory based on:

1. If they are HOEPA loans;¹¹⁶
2. Lien status, such as whether secured by a first lien, a subordinate lien, not secured by a lien, or not applicable (purchased loans); and
3. Presence of HALs. For full definition, see **HAL**.

¹¹⁵ 12 CFR Part 203, http://www.ffiec.gov/hmda/pdf/regc_020702.pdf

¹¹⁶ Loans are subject to the HOEPA if they impose rates or fees above a certain threshold set by the Federal Reserve Board. "HMDA Glossary." <http://www.ffiec.gov/hmda/glossary.htm#H>

Protected Class: Group of people protected from discrimination and harassment. City of Rochester residents are protected from housing discrimination based on race, sex, religion, familial status, disability, national origin, color, age, gender identity or expression, sexual orientation, marital status, and military status.

Public housing: Public housing was established to provide decent and safe rental housing for eligible low-income families, the elderly, and persons with disabilities.

RDA: Redevelopment agency

Severe cost burden: (See **Cost Burden**).

Severe overcrowding: (See **Overcrowding**)

Steering: Actions of real estate agents or landlords to discourage a prospective buyer or tenant from seeing or selecting properties in certain areas due to their racial or ethnic composition.

Tenure: The status by which a housing unit is held. A housing unit is "owned" if the owner or co-owner lives in the unit, even if it is mortgaged or not fully paid for. A cooperative or condominium unit is "owned" only if the owner or co-owner lives in it. All other occupied units are classified as "rented," including units rented for cash rent and those occupied without payment of cash rent.

APPENDICES

The following sections present additional data prepared in development of the City of Rochester Analysis of Impediments to Fair Housing Choice.

A. COMMUNITY REINVESTMENT ACT DATA

CRA DATA: CITY OF ROCHESTER

Table A.1
Small Business Loans Originated: \$100,000 or Less by Tract MFI

City of Rochester
2000–2013 CRA Data

Year	<50% MFI	50.1-80% MFI	80.1-120% MFI	>120% MFI	Missing MFI	Total
Number of Loans						
2000	529	1,096	1,303	152	172	3,252
2001	576	1,220	1,249	159	19	3,223
2002	693	1,121	1,330	190	13	3,347
2003	1,600	1,834	505	358	5	4,302
2004	1,548	1,975	479	332	8	4,342
2005	1,351	1,893	450	309	1	4,004
2006	1,859	2,704	693	490	12	5,758
2007	2,071	2,864	743	540	10	6,228
2008	1,512	2,296	616	405	6	4,835
2009	732	1,066	275	188	2	2,263
2010	644	1,033	233	144	2	2,056
2011	761	1,248	297	198	2	2,506
2012	1,099	717	435	150	13	2,414
2013	956	591	363	142	11	2,063
Total	15,931	21,658	8,971	3,757	276	50,593
Loan Amount (\$1,000s)						
2000	9,007	21,741	19,194	3,078	4,233	57,253
2001	8,967	20,142	18,348	2,483	175	50,115
2002	12,008	19,858	17,564	2,852	125	52,407
2003	25,555	28,835	5,982	4,894	30	65,296
2004	25,022	33,784	5,726	5,108	41	69,681
2005	21,199	29,791	5,885	4,575	16	61,466
2006	21,878	30,198	6,763	5,319	186	64,344
2007	23,864	33,747	8,354	5,373	80	71,418
2008	19,341	26,412	6,983	4,182	50	56,968
2009	13,498	17,084	3,661	2,997	50	37,290
2010	11,121	15,534	3,060	1,774	15	31,504
2011	12,574	19,130	3,723	2,961	11	38,399
2012	14,911	9,480	4,841	1,823	271	31,326
2013	14,367	8,188	4,488	1,673	207	28,923
Total	233,312	313,924	114,572	49,092	5,490	716,390

Table A.2
Small Business Loans Originated: \$100,001 to \$250,000 by Tract MFI

City of Rochester
2000–2013 CRA Data

Year	<50% MFI	50.1-80% MFI	80.1-120% MFI	>120% MFI	Missing MFI	Total
Number of Loans						
2000	40	99	59	11	3	212
2001	24	87	65	14	3	193
2002	31	90	64	13	3	201
2003	92	84	30	5	0	211
2004	102	98	17	15	0	232
2005	73	75	12	17	0	177
2006	61	97	16	14	0	188
2007	73	95	18	11	0	197
2008	87	94	21	7	0	209
2009	51	53	12	6	0	122
2010	47	64	13	9	0	133
2011	47	53	11	7	0	118
2012	55	37	14	11	1	118
2013	60	30	10	9	1	110
Total	843	1,056	362	149	11	2,421
Loan Amount (\$1,000s)						
2000	7,278	18,259	11,221	1,758	552	39,068
2001	4,020	15,991	12,328	2,497	600	35,436
2002	5,857	16,886	11,619	2,423	640	37,425
2003	17,679	14,675	5,295	1,025	0	38,674
2004	18,953	17,705	3,361	2,900	0	42,919
2005	13,420	13,927	2,394	3,377	0	33,118
2006	11,549	17,282	3,296	2,899	0	35,026
2007	13,655	16,694	3,240	2,210	0	35,799
2008	16,669	16,871	3,969	1,309	0	38,818
2009	8,836	9,322	2,088	1,200	0	21,446
2010	7,936	11,573	2,365	1,694	0	23,568
2011	8,291	9,538	1,864	1,379	0	21,072
2012	9,800	6,517	2,450	2,013	111	20,891
2013	10,755	4,891	1,526	1,634	250	19,056
Total	154,698	190,131	67,016	28,318	2,153	442,316

Table A.3
Small Business Loans Originated: More than \$250,000 by Tract MFI

City of Rochester
2000–2013 CRA Data

Year	<50% MFI	50.1-80% MFI	80.1-120% MFI	>120% MFI	Missing MFI	Total
Number of Loans						
2000	28	67	69	8	5	177
2001	27	83	64	11	1	186
2002	32	85	62	10	2	191
2003	107	71	31	9	0	218
2004	100	111	14	12	1	238
2005	89	95	18	10	0	212
2006	107	88	15	11	0	221
2007	109	110	21	14	0	254
2008	98	97	16	13	0	224
2009	46	58	10	10	0	124
2010	50	56	5	4	0	115
2011	53	77	7	6	0	143
2012	87	30	12	8	0	137
2013	74	32	10	14	0	130
Total	1,007	1,060	354	140	9	2,570
Loan Amount (\$1,000s)						
2000	14,357	33,371	39,190	4,059	3,750	94,727
2001	14,051	49,581	35,393	5,706	300	105,031
2002	15,186	51,189	34,516	5,810	1,670	108,371
2003	63,404	36,048	16,992	4,620	0	121,064
2004	56,268	59,205	8,345	5,699	765	130,282
2005	51,919	51,046	10,612	5,628	0	119,205
2006	61,228	46,841	9,128	4,833	0	122,030
2007	65,608	55,496	11,671	7,688	0	140,463
2008	56,436	53,265	11,075	7,725	0	128,501
2009	25,782	31,124	5,960	6,033	0	68,899
2010	27,292	32,179	3,650	2,050	0	65,171
2011	32,333	42,538	5,080	2,495	0	82,446
2012	52,131	14,254	6,176	5,831	0	78,392
2013	41,140	14,603	6,230	7,057	0	69,030
Total	577,135	570,740	204,018	75,234	6,485	1,433,612

Table A.4
Small Business Loans to Businesses with Gross Annual Revenues of Less Than
\$1 Million by Tract MFI

City of Rochester
2000–2013 CRA Data

Year	<50% MFI	50.1-80% MFI	80.1-120% MFI	>120% MFI	Missing MFI	Total
Number of Loans						
2000	211	416	615	47	2	1,291
2001	254	629	615	86	12	1,596
2002	233	380	446	77	1	1,137
2003	601	740	184	129	1	1,655
2004	542	652	177	116	1	1,488
2005	614	888	215	141	0	1,858
2006	631	1,031	279	173	1	2,115
2007	732	1,129	311	180	2	2,354
2008	518	818	214	106	1	1,657
2009	208	378	79	48	0	713
2010	226	354	78	46	0	704
2011	318	470	104	82	0	974
2012	389	263	187	63	3	905
2013	404	247	164	71	4	890
Total	5,881	8,395	3,668	1,365	28	19,337
Loan Amount (\$1,000s)						
2000	7,763	16,085	16,649	1,410	100	42,007
2001	6,414	22,295	18,489	3,997	73	51,268
2002	8,620	17,758	18,841	2,960	1	48,180
2003	27,398	27,731	6,537	2,705	1	64,372
2004	26,923	27,392	4,341	4,182	765	63,603
2005	23,710	23,350	6,542	3,919	0	57,521
2006	21,816	27,695	7,976	3,337	2	60,826
2007	19,010	34,705	7,222	3,524	7	64,468
2008	18,291	29,141	5,492	2,226	1	55,151
2009	7,888	17,863	2,864	2,154	0	30,769
2010	10,531	21,700	3,080	1,042	0	36,353
2011	12,986	17,103	3,893	1,581	0	35,563
2012	15,898	7,301	4,237	5,521	29	32,986
2013	20,290	7,113	3,410	5,940	64	36,817
Total	227,538	297,232	109,573	44,498	1,043	679,884

CRA DATA: REMAINDER OF MONROE COUNTY

Table A.1
Small Business Loans Originated: \$100,000 or Less by Tract MFI
Remainder of Monroe County
2000–2013 CRA Data

Year	<50% MFI	50.1-80% MFI	80.1-120% MFI	>120% MFI	Missing MFI	Total
Number of Loans						
2000	248	225	4,777	4,229	192	9,671
2001	248	217	5,108	4,248	203	10,024
2002	237	255	5,730	4,908	248	11,378
2003	0	95	5,328	5,806	0	11,229
2004	0	86	5,788	6,058	0	11,932
2005	0	105	6,111	6,249	0	12,465
2006	0	139	8,143	9,638	0	17,920
2007	0	185	9,048	10,706	0	19,939
2008	0	103	6,963	8,218	0	15,284
2009	0	55	3,411	4,148	0	7,614
2010	0	59	3,200	3,633	0	6,892
2011	0	49	3,643	4,392	0	8,084
2012	34	388	4,116	3,429	0	7,967
2013	20	287	3,602	2,899	0	6,808
Total	787	2,248	74,968	78,561	643	157,207
Loan Amount (\$1,000s)						
2000	5,473	4,049	75,819	67,489	4,765	157,595
2001	5,575	3,046	79,461	64,844	3,436	156,362
2002	4,752	3,980	82,481	74,447	4,597	170,257
2003	0	919	75,862	82,670	0	159,451
2004	0	1,168	82,241	88,356	0	171,765
2005	0	1,348	88,667	87,900	0	177,915
2006	0	1,178	93,129	105,721	0	200,028
2007	0	1,482	103,138	124,951	0	229,571
2008	0	1,010	79,220	94,213	0	174,443
2009	0	687	46,686	56,224	0	103,597
2010	0	612	44,149	48,142	0	92,903
2011	0	379	49,004	58,471	0	107,854
2012	80	4,855	51,721	43,684	0	100,340
2013	296	4,111	48,083	38,987	0	91,477
Total	16,176	28,824	999,661	1,036,099	12,798	2,093,558

Table A.2
Small Business Loans Originated: \$100,001 to \$250,000 by Tract MFI
Remainder of Monroe County
2000–2013 CRA Data

Year	<50% MFI	50.1-80% MFI	80.1-120% MFI	>120% MFI	Missing MFI	Total
Number of Loans						
2000	25	13	240	202	19	499
2001	19	13	263	223	14	532
2002	21	9	265	246	11	552
2003	0	2	231	220	0	453
2004	0	3	234	206	0	443
2005	0	0	216	178	0	394
2006	0	3	207	177	0	387
2007	0	3	249	181	0	433
2008	0	3	205	161	0	369
2009	0	1	152	116	0	269
2010	0	2	156	138	0	296
2011	0	2	185	158	0	345
2012	1	11	184	104	0	300
2013	1	20	168	120	0	309
Total	67	85	2,955	2,430	44	5,581
Loan Amount (\$1,000s)						
2000	4,548	2,197	44,210	35,394	3,537	89,886
2001	3,453	2,233	48,866	40,218	2,634	97,404
2002	3,787	1,993	48,228	44,432	2,209	100,649
2003	0	430	41,330	39,471	0	81,231
2004	0	540	41,656	35,519	0	77,715
2005	0	0	39,183	31,793	0	70,976
2006	0	620	38,314	32,119	0	71,053
2007	0	525	46,413	32,551	0	79,489
2008	0	525	38,030	29,170	0	67,725
2009	0	125	27,251	21,438	0	48,814
2010	0	325	27,853	25,223	0	53,401
2011	0	340	32,989	27,960	0	61,289
2012	140	1,931	32,365	17,767	0	52,203
2013	240	3,506	29,584	21,107	0	54,437
Total	12,168	15,290	536,272	434,162	8,380	1,006,272

Table A.3
Small Business Loans Originated: More than \$250,000 by Tract MFI

Remainder of Monroe County
2000–2013 CRA Data

Year	<50% MFI	50.1-80% MFI	80.1-120% MFI	>120% MFI	Missing MFI	Total
Number of Loans						
2000	25	12	254	209	15	515
2001	27	18	291	230	16	582
2002	26	20	275	200	16	537
2003	0	3	266	209	0	478
2004	0	1	270	196	0	467
2005	0	4	252	179	0	435
2006	0	3	241	203	0	447
2007	0	1	294	207	0	502
2008	0	1	254	182	0	437
2009	0	4	174	130	0	308
2010	0	2	151	123	0	276
2011	0	3	202	147	0	352
2012	0	15	173	110	0	298
2013	0	14	164	142	0	320
Total	78	101	3,261	2,467	47	5,954
Loan Amount (\$1,000s)						
2000	12,826	6,956	136,791	117,161	8,432	282,166
2001	16,120	8,972	155,295	121,990	8,350	310,727
2002	14,814	10,766	150,369	110,249	8,596	294,794
2003	0	1,760	142,580	108,309	0	252,649
2004	0	700	149,547	104,434	0	254,681
2005	0	2,157	138,418	97,892	0	238,467
2006	0	1,750	133,435	104,953	0	240,138
2007	0	300	158,314	106,859	0	265,473
2008	0	800	143,241	94,202	0	238,243
2009	0	1,739	100,992	65,135	0	167,866
2010	0	800	84,797	65,819	0	151,416
2011	0	1,363	109,759	78,404	0	189,526
2012	0	7,369	97,956	59,582	0	164,907
2013	0	7,798	85,425	74,469	0	167,692
Total	43,760	53,230	1,786,919	1,309,458	25,378	3,218,745

Table A.4
Small Business Loans to Businesses with Gross Annual Revenues of Less Than
\$1 Million by Tract MFI
Remainder of Monroe County
2000–2013 CRA Data

Year	<50% MFI	50.1-80% MFI	80.1-120% MFI	>120% MFI	Missing MFI	Total
Number of Loans						
2000	99	90	2,033	1,883	98	4,203
2001	108	98	2,529	2,055	116	4,906
2002	93	94	1,952	1,779	102	4,020
2003	0	31	2,153	2,344	0	4,528
2004	0	29	2,038	2,289	0	4,356
2005	0	49	2,914	3,100	0	6,063
2006	0	58	3,318	3,739	0	7,115
2007	0	70	3,702	4,218	0	7,990
2008	0	37	2,329	2,723	0	5,089
2009	0	18	1,040	1,278	0	2,336
2010	0	21	982	1,174	0	2,177
2011	0	20	1,372	1,801	0	3,193
2012	7	132	1,488	1,405	0	3,032
2013	6	122	1,486	1,329	0	2,943
Total	313	869	29,336	31,117	316	61,951
Loan Amount (\$1,000s)						
2000	4,260	3,577	63,644	62,043	6,017	139,541
2001	2,812	3,903	81,659	81,035	4,180	173,589
2002	4,520	5,628	90,568	75,655	3,792	180,163
2003	0	1,198	95,707	90,657	0	187,562
2004	0	779	83,570	89,537	0	173,886
2005	0	931	78,219	80,532	0	159,682
2006	0	896	93,162	92,111	0	186,169
2007	0	1,057	100,500	97,635	0	199,192
2008	0	1,425	72,730	72,832	0	146,987
2009	0	626	50,695	47,115	0	98,436
2010	0	591	38,519	51,610	0	90,720
2011	0	764	48,781	58,470	0	108,015
2012	150	4,456	47,215	43,843	0	95,664
2013	103	6,029	51,466	51,606	0	109,204
Total	11,845	31,860	996,435	994,681	13,989	2,048,810

CRA DATA: MONROE COUNTY

Table A.1
Small Business Loans Originated: \$100,000 or Less by Tract MFI

Monroe County
2000–2013 CRA Data

Year	<50% MFI	50.1-80% MFI	80.1-120% MFI	>120% MFI	Missing MFI	Total
Number of Loans						
2000	777	1,321	6,080	4,381	364	12,923
2001	824	1,437	6,357	4,407	222	13,247
2002	930	1,376	7,060	5,098	261	14,725
2003	1,600	1,929	5,833	6,164	5	15,531
2004	1,548	2,061	6,267	6,390	8	16,274
2005	1,351	1,998	6,561	6,558	1	16,469
2006	1,859	2,843	8,836	10,128	12	23,678
2007	2,071	3,049	9,791	11,246	10	26,167
2008	1,512	2,399	7,579	8,623	6	20,119
2009	732	1,121	3,686	4,336	2	9,877
2010	644	1,092	3,433	3,777	2	8,948
2011	761	1,297	3,940	4,590	2	10,590
2012	1,133	1,105	4,551	3,579	13	10,381
2013	976	878	3,965	3,041	11	8,871
Total	16,718	23,906	83,939	82,318	919	207,800
Loan Amount (\$1,000s)						
2000	14,480	25,790	95,013	70,567	8,998	214,848
2001	14,542	23,188	97,809	67,327	3,611	206,477
2002	16,760	23,838	100,045	77,299	4,722	222,664
2003	25,555	29,754	81,844	87,564	30	224,747
2004	25,022	34,952	87,967	93,464	41	241,446
2005	21,199	31,139	94,552	92,475	16	239,381
2006	21,878	31,376	99,892	111,040	186	264,372
2007	23,864	35,229	111,492	130,324	80	300,989
2008	19,341	27,422	86,203	98,395	50	231,411
2009	13,498	17,771	50,347	59,221	50	140,887
2010	11,121	16,146	47,209	49,916	15	124,407
2011	12,574	19,509	52,727	61,432	11	146,253
2012	14,991	14,335	56,562	45,507	271	131,666
2013	14,663	12,299	52,571	40,660	207	120,400
Total	249,488	342,748	1,114,233	1,085,191	18,288	2,809,948

Table A.2
Small Business Loans Originated: \$100,001 to \$250,000 by Tract MFI

Monroe County
2000–2013 CRA Data

Year	<50% MFI	50.1-80% MFI	80.1-120% MFI	>120% MFI	Missing MFI	Total
Number of Loans						
2000	65	112	299	213	22	711
2001	43	100	328	237	17	725
2002	52	99	329	259	14	753
2003	92	86	261	225	0	664
2004	102	101	251	221	0	675
2005	73	75	228	195	0	571
2006	61	100	223	191	0	575
2007	73	98	267	192	0	630
2008	87	97	226	168	0	578
2009	51	54	164	122	0	391
2010	47	66	169	147	0	429
2011	47	55	196	165	0	463
2012	56	48	198	115	1	418
2013	61	50	178	129	1	419
Total	910	1,141	3,317	2,579	55	8,002
Loan Amount (\$1,000s)						
2000	11,826	20,456	55,431	37,152	4,089	128,954
2001	7,473	18,224	61,194	42,715	3,234	132,840
2002	9,644	18,879	59,847	46,855	2,849	138,074
2003	17,679	15,105	46,625	40,496	0	119,905
2004	18,953	18,245	45,017	38,419	0	120,634
2005	13,420	13,927	41,577	35,170	0	104,094
2006	11,549	17,902	41,610	35,018	0	106,079
2007	13,655	17,219	49,653	34,761	0	115,288
2008	16,669	17,396	41,999	30,479	0	106,543
2009	8,836	9,447	29,339	22,638	0	70,260
2010	7,936	11,898	30,218	26,917	0	76,969
2011	8,291	9,878	34,853	29,339	0	82,361
2012	9,940	8,448	34,815	19,780	111	73,094
2013	10,995	8,397	31,110	22,741	250	73,493
Total	166,866	205,421	603,288	462,480	10,533	1,448,588

Table A.3
Small Business Loans Originated: More than \$250,000 by Tract MFI

Monroe County
2000–2013 CRA Data

Year	<50% MFI	50.1-80% MFI	80.1-120% MFI	>120% MFI	Missing MFI	Total
Number of Loans						
2000	53	79	323	217	20	692
2001	54	101	355	241	17	768
2002	58	105	337	210	18	728
2003	107	74	297	218	0	696
2004	100	112	284	208	1	705
2005	89	99	270	189	0	647
2006	107	91	256	214	0	668
2007	109	111	315	221	0	756
2008	98	98	270	195	0	661
2009	46	62	184	140	0	432
2010	50	58	156	127	0	391
2011	53	80	209	153	0	495
2012	87	45	185	118	0	435
2013	74	46	174	156	0	450
Total	1,085	1,161	3,615	2,607	56	8,524
Loan Amount (\$1,000s)						
2000	27,183	40,327	175,981	121,220	12,182	376,893
2001	30,171	58,553	190,688	127,696	8,650	415,758
2002	30,000	61,955	184,885	116,059	10,266	403,165
2003	63,404	37,808	159,572	112,929	0	373,713
2004	56,268	59,905	157,892	110,133	765	384,963
2005	51,919	53,203	149,030	103,520	0	357,672
2006	61,228	48,591	142,563	109,786	0	362,168
2007	65,608	55,796	169,985	114,547	0	405,936
2008	56,436	54,065	154,316	101,927	0	366,744
2009	25,782	32,863	106,952	71,168	0	236,765
2010	27,292	32,979	88,447	67,869	0	216,587
2011	32,333	43,901	114,839	80,899	0	271,972
2012	52,131	21,623	104,132	65,413	0	243,299
2013	41,140	22,401	91,655	81,526	0	236,722
Total	620,895	623,970	1,990,937	1,384,692	31,863	4,652,357

Table A.4
Small Business Loans to Businesses with Gross Annual Revenues of Less Than
\$1 Million by Tract MFI

Monroe County
2000–2013 CRA Data

Year	<50% MFI	50.1-80% MFI	80.1-120% MFI	>120% MFI	Missing MFI	Total
Number of Loans						
2000	310	506	2,648	1,930	100	5,494
2001	362	727	3,144	2,141	128	6,502
2002	326	474	2,398	1,856	103	5,157
2003	601	771	2,337	2,473	1	6,183
2004	542	681	2,215	2,405	1	5,844
2005	614	937	3,129	3,241	0	7,921
2006	631	1,089	3,597	3,912	1	9,230
2007	732	1,199	4,013	4,398	2	10,344
2008	518	855	2,543	2,829	1	6,746
2009	208	396	1,119	1,326	0	3,049
2010	226	375	1,060	1,220	0	2,881
2011	318	490	1,476	1,883	0	4,167
2012	396	395	1,675	1,468	3	3,937
2013	410	369	1,650	1,400	4	3,833
Total	6,194	9,264	33,004	32,482	344	81,288
Loan Amount (\$1,000s)						
2000	12,023	19,662	80,293	63,453	6,117	181,548
2001	9,226	26,198	100,148	85,032	4,253	224,857
2002	13,140	23,386	109,409	78,615	3,793	228,343
2003	27,398	28,929	102,244	93,362	1	251,934
2004	26,923	28,171	87,911	93,719	765	237,489
2005	23,710	24,281	84,761	84,451	0	217,203
2006	21,816	28,591	101,138	95,448	2	246,995
2007	19,010	35,762	107,722	101,159	7	263,660
2008	18,291	30,566	78,222	75,058	1	202,138
2009	7,888	18,489	53,559	49,269	0	129,205
2010	10,531	22,291	41,599	52,652	0	127,073
2011	12,986	17,867	52,674	60,051	0	143,578
2012	16,048	11,757	51,452	49,364	29	128,650
2013	20,393	13,142	54,876	57,546	64	146,021
Total	239,383	329,092	1,106,008	1,039,179	15,032	2,728,694

B. FAIR HOUSING SURVEY OPEN QUESTIONS

FEDERAL, STATE, AND LOCAL LAWS

B.1

Where would you refer someone if they felt that their fair housing rights had been violated?

City of Rochester and Monroe County
2015 Fair Housing Survey Data

Comments:
?
all depends
Attorney General
Attorney General
Attorney general office
Attorney General or Housing Council
attorney General?
Board of Realtors for a house or the NYS Attorney General
City
City Council?; Sector 4?
City Hall
city hall?
City of Rochester
City of Rochester/City Hall..calling 311
Class
county office building
court
Court
Cty of Rochester
DHS
Division of Human Rights
Do not know.
don't know
Don't know
Don't Know
don't know; would talk to City Neighborhood Service Center & NeighborWorks
Don't know.
don't know. would ask The Housing Council
EEOC
fair housing task force 325-2520
Federal Court for violation of federal Housing act.
Federal government
Go see a lawyer or HUD
Housing Authority
Housing Authority ,Right of Disabled, DSS, Health Dept, and Media, Legal Aid City Court
housing council
Housing council
Housing Council
Housing Council or RHA
Housing Council?
housing counsel
housing in places like gates and Greece
Hud
HUD
HUD NYS AG
HUD office
HUD Office
HUD or our local fair housing enforcement lawyer at LAWNY
HUD, City of Roch., County
HUD, Fair Housing enforcement
HUD, LAWNY, Housing Council
HUD, NYSDHR
HUD?
HUD.gov
Human Rights Division
I do not know
I don't know
I don't know - Rochester housing authority? City hall? State housing agency? HUD? Other...?
I don't know. I would call Empire Justice to ask

I would definitely do! I believe that is the only way for someone to make his voice audible and in such way let the ones responsible for protecting people's housing rights know about the issues they are encountering.

I would start with the Housing Council

I wouldn;t know or botehr

I'd file a lawsuit in federal courts, but you could go state. You can also complaint to the appropriate state and federal agencies.

I'd go to the Housing Council for advice or Empire Justice or Legal Assistance of Western NY

I'd have to look it up, but I'm pretty sure I could figure that out.

I'm not sure.

I'm not sure. I'd have to research online to locate the answer.

Id call the housing council and ask

LawNY

LAWNY

Legal Assistance of Western New York, HUD or Division of Human Rights

Legal services organization

local Housing Authority

MCLAC Fair Housing Unit

Neighborhood service center

NEighborhood service center, The county office, The MAyor

NETT office

New York State

No idea

No idea. The concept of 'Protected Classes' is troubling though. Fair housing, and a concerted effort to achieve this is necessary

not sure

Not sure

not sure - would call rochester housing council to find out.

Not sure.

not sure...housing authority

NY law

NY State Attorney General's Office

NY State Fair Housing

NYS Attorney General HUD

NYS Division of Housing or HUD (Federal)

NYS Division of human Rights

NYS Division of Human Rights

Probably

RHA = Local HUD rep.

Rochester Housing Authority

Rochester Housing Council would be my first choice

Start with lender/landlord. Then lender's regulator or NYS Dept of Human Rights. I would complain to city/county, media and hire a lawyer.

Start with the Housing Council for guidance

State Attorney General Office ACLU NAACP Legal Defense office Commissioner of. Human Rights

State Commission for Human Rights Rochester Housing Authority

State division of human rights

The City.

The housing authority

The Housing Council

The Housing Council at PathStone

The housing council or contact HUD directly.

the Housing Council or HUD

the local municipality

The Rochester Housing Council The Rochester Housing Authority

unknown

Unsure but I know that I can find the information, and would do that.

Unsure.

US Department of HUD, The Housing Council, New York State Division of Human Rights, Empire Justice

us dept of housing

With HUD

With HUD or the Department of Human Rights

With the Housing Council or Pathstone

With the Town

Yes

Yes.

You can start with The Housing council at Pathstone.

B.2

What “Other” type of Tenure are you?

City of Rochester and Monroe County
2015 Fair Housing Survey Data

Comments:
<p>Currently searching for our first home</p> <p>H</p> <p>Homeownership Counselor</p> <p>Housing Council</p> <p>housing services provider</p> <p>HUD Approved Housing Counseling Agency</p> <p>investor from outside the state</p> <p>landlord</p> <p>Landlord</p> <p>Lender</p> <p>live with family</p> <p>Manager</p> <p>Non profit agency that provides housing for the homeless</p> <p>Owner of affordable housing</p> <p>private housing provider - PM</p> <p>Provider of housing to people with disabilities</p> <p>Sold our house in the city after 33 years because of 2 break-ins.</p> <p>Subdivided Housing for 62 - 65yrs old</p> <p>This is on behalf of people I work with.</p>

B.2

How did you become aware of fair housing laws?

City of Rochester and Monroe County
2015 Fair Housing Survey Data

Comments:
<p>As doing work as a social worker and attending meetings re fair housing.</p> <p>Activist in the 60's and 70's</p> <p>all around on going education within our trade and the housing council training programs</p> <p>as a landlord and as a renter</p> <p>As a landlord I have researched</p> <p>as landlords, we are constantly dealing with many government agencies; the City for C of O; Section 8, DSS, etc.</p> <p>because I am a landlord</p> <p>Being a renter</p> <p>brochure of fair housing laws</p> <p>By being a real estate and financial institution attorney.</p> <p>By trainings provided by the agency I work at.</p> <p>Classes through my employers</p> <p>compliance is required when using public sources of funding for development of housing</p> <p>Coursework at RIT and personal research into the subject</p> <p>Dealing with tenants via our company lawyers over time.</p> <p>education at work, work related issue</p> <p>experience by being a self managed landlord</p> <p>experience in public policy and public administration</p> <p>Experience with home buyers</p> <p>Fair Housing courses taken on an annual basis</p> <p>Former landlord.</p> <p>From my work at the Center for Disability Rights</p> <p>Had an issue with a landlord and started researching.</p> <p>Have realtors in family</p> <p>Housing attorney, but not generally in the fair housing area. Some cases have required gaining familiarity.</p> <p>Housing council</p> <p>HUD Grantee providing Fair Housing Education and agency is author of county AI</p> <p>I am a foreclosure defense attorney and fair housing laws are incorporated into our analysis of cases.</p> <p>I am a retired banker who worked in the residential lending area.</p> <p>I am an attorney who practices in this area of law.</p> <p>I am aware that such laws exist.</p> <p>I don't remember - I've known that there's some kind of fair housing provisions prob all the way back to high school american history and studying the civil rights movement.</p> <p>I have become aware based upon the work of our agency in assisting clients with housing issues.</p> <p>I have been a property manager for eight years. I attend The Housing Council's landlord class every year.</p> <p>I have been in the industry for 30 years</p> <p>I have worked in housing policy and advocacy for 20 years, and first learned about the laws in the 1995 AI study.</p> <p>I have worked in the area of housing in Rochester since 2005 as a member of a locally based non-profit</p> <p>I have worked in the housing industry</p> <p>I worked as a Emergency Housing Provider at Monroe County for After hours emergency and Tm 14, I worked at Catholic Family Center, as the Emergency Service Provider for Monroe County finding transitional and long term housing, I developed programs</p>

for Transitional Housing as a Senior Case Manager for chronically homeless. I got sick and am now a disabled Social Worker, who advocates for tenants//I am now on Section #8 living in a Apartment Complex that was bought when in "Receivership" by a Realtor that specializes in buying "distressed properties". The Housing Inspectors seem to be ignoring many problems on check lists that are over looked, everything is just last minute patched together. The Owners are taking advantage of many vulnerable people here and using grants they apply for to fix up properties in areas when pushed, while pocketing the' guaranteed rent; they continue to raise, but nothing is ever systemically cleaned up, in the systemically rotted boiler rooms and basements, mold and walls and pipes ect and electric, ect, so forth

I worked at an agency that serves people who are homeless when I was living in another state, so I'm familiar with basic rights though have not familiarized myself with the specific rights in Rochester, Monroe County, or New York state.

I've worked with affordable housing non-profits in other communities

In house bank training

In my employment i have advocated for individuals in need of housing.

In Rochester and County there are people who have had difficulty securing housing because of race, or some who have experienced discrimination in the past.

in the media

In the paper.

Individual research; City of Rochester website resources

Internet research

Landlord class from Housing Council

Landlord tenant law and 55 plus communities manager outside the area

Monroe County's Land Use Decision-Making program

My mother is a retired Real Estate Broker.

My work involves home visiting services to families in our Rochester community and, in the context of that work, I have become aware of the myriad obstacles faced by families in trying to maintain stable housing.

My years of training in the housing field and working with homeless.

NeighborWorks Rochester and Telesca Center for Justice

news stories; presentations

Newspaper, friends and other advocates for improving and expanding options in city living

newspapers and NPR

NY law workshops, reading, neighborhood association

Online research

per my job training

Personal and professional

Prior experience as landlord

Public service announcements on non commercial radio

Reading Business / financial Publicationd. Also was involved in combatting " Red- Lining " of sections of the 19th Ward by banks and some realtors starting about 1968 and lasting about 10 years. I guess that fair housing laws had no enforcement then, if such laws were even existing.

Reading the law regarding fair housing.

Reading, I know attorneys who advocate for fair housing

Reading, Attending Housing Council seminars, length of time in the job (12 years)

Real Estate license

Required to be familiar due to profession

seeing info in housing applications that my clients complete for themselves

self reading

The home I purchased in Brighton, would not have been shown to me when I moved to Rochester in 1969.

The Housing Council at PathStone

The Housing Council has information on their website.

Through assisting those that benefit

through experience at work

through housing counsel

through my community work

Through my work via reading, research for reports and discussions with fellow workers and advocates.

Through Pathstone

Through the courts witnessing an eviction process of my daughter.

Through the HUD housing program.

Through work

Through work with homeless youth at my previous employer as well as through trainings at the Housing Council. For the past few years I have also participated in Project Homeless Connect and that has proven eye opening as well on a consumer-level around fair housing law.

Through working w/ Vets who are involved w/ Rochester Housing and Shelter Plus

through working with families

Through workshops, conferences and work place

Thru Empire Justice Center

Thru my work in the affordable housing industry. Focus is on multi-family housing.

thru the League of Women Voters and working on a Fair Housing Campaign

Took course "operating rental property" with The Housing Council

Trainign at work

Training provided by the Housing Council at PathStone.

Trainings related to my employment.

Typical non-discrimination.

When I was a renter in the City of Rochester, I had a problem with a Landlord and had to call and get some information about my rights.

When I was younger was a owner of Rental Housing. Also a Realtor for a short time.
work
Worked for a Housing Discrimination government agency 25 years ago
working in areas of housing
Working with families
working with individuals with disabilities
Workshop

B.3 How should fair housing laws be changed?

City of Rochester and Monroe County
2015 Fair Housing Survey Data

Comments:

Add sexual orientation and marital status to protected classes
Difficult to prove when there has been discrimination.
Disallow landlords from indicating DSS recipients cannot apply redlining in loan practices include income as a part of laws
Easier to understand, more sided to the renter, facilitated understanding of who to complain to. Limiting out-of-state deadbeat slumlords.
Enforce the ones in place don't add new ones
Fair housing is not the issue, SCHOOLS SUCK and NO ONE WORKS in city.
Funding Discrimination
Harsher punishment
I think education about fair housing laws needs to be more user-friendly and accessible. Additionally, fair housing laws should include gender identity and sexual orientation, along with source of income (so individuals with section 8, DSS, or other government-sponsored incomes aren't discriminated against). Applicants for rental housing should also be able to be aware of why they were denied housing.
I think landlords should be held more accountable to provide decent and safe living spaces for low-income families.
I think that it should be illegal for suburban towns to have so little low income housing. It is defacto racial discrimination.
I think that landlords should not base decisions on a credit report or have the right to deny housing based on section 8 or dss
I think the laws should be changed so that there is less interpretation amongst cities and counties.
If people a chance to redeem themselves. Not every person who has an eviction before or has bad credit is a bad person. And should be given a second chance. And not be automatically denied an apartment. Landlords should also be more willing to help people receiving public assistance.
In the same way that you cannot discriminate against those with children, you should not be able to discriminate against those without. Also, I feel that the laws are EXTREMELY beneficial to the landlord and NOT the renter. As a renter, you have very few opportunities to stand up for yourself against poor or unfair landlords. Especially when it comes to the cost of having to take a landlord to court.
Include transgender people
Inclusion of income source protections
It is my understanding that property managers and/or resident service managers are not allowed to make inquiries about a resident's health. This makes it nearly impossible for the building management to connect a resident to outside community services.
LL and Tenants need a liaison between Property Managers and Owners. They all need to be in Community together. The Housing Dept cannot just have one blank answer for "housing issues", for the tenant.. to move or for the Realtor to raise the rent above the budgeted allowance..No, Housing Council need to withhold rents from LL who take advantage of hard t house, we all nee options
Made stronger. When neighborhoods are isolated by protected class, the City should investigate and then create a plan to remediate.
More protection for the elderly and for the disabled. Elderly people and disabled people are very vulnerable and are victims of circumstance. (As opposed to poor people who are not vulnerable just very bad decision-makers.)
more resources for enforcement
Must be US Citizens- documented. Landlords/Property owners primary residence must be in Monroe County. Property Owners must be held to a higher standard -Slum Lords eliminated. There are excellent property owners in Monroe County- However the wait lists are so long- people are forced to reside in slums. These 'slums'/lords should not be eligible for federal subsidy.
Not so much changed as more effectively enforced
prevent discrimination by source of income
Property owner should be able to decide who they want to rent to.
quicker response to a complaint. Investigation and enforment.
Raise Income amount aloud
regulations on "investors"
sexual orientation should be added
sexual orientation, if that is not included
Should include guidelines to protect divorced persons from undue wait periods before approval of mortgage applications when spousal maintenance is part of legally documented income.
Source of income should be a protected class as well.
Source of income should be protected, along with victims of domestic violence.
Source of income/payment should be added to protected class, so that people using Section 8 would be protected from discrimination. Stronger enforcement of fair housing law violations.
The current housing programs only offer housing in the worst neighborhoods. It makes it very difficult to get help. The choice is between housing help or the safety of your family. Even those in need deserve to live in a nice safe area.
The price of housing has become the new tool to discriminate people. Many people of color are kept out of housing and suburban rental units by price of rent and poor credit. The city of Rochester and Monroe County is segregated like this specifically. Cap

on Rents could help!
 They need to protect the consumer more
 They should add source of income as a protected class
 they should prioritize deaf people first on their waiting lists instead of any other race. I am the only deaf person that lives in HUD.
 they should stand on what they are saying
 to include sexual orientation
 To the extent fair housing affects renters, ALL landlords should be held accountable to high standards (even out-of-town and "connected" landlords). ALL homeowners should be held accountable to codes, too.
 Too many houses in my neighborhood are being purchased by people who have no intention of living in the neighborhood themselves. The ratio of owner occupied houses to rental units has gone way down in the past 7-8 years. I would like to see help for homebuyers who will make city homes their primary residence.
 Tougher and public enforcement.
 Unsure of specifics, but renters and landlords should be brought to the table to discuss issues/concerns.
 Wage/Income level threshold raised to receive Section 8 benefits.
 Where I live now, the HUD Funding Managers in charge don't make it known that they are a Fair housing dwelling. None of the resident are (are of the White Race) which I think is Wrong. It is always related as a (Black Race-Housing)

LOCAL FAIR HOUSING

Table B.2
Are there any specific geographic areas that have fair housing problems?

City of Rochester and Monroe County
 2015 Fair Housing Survey Data

Comments:
<p>... but would not at all be surprised in tonier areas like Corn Hill and the neighborhood that borders Brighton (near Newcastle Street) go out of their way to avoid showing properties to minorities.</p> <p>All income based.</p> <p>All over</p> <p>All over Monroe County but specifically the City of Rochester</p> <p>All. Our city is very segregate by race and income. We need more mixed use housing.</p> <p>Browncroft neighborhood; Cobbs Hill neighborhood</p> <p>Crescent and east side.</p> <p>Crescent neighborhoods</p> <p>Downtown EastEnd Cornhill SE</p> <p>downtown - new apartments too expensive for most city residents</p> <p>Downtown, especially</p> <p>East side, Charlotte</p> <p>Homeowner's insurance redlining seems to disproportionately affect the NE sector.</p> <p>Housing is substandard where it is most affordable (a relative term) within the city limits (ie, 14621, 14605, 14608, others).</p> <p>Residents are unable to secure safe, decent housing outside of these areas due to income and affordability of housing in suburban or lower crime areas.</p> <p>I can only see that areas in the downtown region, the northwest and remaining parts of the "Crescent" are affected by run-down and neglected vacant and occupied properties, receive inferior road and snow removal services - all of which affect safety.</p> <p>i have hunches of where it would be but i don't have specific examples to give first hand knowledge.</p> <p>I'm sure people who live in government provided homes are not as happy or as comfortable as they could be. However, that is not the fault of the government, the property owner or the community- it is because the other people who reside in that building/area, and also receive government benefits have made it a unsafe, unsavory place to be. If they took back some ownership and sense of pride in their home (even if it is a government provided home) their environment would change for the better.</p> <p>Inner City and Irondequoit West and East and Greece</p> <p>Is Henrietta location HUD any different from the City of Rochester???</p> <p>Low cost housing is now targeted by flippers, investors and owners interested in letting houses rot for tax write-offs. The city has not intervened in preventing the destruction of low income areas.</p> <p>Many Towns not accepting affordable housing</p> <p>May regions.</p> <p>Mendon, with its 5 acre minimum lot size. Honeoye Falls-Lima CSD, with very few students of color.</p> <p>Monroe County</p> <p>most of them.</p> <p>N. Clinton, Joseph Avenue, Hudson Avenue</p> <p>Northeast area. Vacant/rundown homes not being replaced with new ones</p> <p>Northeast quadrant.</p> <p>Northeastt Rochester</p> <p>Outside the city.</p> <p>Park Avenue area, Irondequoit</p> <p>Pittsford</p> <p>some geographic areas in Rochester have fair housing problems are the neighborhood of the arts, Park Avenue area the East Avenue area the Monroe Ave area, Pittsford Brighton Greece Henrietta Webster Winton area. gates area Spencerport area</p>

Charlotte area basically anywhere that's nice.
 Substandard rental property is tolerated in many NE, NW and SW neighborhoods.
 the crescent
 The crescent
 The Crescent
 The entire city is segregated.
 the inner crescent
 The NW NE and SW
 There are pockets in many of the quadrants of the City.
 Those zip codes described as the "Crescent"
 We are city of older homes. Accessibility in an 200 year building is difficult unless there is major renovation.
 Well, when the surrounding suburbs refuse to allow more low income citizens to attempt to create a decent life within their boundaries that is a fair housing problem. As we can see from news stories drugs, crime, etc. are not limited to certain areas.
 Maybe if the surrounding areas would open their communities to more diverse populations suburban children would see that minority children aren't taboo and that persons of color have more to offer than the glamorization of drugs, sex, and violence that has been portrayed in movies and music.
 With the exception of the 19th Ward, Rochester is fairly segregated by race
 Yes, Where I live now. I think there is a problem.

Table B.3
Please share any additional comments.

City of Rochester and Monroe County
 2015 Fair Housing Survey Data

Comments:
access to affordable , high quality rentals is declining prompt intervention in abandoned properties and properties in tax arrears is needed
After going to the HUD program and getting my three offers, one which was denied because of paperwork lost on their side, the second offer was in a neighborhood I could not deem safe for my family, the third offer was in the same house is the second. Based on my experience with the HUD program I will never think that there is fair housing offers in Rochester New York. Besides being the right thing to do ethically...following fair housing practices is the right thing to do from a business perspective as well. Fair housing is important to our community.
booklet should be mailed out to homes or more info done by news or radio stations.
Creating a law that forces anyone and everyone to accept DSS or Section 8, is a terrible idea that will hurt tax payers, land owners and will send a message the wrong message to those who receive benefits. Government housing should be safe and comfortable. It should not be luxurious. Those who receive benefits should only be able to pick from a handful of places that accept their DSS or Section 8. That will encourage them to get off these benefits and be able to afford a great place (because the government provided homes are decent).
Housing (rental) is extremely unaffordable even within the city of Rochester and the increase in student housing in the SE and SW quadrants is further increasing rents and reducing the availability of units traditionally family-rented units. Serious problem, with no solution in sight. Lack of adequate subsidies (Section 8, DSS, LIHTC) for affordable housing creates even more stress on the housing market.
I am a non resident alien (UK based) who rents out 5 properties in Rochester. I try to keep abreast of federal, state & local regulations and abide by them but my knowledge concerning them is limited. I rely on my local property manager for advice but keep a keen eye on what she does.
I am concerned that houses are being rented to individuals that in turn allow the housing to be used for illegal purposes such as trap houses, etc. Federal, state and local dollars are being used to fund these illegal activities. Not acceptable!
I am hearing impaired with 2nd disability (de quier viens tendonitis) and I need help to have someone to shovel the snow from my parking space around my car so I can get out of the parking space so they can snow plow on the parking lot. it is not right for me to shovel the snow all the time during the winter time. when there is a lot of snow I can't do this alone. I feel stuck without any help. also I am the only Deaf person living in this HUD and I wish they would change their policy to prioritize deaf persons in their waiting lists. thank you
I believe that a developed nation should be able to provide housing opportunities for a vast majority of its citizens. The United States of America has enough wealth to engage in multiple wars, provide tax breaks to big corporations, and entertain itself ad nauseam. The true poverty is in the poor administration, governance, and bureaucracy that allowed homelessness and substandard living conditions for many to become part of the fabric of our society.
I just want to again stress that the city needs to focus on FAMILIES investing in Rochester through homeownership instead of just making it incredibly easy for landlords to own property and flee (either out of state or into the suburbs.) There is a HUGE issue in this city with absentee landlords who live less than 60 miles from our city and look at housing as an easy way to make quick cash. It ruins the foundation of our neighborhoods, and makes investing in homeownership in the city a risk. You may buy a home, invest in your neighborhood, and choose to raise your family in a city neighborhood, but it's only a matter of time before the house next-door goes up for sale, it bought by someone in Penfield with a day job who rents the house to 20 college students, doesn't take care of the property, doesn't consider the tenants actions in the neighborhood, and who could care less about what they're doing to the homes around them (because they live in Penfield, and they think if you have a family you should live there too.)
I shared where the City and County do not offer grants they claim they have for home improvement. My daughter has been on the waiting list for Section eight for 9 years. The housing Authority were her name is never contact her and let her know where she was on the list. Last time we checked she was something like 20,000 on the list. She started this in her late twenties and just turned 34 years of age. Still at home with her 8 years son because she can't afford housing in Rochester or Monroe County.
If you want to live in a nice area, get a job, work hard and then move there.
In our city with its sad distinction of having one of the highest levels of poverty nationally, it is hard to think that the challenges of stable and quality housing for families is not intrinsically connected to the many socio-economic disparities that are associated with poverty. Nothing is fair when you are in poverty.

Its not fair, its not safe and at what expense is it affordable at whose expense?. Housing Inspectors are needed who are willing to see the problems. case managers at Housing Authority need to have better answers then , Its up to the PM or their stuck BECAUSE of equal hosing law with sub standard housing, a Home can look very pretty on the outside have all the right appliances but if the pipes are, systemically totted, Boilers rooms and Hot water tanks a hazard, roofs leaking, SEcurity doors tampered broken,mailboxes that do not lock and mail gets soaked in, missing doorbells, screens coming off , water and mold behind walls, wasps in walls ,sewer flies year round, stink bugs and more There are problems! They need to open their eyes when inspecting and hold Properties responsible and cut off LL who are not fixing property.

Many of my clients report that the only places they can utilize government-sponsored housing assistance are in poor, crime-ridden areas but that they can't afford to live outside of those areas. The city and suburbs are essentially segregated -- if you don't have a car, you basically can't live and work in the suburbs. Many of my clients feel forced to live where they live due to poor access to work, transportation, and income advancement. They can't afford to live anywhere else but the worst neighborhoods (in terms of schools, crime, etc.) and are caught in a vicious cycle where they can't leave sometimes horrible apartments and landlords because they can't afford a new security deposit and moving expenses, let alone rents on more desirable areas of the city. The Monroe County region is actually fairly diverse, but minorities and people living below the median income are concentrated in the city, particularly in "bad" neighborhoods while Caucasians and those at or above median income are almost entirely segregated in the suburbs.

Our systems work against eachother and make is very difficult to have safe, affordable housing. Combine that with the state of the schools and the system design keeps people in poverty. The attitude is often that it is the tenants fault but they are trapped in an ineffective system so even those who advocate and try to seek clarity get stuck.

Pleased that Fair Housing issues are being assessed.

See 2 above. Somehow the Rochester housing Authority and various towns must fins a way with the city to develop a metro fair housing plan and strategy. otherwise, fair housing is going nowhere.

t

there are some housing groups and rochester such as RHA but again they have a long waiting list that they are unsure when it's going to open up again, the Paul has some affordable housing units for disabled people, but they are very restrictive on who can live there, the Housing Council has an affordable housing list but once again it caters to senior citizens and disabled people, if there are any on that list for families again you have to be on a waiting list or have a satisfactory background check everytime there's something new being built its always Lofts. this is creating more of a divide between the rich and the poor rochester.

This survey instrument is severely flawed because it is not clear if you are referring to the city of Rochester or "Rochester area" or Monroe County. The geographical designation makes a major difference as to how one would answer these questions.

This survey is slanted - presuming gov't needs to do more in housing. FIX THE SCHOOLS INSTEAD

We rent to anyone that can qualify financially and will RESPECT the property. Those people are hard to find. Tenants paying for and respecting property are the 2 biggest concerns of any landlord.

FAIR HOUSING IN THE PRIVATE SECTOR

Table B.4
Are you aware of any questionable practices or barriers to fair housing choice in the rental housing market?

City of Rochester and Monroe County
2015 Fair Housing Survey Data

Comments:
Access to housing by race, familial status religion etc. affordability Age As someone with a physical disability, I have found access barriers to be extremely prevalent in apartments and ADA accessible apartments to be few and far between. Barriers; Challenges of obtaining 'documentation' of homelessness that satisfied RHA. On occasion aware that Highland Manor will discriminate based on a black persons felony status but not a white person with the same felony. A person that may have a felony DWI is prevented from accessing housing the same as someone whom has a felony for armed robbery- both forced to the slum lord for housing. city will only allow new properties to be enormous, which is cost prohibitive, which means only high priced options. Color COST OF RENTAL; ACCESS TO PUBLIC TRANSPORTATION, POOR CREDIT, PAST LEGAL RECORD ; EMPLOYMENT HISTORY//INCOME LEVEL Credit record checks. Overpricing for rental units. Large security deposits. minimum income required to rent. Asking for Co-signer DSS involvement families with children geographic red lining Hispanics face a barrier to fair housing. My mother-in-law speaks spanish and had assistance in setting up apptmts to see apartments. The property managment co/landlord was very nice at first. On at least 2 seperate occasions, as soon as they found out my motherinlaw is hispanic, suddenly the apartment was "not available" or they didn't answer the phone when the call came from my motherinlaws phone number...they did answer when it came from another phone number. Very terrible. I believe that racism and poverty affect a person's ability to have true free market choice of housing. This is an opinion. I have had the experience of making a phone call for someone else requesting a room and getting a response and then having the person themselves turned down once their voice is heard. I have seen "white" mentioned as a desirable characteristic in ads seeking renters in City newspaper and on craigslist. I think so

I would guess that this is happening: Refusing to rent based on surname, someone's accent/dialect.
 If someone can afford the rent and pass the background (violence and drug charges, etc.) than there is no issue renting to that person.
 if tenants have damaged property in past they will not get a good referral from past LI but possibly they actually "broke " things future in order to finally get it fixed after waiting years for working mailboxes, secure doors, washing machines. I have tenants now that destroy property hoping the LL will fix it, they won't be renewed, their credit will be mired and they will be at risk to be homeless. There needs to be education to tenants on how to speak effectively to a PM or LL vica versa. There also needs to be case worker drop in and Inspector drop ins on properties
 In a Craigslist ad it says please no "DSS" or welfare (socioeconomic status)
 Lack of responses by property managers based on surname.
 Landlords can easily screen and discriminate against renters they don't like
 Landlords continue to lie e.g. apartment no longer available, etc. in the interview process to an bar potential tenants of certain races
 Landlords discriminate against persons of color and persons of color have a very difficult time leverage real estate for investment purposes
 Landlords not accommodating individuals with disabilities
 Landlords refuse to rent to families sometimes with children under the age of 18.
 Landlords routinely discriminate and are not charged.
 landlords that don't want to rent to children
 Making it difficult for those with mental health or substance abuse to rent in some areas.
 My current apartment would not be accessible to a person in a wheelchair; it has narrow hallways / doorways and is on the second floor of a 4-unit + 2-business building.
 My husband and I were steered to housing in the hood when we went to fill out an application at a real estate office on Park Avenue back in the 1990s.
 Not enough low income housing. 4 1/2 year waiting list for a 2bedroom apartment though the rochester housing authority
 not enough units
 owners refuse to rent bec of renter's status as victim of domestic violence or being released from prison
 People who receive Section 8 or public assistance are relegated to impoverished neighborhoods.
 Race and color are used as a reason for biased opinions every day in the city.
 Racial discrimination
 Refusing to rent to someone on DSS or Section 8
 rental housing concentrated in high poverty area and families with young children have limited choices
 Renting to single women with children.
 Renting unsafe and dilapidated dwellings to minorities/poor because they are less likely to file complaints.
 Some rental properties are way too expensive for many City residents to be able to afford.
 Source of income, accessibility for disabled, some open discrimination toward persons based on race and presence of children.
 The concentration of affordable rental units in the City is an impediment to fair housing choice. Both incentives and penalties should be put in place to create additional affordable rental housing in the suburbs, especially housing for families (3-4 BR units).
 There are currently examples of housing discrimination of all classes currently in the City of Rochester.
 There are still racial and religious biases.
 There is not nearly enough affordable, accessible, integrated housing. Also, absentee landlords is a huge problem in Rochester.
 There is racial bias in renting. The denial is that the unit was just rented and no longer available.

Table B.5

Are you aware of any questionable practices or barriers to fair housing choice in the real estate industry?

City of Rochester and Monroe County
 2015 Fair Housing Survey Data

Comments:

Again, not nearly enough accessible housing!
 Agents showing minority home buyers drug houses and tenant occupied homes. Minorities not good enough to live elsewhere?
 As a single woman, I had difficulty finding a realtor who would work with me to buy my home. I did however find a great realtor.
 Credit history. Overpricing neighborhoods. All White neighborhood.
 families with children
 Families with children are restricted.
 I believe that, since there is such disparity in what people believe compared to what really takes place about racism, ethnic discrimination, and the like, real estate agents would most certainly feel at least a tug when guiding different people to different areas.
 I believe there is a lot of steering that goes on among Realtors, Corporate relocation offices, property managers and leasing agents, esp. to discourage middle class and more affluent white households from buying or renting in the City.
 I would guess that some realtors steer families with children to suburbs, rather than pointing them to resources re: City schools and alternatives; also, there might be assumptions made re: ability to afford homes in certain suburbs (i.e. eastside) based on race or color.
 if its family with children they should be in certain areas yes where there are more families but also elderly and singles are, it should be a good mix in each building..
 Lack of property managers to release information about locations until you have told them how many individuals are in the household.
 Limited showing based on race, gender identification
 Many property owners/managers are fearful of lead laws and may be discriminating against families with children under six.
 My husband went to an open house in Irondequoit and the seller was there in the basement, which was shocking and the Real Estate agent asked us how many children we had. That was probably 2-5 years ago.
 My impression is that real estate agents direct young couples and families to the suburbs rather than the city because of

assumptions about what people want for school districts, which infuriates me!!!
 No, if you can afford it, you can buy it. No one cares what your status is. Those that say differently, are using that as an excuse.
 only showing certain properties to white people, and steering white people into specific, predominantly-white areas.
 People move out of the city of rochester because of the school system.
 People of color (AA in particular) directed to housing in the City
 Realtors will try and make the most money and try and reserve some areas for referrals to maintain housing prices rather than serve
 a person's or family's need.
 Related to the example cited-Not showing homes in the City because the realtor has a (negative) opinion about the Rochester City
 Schools
 Same as above, very limited access to accessible homes in Monroe county.
 Same as above.
 steering
 steering clients based on prejudices even if not aware of them
 tenants fear "noise and destruction" from kid's.
 The Housing Council have a list of rental but they are always located in the City and in certain sections of the City.
 There are obviously unspoken agreements or understandings between people as to who can and can't live in certain
 neighborhoods.

Table B.6
Are you aware of any questionable practices or barriers to fair housing choice in the mortgage
and home lending industry?

City of Rochester and Monroe County
 2015 Fair Housing Survey Data

Comments:
Corrupt banks exploit vulnerable populations and get away with the practice. No bank officials serve time in prison even when there is proven corruption.
Credit history. Asking for Co-signer Always pushing 30yr mortgage to pay more interest
High poverty neighborhoods still may not be receiving the same services as the suburbs
Higher interest rates and some time turning down mortgage loans. One Real Estate guy told me that I would never own a home and did not show me many properties.
I actually feel women get a better break and men are suffering to find housing
i am familiar with HMDA data research that provides evidence that people of color are regularly receiving higher interest rate loans even when holding for income and credit scores.
I am sure this is happening but how can it be prove.
I believe that higher interest rates are offered to women or racial minorities, because lenders know that these types of groups do not have as much knowledge about the mortgage and home lending industry, and they take advantage of it.
I believe the term redlining is used to describe this practice.
I have heard of this, but have not experienced this.
I met someone who is suing a bank for offering him a higher rate than a white person even though he had better credit.
I would guess, not necessarily higher rates, but assumptions about mortgage products based on race or color.
I've certainly read about this and the stories seem credible
Interest rates
It is well documented that minorities are routinely offered higher interest rates when compared to other groups regardless of credit scores
Lack of knowledge and no testing to ensure that it is not happening.
Loans being denied to people of color even if income is not an issue
Minority households are more likely to be served with subprime mortgage products which involve higher rates and fees than white households with similar financial circumstances and credit scores.
MIP/PMI is higher on loans to minorities and female head of households.
Mortgage and loan availability based on race
mortgage lending and insurance are both difficult to obtain in some neighborhoods and price higher
not enough options for people with limited resources
Offering higher interest rates to women or racial minorities, sub-prime lending
Rate differences by race
red lining
redlining and sub-prime lending
reverse discrimination or refusing to lend to landlords
See previous answer regarding mortgage approvals for divorced persons.
Some lending institutions not providing mortgages to condo purchasers.
Taking advantage of the elderly, uneducated and those with bad credit or in the process of correcting their bad credit.
There are serious issues related to lending to minorities and women. And there are a number of homes being foreclosed on that shouldn't be.
There is still difference in rates based on race.
This continues to be a problem, monitored by the Greater Rochester Community Reinvestment Coalition. Along with lending, access to affordable insurance is difficult in some neighborhoods.
This is researched.

Through News coverage

Women of color directed to City

You should only be allowed to own a home if you are able to show capacity to take care of the abode. Far too many people are lead to believe they can afford a home. All of one's discretionary income goes to taking care of the home. President Obama, real estate agents and HUD mis-lead the lower economic class into thinking they can and should be able to live in a house. Owning a house is a privilege - not a right- and it is a commitment to the greater community that you are going to "take care" of that real estate meaning that your discretionary income and personal time will not go to a smartphone bill or to partying, but to painting your house, buying a lawnmower, etc., doing the work to keep the structure in top shape.

Table B.7

Are you aware of any questionable practices or barriers to fair housing choice in the housing construction or accessible housing design fields?

City of Rochester and Monroe County
2015 Fair Housing Survey Data

Comments:

a lot of the new housing complexes are in Lofts, I suppose that they may have elevators inside, but they are definitely not built to suit people in wheelchairs they are catering to a certain type of people that they want to live there and its not people in wheelchairs. Access has been a huge barrier for me, both while renting (since 2009 in Rochester) and while searching for our first home. Accessible housing is difficult to access in the area. This leaves people in homes that they can not adequately use and increases their chances of institutionalization.

All developments and new construction should be "visit able" for access to family and friends with disabilities.

fair housing concerns are limited to housing built using public dollars

For example, the recent row/townhomes built on Plymouth Ave., just north of Main St., in downtown Rochester -- all of the homes have steps leading up to the front door. Many rehabbed buildings being turned into loft-style apartments may lack accessible elevators.

houses with heat systems that are remotely controlled such that tenants have no control over the temperature of their homes

Many are related to public and private businesses or service providers re entrances.

Many old buildings are "gradnfathered" in and therefore don't meet ADA needs.

Minimum options in suburbs

not enough accessible units

There is no wheel chair accessibility where I live and we have many elderlies alone upstairs wheelchair bound I feel wheel chair bound should be allowed to live among a mx and every Rental should have a couple aparts Handicap assessable in each, Bls equally so that you do not have all wheelchairs using folks in one building, or all elderly in one building or disabled because then that would make those building very vulnerable.

There is not enough accessible housing for people who are wheelchair users. When new buildings are built there are only a few apartments/housing available for people who are wheelchair users or the doors do not have automatic openers for the doors. The kitchens are very narrow and usually of a galley style design so people are not able to negotiate being in a kitchen. The bathrooms also have tubs in them in which a person with a disability is unable to use. The lack of any accessible housing is very frustrating being in Monroe county. The need is out there and the waiting lists are extremely long for someone who needs to have an accessible affordable apartment.

There needs to be universal design laws in place.

Universal design is a big issue to serve both differently-abled and senior households but the less obvious issue is the use of limited land with access to public transportation for higher-end rental housing and homeownership units (such as the Reserve project in Brighton) without any set-asides or provisions for creating mixed-income communities.

visitability and accessibility standards are not evenly implemented or enforced.

Table B.8

Are you aware of any questionable practices or barriers to fair housing choice in the home insurance industry?

City of Rochester and Monroe County
2015 Fair Housing Survey Data

Comments:

Cancelling of a 15 year home insurance policy after 2 break0ins in the City of Rochester.

color and single women

Cost of insurance for different homeowners is not public

Drive-bys in lower income neighborhoods and communities of color to check for property maintenance issues, which I would guess happen much less frequently in higher income communities. I would guess, that lower income home owners might get put in force placed insurance more quickly than higher income ones.

Have been told that home insurance can be denied if there is roof damage and owner cannot afford a new one or get a loan.

High poverty neighborhoods still may not be receiving the same services as the suburbs

higher interest rates for racial minorities

Homeowners insurance redlining definitely exists in the Rochester area. It currently seems to manifest in the denial or cancellation of homeowners insurance based on poor roof conditions or other exterior conditions. These underwriting standards seem to be applied more often to City properties than to comparable properties in suburban or rural areas, which has a disproportionate negative impact on minorities and people of color.

I had a hard time securing home owners insurance until I was able to show level of education.

I have worked in several grant programs where having home insurance is a requirement. Many times I have encountered individuals who cannot obtain home insurance in part on where they live.
 I suppose this would be complimentary to the practice of redlining.
 Limiting coverage/cost of coverage high in areas with greater populations of people of color
 Minority owners in my neighborhood have lost coverage without explanation
 People receiving higher rates of insurance based on potential issues with a given neighborhood or higher premium insurance based on credit score can be barriers.
 Policies cancelled for proximity to vacant houses; higher rates in certain zip code areas, policies cancelled or rates raised for victims of domestic violence.
 Targeting minorities in certain neighborhoods requiring roofs to be replaced when that is not needed and is not affordable
 They premiums are usually higher. They cancel insurance if your roof has what they call shingles looking buckled. Poor people do not have \$20,000 for a new roof. Inferior insurance is then offered that only cover the structure and not the contents inside your home.
 we have several clients who live in the city who are unable to find homeowners' insurance and we have never encountered this with our clients in the more white suburbs.

Table B.9
Are you aware of any questionable practices or barriers to fair housing choice in the home appraisal industry?

City of Rochester and Monroe County
 2015 Fair Housing Survey Data

Comments:
<p>Basing home values on the ethnic composition of neighborhoods happens in Rochester compare listings Decline of value of property. My home was appraised in 2005 and valued at 56,900. Today in 2014 its valued at about \$45,000. Families will not obtain a fair price for their homes which in turn will keep them from moving to a different neighborhood. Good neighbors, crime rate, quality schools. I can't say I have been aware of an impact on valuation, but I have seen the ethnic makeup of a neighborhood reference as a demographic in an appraisal. I guess this would complete the trifecta of question numbers 2 and 5. I think this is bad for the homeowners if their house is in good condition but the value of the house is determined by the neighborhood. Isn't that similar to blockbusting???? Its happening still everywhere Pricing is lower. White flight when minorities move in. redlining. There is some inherent, self-reinforcing issues here. Areas that are concentrated with certain levels of poverty, crime, or ethnic minorities consistently have lower housing values and prices, though part of this is also because areas with high crime, poor public transportation, or limited shopping / businesses may be less desirable. yes definitely houses located in the city of Rochester are valued way less than nicer areas of Monroe county.</p>

Table B.10
Are you aware of any questionable practices or barriers to fair housing choice in any other housing services?

City of Rochester and Monroe County
 2015 Fair Housing Survey Data

Comments:
<p>City code enforcement. city will only allow new properties to be enormous, which is cost prohibitive, which means only high priced options. Clear process around checking for Code violations and having listing that appear be with in code approval Difficulty to obtain low cost housing in places other than the City of Rochester leading to concentrated areas of poverty (in mostly minority neighborhoods). Emergency Shelters need help, they need grants, they need workers, not just charitable donations of old bedding , furniture , so forth but to be Shelters people feel safe enough to stay in long enough to get educated, in housekeeping, managing finances, working through conflict so forth in otherwise the people will keep flocking to the Park In tents in protest Housing the homeless and people with mental illness, who are in poverty is a major issue. How long can a house be vacant and board up before it can be torn down. I don't think the city is doing enough to keep landlords in check. There are many absentee landlords, and there are many more landlords who do not maintain properties, are not courteous to the homeowners who surround their rental properties, and who do not take responsibility for the tenants they rent to. Many families are leaving the city, and this is because of a sharp turn in suburban landlords who buy houses in the city and rent them as a secondary income stream. They don't live in the city, so they don't care about the day-to-day actions of their tenants (example: irresponsible college students/young adults with house parties and way more roommates than the property can safely hold). They don't invest in the neighborhood or upkeep the property. And they have little respect for those families who have invested and are homeowners in their neighborhood. You should have to be</p>

licensed to be a landlord, and you should be responsible for the actions of the tenants you rent to. The suburban absentee landlord is running our city neighborhoods.

investors constantly oudbidding families to convert homes to student housing

our maintenance and our staff was almost never there in office everyday when we need to ask questions. only two times a week. they don't rarely answer their phones. :(

Practices related to Rochester Housing Authority when tenants have problems related to housing issues including continuation of benefit, lack of adequate understanding re reasonable accommodation, tenants needing legal services, overall tenants facing a complex system with little attention to the need for assistance related to their situation often involving stress related to poverty. Property managers should be held accountable for maintaining the properties they oversee in the cases where the property owner is out of town or country.

Senior housing units do not always allow children, so kinship caregivers have limited options.

The Greater Rochester Housing Partnership (GRHP) will not clear title in the sale of houses to low income buyers as would be required by ANY seller in Monroe County. Sometimes grant money will cover the extra insurance required when this is the case but that is not always available. Though low income individuals are not a protected class outside NYC, GRHP should be treating City of Rochester low income buyers the same as ANY buyer in the normal course of business - using the same standards they would require if they were personally/individually buying a house. Currently, this is not the case.

The housing agencies serving low income neighborhoods in the City face chronic budget challenges due to reductions in federal and state housing assistance programs. The City and County should direct additional resources to these organizations for housing counseling and advocacy services to better assist minorities and people of color with accessing all available housing opportunities.

The issue of condemned or boarded properties NEEDS to be addressed. Properties need to be re built, updated, housing shortages, lack of clean, roach, rodent free properties are limited.

there are some affordable housing options available for senior citizens of rochester. there are also some options for the disabled population. But there are not a lot of options for the younger generations of rochester. Especially with families. and in the end, children end up suffering or growing up in less than favorable neighborhoods and housing because their parents are struggling to get by.

There is not enough enforcement of violations on properties in the City of Rochester, and there very well be in the outlying areas as well.

Yes, there is too much public housing offered. It decreases the economic and social and safety of the surrounding areas. Plus, it encourages people to utilize these free services rather than to work and better themselves.

FAIR HOUSING IN THE PUBLIC SECTOR

Table B.11

Are you aware of any questionable practices or barriers to fair housing choice in land use policies?

City of Rochester and Monroe County
2015 Fair Housing Survey Data

Comments:

Affordable housing for those in poverty is very limited in the city and basically non-existent in the suburbs.

city will only allow new properties to be enormous, which is cost prohibitive, which means only high priced options.

Concentration of "affordable housing in certain areas of the city which results in even greater concentration of poverty.

Governments can set zoning regs to dictate population

Huge problem. Areas in northeast and northwest in Rochester best example of placing many of the poorest which often mean people of color in these areas. This has also meant that job creation as well as small I businesses in these neighborhoods is usually restricted to very inadequate convenience stores that are places involving drug uses, There appears to be a very conscious effort to avoid placing affordable housing in more affluent neighborhoods. This is also very mcuh part of a recent plan to upscale downtown in order to attract the more wealthy. the subsidized housing built downtown years ago is not iintegrated into the current new development but stands alone with the poor and persons of color living in one space. This and the fact that the voucher section 8 options is not available due to lack of additional funding over last 5-6 years.

I am not aware of any of these particular laws but if they exist it is with good reason.

I think the City changed a lot of zoning to single family residential where it should allow duplexes.

Insufficient parcels zoned multifamily and site plan approval processes overly influenced by NIMBY concerns, unsupported by actual facts

low-income housing concentrated in Northeast Rochester

Many new developments don't include hoiuing options for low-income households, and are often unaffordable to the masses.

market rate housing that receives public dollars should be required to have an affordable component

More of an impediment in the surrounding towns.

Multi-family rental units destroy neighborhood communities because they cater to a transient population. If the multi-family housing unit are built they should be long-term lease or owned.

Need zoning that requires affordable units thru all towns.

restrictions between R-1 and R-2 neighborhoods in City zoning law

Some suburban towns refuse to put up low income housing.

suburban towns with zoning requirements for lot size (e.g.,Sweden).

The high concentration of families of color who live in poverty in the City, particularly the northeast quadrant. there are many more low income housing complexes in the city, though there are attempts to provide more options in the suburbs. There are too many vacant houses and we have people who can fill them. Yes renting to elderly , disabled without cars stating within walking to grocery , then blocking off areas to walk safely to grocery in snow piled up plowed, and not plowing so people can get mail and using fences to block people in.

Table B.12
Are you aware of any questionable practices or barriers to fair housing choice in zoning laws?

City of Rochester and Monroe County
2015 Fair Housing Survey Data

Comments:
<p>Actually there are too many Group home placements, I am surrounded by nieghbors from East House, Strong Ties, Life Span , Pathways and I did not sign up to live in a Recovery house. Tenants fo have a right to know if the Complex is 88% Recovering addicts, mentally ill, or elderly, especially if they want to be in a thriving community, it goes both ways</p> <p>Again, an impediment in the surrounding towns.</p> <p>City focus on single-family can reduce number of rental units</p> <p>city will only allow new properties to be enormous, which is cost prohibitive, which means only high priced options.</p> <p>Example cited.</p> <p>henrietta, pittsford, chili- housing ordinances that limit "family" with the specific aim being dispersing college students.</p> <p>However, there appears to be ample room (land and otherwise underutilized buildings) to house county citizens who are homeless.</p> <p>I am not aware of any of these particular laws but if they exist it is with good reason.</p> <p>Insufficient parcels zoned multifamily in upper income suburban areas; extreme NIMBY</p> <p>Its more the neighbors (NIMBY) than zoning laws.</p> <p>NE quadrant (beechwood/homestead heights area) being rezoned as part of the SE to appear more successful as a focused investment strategy. This rezoning impedes true neighborhood progress.</p> <p>restrictions on multi-family housing</p> <p>See above</p> <p>There is a problem with finding a place for those considered to be habitual sex offenders or having mental illnesses with violent tendencies a place to live.</p> <p>This is difficult, as group homes are protected by Supreme Court decision (1995?), and spacing or proximity to existing group homes should be the only restriction through zoning. Enforcement is a challenge.</p>

Table B.13
Are you aware of any questionable practices or barriers to fair housing choice in occupancy standards or health and safety codes?

City of Rochester and Monroe County
2015 Fair Housing Survey Data

Comments:
<p>anecdotal stories of landlords who don't maintain property and immigrants are afraid of losing their place to stay if they complain.</p> <p>Children are still getting lead poisoning.</p> <p>city will only allow new properties to be enormous, which is cost prohibitive, which means only high priced options.</p> <p>Code enforcement seems arbitrary, inconsistent, and left to the whims of individual inspectors. Trivial violations are cited in some cases, while significant violations are overlooked in others.</p> <p>Code violations not be enforced in many areas of the City.</p> <p>Codes are enforced only in rental property, not in owner-occupied</p> <p>Codes are inadequately enforced in low-income/minority neighborhoods in the city of Rochester.</p> <p>Codes aren't fairly enforced in City, including College Town.</p> <p>Good safety codes are there but grossly, inadequately enforced and slum land lords take advantage of it. Need more inspectors</p> <p>heating- see earlier response about remote thermostat control</p> <p>I am working with a client now who has stated that despite repeated attempts to address health and safety codes, her apartment has significant health and safety issues and the process for either enforcing a landlord to fix the property is not at all accessible, even for native English speakers.</p> <p>I don't believe that the standards are strictly enforced, for immigrant population rochester, due to the fact that they probably come from third world countries, and would not recognize violations as easily as an American citizen would.</p> <p>Landlords often unresponsive to risks of health and safety.</p> <p>Lead issues throughout the city</p> <p>Lead paint abate, net continues to be an issue</p> <p>many of my clients live in substandard housing. Issues include vermin, holes in walls, floors and stairs, unsafe appliances, no locks, inadequate windows. It is very hard to find minimally quality housing on low income or DSS rental assistance. There seems to be no enforcement of a basic standard.</p> <p>multiple people are forced to reside in small locations with high rents. Theyre forced to work several jobs for inadequate housing.</p> <p>not enforced for student rentals in 19th ward</p> <p>People who need housing assistance being refered to homes out of code or unlivable. Unclear code status in data bases that put renter in jepordy at move in and then fall to them, who have less resources, to figure out.</p> <p>Seems that properties in some areas do not meet standards.</p>

Student housing - any of it!
 The city does not have enough staff and muscle to inspect rental housing
 There are many suburban absentee landlords in the city who do not accurately account for the tenants living in their properties.
 Their tenants may have 3 people on the lease, but 6 are actually living there - and it is unsafe/unfair to the single family homeowners around them.
 Unavailability of resources to help renters with pest control.
 Yes, these laws exist with good reason.

Table B.14
Are you aware of any questionable practices or barriers to fair housing choice in property tax policies?

City of Rochester and Monroe County
 2015 Fair Housing Survey Data

Comments:
<p>Related to seeing many homes and businesses that are not accessible or have ramps that are home made. Even with funding from waiver programs landlords are not willing to upgrade their properties to ADA standards. Federal funding for affordable housing will continue to decline. The City needs to be more creative in finding alternate funding sources such as linkage fees from downtown development. Government should do outreach to property owners. I am not aware of any tax incentives or property assessment incentives that help address impediments or barriers in the housing market in this area. if the Complexes all live around Elderly facilities like St Anns , Life Span , Center For Independent Living there is no incentive to make the housing adaptable to elderly or disabled because people are mostly in Day programs In low income housing, there is not disposable income or funds available to do all reasonable accommodations. They can put a financial burden on the property. In some of our struggling neighborhoods, the taxes are an incredible burden to the families trying to invest and purchase homes there. We should do something to relieve the tax burden on lower-income families who are looking to become homeowners and invest in our neighborhoods. Lack of tax incentives for making reasonable accommodations or modifications for people with disabilities! There are no tax incentives for accommodating disabilities as far as I am aware. When someone mentions property taxes I don't think of suffering billionaires or millionaires. I think of school districts that should be adequately funded provided that they know how to use the funds adequately. Yes, these laws exist with good reason.</p>

Table B.15
Are you aware of any questionable practices or barriers to fair housing choice in the permitting process?

City of Rochester and Monroe County
 2015 Fair Housing Survey Data

Comments:
<p>As above It's difficult to communicate with the City about permitting. They might give you a link but it's hard to follow. LEP issues are constant issues that is still receiving very low attention from many private industry areas. Even public municipalities are struggling to come into compliance. LEP residents cant read the info in English Lucky if tenants get any notice at all about changes,in different languages never not even Spanish more transparency before sales Several families that speak other languages other than Spanish have difficulty. The example says it all, especially with the large # of immigrants moving into the city. There are many different languages that the properties do not have free access for translating on all the documents that are required. Yes, these laws exist with good reason. People can take the time to learn the English language.</p>

Table B.16
Are you aware of any questionable practices or barriers to fair housing choice in housing construction standards?

City of Rochester and Monroe County
 2015 Fair Housing Survey Data

Comments:
<p>Codes for Universal Design should be standard, at least for any project that gets any kind of government help. Ensuring that contracts go to qualified MWBE If funded through government programs, guidelines are clear - but they may not be enforced as well as should be. Privately funded projects may or may not be able to avoid these standards - more education is needed.</p>

Lack of accessible housing in Monroe county.
 Lack of or confusing guidelines for construction of accessible housing
 Maybe we need clear standards for housing construction that abides by fair housing law, and that these standards are easily accessible, along with training and technical assistance.
 publicly funded housing is held to standards that seem higher than privately funded housing
 The City does not have a Green Standard to ensure indoor air health quality.
 These laws exist and they are quite clear and strictly enforced.

Table B.17

Are you aware of any questionable practices or barriers to fair housing choice in neighborhood or community development policies?

City of Rochester and Monroe County
 2015 Fair Housing Survey Data

Comments:
<p>see previous answer above</p> <p>city will only allow new properties to be enormous, which is cost prohibitive, which means only high priced options.</p> <p>Downtown focus vs neighborhoods. City should involve the community in the community planning process. Needs to be more participatory; residents are the most knowledgeable about their neighborhoods. Market rate units developed downtown should be required to set aside, say 10%, of units at rent or sales price affordable to low or moderate income households.</p> <p>HUD needs to compare the AI for Rochester with that for Monroe County and see the inconsistencies, and then require the whole community to address the impediments, and enforce the changes.</p> <p>Hudson Ave. is in a shambles and that side of the city has been neglected for decades. Joseph Ave., Conkey Ave, the crescent or northeast side of the city has not received the attention that the southwedge and 19th ward have.</p> <p>I actually signed a 24 page lease that looked like a Nigerian Scam..stating No tenant shall discuss issues with another regarding property complaints, and no tenant shall converse or mingle with another, How are we going to have a community that cares if everyone is afraid to organize or problem solve, get together ,so forth and have community..All Complex issues are too be brought to only the Owners or Property manager who never is there and never follows through</p> <p>I feel that there is only development in certain parts of the city of Rochester such as the East Avenue area, the Park Avenue area, and now all of a sudden the downtown area. But all three of the areas mentioned above are unattainable for the average citizen of rochester. that is because certain people have a certain interest in these areas, and they are deciding that they want to build there. but places like Hudson Avenue Joseph Avenue Clinton Avenue Portland Avenue these areas are not being developed. And they are some of the Rougher neighborhoods of rochester . so I wonder why only certain parts of rochester are being encouraged to being developed while other areas are just rotting away.</p> <p>I have not seen much investment or general "push" toward rehabbing unused buildings for affordable housing.</p> <p>I live in Henrietta location HUD and they don't offer ASL interpreter in meetings if needed. I never know when the meeting starts.</p> <p>If a community or neighborhood has allowed itself to be deteriorated through lack of care, than it should be the same community members who work to build it back up.</p> <p>Impact of gentrification in many of our neighborhoods. Displacing the poor and making the concentration of poverty greater...Arts neighborhood and U of R new centers.</p> <p>Low income/affordable housing is only developed in areas that already provide the majority of affordable housing. Even in the city, it seems to continue to concentrate poverty by developing in already very low income neighborhoods (e.g., El Camino Estates - LIHTC requirements will keep this area below 50% AMI for years).</p> <p>resistance in suburbs to encourage low to mod income housing; housing for mentally disabled</p> <p>See 1 above.</p> <p>sometimes it is more advantageous to group peoples together, i.e. a community for disabled folks that feature a community center with extra amenities and space for having exercise classes or OT services;; or close to an urgent care center for high-risk vent patients (you would not want them living out in rural areas), etc.</p> <p>usually reduce the number of residences and increase costs; the downtown "development" is likely to gentrify the area</p> <p>Wealth changes a "neighborhood totally"; these that can't pay are evicted.</p> <p>Well known that the suburbs go out of their way to limit development of public/subsidized housing for low income people</p>

Table B.18

Are you aware of any barriers that limit access to government services, such as a lack of transportation or employment services?

City of Rochester and Monroe County
 2015 Fair Housing Survey Data

Comments:
<p>bus routes</p> <p>Bus routes have been reduced, and access to para transit is difficult.</p> <p>bus system</p> <p>Bus transportation often difficult, especially with children; route not direct, requiring transfers and waits</p> <p>Clearly many barriers to services exist but what they are depends on which services you are referring to (there are many). The question is not specific enough to be able to answer well.</p> <p>Easy wheelchair access to government buildings.</p> <p>Extreme poverty in our area. Minimal employment opportunities. Limited affordable transportation</p> <p>For those that do not speak english, this is always a barrier as there is not always a translator available or the translators available</p>

are not good.

General awareness, transportation, hours of operation relative to employment perhaps.

Government services are difficult to attain, transportation costs (bussing specifically) in Rochester has risen greatly in recent years.

Not enough employment opportunities for people in poverty or with limited skills. Limited rental assistance (I believe it is \$390 a person) from DHHS.

Hours and days of operation

I have seen the difficulties of families involved in foster care (both those who are biological and those who are fostering) accessing services

I never know if there's any employment services available.

If you want to work, you'll work, somehow, someday.

illogical transportation routes to prevent getting to work

inadequate public transportation

Individuals with disabilities have limited access to bus service. Getting worse with the removal of bus stops near their residences.

Irregular bus transportation to and from some suburbs.

Lack of access to public transportation.

lack of bus routes to services

Lack of direct and convenient public transportation between city and county

lack of good public transportation system

Lack of paratransit services is huge! The local transit authority continues to abandon people with disabilities in suburban and rural areas.

lack of transportation is an issue

Lack of transportation to services is a huge problem. Poorly delivered services (due to understaffing) is a big problem.

Lack of transportation will always be a concern for households living below the poverty line.

lack of transportation, lack of a means to contact such as a permanent address or cell phone, families in crisis whose priority may be elsewhere at the moment, language

Lack of transportation, lack of childcare, lack of clothing appropriate for professional employment.

Many of my clients frequently state they would be unable to work many available jobs without a car due to poor, limited, or infrequent public transportation. Many clients also express difficulty in accessing government services, such as DSS -- the process (which site offers what services, waiting in line, filling out paperwork, etc.) can be defeating.

Most of the families we serve lack transport and employment services and in order to get things done it takes long periods of time they do not have. They become discouraged before too long and end up losing their housing/

Nearly all govt. services require at least 2 buses. Not enough downtown on one bus line

Often transportation is restricted to factory and other business/employment opportunities that are beyond city limits. Creates limited employment for individuals without transportation.

Public affordable transportation is limited in the city and very limited in the Monroe County suburbs

Re transportation--need for urban riders advocacy group outside of Transit Authority. As for employment services-- Policies and practices in these areas by RHA are almost lacking. The usual minimal level of interaction by RHA staff contributes to this problem. In addition it is important to stress that a housing agency like RHA views its primary practice to focus almost exclusively on tenant continued eligibility which leaves no room for the more complex situation that always arises if a tenant is working or tries to start a small business on the internet. The lack of any real person to person contact by RHA staff as previously stated means an extreme lack of the opportunity for success. The current process allows for little problem solving in these situations. In addition the requirements by the RHA related to tax documents even if your small business has no profit as is almost always the case initially. Much of what the RHA does is paperwork related as their prime means of working with a tenant.

RTS has been steadily reducing bus stops, making people who rely on buses walk farther to use buses; very difficult for inner-city neighborhoods to get to jobs in suburbs if those jobs are not 9-5 type hours.

RTS not always efficient mode of transportation and more difficult from some parts of the city than others.

the bus system is based upon a spoke and wheel system which makes traveling to the suburbs very difficult because the additional time it takes to come into the core of the city and back out again to the suburbs.

The opening of a enclosed bus station was long overdue. RGRTA now needs to focus on creating routes that allow people to access gainful employment.

There is not a lack of but more the coordination and education that needs to be addressed.

there is the RTS bus service, but there are a lot of places in Rochester that the buses do not serve, and if they do serve the area the bus service does not run that well.

Transportation for individuals with disabilities is laborious and limited in Rochester (speaking on behalf of friends here-- though I have a disability, I drive myself)

Transportation is always an issue, less so now with improved public transportation.

transportation is only available to medical appointments. IF someone needs wheelchair transportation to get to places they are forced to pay large sums of money

transportation system wholly inadequate due to limited routes and the hub and spoke structure

transportation, access to and knowledge of how to use the internet

Transportation. When going through government services, transportation to appts is sometimes impossible.

Yes, the process on how to do things or obtain information is not readily available. the Rochester NY city website is not easy to use.

Table B.19

Are you aware of any questionable practices or barriers to fair housing choice in any other public administrative actions or regulations?

City of Rochester and Monroe County
2015 Fair Housing Survey Data

Comments:
<p>The political decisions to pursue the emphasis on upscale development with its years of tax breaks and favoring the wealthy proceed in a direction that goes against what we say we value. We know more now about what comprised bad development and sprawl but when it comes to the same old practices which again favor the more affluent. We should do development based on the principles we stand for. These principles should list what the primary problems are in the City and then do development based on how we can address these problems. We are not doing that. To do that we would have to make some major changes which would mean some of those used to getting more privilege would have to change. Also Housing should be a right which would go along way to achieve ending all of these barriers.</p> <p>Access to government services need to be streamlined. Even this survey for example, should be available by hardcopy to anyone that requests it.</p> <p>Access to home improvement grants. I need that roof so I can get better insurance. Everytime I call the City they say call back in January. I call the first week within Jan. they say they don't have any grant monies. The county says that their grants are for suburban residents and not City residents to call the City of Rochester. I tell them that I did. Just the run around. I believe the City, County and agencies like Pathstone get government monies and used them in other areas to offset their budgets are to pay their payrolls. They may even give grants to people they know. Without a full investigation who would know, anyone can fill out the paperwork to make them look like they are doing something.</p> <p>besides the corrupt hud program there is no community resources for fair housing.</p> <p>city will only allow new properties to be enormous, which is cost prohibitive, which means only high priced options.</p> <p>District should have final say in terms of hiring teachers not principal</p> <p>Enforcement across the board.</p> <p>Gentrification based on public policy forces out low income persons.</p> <p>High school/property taxes in the suburbs; multiple school districts in the county; the structure of the county legislature, too many members.</p> <p>I have not notice any Administrative Action/Regulation. It is needed.</p> <p>ignoring input from communities for development.</p> <p>market rate housing that receives public dollars should be required to have an affordable component</p> <p>Need more out reach to the community on government programs in the City of Rochester. Not everyone has access to a computer.</p> <p>Police come quickly in certain neighborhoods and don't come at all in others.</p> <p>Price</p> <p>Section 8 guidelines need to be overhauled.</p> <p>The DHS process is so tedious. Those looking to rent take so long to get approved by DHS or to have their rent payments switched that landlords don't want to deal with the hassle...as they often have delay in payment or have payments missed while the tenant is "certifying: or recertifying".</p> <p>The failure to seriously address poverty, with the commitment to wiping it out, is in my mind an administrative (perhaps "political" is a better word) inaction that sustains a cancerous problem.</p> <p>The inability of the County of Monroe / MC Legislature to consider a county school system. (see Q. 9 answer above)</p> <p>There is a lack of a place to go with issues in housing. I have attempted to use RHA and they are incredibly useless and difficult to get in touch with. If you want to make our neighborhoods safer/stronger, and you want to make fair housing more equitable being accessible to people needs to be a priority - which it is NOT for the RHA.</p> <p>transgender people and forms</p> <p>What the heck is RHA doing?</p> <p>Yes - process at DSS is cumbersome and frustrating even for me as a support. The systems between services and communities are not on the same page and end up undermining eachother.</p> <p>yes, the inability to deal with the homeless</p> <p>Yes. Right so, landlords have the right to not accept DSS or Section 8.</p>

Table B.20

Does the quality of the local public school district affect the location of where households choose to live??

City of Rochester and Monroe County
2015 Fair Housing Survey Data

Comments:
<p>self evident but of course that is also based on income</p> <p>"Good" and "bad" schools are known to parents and guardians</p> <p>A child's brain is organic and its limitations are organic. Either the brain is perfectly formed or it has been damaged by environmental, congenital, genetic or purposeful intention (such as a parent imposing alcohol or illegal drugs onto a fetus.) If an adult thinks otherwise than they are fools. The quality of the school district and the quality of teaching is pretty universal in Monroe county; the student's are the variable. Monroe County teachers are educated at all the same colleges. U of R graduates teach at City schools and teach at Pittsford schools; Nazareth grads teach at City schools and teach at Fairport schools; Brockport grads teach at City Schools and teach at Penfield schools. So teacher prep is equal. The City of Rochester does out the most per student aid of any area district and has the best teaching facilities. Also city schools have more technology per student than any suburban district. Households choose to live with people of like values. That is the essence of America.</p>

Quakers came to America so that they could live and worship together as a cohesive, insulated community. In Rochester, all Germans/Italians/Polish/Irish lived in cohesive ethnic and racial neighborhoods so they bring their children up with their religious, language, national values. This is the essence of why the Americas were populated. Households choose to live where there is no violence. Being a parent, it has nothing to do with the quality of the school district. The bottom line is violence and like values ...I never want my daughters to think that having a child out of wedlock and leeching off the public welfare is acceptable because it's deplorable.

A person may choose another property based on the school districts. Most are good. The following are poor 2, 4, 8, 9, 16, 17, 19, 20, 33, 45

Absolutely affects where people choose to live.

Absolutely. I myself would not choose to have my child attend a city of Rochester school. Unequal access to quality education is perpetuating a cycle of poverty, trapping low-income minorities in unsafe, poor neighborhoods.

As a UR employee, we are forgoing the first time homebuyer grants for the City of Rochester because of the extremely poor performance of RCSD-- that is a huge deterrent for us, as we hope to have children in the near future.

Brighton good; City poor

Census data shows that poverty is rising in the suburbs. In part this is due to lower income families moving to the suburbs so that their children can attend better schools.

Certain schools are run down and the housing in some areas look equivalent to Beirut.

Charter schools good, school #1,23, city is poor

City schools are huge factor in driving people away from City.

Families are moving out of the City because of the Rochester SD

Families who have means move to the suburbs, send their children to private or charter schools leaving the RCSD in its current situation as the worst performing school district in the state of NY

families with children and sufficient income to allow choice - elect to move out of Rochester to avoid the schools

Families with school age children routinely look for alternatives to the Rochester City Schools. A few RCSD schools are desirable, as are charter school options.

For families with children the choice of housing is always dependent upon the school district in which it is located. That's true everywhere.

From personal experience, I am already looking for permanent (non-rental) housing in areas based on school districts' performance / quality.

Generally, it is considered that the City of Rochester School district (RCSD) is NOT good, and ALL other (suburban) school districts are good. (If you want specifics for good suburban schools, I would pick Pittsford Mendon, Pittsford Sutherland, and Brighton, without question). This is a considerable problem for parents with school-age children, who start out living in the city, and then come school entry time, they move to the suburbs, if able. WITHIN the RCSD, there are a few schools that most parents would like their children to attend - #'s 12, 23, 46, World of Inquiry, School of the Arts, School without Walls. This again sets up a dichotomy for parents - "if I can't get my kids in here, then what do I do?" And without a choice of GOOD schools that all can attend, but also without the ability to leave the RCSD, you have many parents with children in schools, that truly just can't buy-in/support the schools. It's a big dilemma!!

Good - Pittsford, Brighton, Fairport, Penfield Poor - City of Rochester, Greece, Rush-Henrietta

Good elementary schools-#23; #58; #12; probably #15 ; probably #28 SOTA, International Baccalaureate middle and high schools

Good- All the ones on the east side -Good West side Spencerport, Hilton, Churchville.Chili, Greece Poor RCSD, Henrietta, Gates Chili

However, lower income people don't have much choice in terms of good affordable housing. If you have no choice, you also don't have much choice in the district your child goes to school

I believe families looking to buy a home or rent tend to consider the school district they would be in. Brighton, Pittsford are two desirable districts. Rochester school district and recently I have heard some things about Greece schools.

I couldn't raise kids in the City due to the UNCERTAINTY of them getting into one of the good schools.

I have heard couples say they have moved to certain neighborhoods because of the perceived quality of the schools for their children.

I think it's mainly the RCSD that is the most problematic, and when lower income families and people of color are limited to living in the city, this dramatically decreases their ability to improve economic opportunity for their children. Most middle class white families moving from the city go to the eastside districts, while families of color generally move to the westside districts; and so the segregation continues.

If a child can't get a quality education a family isn't going to want to live there. The city school district is an obvious poor district

If they can afford to make those choices. If one is very low income, there are very few choices and families remain within RCSD.

Expand Urban/Suburban program or increase access to affordable housing outside of the city.

In RCSD we see an exodus of students after grade 6.

Individual schools excel in the Rochester, like School 17, but the district as a whole is in need of supports. Suburban districts continue to lure households with school age children out of the city.

It is common to hear people say they choose to live in a place where the schools have a good reputation.

Lack of confidence in the city schools is the single-most reason why families I know have moved out of the city.

Location, indiscipline, poor test scores, inadequate funding, poor parental involvement, not enough investment by teachers.

Low performing and troubled schools have sent many families outside the city for housing.

Many exodus to suburban school districts to live.

Many families move out of the city to avoid RCSD homes. Suburbs like Penfield, Fairport, Brockport, Spencerport, Pittsford, Brighton are favored.

Many of my friends have moved to the suburbs once they had children as they are afraid to send their children to City Schools.

Many of our young family friends first buy a house in the city, but are on a mad-dash to leave and buy a house in the suburbs before their oldest is 5 because of the RCSD. Even the good RCSD have a PR problem, families flee because they don't want to send

their children there.

Most families here are here for School District

No because most of the folks I deal with cannot afford to live or choose to live elsewhere any way. Poverty traps them in Rochester City and the school is not a choice, survival takes over and eventually they drop out.

Of course!

OF course! Highly segregated community on race/ethnicity and economic class (which have high overlap). Pittsford and Brighton considered highly desirable because of schools. RCSD largely regarded as "anything but" by white families and all families middle class and higher. Families of means that can afford the tonier private/religious schools WILL live in the nicer parts of Rochester. Other families won't move to Rochester at all (or move out when their kids reach school age) if they can't afford private school.

Often I hear of residents choosing to send children to private schools when they live in the city. Pittsford, Penfield, Fairport, Honeoye Falls, and Brighton appear among the desirable school districts.

Our city school district is also one of the lowest in the state which perpetuates the poverty. Our children aren't prepared for college or the workforce. The city borders wealthier and successful school districts, but there is no affordable housing in those school districts.

Parents in the city with younger children who are concerned with the RCSD move out of the city as the children become school age. Parents want schools where graduation rates are high, schools that partner with parents when problems arise.

People are leaving the city or thinking of leaving because of the schools there. I personally feel that the schools are being blamed for a huge societal problem of poverty that goes largely unaddressed.

people choose to live in the suburbs because they have better school districts, rochester has the worst school district in all of Monroe County, many schools are being closed and restructured

People have moved out of the city or are reluctant to move into the city because of the RCSD. Brighton and Pittsford are seen as having good school districts and due in part to this perception it is more expensive to live in those towns.

People want safe schools with small classes without disruptive kids in them. Good districts include: Spencerport, Pittsford, Penfield, Victor, Brighton Poor districts include City, East Irondequoit, Gates, Churchville-Chili, East Rochester

Poor people have poor districts and poor educations available.

Quality of RCSD is definitely a factor for young or new families buying homes. Many are choosing to live in suburbs that border the city, so they can remain close to downtown but have access to good public schools (i.e. Brighton, West Irondequoit)

RCSD has a horrible reputation for educating students successfully

RCSD ranks as one of the worst districts in the COUNTRY :(

RCSD's poor performance pushes out families with the means to live in suburban districts with better outcomes, leaving behind the poorest who can't overcome obstacles to get their children in better schools.

Rochester City Schools can be improved if they had the will to stand up against standardized testing and bad pedagogy.

Rochester schools SUCK anyone with brains and money takes kids OUT

Rochester's public school district is the worst in NY state. If a family has the means they would a) choose a neighborhood with a higher performing school or b) move to the suburbs. The school district (at least the public's perception of it) is awful.

schools in chaos such as #45 schools with enriched programs such as SOTA, SWOW,

some families choose to move out of City

The city is stigmatized. No one wants their kids in the city schools

The city school district is one of the least desirable school districts in all of Monroe County. Especially with the lack of school transportation for students.

the city school district is the poorest in the region, yet the wealthiest is under five miles away- they also divide by race. basically rochester is a case study in apartheid schools.

The City Schools are generally regarded to be very poor and many people choose to not live in the City because of this

The highest rated public schools are in the affluent eastern suburbs.

The majority of high school are on the failing schools list. third grade reading levels are way below the state standard for elementary schools. Almost the complete failure of a city district in Rochester. Rochester School District needs the Governors help!

The perception of public school quality does not match the reality. Our family had 2 children graduate from the RCSD and go on to succeed at highly selective private colleges. The City of Rochester in partnership with the RCSD needs a public relations campaign to counter the persistent negative stereotypes presented in the media and perpetuated by many suburban residents. In addition, the RCSD needs to continue the reorganization efforts spearheaded by Dr. Vargas with the reduction of redundant staff and pointless bureaucracy at the Central Office and addition of FTEs in the schools and supportive services to help minority and lower income children succeed. There are many successful models that need to be replicated including SOTA, School Without Walls, School #15 and several of the Charter Schools. Continued expansion of the Urban/Suburban program is an important aspect of "leveling the playing field" but equally important is building attractive school options within the City which are accessible to suburban students and actually draw suburban students in.

The RCSD is the most depressing and dangerous sector of public life in Rochester. It is a public entity that has been allowed to produce citizens with very few skills, which is a direct contradiction to its supposed purpose.

The Rochester City School District has been struggling for many years to improve graduation rates. Parents with some financial means either move to a suburban school district, or they stay in the City but have child or children attend private schools. Several of our neighborhood friends selected that second option.

The school system is so awful, in general, that trying to be close to a charter school is important.

The suburban districts are labeled as quality school districts. Some areas of the city have schools that are in demand as well such as the Park Avenue area and Browncroft. RMSC Genesee Charter school is very popular. There seems to be a number of suburban students enrolled.

There is only one school district in Rochester. The others are in Monroe county. The city district has a poor reputation and abysmal test results. Many people choose to buy homes in the suburbs because they believe that the city district is very low quality and doesn't provide enough options for their students to learn and grow.

These is a time old adage. people strive to do better, so they can live somewhere better so their kids can go to a better school and do better than they did.

This is a major issue in Rochester. It is the main reason i personally chose to purchase a home in the suburbs. I would rather live in the city because of the culture and location to services but I didn't want to devote the perceived additional required time to make sure my children get the education they need.

This question is confusing because there is only one Rochester city school district. Do you mean Monroe County school districts? unequal distribution of and access to neighborhood schools

unsure which are good/bad, but we ourselves 1st switched to private school and then moved out of the city of rochester when the kindergarten teacher of a RSD school told us upon first meeting- when we expressed concern about the neighborhood - stated we should be more concerned about the other kids in the class than the neighborhood and should move or get private education for our child if we could afford it. It was not yet the first day of school and she was looking ready for a break-down.

We have award winning universal preschool programs, full day kindergarten, and yet the charter system has thrown a wrench in the magnet program. School choice seems a bit skewed as well.

Table B.21

Are you aware of any questionable practices or barriers in the maintenance of foreclosed vacant properties by mortgage lenders

Label

2015 Fair Housing Survey Data

Comments:
<p>Banks are notoriously lax in maintaining foreclosed properties in my neighborhood. They permit them to remain vacant & deteriorating for years in some cases prior to bringing them to auction sale.</p> <p>Example : Realtors that bought the Complex I am in, also bought 4 more properties after, while having never completed fixing up this property. They more than likely probably bought this, used the grace period to grab rents , skeletal crew, fixed up during grace period on GOV grants while pocketing higher rents, then will sell</p> <p>Flood of "Zombie Properties" held by banks are a blight and reduce neighborhood stability and neighboring property values. Hold banks accountable.</p> <p>foreclosures are not completed in some neighborhoods and not in others. Property is better maintained in some neighborhoods</p> <p>Hard to tell if it is a bank directive.</p> <p>Have witnessed neglect by lender of a foreclosed, vacant property in my neighborhood.</p> <p>houses going through foreclosure by banks/lenders seem to end up in limbo - taking years to go back on the market, often after they have been vandalized or severely deteriorated. I've seen this in the city and suburbs.</p> <p>I have seen news reports regarding zombie properties.</p> <p>I have seen properties that have not been maintained in the City Of Rochester</p> <p>I think this is going on in my town.</p> <p>I would just say that I see fewer homes in disrepair in more desirable neighborhoods than those in less desirable neighborhoods.</p> <p>Lack of maintenance standards for mortgage holders; difficulty in identifying responsible owners</p> <p>Lenders are failing to meet their obligations, esp. with regard to "zombie" properties in lower income neighborhoods with higher minority concentrations.</p> <p>Lenders not disposing of their REO properties in a timely manner and giving priority for disposition to community organizations</p> <p>Location, Location.</p> <p>look around, ghettoizing the suburbs</p> <p>look at minority neighborhoods</p> <p>Maintenance of such properties varies by income level and racial composition of neighborhood.</p> <p>Mortgage lenders not taking care of foreclosed properties in general is destructive to all neighborhoods.</p> <p>Read a lot about zombie properties.</p> <p>Reports suggest that this is occurring elsewhere. Assume it is occurring in Rochester</p> <p>The example is exactly what happens in the city of rochester. if the property is in a troubled area of the city, the bank ignores the property. city of rochester is currently trying to work with some banks on this exact issue.</p> <p>There are a lot of distressed homes in the city of Rochester.</p> <p>there are so many abandoned properties around Rochester, and it just makes the neighborhoods look very terrible. and they are not willing to fix up these properties. If they do fix up the property its because certain groups of people want to live there and they make them unattainable once they fix them up for the poor people of rochester.</p> <p>This also lower the value of your house</p> <p>This is a major issue. especially since it is very hard to learn what lending institution owns the home and the length of time it takes that institution to dispose of the property.</p> <p>Too many "zombie" properties, where banks have begun foreclosure process, evicted tenants/owners, and then failed to take title or to maintain the now-vacant properties.</p> <p>When mortgage lenders fail to maintain foreclosed properties this not only an eye sore it bring down the value of other properties and may also lead to criminal activities at that vacant property.</p>

C. MINUTES FROM FAIR HOUSING FORUMS AND FOCUS GROUPS

Fair Housing Forum 1 Group Session

Rob Gaudin: I just wanted to get your sense of what the city might be able to do about these things. This list is short and we might be able to make it longer. This is just the last couple of slides. What do you think we ought to do?

Comment 1: It is hard to think of what the city can do all by itself, because the housing market is regional. So it is hard to say what can the city do. The city could, the city could say that they do have a Fair Housing ordinance and they could amend it. It doesn't include source of income right now. It could be amended to include source of income. So that would help people on Section 8 and public assistance who are looking for housing within the city. Really that is not where the problem is. You really want the source of income protection outside of the city. So that is what I mean about it is hard because the city is already housing such a large percentage of the poverty population and such a large percentage of the minority population. So I feel for the city and they have their resources are declining at the same time when the needs are rising. So it is really hard for them. I do think they work in good faith. I have had a couple of issues come up with the city policies, but not a lot.

Comment 2: So you are saying the city policies are not causing this to be intensely more dramatic than it is.

Comment 3: The city let's say you did source of income protection. Do people understand what that is? So let's say the City Council amended their current ordinance and they added source of income as a protected class. Within the map of the city that Rob put up you might see disbursement away from the crescent. But you wouldn't be impacting those yellow areas outside the city. So I think it would be good if the city had income source.

Rob Gaudin: So what should the city do to draw in the county to get corporation?

Comment 4: That is very hard.

Comment 5: I actually don't understand what you mean by that. I am not a professional. I am just a citizen who came in.

Comment 6: Let's explain, because it is important. The protected classes are those things that the Fair Housing Act says that you can't discriminate against based upon race, disability, familial status. What is not covered right now in Rochester is source of income. So if you get the renters guide you are going to get ads that say no DSS, no section 8 and that is legal now. So if you change that then all landlords in the city would have to accept applications for housing from people regardless of whether they are on public assistance or Section 8 and screen those people the same way you would screen anybody, but then the city only has the city ordinance. That applies only within the city. So if we are trying to help people look at housing outside the city that is not going to help.

Comment 7: That is a good place to start though. If the city does it the county may follow. Discrimination doesn't only happen in the city. It happens all over.

Comment 8: Right and Rob showed us where the Section 8 certificates are being used. That certificate there is no legal reason why they can't be used outside the city, but it has really been

difficult. I know RHA has had times when they had mobility counseling where you are trying to counsel Section 8 families. It can be intimidating to go and look for housing outside the city if you have never done that before.

Comment 9: And all of your support network is people in the city.

Comment 10: Exactly. For people who don't have a car it is really really hard.

Comment 11: For the voucher program about 35 to 40 percent live in the low poverty areas and 60 to 64 percent live elsewhere.

Comment 12: I think that scores you guys really high. You are one of the better. That is one of the better performing ones around.

Comment 13: We cover five counties. We do Section 8 tenants that are in all five counties, but it is difficult for them and probably the biggest obstacle is transportation. That and family and schools, probably in that order.

Comment 14: Does the city have any transportation?

Comment 15: Being comfortable of your neighborhood and wanting to remain in that neighborhood even though that may not be the best.

Comment 16: Right it is a choice. As long and it is by choice.

Comment 17: It is custom and it is habit and those can be broken.

Comment 18: So choices are more voluntary than.

Comment 19: Sometimes there is not a choice.

Comment 20: It can be family and friends. It is hard to sometimes make that move.

Comment 21: The question too is how do you institute some of those things and not make it appear as it is some form of gentrification? Which is also a major fear and concern.

Comment 22: I think to include the people themselves that would want to own those houses and to describe what their own obstacles are and prescribe their own solutions.

Comment 23: Just thinking about the protected class and the source of their income, when you look and I have looked at those renters' guides. When you see no Section 8, DSS that says something to you. That is psychologically saying that I am not good enough. That I do not deserve this. I don't deserve that. So people need to look at that. In the city there are some street and some neighborhoods where there are nice rental properties and we have landlords and I don't know if they are big conglomerates or they are individual suburban landlords and they might be somebody in the city who owns that and they say I don't want those type of people living here. We need to talk to landlords about what you are saying to these people. What are saying that their children don't deserve to live on a clean street and that their children don't deserve to go to one of the good schools in the city.

Comment 24: That poor people cannot be a good tenant. That is what they are saying.

Comment 25: I am taking issue in what you are saying. I am not taking issue with what the city is doing. I am taking issue in what the city allows the landlords to do, because that is prohibitive to people who are struggling to pull themselves out of the situation. I think the source of income based restriction should be something that is presumed.

Comment 26: Right. Let the city do what it can realizing that you do what you can even if there is no one thing.

Comment 27: There is a financial incentive to own property in the city. You want to own property and you want to get your rent. So why are you being allowed to exclude people from living in this area of the city. It doesn't appear to be fair to me.

Comment 28: Some say they can't meet the physical code that the DSS requires.

Comment 29: I always worry too when you see that. That it is really a proxy for race. You see no DSS. That is a convenient way of telling a certain slice of the population to not even bother.

Comment 30: They say that the payment is slow, because of the bureaucracy which I can kind of believe.

Comment 31: What is slow?

Comment 32: The payments come through slowly because of bureaucracy.

Comment 33: If you are on DSS. Section 8 is like clockwork.

Comment 34: I am on Section 8 and I am living in a property that I am not really happy with. I like the location, but trying to move it is impossible now to find and I have always lived in this neighborhood and I don't want to leave it. It is almost impossible to find some place that will take Section 8. The company I live with they own most of the properties. It is all the apartment complexes in the area and there is no place to go and the private landlords don't want to take it. I have been told over and over again they just don't want to deal with Section 8. They don't want to have to do the things that they are asked to do. What they are asked to do is compliance with the housing standards. I have heard stories where inspectors tell people you have to paint this room a different color. I don't know if they are true. I don't know where that stuff comes from, but it...

Comment 35: No we don't make people paint rooms different colors.

Comment 36: I have been using Section 8 and I have never had that issue yet.

Comment 37: We work very hard with the City of Rochester to take our housing quality standards which are the guidelines that we inspect by and make those as close to possible with the CFO. So that landlords didn't have two different sets of criteria they have to meet. Granted there are a couple of differences that HUD makes us do that the city doesn't have to, but we have got that so close together right now that property owners should expect that. They have gone through the CFO process, but they don't have to go through it but every six years where they are going through it at an annual basis with us.

Comment 38: You check it annually?

Comment 39: We check it and before we can enter into a housing assistance payment contract with an owner it has to pass our inspection. It has to be in compliance. Then after that....

Comment 40: So every year you inspect? Do you have enough people to do that?

Comment 41: Yes we do, but if you ask them they could probably use another guy. HUD is moving towards biannual inspections we are a little reluctant to implement that because we don't want residents to suffer when conditions deteriorate. We find that in one years' time what are we going to find in two years? So we are trying to work on implementing something that is fair and still protects our residents and keeps our places safe and sanitary.

Comment 42: How many units do you have under your wing?

Comment 43: For Section 8 and our homeless programs we assist about 9,000 families and them for our public housing we have about 2,500 units. Which we own and manage.

Comment 44: Shelter Plus too.

Comment 45: That is part of the 9,000.

Comment 46: I don't know if this means anything, but it wasn't always like this. I hesitate to say this, but I have been on disability for much longer than I would like to have been on it. Actually would love to be at work, but I am not. So I have seen this change. It was much easier when I got on Section 8 to get housing than it is now. It is almost impossible.

Comment 47: In the past year we have issues 2,000 vouchers. So 2,000 new families out on the street looking for a new unit and at the same time that is going to impact the availability.

Comment 48: I am just saying because people don't want to take it. It used to be that people would take it like ten years ago.

Comment 49: That is the market place and we hear this a lot from landlords that out of the eight tenants I have the four I had to evict were all on DSS or on Section 8 so I am not taking any more. That is kind of that education piece we need to work on as far as and I am not saying any individual or person, but how can you change that perception or that likelihood of getting a bad tenant and screening that tenant is the same process.

Comment 50: Also the education of other. I went to the United Way and they had the Rochester Tenants Rights responsibility packet. That is hidden over on Prince Street by me on University Avenue. I don't think that is why we disappeared. It goes back to the education piece. People can only know what they have been taught. If you don't teach people how to be responsibly tenants then what are they going to do? They are going to practice the behaviors that maybe are bad that were taught by previous generations or what they picked up from their friends. I think that and I don't know if the RHA can hold a forum and teach people classes on a monthly basis or once every six months say we have this packet and you need to come here and listen to us read or whatever and discuss this packet with you to let you know you getting this voucher is not just your golden ticket. That you have some responsibilities that go along with this voucher and that one little session that you had one on one with that intact person is not really.

Comment 51: That is what Rob was talking about as far as funding for PHAs. The administrative rate was cut down to 65 percent and 69 percent just last year, two years ago

because of sequestration. So you are taking a third of that funding we use to operate every year away from us.

Comment 52: Sequestration is been a disaster. People can't work. I had a lady that wanted to down in New York City and I was like no way.

Comment 53: For 2015 it is up but it is only up to 75 percent. The extras that go a long way to making the program more successful you have to balance for what the requirements are and how you make it all mesh.

Comment 54: We have talked about volunteer opportunities because we are with the League of Women Voters and everybody want to help little kids read and everybody wants to help sick people, but there is a certain population that needs their quality of life to be increased and fulfilled. So maybe we can get volunteers to help you guys and if you would be open to doing something like that. I know she will talk to you more another time.

Comment 55: I thought and I was under the understanding that the Housing Council actually provided classes to tenants on how to be good tenants. I don't know if any of you guys have heard of those classes?

Comment 56: They used to do it.

Comment 57: I was required to go to one.

Comment 58: I think that the Urban League has something....

Comment 59: So the resources are actually out there and available for tenants. Do they know?

Comment 60: If they are not receiving it, it may be an inaccessibility issue.

Comment 61: So they are just not getting the information then.

Comment 62: There is a lack of awareness with a lot of folks.

Comment 63: It took me many years to actually learn what HUD was and all of these different things. I really had to educate myself and had to be interested enough to do that too to address the problems that were coming up with me. I tell people all of the time to go here and to go there. They don't even know what I am talking about. They have absolutely no ideas.

Comment 64: That came up on your survey. So many don't know, don't knows.

Rob Gaudin: So getting back to one of the original questions, what can the city do?

Comment 65: Help coordinate the resources that are available in the community and make those better known.

Comment 66: I hate to beat the horse about the housing stock, but if you look at the city and the project called Project Rain and they talked about converting some of the vacant lots for the houses that needed to be demolished and to an organized plan for urban gardens and a variety. Have you explored Project Green. Project Green does a really nice job on how to use the land, but it kind of a really great report siting on a shelf. Carlos Carpalia initiated it when he was in charge of business development. I think you should take a look at the data that came out of that in terms of land use and helping people be healthy where they are at, because I think that the

healthier people are the better chance that they will have to get an education and to not have a ADHD and all of those other kind of things that start that spiral. I would like to focus on the city's policy around its vacant housing stock. If they could make that housing stock more available to people to buy based on market demand. We have plenty of houses. It is not that we don't have houses.

Comment 67: Don't the land banks fall under that? What are the land banks that they are talking about?

Comment 68: Some of the properties will go to the land bank, but usually when they are targeted and it goes to the city auction and the city and the land bank picks them up. There has to be a need for them. So they act as a middle person to get the property and maybe acquire a big group of properties and sell them off in a package deal type thing. That is one of the things that they do. There isn't a lot of activity with the land bank going on. Everybody has too many other things to do and focus on.

Comment 69: My hope is to cut out all of the extra layers of the administration and the bureaucracy and people and choices and make that housing stock available to people that need housing in such a way that they can own it. As a policy making that stock available and the policy around that has to be you have to get market-rate for it, but name market-rate. I think it redefines how you get market-rate for that a based on the value of that property then people can be able to afford those properties. They will be able to move in there and invest in there and fix them up and keep them from drug houses. They need to demolish them 10 or 15 years later because nobody lives in them.

Comment 70: One of my concerns to with that market-rate thought is that the market-rate sometimes does not equate to the actual value of that property. So you can go and look at a property that might be valued at 45 to 50,000 and you go and actually look at the property and you look at the neighborhood, you think to yourself who in god's green earth would actually pay \$50,000 for this property?

Comment 71: So it is not really market-rate then?

Comment 72: No it is not.

Comment 73: But that is what they call the market-rate value.

Comment 74: That is the problem and well said.

Comment 75: It is redefining those values as well.

Comment 76: I think there is an answer in that for a lot of people.

Comment 77: One of the greatest examples is I have been looking at some properties for family members on Strayer Street. Some of those houses are being offered at \$45,000 and I have even seen one for \$60,000 go for Strayer Street. I am thinking to myself that that is not even worth \$5,000, but they are going for those prices.

Comment 78: Who is buying them?

Comment 79: They are asking those prices. Nobody. They are sitting there.

Comment 80: They are being offered at that rate and they can't be sold under?

Comment 81: They are not being sold. They are just sitting there and then all of a sudden you have this influx of people who are coming in and stealing things out of the property and making it worth less, because they have been sitting there for two or three years.

Comment 82: The city is establishing this market-rate?

Comment 83: Yes, there is a number and I don't know where it comes from. You probably know better and it is based on maybe past due taxes or what the city has into it or something like that, but it is not market-rate. It is not what the market will bear, which is based on what somebody, is willing to buy for that property verses somebody...

Comment 84: Then they have to come in with some money to rehab it.

Comment 85: Absolutely, but if they could at least get rid of that whole mystery number that they come up with and let the market decide then you will get people and private investors as well that will take out of their pocket and out into it. If you get rid of that as a policy I think you could make homes affordable.

Comment 86: You are saying that these are the houses that the city takes in tax foreclosures.

Comment 87: Yes or for other reasons as well. They have it in their inventory. The houses are physically reasonable shape and the longer they stay there because nobody buys them the more they deteriorate and the more they have to pay \$14,000 to demolish them. Then take the debris and pack it in. So stop that cycle when we have got the houses.

Comment 88: Have you seen any innovative policies around lending practices as far as cities getting involved with their own process or partnering with banks?

Rob Gaudin: In the last few years it really difficult because the banking industry has retracted itself from lending. It is making underwriting much more difficult. Some cities have had successful process to demolish homes.

Comment 89: They were doing a lot of that in Detroit.

Comment 90: Cost involvement.

Comment 91: Demolitions are expensive.

Comment 92: Environmental issues and the age of the properties and the buildings here, lead and asbestos are so costly. The city spent a lot of money in demo of properties.

Rob Gaudin: How much is a lot?

Comment 93: Per house. How much like \$30,000?

Comment 94: He probably knows.

Comment 95: It really depends on the environmental.

Rob Gaudin: I do know one company that was able to demolish homes using some kind of a model that they did it the exact same way for every house for \$5,000.

Comment 96: I heard that \$14,000 was the average demolitions.

Comment 97: I think when we demolish some of ours they were in the \$15,000 range.

Comment 98: How about incentives for homeownership in cities, such as out of town investors coming in and buying the properties?

Rob Gaudin: These and the questions you are asking now are more Consolidate Plan questions. Here we are trying to deal with slightly different issues, the denial rates or what is going on in the market place that we can stop or ways the city can facilitate production. Your idea about dealing with how they dispose of their stock that barrier is a good point, but what I am concerned with not really the problem is just not a city problem, but a regional problem. The convenient thing would be to at least reach out to the county in which Rochester resides and how do we get the County to come on board with the same results. How do we get the County to agree to do something with the city?

Comment 99: They won't do it. We have the worst county administration.

Comment 100: If people could take control of their own neighborhoods better and I am in the process of working with the Center for Urban Entrepreneurship when it opens. There is an innovative urban area of Rochester. HUD Section 3 work force to do community work and I think taking some of the housing stock that is worth saving and getting it off the cities inventory and putting people into it affordability, I think that could be a huge solution. I think if you are just looking for a way and notes on a paper to submit and say I think that these are great ideas so that you have meet your requirements to what you are doing. This probably won't go anywhere. What I am talking about is a lot of work on getting people to the table to decide that it is worth doing. So I am only offering that in the spirit if you are part of a real solution that is more than just a passing thought and look see this is what we think and moving on then it probably won't work. If you are part of a let's step up and we think this could help and this is a solution and develop it more fully. I am just floating an idea. Then I think we have a basis to do something.

Comment 101: I know that a couple of administrations go when Mayor Johnson was running the city. Part of the City of Rochester housing policy and you know they had their homeownership policy and your rental policy. Then there was a third leg to help city residents expand their choice of housing outside of the city. It was like how is the city going to do that? You know what they did? They gave loans to not-for-profit developers who were working on affordable housing outside the city and gave them their construction loans and their bridge loans. It wasn't, there were a lot of people said that you need to keep every dollar of our CDBG funds in the city. What are you doing helping somebody build housing outside the city. So it wasn't noncontroversial, but I always thought that that was really smart.

Comment 102: How did the neighborhoods respond?

Comment 103: You would really have to go and talk to the people. Actually I really did want to say that RHA did a fantastic thing in 1995 and around then when we were doing the prior AI, which was they took some of their Section 8 certificates and put them into proposed housing projects out in the suburbs.

Comment 104: There was a big push back in the late 90's to offer opportunities for residents to move to and take advantage of the five counties.

Comment 105: Going from one project to another doesn't sound like.

Comment 106: It was other complexes that were more receptive to taking Section 8.

Comment 107: You guys put converted some of your tenant based subsidies into project based.

Comment 108: We probably have about 1,000 project based voucher units that we are pushing outside of the city.

Comment 109: That is great because that way not only are you getting the housing outside of the city, but it is linked to the Section 8 program so you are getting city residents.

Comment 110: The Section 8 program is mostly seniors. I have seen an increase in senior housing.

Comment 111: That is a population trend in a lot of communities across the country is people are getting and the population is getting older in general and living longer. The need for elderly housing is just increasing.

Comment 112: Are those units within a complex that have to provide a certain number of units of affordable housing? Is that what you are talking about?

Comment 113: The money goes into the project and depending on how many certificates have been converted that is the number of apartments that are set aside for people on Section 8.

Comment 114: All of the projects are financed a little differently. Some are street vouchers, some are mixed finance.

Comment 115: A lot of them get money from the state.

Comment 116: So they are privately owned.

Comment 117: That is correct. There was one in Clarkson and one on Scottsville.

Comment 118: That would be awesome.

Comment 119: The question that you are trying to get us to focus on is more on...

Comment 120: Attitudes.

Comment 121: Fair housing and discrimination, am I correct?

Rob Gaudin: Well fair housing those are actions, omissions, and decisions which restrict housing choice due to protected class status. Sometimes there is a fine line between which is something that is kind of objectionable, but it is not against the law, but we kind of wish it to happen. Moving some of these Section 8 projects outside the city is probably a good thing given what we just saw. All of that concentration and the lack of development outside. So that is a great thing.

Comment 122: The problem that we have here in New York that you don't have here on the west coast is we have home rule. Do you know what home rule is? Home rule means and do you know how many jurisdictions in Monroe County have authority over land use? Thirty.

Every suburban town has their own town board. Their own planning board. Their own zoning. So if you wanted to get the whole county on board you would have to approach 30 different jurisdictions, well 29 the city is the 30th. I mean Home Rule is incredibly crippling.

Comment 123: That is what happened with the Urban Suburban. Home rule said no.

Comment 124: There are pros and cons to that right, because people get to define what goes on in their own neighborhood better. There are positives to that, but there are negatives too.

Comment 125: People use it to keep people out.

Comment 126: One of the best examples of that happening is what happens with the transportation systems where you think of places you will never see a RTS bus. Even though there is technically more jobs in certain areas.

Comment 127: They have restricted a lot of them.

Comment 128: Those towns and those municipalities have set an ordinance and code saying that we don't want busses out here at certain times or we don't want buses out here going to these areas. So they don't and people don't have access to those jobs.

Comment 129: It is a way to exclude people.

Comment 130: Definitely a way to excluded people.

Comment 131: They should not be able to restrict access to public transportation. That is ridiculous.

Comment 132: Also when Rob put the slide up, we all know pines of Perinton and Bridge Village. These are the suburban privately owned. The only reason those were built is because in the 1970's New York State had a law that said the Urban Development Corporation, which is a state agency could override suburban codes. That is the only way that those projects got built.

Comment 133: That law is not in effect anymore.

Comment 134: No it is not. It is not coming back. People went ape shit, excuse the language.

Comment 135: So what we are talking about is regional development. We have regional development entities in existence. What are their recommendations on holistically improving the nature of our region in regards to the issues that you just brought up?

Comment 136: I don't know.

Comment 137: Like Rochester regional development and others and may be bigger. I know there has been a focus on urban sprawl. There are a lot of folks that have been interested in that for a while.

Comment 138: That was all a part of the planning, Monroe County planning, regional planning and zoning and all of that.

Comment 139: Where does this what we are talking about fit in.

Comment 140: I don't know where we are today in the county.

Rob Gaudin: So it comes down to whether the city should try to take a position to do something regional? just advocates it.

Comment 141: Sure.

Rob Gaudin: As you suggest people need to be taught. Maybe they take that on and maybe they don't. See nothing but road blocks in front of us with all of the home rule thing as you describe it. It isn't called that in Oregon, but all of these...

Comment 142: But you guys do it by county right?

Rob Gaudin: No we do it exactly as the way you described it.

Comment 143: I think the western states were much better.

Rob Gaudin: The City of Portland has a multi county metro agency. I think it is an NPO and they set the zoning and all of that within that boundary, within the urban growth boundary. Outside that it is something else and beyond the four counties which includes Clark County and Washington. It is all get your own community and you have your own zoning.

Comment 144: Is there a possibility to look at things like the Community Reinvestment Act and how the City of Rochester may or may not be able to hold the banking industry accountable.

Rob Gaudin: CRA did and it will be a part of the document. I didn't present anything today. Largely the CRA says it is not investing in any low-income areas.

Comment 145: That adversely impacts their ratings

Rob Gaudin: I don't know how they do that.

Comment 146: That is their own version of cherry picking and redlining.

Rob Gaudin: Their definition of low-income might be 80 to 100 or 20 percent of median which gets the majority of them, but below 50 percent there is nothing.

Comment 147: You were asking earlier about how much the city is involved in public transportation.

Comment 148: I wasn't sure, but if it is dependent on each neighborhood to determine or local government to determine what streets they are going to operate on then how much control does the regional RTS have.

Comment 149: I don't know who governs where they go.

Comment 150: That is a regional design issue.

Comment 151: I think they are privately owned and I wonder if they receive funding from the government in part?

Comment 152: Possibly.

Comment 153: It seems like they would be responsible to provide transportation to people and they are making...

Comment 154: They just cut a route. There was a lady on TV complaining that they cut a route.

Comment 155: They are cutting routes to suburbs a lot so it is like and I was looking at moving just outside of the city somewhere and I couldn't because I didn't have reliable access to public transportation. So they are making it harder and harder to get to certain areas outside of the city.

Comment 156: Certain areas, employment, and housing.

Comment 157: I think about that. What about people who had a job there and now suddenly there is no bus line that was there for many years?

Comment 158: We have a problem with the city and the county.

Rob Gaudin: So the city, this is what I have heard unofficially. The city's solutions to over concentrations of things is redevelopment. Rehab and redevelopment. How do you feel about that?

Comment 159: It is to the magic answer.

Comment 160: It is a part of a mosaic of answers.

Comment 161: It is a start, but it is not the magic answer. We in this little group here have outlined five, six different other aspects or other items that are hindering people from finding decent places to live.

Comment 162: You are talking about and I keep coming back to breaking up the concentration of poverty. My brain keeps coming back to.

Comment 163: That is a good thing to keep coming back to, because it is the source of so many problems.

Comment 164: What occurred to me was with your idea of people being able to invest in homes. If people are invested in their homes, they are invested in their neighborhoods; they are invested in their communities. People start to care. Other people might want to move in. I know gentrification issue was brought up. Hopefully that would create different...

Comment 165: The mixture that you want.

Comment 166: Exactly.

Comment 167: It is a homeownership problem then you could do that. If you allow for some investors to buy up 15 properties in an area then you will have different characteristics.

Comment 168: Also financially and economically people are less and less being able to own their home and keep it up. They will go into it with all good intentions, but the economy doesn't support that. The taxes. The jobs.

Comment 169: Then we get into living wages.

Comment 170: It is a big vicious circle.

Comment 171: If people could get in the same way that their rent could be paid for I think it could get done.

Comment 172: I think out of one possibility is that reeducation of us that want to rent a house. I know in the big cities in New York, my aunt lived in rental housing her whole life. She would have never owned a house. She couldn't cope with that. If we could change that whole concept that it is ok to rent and you are not an aspiring enough to own a house.

Comment 173: I think renting is and the costs are always going to go up and you don't get to control where you live. I think the concept of renting is a good one for people on their way to have a more sustainable life, because you have to start there, but if you can start getting equity and you start being able to have a sore of values of something that you own. It kills me that people rent and buy brand new vehicles and backing them up to some other person driveway. When they are impoverished that kills me, because cars depreciate. We want people to increase their asset to help their financial picture over a lifetime and help decrease the poverty rate. How home ownership has often been the number one engines that people will use to drive that.

Comment 174: People I have known that have rented over the years have a sense of that. It just is not invested in a house. It is invested in their other lifestyles and things that they are doing and relationships and so forth. This is what I am trying to say is to make homeownership and I have four kids. One of them said to me oh I think I really should buy a house and this was just before the collapse. Remember how they were advertising. I looked at her and I said do you realize how you live and her economic situation. She is doing very well, but the point is there is no way she should own a house.

Comment 175: There were high pressure sales tactics.

Comment 176: People shouldn't have to live in a house if they really can't afford to keep it up and understand.

Comment 177: I think that one of the major issues here is we need to change the economic conditions that would make people want to come back into Rochester and bring jobs. I think the other thing that we need to do it we need to look at the existing housing stock and the businesses that are within certain neighborhoods and address that issue too. Whether there is to many convenience stores. We need to fix that issue. Whether there are older people living in those houses then maybe we need to supply them with the means and ability to maintain those housing stock a little bit better. If we can do that, I think there will be a sense of change within the Rochester community and the people might want to move back into the city and then really invest in the City of Rochester the way we need to and should. I think overall the economic conditions in Rochester does not say that this is what we should be doing, because there is nothing here. If you bring something here and I think the community would respond.

Comment 178: They are building lofts on East Avenue.

(Inaudible)

Comment 179: We also on the flipside need those children to be here to be the example. We all know that peer pressure is something that is major and if we get enough smart students to

say look we need to help bring you up then there will be changes in the education system too, but we have to have people that will be willing to do that as well.

Fair Housing Forum Group 2 Discussion

(Introductions)

Comment 1: Our biggest stone here is trying to get people out of institutions, group homes and wanting to get out on their own or out of nursing homes and finding that there is not enough housing that will accommodate people in wheel chairs and not everybody has that. These people and trying to get modifications in apartments and trying to find the apartment itself. I know one person and it took her three months to find an apartment. Actually it took her closer to six months because when she made the decision that was one of the things that were holding her up. We ended up getting her out two to three months after when we really wanted to get her out. It was like hitting a wall.

Comment 2: You are great fighters.

(Introductions)

Rob Gaudin: I don't really have an agenda. This is really about you expressing what you think the problems are and what you think the solutions might be. I really want to hear your perspective and commentary on at least some of our team impediments and what you think we ought to do about them.

Comment 3: So if you think that there is anything missing from the list we are certainly want to hearing about that. If any of those need to be refined. That is certainly the conversation could be about what can we do about any of these specific things. We all recognized that there is no magic bullet for any of these, but at least we want to have that conversation.

Comment 4: One of my big things is the plight of drugs in Rochester which is destroying our family and adding to the poverty level. I think that that has to be addressed.

Comment 5: Is there a breakdown of which one is the most to which one is the least?

Rob Gaudin: No not really. We could group them. I would like to start with 8, 9, and 10.

Comment 6: I would like to start with 3, but that's my expertise.

Rob Gaudin: We can come back. We can do that one first. What I would really like to flush out what we can do with these and what have been problems are over concentration of poverty, over concentration of assisted housing. What are your thoughts about these things?

Comment 7: I think there has been quite frankly a history in Rochester. Right now we are going to the weekend where we celebrate Martin Luther King and his birthday is today and we tend to look at those as issues of the South. However and I live in Brighton, I don't live in the city, but I am the first black family to live on this street and the house were built in the mid-60s. In the mid-60's they had covenants in the deeds where they would not sell to blacks or Jews. So it sparked a conversation amongst some other folks including some of the town leadership, but I had lunch with someone who has been a community leader here who said that when he

bought his house on the east side of Rochester, which is where the church is that, I serve. They have the same things in the deed except it had no Italians.

Comment 8: Yes.

Comment 9: I am talking about these are highly visible people and no one talk about this. No one talks about the legacy of when that happens. That was in all of our lifetimes.

Comment 10: That is currently illegal.

Comment 11: I said all. It is currently illegal, but the reality is for certain approve the time it was illegal then, but when this man bought his house he took the initiative that he would not sign the deed if it was still written in there.

Comment 12: Deed restrictions.

Comment 13: He also was an attorney so he knew his right. Everybody doesn't know that. What tends to happen is and I can remember one of the churches I serve and some of these areas that we talk about that are high concentration in these and there were times in the 60's where black people could not buy on the west side of Jefferson Avenue which is probably 98 percent black now. So to say that it is a concentration of poverty it is more than a concentration of poverty. When we look at for the average person the biggest source of building wealth is homeownership. If you are regulated to the lowest income part of the area. I had these issues. I have friends who are gung-ho for Habitat for Humanity and they invited me to their meeting. I said would you invest in a home where in 30 years it is worthless than what you put into it. Your kids go to the worst schools. Would you move there and I won't tell you the expression that the chair had. We have these things and we still continue to do the same stuff over and over again without really getting to the root causes.

Comment 14: There is being risk adverse and there is pretense. Real estate is not a sure thing. Prices can go up and prices can go down. There can be deflation as well as inflation. It is curiously strange if there isn't public policies. There used to be a public policy. If unemployment went below 6 percent this would cause undo inflation. You could see the economic markets react to unemployment rates of 6 percent, but then it was disproven in Austria where they had two years of 2 percent inflation and 2 percent unemployment.

Comment 15: What he says and you are not from Rochester, one of Rochester's dirty little secrets is George Eastman would not hire an Italian. So this city has felt prejudice in through the years and my concern I never felt prejudice. I am from Buffalo, New York. I am Catholic and in Buffalo the Catholics controlled so I never felt prejudice against Catholics. I never felt and a lot of places people do. My concern is people rise up every group that has come over, every group that has been prejudice against rises up economically and come out. There seems to be a horrendous hold back, especially on the African American community on what I call government controlled poverty. They are paid by the government by a certain stipend into staying in a certain place. In Rochester we are riddled with terrible schools so to be able to climb up out of this is horrendous. Drugs flow on the street. Our youth are brought into gangs and poor youth are very angry. Our children are hurting because their parents are suffering from addiction and there is no jobs out there. So I think in order to look at this terrible housing and this concentration in the city we have to start as a whole city and go after the schools as a whole city. As a whole city go after the drugs. As a whole city go after the governor. Go after

the Feds and say you bring jobs into this city. We are the third. Are we the third or are we the first on poverty?

Comment 16: For this size city we are number one however we also are number two in the number of and you keep talking education. We are number two in those with college degrees in poverty.

Comment 17: We don't have jobs.

Comment 18: As far as the drugs go and we have had a drug presentation at our church and James Wesley from the crime lab brought the numbers for those statistics, equal in numbers are people in the suburbs as in the city use drugs. Equal numbers except people in the city that use drugs go to jail. People who live in the suburbs who are predominantly white.

Comment 19: That doesn't make it right in the suburbs. It doesn't make it right in the city.

Comment 20: I am not saying that. I just want you and you seem to be focusing and your premise is.

Comment 21: The fuel. Part of the destructive fuel and we work with the families and see all of the pain and it is horrible.

Rob Gaudin: I think it is important for us to understand that we are working out of a couple of programs and we are trying to decide within this conversation on how do we use those resources to their best and highest and best uses first. Maybe she can talk a little bit about what those program guidelines are and I am not sure that all of those things that you are talking about we can resolve those differences with those.

Comment 22: Aren't they impediments?

Comment 23: When we talk about just say public services and being able to assist families for the dollars that we receive and that would really be covered by our AI. We are really looking at HOME dollars which is really responsible for housing units. We are looking at CDBG where you can do rehab of existing units, because you can't do new construction. You are looking at building roads and sidewalk so public works types of activities. It is though and can be used for job creation and job development so that is something can be taken into consideration. The other thing that or the other programs that are HOPWA and there is some very specific guidelines. You really have to have family member or the individual themselves have to be dealing with that particular challenge. The other is the ESG which is really assisting in support of the shelters or the repair of shelters that will be assisting people that are homeless. That is really the programing that the AI is covering.

Comment 24: Are you looking at our housing stock?

Comment 25: Are shelters exempted from housing standards?

Comment 26: No, no, no they do have to meet certain housing standards.

Comment 27: I know there are exemptions for scholarly for dormitories for educational facilities, but I have never seemed a formal distinction for a shelter. We have people sheltering out in tents apparently and maybe we still do.

Comment 28: There are folks that are out in tents at this very moment. However that is a choice because there are locations for people to go in the event that they choose to.

Comment 29: I understand that there are demands that they disclose their criminal activities and the drug taking activities and so forth.

Comment 30: Well particularly and one of the things that I do want to say.

Comment 31: It is self-incrimination standard for getting into those shelters.

Comment 32: I don't believe so. In the even...

Comment 33: I hope you sort that out.

Comment 34: Right now doing what we call in extreme weather conditions and we are in extreme weather conditions our code blue. That means that anytime that the temperature goes below 20 degrees the shelters in our area we relax their restrictions if you want to call it or their rules and allow people to come in.

Comment 35: I am asking about law. I don't know any laws that change the code.

Comment 36: We have great shelters.

Comment 37: We definitely have shelters and we have enough beds in our community to accommodate anyone who is homeless. In the other things is that there is for people who don't want to go into a shelter and they want to go into permanent housing there are outreach people out continuously offer assistance for apartments and the Housing Council that is sitting here they have staff that goes out on a regular basis as well as coordinated care services. They both have staff that goes out on a regular basis. Along with the county to offer all types of services and particularly try to get people from homelessness into permanent housing, but that is something that...

Comment 38: It is very very difficult because it is working in child protective you can get right there and take care of a child. Adults have rights. It is very hard to do that. You have to do mental health arrest. We have people that don't want to be.

Comment 39: Maybe we have leverage there for age discrimination that we are not giving priority services for adults as we are for children.

Comment 40: I will say our mayor did a very good job trying to help these people to get into shelters. Did everything in her power so they would not freeze, but you cannot by law pick up people and bring them in. This is a wonderful city for taking care.

Comment 41: ...to treat adults exactly the way your treat children.

Rob Gaudin: This gentleman position about our disabled community. You said number 3 on this list was what you could address. Could you just talk about that? This is actually a fair housing issue.

Comment 42: It is hard to find apartments. It is hard to find ones that are accessible. Everybody isn't built the same. Their chairs are different. Configurations, layout.

Rob Gaudin: What I hear you say is there is no accessible.

Comment 43: There is accessible, but you have not everybody is. You might have a person that is real big or real little and differ size maneuvering in the apartment space.

Rob Gaudin: So there is an inadequate supply.

Comment 44: Inadequate supply. The other thing is and I ran into a friend of mine who became part of the and she ended up in the criminal system. It took her, she was in Emergency Housing for a year and a half trying to find a complex that would take her because people who end up in the criminal system a lot of them won't take you because of your criminal record. There has to be, how are the people going to climb the ladder after they have overcome that problem, to climb the ladder to maybe go on to do bigger and better things?

Rob Gaudin: I am hearing you say that the city should construct some additional available housing?

Comment 45: There are two complexes in the city that are both 24 units. One is over on next door to what was and it is now called the Brighton, but we had three facilities in the city. We had original blossom which is now the Brightonian. Blossom South and Blossom North. They closed the one on Monroe Avenue, because of so many issues there, but the one over on Portland next to Rochester General is still there. That has 24 units and there is another one that is across the street from and now it is called the Northwest/ Northeast Prep School and that is 24 units. That is at one it is all people in wheel chairs and it was built with money that is no longer available at the federal level that address things like space and gave space more to accommodate people in wheel chairs and stuff. They just celebrated that was built 20 years ago. The money for that dried up.

Comment 46: My experience to date and that is roughly about 15 years is that the towers and pretty much any apartment building that is in the city in Rochester generally meets ADA requirements. What we see is the issue with fair market housing when we discuss that we usually mean the smaller landlords that own 10, 15 or 5 or 2 properties where they may have made some modifications, but they have no vehicle to announce that to a large population. What we see is folks with credit issues or criminal background issues when they applied to an apartment complex they have some pretty strict policies and they are finding it hard to get into those. The next resource is those fair market landlords who don't have a vehicle to announce. RCIL has done a phenomenal job; Jane Chase was great at keeping a list.

Comment 47: She is no longer there I think.

Comment 48: She is there. She is just doing home ownership now. You don't have a housing specialist now, but they maintain a small list. The Housing Council has published a list of available fair market landlords that generally may not have as stringent of policies in regard to screening applicants. That is a pretty well regulated and well used list throughout the community. We discussed internally for over ten years how we could address the needs of folks with disabilities through that, but as you stated a disability doesn't mean the same thing across the board. So it could be somebody who needs wider doorways or an accessible bathroom or it could be someone who just needs lower cupboards and being able to state what the units accessibility are geared towards. It becomes something that is now is it wheel chair accessible or is it designed or prepped for someone with a hearing disability.

Comment 49: You work if there is enough. He doesn't feel there is enough.

Comment 50: I don't know if there will ever be enough, because we are a service rich community and we have a very large population of folks with disabilities.

Rob Gaudin: I am hearing that there is a lack of ability to announce.

Comment 51: I think there are more units out there than we think there are, where folks have made modifications.

Rob Gaudin: Would you, the city, be interesting in some kind of a source, like a web source for those things?

Comment 52: Yes.

Comment 53: My issues are that in some complexes and there is an example, there is a complex on the corner of South and Alexander called South View Towers. Technically it is 150 units. There is actually in technically the way that they figure there is only technically on each floor two units that are if you are in a wheelchair that are accessible. The other aren't sometimes people modification are because they did that with a couple of apartments. I know two apartments that the F units and the L units were accessible. I know a couple of other units they did over the years.

Comment 54: Some high rises the one on South Clinton near Goodman which is a Path Stone. That was just redone. They also have the one on Saint Paul and that is accessible. I have had parishioner who live there who had disabilities and that is accessible. Unless you are adverse to high rises, because these are high rises.

Comment 55: High rises are OK, but sometimes I think people can move in an eventually because of other issues and stuff they can sometimes develop second and third conditions and they seem to draw a lot, high rises seem to draw a lot of people with mental hygiene issues. It is not a knock against it.

Comment 56: The one on East Main.

Comment 57: I brought HUD into that one.

Comment 58: I will say this. Our church takes care of a lot of poor people in the city. We feed on average 130 per day, six days a week. We give free clothing to 6,000 families a year. We have a free clinic. We are part of the Rain Program so we house homeless families four weeks a year. We do have a crew which has not been highly publicized, for homeowners who have become more disabled and need a ramp and we have a crew that will go around and put a ramp in.

Comment 59: It looks like they are going to try to coordinate something here. You have something going, kiddo.

Comment 60: At one time the Regional Center for Independent Living had a grant and where people who would need. We actually, but I don't know if we have a housing expert anymore, but his job was helping to coordinate people to build those. I knew about a couple of others.

Comment 61: Can I just say one thing. You had mentioned in your presentation about talking about education. I thought a lot about that because with all of the resources available, like the Housing Councils Agency and Eric Van Dusen was here from Neighborhood Works Rochester,

there are a lot of different groups in the community that are trying to educate on fair housing laws. One of the things that I have done in the past when you were talking about the HMDA data and the denial rates is that I don't know what the answer is because I think probably every other day I will talk to someone who is calling up about homeownership or calling for foreclosure prevention, because they can't make the payments. Wow, I didn't know this existed till I heard it from a friend or maybe a referral from another agency because that is where we get the most amounts of our referrals. I often think about how can we as an agency speaking for the Housing Council, how can we do better at educating folks. I know that we are not going to get to everybody, but I feel that when we do it does make an impact, but it is still an impediment that maybe we are getting the word out, but as you said it the lack of understanding. Maybe people do not comprehend it. I am not sure.

Comment 62: One of the other things we did was we had a housing fair. So we had people from mortgage lenders to people that did education to all of that, but that has been like two years and I have a few places that I refer people to.

Comment 63: It is actually a good idea, because we track our referrals coming in because we like to know what is working and what is not working. Do you know that housing fairs and outreaching events are your greatest source and you probably already know this? It is amazing the amount of people you can reach out to.

Comment 64: That was well received.

Comment 65: That showing the African American rejections on the same income and I know there are lots of variables. That was quite startling and I would think because of laws and the federal and their banking systems and that. That would be a main priority within the housing and the Federal Government to find out what.

Rob Gaudin: Some people reject this kind of denial.

Comment 66: We are citizens and we are not denying it.

Rob Gaudin: I am just reporting the numbers. The reality is it really is that. So what can we do about it?

Comment 67: Why is it denied by the Federal Government?

Comment 68: You are saying the denial rates for blacks and Hispanics are specifically talking about mortgage lending?

Comment 69: Right that was startling.

Comment 70: It is startling and I won't get into it. It is not really related, well it must be related to fair housing.

Comment 71: There could be other reasons, but I think all Americans have to know the reasons, because we want this racial thing to stop. We want to work together. When we see that the whites have got to stand up as strong as the African Americans saying do something.

Rob Gaudin: That is the challenge. What can the city do? I stood up in front of everybody and said it is like this everywhere and it is. So in our community, what can we do about our community? Really the only thing that you can do is figure out a way for outreach and

education for homebuyer training. Once you get in the home you have homeowner training. There is all of those pieces.

Comment 72: We understand.

Rob Gaudin: Like if you have a house, don't go buy a new car.

Comment 73: Those are and that is the homeowners fault. That is their fault, but are the banks? I think they are at fault and all and we got to know that they are in this and...

Comment 74: I think it is probably two things that we can do. I think without a doubt it is definitely a lot more education that could be done.

Comment 75: Is there a way since there seems to be a lot of different groups doing education that the groups could get together and figure out a way to better coordinate the education? That is one of the things that there is a problem with...

Rob Gaudin: What was your second thing?

Comment 76: Education and if we could figure out how to do it better. That is one thing. The other is we do have an organization that really goes through all of the HMDA data and really meet with the banks, the lenders to see what is going on and if there is exams that are taking place and needing a real scrutiny of what the lenders are actually doing as far as why the denial. That is something that could continue, but that is something that could be strengthening. I think to a certain degree they give the annual report and they do an annual report and anyone could come out and listen to their presentation, but I think that probably can be even more input. They usually go to all of the meetings with the lenders and maybe that is something that could be emphasized more by the city and for that matter the county playing a larger role in it. We have left it up to them to facilitate the whole process, but we may need to be or have a stronger voice.

Comment 77: It was just and I mean our whole economy almost crashed on bad loans and I understand where they have to be tight now, but same income and different color that didn't...

Rob Gaudin: This gentleman had a great idea about coordinating. You were talking about a certain thing, but I think from listening to all of you for outreach and education. You should be talking and it sounds like we have a great template to work with right there.

Comment 78: We haven't done it in a couple of years. So I am retiring in a couple of months, but as far as doing it I could set it up to do another one of those. We actually did it and one of the members actually connected us with someone in Albany. He works at one of the local radio station. We had some radio advertising and we had someone from the Housing Council there and we had a number of people from different banks and mortgage companies and different housing educational operations. It was well received. It is a matter of putting it all together.

Comment 79: One of the things that will be coming up in 2016 there is going to be a huge city housing, city living event, which will include inviting lenders and housing counseling agencies as well as management companies to come in and provide information. So there will be more information coming, but we really want it to be something huge come 2016. This is kind of a

deviation from what we have done in the past for City Living Sundays. This is going to be more expansive.

Comment 80: So do you have a location?

Comment 81: We are looking at locations coming up as we speak.

Comment 82: You would probably want a larger place.

Comment 83: We are looking at something huge.

Comment 84: Like to convention center.

Comment 85: It could be, but all things housing.

Comment 86: Part of that component is looking at ways to attract folks from the suburbs to move into the city. I think for a lot of people that is just crazy. Who is going to do that and we sort of operate on this whole model for a couple of years that none from outside the city wants to move into the city.

Comment 87: A lot are moving back there.

Comment 88: Things are changing and we want to tap into that.

Comment 89: We had a house in Brighton that we didn't get and the couple who own the home moved down across from Eastman, because they had an interest in an art gallery around the corner. I know and one of my former colleges, a form episcopal bishop and he has lived in four different places in the city.

Comment 90: The employer assisted Housing Initiative which is one of UR large homebuyer programs and particular the University of Rochester they have a program and participate where they will offer up to their benefit \$9,000 towards the purchase of a home. It is really concentrated in two neighborhoods.

Comment 91: U of R is coming up with the one.

Comment 92: What it is is U of R and it is lenders and it is also the City of Rochester. It has really made a difference particularly in the 19th ward.

Comment 93: That has been a challenge also in the 19th ward because of the impact of the University of Rochester they have pushed out some of the lower income housing that has been converted to student housing and because students are willing to pay more. There have been some issues.

Comment 94: There are without a doubt there are some issues as far as the infiltration of student housing, but at the same time there are a lot more people who are purchasing as home buyers as well because of that incentive from the University. You have to be a home owner to take advantage of that benefit.

Comment 95: As we sit here and try to make things better in housing with HUD I think our aim is to ride people out of government controlled poverty and subsidies into a higher economic level. I think that is somehow what we should constantly be keeping in mind to give

people a chance. That is why I push schools and I push jobs and I push away drugs and that. So not stay your whole life and get a chance to get out.

Comment 96: My experience is when I see, and I see them all the time, is the number of HUD complaints, the Division of Human Rights, we don't have any fair housing education programs on the books right now, but we receive more pre-complaint inquiries, significantly more than actually make it to HUD. I know that the Division of Human Rights is way more accessible here. It is local and it is not a Buffalo office, but I still think there are a lot of folks that are starting to walk down the path and get frustrated or something and never follow through with what is potentially a totally legitimate complaint.

Comment 97: What do you hear?

Comment 98: Racial discrimination, disability discrimination, familial status. I think we still have an ongoing issue with some landlords choosing not to rent to people who have children under six in their families, because of perceived lead paint issues.

Comment 99: That would be assumed. That drives me nuts.

Comment 100: There was a period of time where there were lots of commercials encouraging people to do that and that has stopped.

Comment 101: I know, but we you know...

Comment 102: I think there are a whole group of people out there potentially being discriminated against. They would potentially be better suited if they had somebody giving education or potentially given a position of advocacy through the process.

12/10/2014 Home Ownership Focus Group

Comment 1: So when you look at what you have out forward so far and the other cities that you have done and especially a comparable City to Rochester, are you seeing the same trend lines or is this unique to Rochester issue from your perspective?

Rob Gaudin: The degree to which the concentration you are facing is characteristic of previously industrial city who has lost a large part of its industrial base and others members of the community maybe have moved out of the town or the geographic area. So it is common through the rust belt. For other communities I would say in the southwest or the west I would say it is uncommon.

Comment 2: Are there any cities in the rust belt who face this and have started to turn the trends around?

Rob Gaudin: Yes.

Comment 3: I know that this is out of your scope of the conversation, but I am just curious.

Rob Gaudin: The kinds of challenges people face it is about trying to deal with poverty. Here is Rochester's poverty. It is increasing significantly. When we compare it to the county and the remainder it is 31 percent versus 7.9 percent. So the question we have now is how are we going to change this? Some communities have begun to generate investment in the city to change that. Here we have poverty in 2010 we are headed in the wrong direction. The

question becomes how do we bring wealth in or do we wish to export our poverty or do we want to grow from within? Can anyone address that?

Comment 4: If you are defining poverty, you are doing economic poverty, so are you using an economic scale?

Rob Gaudin: That is correct.

Comment 5: Are you asking are we trying to increase the wealth of people in poverty or are we trying to move them around?

Rob Gaudin: That is what I am asking you. Which do you think is the best path for you? We don't necessarily have to answer it today or find that path today, but other communities have had some success through gentrification, but then they also have to deal with displacement. So what is your experience?

Comment 6: When you talk about poverty are you saying poverty in this definition the federal poverty line or is this 80 percent of median?

Rob Gaudin: It would be the federal definition.

Comment 7: So actually those colors are 80 percent of median, the colors in the City of Rochester would be much darker? Eighty percent of median around here for a family of four is about 35,000 or 40,000.

Comment 8: You are saying that using a different threshold pattern would be more exaggerated?

Comment 9: It is even worse than that.

Rob Gaudin: If we were to take the city's definition rather than the countywide it would look definitely more concentrated in the city, but with definitional issues aside, what in your opinion is the proper path? Do we export poverty? Do we move people out of these two areas of opportunity or do we bring opportunity to these areas?

Comment 10: As someone who up until recently lived in and currently still works in a neighborhood that is undergoing gentrification, which a lot of us didn't want. It is forcing people out. We do have dislocation. We have new young professional of all races who cannot afford to live in our neighborhood anymore. People who can't buy because we have basically investors who get first dibs in the properties and they never even hit the multiple listing systems. So I don't see it as having been not really shaping up to be a positive thing for the ongoing diversity of the neighborhood which is something that we have valued very much. I believe that when the neighborhood stops being the next hot thing and all we have are upper income people the whole neighborhood collapses.

Rob Gaudin: What would you prefer to see?

Comment 11: I would prefer to see a way to maintain a diverse mix of incomes, races, family structures. What we have had in our neighborhood has been diversity across all the demographic characteristics and we are losing that now. It is not and I don't think that it is beneficial. It is short term beneficial, but long-term I don't think that it is.

Rob Gaudin: Does everyone share that same opinion?

Comment 12: I think part of the challenge with that and that part of the city whether it be Southeast part of the city, whether it be Highland Park or Southwest or nearby neighborhoods. That is kind of the entry point for people in the city for people in the suburbs that are interested in moving into the city. So, if we take away that attractiveness or that option there is not a lot of hope for other people moving into the city from the suburbs.

Comment 13: Part of what forced the shift in the South Wedge in particular is that the city has been on a very aggressive building promotion where they are promoting upper income housing. So we now have an upper income housing development right across the street from our office. There are plans to put another upper income housing development right along the river by the between the Susan B. Anthony Bridge and the 490 downtown. Right near the center of the city. So if you going to be pushing a lot of upper income housing into the neighborhood what happens to the people? We have people who cannot afford to live there. It is becoming, it is less expensive to live on Park Avenue in Rochester which used to be the very ritzy high-end neighborhood. It is cheaper to live there now than it is to live in the southwest.

Comment 14: Part of the growth in the South Wedge is the development of the University of Rochester who is our main employer and much of the ...

Comment 15: The University goes around the South Wedge.

Comment 16: Right, but the development is bringing the attraction to the South Wedge is the development that is surrounding the University and it is our main employer. So we have gone from Kodak who used to be our main employer to being a hospital and a university and being a college town, you are going to bring people from the suburbs or outside of our area to relocate to Rochester because of that. The South Wedge is part of the peripheral and making it commutable, walkable, and the elements of attractions to cities and the desire to bring the county back into the city is services and specialties and where you can walk. Park Avenue had that and they do, but now you have Mount Hope and University areas that are developing.

Comment 17: That comes from South Wedge and the University has done almost nothing with the South Wedge in partnership in anyway except to rope off the surrounding. They refuse to engage with us when we try to engage them. So the University, yes it is bringing a lot of employees into the area, but they have also gone and built a college town to serve their population. Their population by and large does not live in either the South Wedge or the 194. Their population lives in the burbs. I don't know how to put it other than what we had was a very diverse neighborhood and not just in terms of race, but in religion, age, material status, family structure, you name it we had it. We are moving it and we are becoming something that looks more like a suburban neighborhood and becoming unaffordable to people who have lived there for decades.

Comment 18: I am not sure that I totally agree with that. I see some of your points, but I wouldn't be so hard on the University. They are trying to do the right thing for their own employees. They have a huge number of employees. I think and I don't have a problem with gentrification contextually. My problem, as I see it, is it pushes the problem somewhere else. I will use my neighborhood, I live over in the Quentin area and a few years ago the police came through and they did a major bust in the Beechwood area and arrested a lot of gang members. Then suddenly my neighborhood had an increase in crime, because they had to go

somewhere. I guess my point here is unless we do something to help the folks that are currently in these neighborhoods either to buy or to maintain their ability to stay in the home. We are doing a disservice to the city if the South Wedge and I get the University of Rochester issue, but I think what happens with gentrification is it just pushes the problem somewhere else. Then possibly this concentration becomes even greater in a particular area, but we haven't even helped anybody except people that buy the homes. I want you people to come in and live in the city certainly, but at the same time I think we have to be foremost if the city is going to survive that the city residents can afford homes, can get into the homes, and can stay in the homes. I think that is our challenge.

Comment 19: I would agree and I would go back to Rob's question and the way it was phrased. You phrased it as an either or and I don't see the answer as an either or. I think you put on the first slide the word choice and I think that that is an important element here. I think we need to do something that help leave on the table choice for the folks that decide to live in a particular neighborhood because that is where their support network is. I think we need to do what we can to support them through economic development on a broad scale kind of approach is one kind of component. Another is that there are some folks that would choose to leave the city to move into the suburbs for better education, proximity to work, etc. that their support network might be different. So how do we help those? I am not going to bite the apple of choice. I am sorry either or I am saying that the context is broader than that.

(Presentation)

Comment 20: I'll take a stab at it in terms of one of the issues. I think that the Port Authority and the fact that a number of folks don't have income base for economic needs to afford to pay for housing. I don't know if it is a number one issue, but I think it is high on the list of things that is typical for individuals to afford housing and the purchasing of housing. Bad credit and those kinds of things I think also could contribute to the cause. Many of the folks who want to live in the city live from paycheck to paycheck. The issue that we really have to face even though I think that is a great thing for a college town, but you have to understand too that in the coming year the minimum wage is going to increase by 25 cents. I think that is a dollar a week or two dollars a week or 20 dollars a month. How much is that a significant increase for a family who can't afford anything? I think that is one of the things that can contribute to it.

Comment 21: I think one of the things and I am listening to your question. It is a tough conversation and that is the first problem that you are going to have. You have issues with the race, class, and culture. Generally in housing you don't talk about that. You just talk about a unit. So the simple answers would be why is there more rental housing in the city, because that is where development is. The housing partnership can develop well over 24 houses a year. A developer comes in and develops hundreds of rental units. So by defacto you are going to have a higher number and that is purposeful and there is a larger argument around and you presented two choices either or but it is simple containment or you spread it out. There is and it is not said a lot in terms of the suburbs, the suburbs are not going to take a lot of improved or move the poverty scale. You have to have that conversation and see what is the number that they can actually stand. You are going to go back historically over years. We tend to not talk about it. So what number are you actually going to move to the suburbs? Once you get a sense of what that number is then you have to have your other strategy or policies around what are you going to do with the folks. It is containment. Well keep it there that is the Northwind Village and the Beechwood argument all over again. The case that he was talking about was a

RICO Statute. Theoretically, if people were arrested the crime should not have moved because people who were arrested and committed the crime went to jail, but the perception was that no it just moved over to us and that can't be possible because they went to jail. So the issue is folks don't want to have any type of and they want to keep it in certain places. So what do we do now for the folks that are living there? The simple answer is how do we increase economic opportunity? If you are talking about just economic poverty and there's a number. So there is a number. How do we say for a family of three that is at \$19,790, are we trying to move the poverty scale and increase money into that family? That is a different kind of conversation so they can actually afford the home. I would have to defer to the folks for Nob Hill, when you talk about homeownership, how a person keeps a home. I have seen numbers from seven to 14 years. I haven't seen does the majority actually keep a home for their entire life? I have seen folks who just move around even when they are buying house. So there is a lot of data that we really don't look at as just antidotal as to how we are going to strategize with our scattered. We are thinking we are going to change the city strategy of the city's homeowner occupancy level to the county may be a pipedream. So we actually have to have realistic goals and a clear path to get there, but it is a tough conversation that is rooted in race, class, and culture.

Comment 22: Do you think that there is more nuances to the poverty than just beyond the economic side to it? Is there more to that story?

Comment 23: For the purpose of today I want to keep it simple. We are talking economic poverty because that is a whole different conversation. You are just talking about housing right now.

(Presentation)

Comment 24: I don't think there is a single reason why this is so much harder for the city. There could be a whole range of issues. There could be as he says a basic issues of race and perception and economics and condition of poverty and it is all different kinds of things mixed together. I don't know and I hesitate to go backwards here, but when she was talking about preserving the diversity of her neighborhood, she was saying it was a good thing, but when you were talking about Quentin you were saying a problem group of folks or population. She was saying a desirable population that mix, but you were saying there were bad things, issues. So I think we need to see that whether diversity of income or diversity of race is a good thing or a bad thing. I think that even within this room where we are all professionals that are involved in housing we see concentrations differently. These are very difficult conversations there. It is hard to put your hands around this. When I look at homeownership rates of 37 percent as opposed to 75 percent, part of me says and get might disagree with this, but part of me says that there are more people in the City of Rochester who perhaps shouldn't be homeowners. We don't want to put people in situations where they are going to fail as homeowners. What we want to do is have them in safe decent affordable housing that puts them near jobs and near schools that are high performing. So maybe homeownership shouldn't be our primary goal, but instead housing people appropriately should be our primary goal and if homeownership grows out of that fabulous, because I think that brings some economic stability to neighborhoods and to families. For me that is not the primary goal for housing. These are really tough things and there aren't going to be a single answer that works for everything. Which is why these studies are so hard to do and why they are so controversial. Even within this group of professionals we are not going to agree with what the goal is.

Comment 25: I think that that is OK.

Comment 26: Absolutely that is OK. I think is what it comes down to is that there is not a single set of answers. You have programs that work at preparing people for homeownership whatever it is through a credit union or through housing counseling or through financial literacy. You are working to help people move to homeownership if that is what is appropriate for them, but you also need to have rental opportunities so that people who are struggling with economic realities have someplace safe and clean and comfortable to go home to. You need lots of stuff and it is not a single answer.

Comment 27: I would guess and this is just a guess that if you look at these denial rates and you look at the denial rates for Rochester residents who have gone through the counseling programs around this table, I would bet that they are significantly lower. When the housing council does the prep or the urban league does the prep or her group does the prep or that you don't see those rates of denial. Maybe the answer is that we spend more time with people working on getting them ready for mortgages and that in fact is the impediment is that they don't have the financial literacy to get them in shape to be a homeowner.

Comment 28: I am going to address that because we do not have anyone that has gone through foreclosure, but the preparation that we give them is intense. They are going to be a successful homeowner. One of the problems that we find is the HOME Rochester does a fantastic job at rehabbing, but most of our economically limited consumers need to buy in the city. There are areas that you haven't gotten the chance to address yet that aren't just not appropriate for a person with a disability. There are people that have walked away from their homes. We have boarded up homes and those are deteriorating. The preparation is extremely important. That is what we find. Even though they are economically at the lower end they can be successful.

Comment 29: I think that that is a really good point about the denial rates here and how we can potentially address that. I guess I just want to point that out and one example of the types of things that could come out of this AI study, if you look at these charts and these maps it can feel kind of overwhelming. The trends and the concentration of poverty. It can feel overwhelming and you can think how are we going to do anything about this. I think it is important up front to set the expectation that there is no silver bullet. There is no magic solution that is going address all of these things. So let's not search for that. Let's look a little deeper to the little things that we can chip away at these trends and maybe some medium size things. So her example is maybe one that we can look too and maybe there are smaller examples that collective those small things can chip away. We won't solve this problem or completely eradicate it, but I think we can make some progress. That is an example of something that could come out of this study.

Rob Gaudin: I would agree with that.

(Presentation)

Comment 30: I am pretty sure that they studied it.

Rob Gaudin: You are pretty sure what?

Comment 31: The comment was that Empire Justice has studies some of this data. The study is being done and we have come up with a lot of the same data. The answers are more difficult as to why that is. I don't have and there is no easy answer as far as I can tell why those numbers are so much higher.

Rob Gaudin: I will say that I find this where ever I go and it depends more on the level, but blacks and Hispanics get denied more often than whites or non-Hispanics. Asians are typically the same as whites. It is a pandemic issue. Blacks get denied 30 percent of the time in the City of Rochester. Other geographic areas they might get denied 40 percent. To be honest with you this geographically speaking 8 to 10 percent is a low denial rate. One in Four or one in five being denied is moderately high. It is not extremely high. So overall these are good numbers, but the difference between the city and the remainder of the county is pronounced. It makes me wonder why that is. You might say that is due to income.

(Presentation)

Comment 32: I think it is interesting that they are not concentrated in the darkest blue in the highest poverty areas. Right that would be the market place and that is not where the vouchers are.

Comment 33: It is a mixed bag. There are some in the green and blue, lighter shades out here. You can still see the crescent pattern.

Comment 34: Maybe they are just housing units.

Comment 35: A lot of the housing in higher poverty areas doesn't pass the quality standards you need for the housing choice vouchers. Another part to your question is currently in the City of Rochester and the County of Monroe; you can legally discriminate against accepting the housing choice voucher.

Rob Gaudin: Maybe we need to make source of income a protected class in the city. Would that solve that?

Comment 36: Many of your answers are going to come from litigation. I was looking at your chart and you were showing us the dramatic decrease and a lot of relief comes through litigation. So there is a whole issue of red-lining. I am sure you have come across that in your data as to why certain groups can say or are discriminated against. That is a whole litigation discussion. The only relief seems to come from litigation where homogeneous groups don't tend to change on their own. There is something that has to happen. Again another discussion, but there are and it is complicated. The funny part is that you are asking very direct questions. I think that is helpful. Keep asking questions.

Rob Gaudin: The question I have here is should the city consider adding protections for source of income and that might enable voucher holders to locate elsewhere if they so desired to. Other things could go along with that as well.

Comment 37: What would that look like. So you are a private landlord and somebody wants to use a housing choice voucher to pay for their rent and the law prohibits discriminating against that as a source of income?

Rob Gaudin: Correct. In this particular case they could no longer say in the advertisement no Section 8.

Comment 38: The will is not there yet. That is the simple answer. Most things are what is the will and it is not there yet.

Comment 39: In places where that is illegal is that done at a municipality level, a county level, or a state level or any of the above?

Rob Gaudin: Any of the above.

(Presentation)

Comment 40: Can I ask a question and I just want to jump back on that prohibition on the source of income. Do you know of other cities that have put that in place and whether that has had an impact?

Rob Gaudin: The State of California has source of income as a protection. Some communities there it has worked and others it has not. Those that are not are involved in litigation, because some communities have said no Section 8 in open defiance. Other communities have managed to get an expectation to the rule related to housing vouchers. So it has had some positive effect in some communities and it hasn't worked in others.

Comment 41: It is strictly against the prohibition for the source of income and not the level of income?

Rob Gaudin: Correct. For the public housing units these tend to be concentrated also. If we go through the decision making process during siting, should we allow them to continue to locate in these or should we influence those decisions? Do we care?

Comment 42: I think we do care. The fundamental question is would the Rochester Housing Authority be in the position to build any additional housing? From my understanding the way the funding is working for public housing authorities across the country is capital dollars are really hard to find. So, in our community I think that the more powerful tool is not the location of new publically funded housing or Housing Authority housing; it is how you use Section 8. In this community the more powerful tool right now. Is that accurate? The Housing Authority is not in a position to build additional units right now. The capital just doesn't flow that way.

Comment 43: You also have the problem of one large waiting list for people trying to get on Section 8 for the rentals. Building more housing might just solve that. I don't think so.

Comment 44: I would like to hear what he has to say.

Comment 45: I will actually defer. You have one of the executive directors coming to one of the focus groups and a month ago he put out almost the exact report, but again I tend to make things simple because they are. Somebody has got to take the lead to challenge something that is very controversial. What happens is when it is controversial people won't take it on. So when we mentioned a month ago this very study in terms of how the city and the county are allowed to discriminate on Section 8 the amount of negative feedback that came back from not only landlords, but persons outside the city was incredible. So you are asking a person to really take on something. They have to have the will to do it. Again it has to be a person that will do it. It is complicated. It is not that simple. I like your questions, but it is very complicated.

Comment 46: I wonder when it comes to discrimination against Section 8 is there a way that we can turn the conversation a little bit differently instead of just looking at either do we allow people to discriminate or we don't allow them. Is there a way to allow or require them to allow that, but mitigate their concerns somehow? You know their concerns on what does it do to my

property? What does it do to my neighborhood? Is there some sort of compromise in between that helps to mitigate those concerns instead of yes or no dialog?

Comment 47: It is a longer conversation. It won't get mitigated in this conversation. There is a meeting scheduled not only with landlords, but with developers, because developers as they develop the property they actually are landlords. So you can actually hear the concerns of the landlords, because currently the perception of a Section 8 client is a poor person and if they come into my neighborhood they are going to affect my quality of life. So there is a whole marketing campaign that needs to happen on who is a Section 8 person. There is a perception right now that is actually fueling the discrimination.

Rob Gaudin: Some communities have created a class for Section 8 voucher holders. They go through this class to help with life skills. They can be certified and then landlords who accept them get a little bit extra on the voucher.

Comment 48: We already have it. There is a perception. That is not the issue. Even when you try to incentivize it there is a perception that poor people will affect my quality of life. That is whole different issue to deal with.

Rob Gaudin: You are suggesting we need an outreach and education program to resolve that.

Comment 49: There is a disconnect. I am saying it is a longer conversation that we are not going to be able to address in this impediments to housing conversation.

Comment 50: Why do you say that we can't address it in this focus group or in the larger picture in this whole study?

Comment 51: We can't address it in this.

Comment 53: It is a seed to plant for something to explore as part of this larger process.

Comment 54: It is a seed to plant to explore this larger process.

Comment 55: It is an impediment.

Comment 56: It is an impediment. The data is clear. All the data you presented is not new.

(Presentation)

Comment 57: It is because they are senior housing. They are much easier to site.

(Presentation)

Comment 58: I don't know, but I know that the amount of testing at least from our understanding there could be less testing now than there has been and that goes along with the awareness. I don't have any good reasons as to why people are not aware of it though.

(Presentation)

Comment 59: I am with a program that did fair housing testing for years and we were defunded. Is there any fair housing testing now?

Comment 60: My point was that we have not seen the levels of testing that there were. I am not aware of.

Comment 61: So we did have, the community had a fairly aggressive fair housing testing program that was run by a local lawyer who was committed and passionate about it. I don't think that program has been around for six years. So these don't know and missing information may be the result of people not knowing if anything replaced that pretty aggressive testing program that resulted in litigation and interesting litigation. There was litigation against non-profit housing owners as well as for profit. It was a great program. It was an uncomfortable program to sit in the meetings and hear about the results of the testing.

Comment 62: It was excellent. I was a part of that.

Comment 63: I don't think it was funded. So I don't think there is an aggressive testing right now.

Comment 64: Which maybe a relative effective way to hold the community to the fire. That might be a level of recommendation that trying to get financing to get together a testing program again.

(Presentation)

Comment 65: In the county maybe, but not the city.

Comment 66: Are you saying that there is more than one person made that statement?

Rob Gaudin: That is correct.

Comment 67: Define enormous.

Rob Gaudin: It is not defined for me.

Comment 68: There is the tiny house movement and we are thinking about it.

(Presentation)

Comment 69: That is definitely true. Most of the, a lot of them, I can't say with hard number, but there are a preponderance of group homes that seem to be in the southeast quadrant of the city.

(Presentation)

Comment 70: I would say we are aware of the issue around public transit and how important that really is and it is something I hear more about. That is something that I hope in future conversations can focus on. That is awfully important to focus on to get to food, to get to work, to get to healthcare.

Comment 71: We are finding out that a lot of the public bus stops have been removed now that we have and it means that is you have someone with a disability and they are relying on that bus stop right outside where they live. It is gone and that is definitely a change that is not going in the right direction.

Comment 72: I think that most or maybe all of us in this room would agree that we would like to see a deconcentration of poverty by moving some poverty outside of the city and into the suburbs. The challenge of that is the land use pattern and the lack of transportation in the suburbs is not conducive to folks who do not have a car. It is hard to make RCS work in the suburbs. That is not RCS's fault. That is land use pattern of the suburbs. That is their fault to a degree and so if you the more folks that you move out to the suburbs that are lower income that depend on public transportation it is more difficult to serve them. So it is a catch 22. We to look at ways to address that.

Comment 73: I would just offer that it is also an issue in the city.

Comment 74: Definitely.

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Comment 1: My experience points to two things. One it is all about the money. That is that you are talking about a poor population concentrated in the city where the housing is more affordable. The second piece of it is there is no plan that is zoned as of right to do multi-family in the suburbs. That is very very difficult to get projects approved, rental projects. We also do home ownership, but we do homeownership with funding that will no longer be available because of the way that HUD has structured the use of HOME dollars. Where we provide a \$35,000 breakdown on new constructed house. We partnered with the builder. The issue with that is you have to be pretty close to 80 percent AMI in order to be able to afford that house even with that break down. Those are folks that while they may be in a protected class, economically are not the poorest folks within the city. The city might actually like to retain some of those individuals, but for us we do this program as we do our rental housing outside the city as an issue of housing choice to be able to provide choice of location.

Rob Gaudin: At the beginning you indicated that some of the communities in the county make it challenging to build an apartment building. Can you explore that some more?

Comment 2: We have two projects in the Town of Brighton, which is known as a relatively high end liberal community at least in relative terms. We are the only affordable housing project in the Town of Brighton. One is a ten unit senior projects and the other is a 24 unit project for persons with developmental and physical disabilities. There have been other developments in the Town of Brighton, in fact there have been a lot of rental houses, but it is pretty much market-rate or senior housing that again is market-rate housing. We also have two developments side by side in the Town of Henrietta, which again is probably one of the more integrated suburbs, but that is in relative terms. Then we have one, no two projects in Orleans County, which is adjacent to the County of Monroe and that was working through the movie Deliverance as you would ever want to be. That being said I think that even in towns where they are willing to work with you and I have had pretty good experience in all of those towns for the most part with the boards and the supervisors. The amount that you have to do to work with the residents around the project and then the things that you need to do to make your building look pretty and when you are doing affordable housing and in the Town of Brighton they wanted us to put dormers on the roof of a single story building. It was purely for decoration and no matter how much I argued it was a zero sum gain in my line of work. We want to build an attractive building, but just to put a dormer or two on the top to make it look better meant that the residents were going to lose 10 square feet of apartment space. There is only so much money to do a project. So I think that there are a lot of hoops that you have to go

through in the towns. The other thing that I can tell you was that when we did the ten unit project in the Town of Brighton, we had to invite a circle of neighbors that totaled more than 250 people, 250 families for a ten unit of HUD Section 202 housing. So in the end we got through enough meetings and enough discussions so that when I had the open hours, the neighbors came and said that this was really nice and maybe my mother can live here. In fact one of the zoning people in the town mother lives in our building. The thing is there is a lot of misconceptions and a lot of time that you have to spend not only educating the surrounding neighbors, but the town officials as well. It is a tough job. The not-for-profit it is very tough to have those kinds of resources. We live on the development fee we make; we have no standing contract for administration. So my time gets paid for by getting projects done. So it is a challenge. Actually the city's most recent shift that downzoned everything out us in a similar situation in the city where often times now you are begging boards to do multi-family zoned land within the city itself. So it doesn't seem exclusive to the suburbs now.

Rob Gaudin: Now the communities outside the city, I am assuming that they have their own rules. Are they significantly different from one community to the next?

Comment 3: I don't know. That is a tough one to say. Some people clearly have minimum lot size or if they are in a rural area we are talking minimum acre sizes. They all focus around the same issue and that is the density of development and what is allowed. In Brighton, on our first project that actually did an incentivize zoning situation where there was a piece of land that bordered on the city and they created zoning specific to our site tied with us to be the only people who will own this building. So, it wasn't like you could turn around and sell it in the future. I think a lot of the rules are similar in terms of what they focus on. I think the levels of approvals and what the nature of those are approvals are different from town to town. So you know for example anything that even a rehab of the building is going to trigger an agricultural review board. I don't know if that would be true in Gates. I haven't done anything.

Comment 4: Brighton, the particular town that she is talking about is notorious for making people jump through hoops and that is not just for housing, but for any development that goes on there. There are different levels of ease that different towns have for projects, but what you had said are you saying the towns don't have multifamily zoning in place? I used to work in a town in my last job and I am sure we didn't at that point, but no one does?

Comment 5: Not in my experience. Your town was pretty good in terms of for senior housing. They knew they had a need for senior housing and they were willing to work through with you. There was a pretty vocal constituent for senior housing.

Comment 6: But you would have to come in and see the zoning. It wasn't like there was an area already designated?

Comment 7: No. No. Nowhere.

Comment 8: When it comes to development there are two main pieces to it. The design of the development and then there is the use that we are talking about. I would say generally speaking there is more variety in suburban town design standards. When it comes to uses there is not a lot of variety. There are very few towns if any that are allowing multi-family development.

Comment 9: It is interesting. A few years back I worked for an organization, Regional Opportunity Council. It was a five year program and it was moving Section 8 families in high

poverty Census tracts to low poverty Census tracts. So when we went into that experience we thought that the main barriers we were going to encounter were going to be on the landlord end. That was really only about half of the experience. The other half of the experience was on the tenant end. Tenants didn't want to move into certain locations for several different reasons. Transportation was a huge issue. The other one that we were not expecting was that although the suburban areas are devoted to low-density building. They are when it comes to residential; they are not when it comes to rental. So tenants actually live in higher density developments when they rent in the suburbs than when they do in the city and they didn't want that option. They could rent a single family house with a yard in the city where they would be in a 30, 40, 50 apartment building in the suburbs. So, those were some of the barriers that we were encountering in getting the tenants to want to make the change. Even when we had landlords that was willing to except them.

Comment 10: What is interesting is that you asked a question. Actually, monthly I hold a group of local elected and private officials to talk about the challenges that are in Monroe County and how we can work together. One of the subcommittees is housing, but you had asked the question why the demographic shifts in the city and why it is basically mainly black and Hispanic. I think that a lot of whites have moved out; number one because of schools. That is a major major challenge and it becomes a self-fulfilling prophecy When everyone moves out then the schools don't get any better, because the people who could make it better move. One of the things that this committee that I convene and talked about is and I feel and there are people around the table that may know more than I do and may agree or disagree is there just needs to be more affordable housing in the suburbs. I think it is a shame and I am from Rochester born and raised. I am embarrassed as a community that the separation between races in 2014. It would shock people that slide that you had just shown. There needs to be affordable housing in the suburbs period. Not just housing projects, but housing. Single family affordable housing where they can have a yard and so they don't feel like they are living on top of one another. So it is rental and well as homes that people can own that are affordable. You have to break up that concentration of poverty. Another thing is that one of the committees that one of the town supervisors set up and get talked about he built and he tells this story all the time. He built an affordable housing project in Gates and I think that it is called Commons. He said that the push back that he got from the residents was enough to make anyone embarrassed. It was we don't want these people down here. It is going to look like Jefferson Avenue. So there are some hearts and mind stuff that had to be changed. You can turn on the news here in Rochester and see what folks are saying about our urban suburban program. So there is a lot of layers there in terms of what I think in improving affordable housing. I think some of it is policy stuff, but I think a lot of it too is people who live in those areas may have preconceived notions of what comes with affordable housing. I don't know and probably none of it is true. It is a major obstacle and hurdle that we have to get around. I know elected officials they are responsive to their constituents and they get afraid and back off on some things that they know are right in their heart, but they are not going to push it because they don't want to upset their town residents. I think it takes a lot of courage. You are going to need a lot of courage from people who are in those outer lying areas to say wait a minute this is not going to turn the town into a terrible town because people are moving in. That is the perception that is hard.

Rob Gaudin: What policy levels are available to us? The last gentleman was talking that there are policies that can be played and I was wonder what those might be?

Comment 11: I think a lot of it and it may differ from town to town, but you have to work with those towns to ask them to look at their policies, whether it is zoning or other things that are there. Some of the more knowledgeable people around the table could speak to the state and how they go about their process of awarding affordable housing projects. I think that you have to look at the state level, but also at the local level.

Comment 12: In many ways the process itself leads to it. So the outlying towns do their planning based on their needs and they have no affordable housing needs because they don't have concentrations for low or moderate income families. So, because it is not a regional plan and it can be localized you can fairly well zone out or plan out balance. When we would think of as balance to them. What there is what they are preserving and the ratios that they find?

Rob Gaudin: This actually bears itself out when we look at poverty.

(Presentation)

Comment 13: As a City of Rochester tax payer I grit my teeth at every time someone talks about spending money to get people with money to move into the city. That drives me crazy, because it means that whatever the median household income that is in the city those are the tax payers that are putting out the cash to bring an alleged wealthy person from Pittsburgh in who is still probably going to patronize the business in Pittsburgh even if they deem to live in the city. I can tell you that is a really tough one for me as a housing professional as well as a city tax payer. We deal with this as a housing issue. The truth is it is an economic issue. It is a job issue. It is a job creation issue. You can provide, housing provides supports for people to have a more stabilized environment to be able to go to a job to be able to raise their children, but it doesn't make them wealthy. The thing about the city and I think that the city has done a great job in trying to promote homeownership within the city. The Home Rochester Program where they take foreclosed houses and rehab them and we are a developer in this program, but we do wonderful things with those houses. It puts property values back on tax roles that allow individuals to become homeowners. The piece that is missing in that it is very tough to build equity as a homeowner in the city. In fact you need to cross your fingers that your property doesn't lose value instead of increase in value. I can tell you I can take an 80 percent person and they buy a Home Rochester house in the city or they have enough money, because they are close enough to that 80 percent maximum to buy a new house in the suburbs. They are probably at the same amount of grant dollars involved in that in the price, but the difference is the house in the suburbs is that grant is instant equity. So they bought a house and it was \$120,000 and their mortgage was for \$35,000 less and they have to live in for ten years, but that house is worth \$120,000. I have built new houses in the city and we made people get mortgages for \$65,000 and then the city assessor came through and assessed that at \$50,000.

Comment 14: One of the elements behind that was oversupply. You shared our demographic information so since 2010 our population has increased about 200 people. So, 2013 it was about 200 people more and that is largely a result of downtown. So we are about 12 percent vacant in the city as a whole. If we rehab all of the vacant houses in the City of Rochester we would still be 12 percent vacant, because our population doesn't support the housing units we have in the County since 1970 has been flat as well. The City has lost population and the County has stayed flat. So we have those kinds of inequities that result in some of what she was saying produce vacancies, produce falling property values, and those kinds of issues.

Comment 15: I can fill those houses. The thing that is killing us is a lot of what has already been talked about and the housing stock that is available is not accessible. We have folks that are in institution right now because they have a disability and they can't get out because they have nowhere to go. There is not affordable accessible housing. There isn't just the housing stock for folks with disabilities. Zoning ordinances particularly in the city and everything new that is built and if we want to go pie in the sky. I want to see universal design for anything that is built with any kind of government assistance. You want to take that down a notch to visitable, OK. We are seeing with the trends of folks living longer and wanting to stay in their own homes that if you go universal design you will be able to stay in those houses longer or they will have higher resale value. With the Olmstead Plan that just got passed at the state level with the next three years or four years there is going to be 2,000 more people around the state coming out of institutions, because of the Olmstead Plan which is mandated by the Supreme Court. There isn't the housing stock. We go every year, the city and the county when they have the hearings on upgrade funding and just ask if you can set aside 30 percent of that for things like ramps and bathrooms to houses that already exist. That seems to and I just recycle the same speech every year, because it is the same need. I just put a different date on it. For housing that already exists and not even the new stuff. Obviously, the folks even on your end know that retrofitting cost more than doing it from the start, but we have that housing you are talking about if it is rehabbed and do it in an accessible manner and we have people to fill it.

Comment 16: Are folks now going outside to get there.

Comment 17: No and I will tell you what. For the reason you said one there still isn't that accessible housing, but the transportation. We are getting another group of people thanks to our transit authority who keeps shrinking service area. They run it like a business and not a public entity is so someone with a disability moves into an apartment complex in the suburbs that is accessible. They finally find a place to live based on the bus line and if their disability is severe enough then they use para-transit, which is based on if they are near a bus line. They contract that bus line then they are no longer eligible for the para-transit. I know a professor in Ogden who is a professor in the City of Rockport. All of a sudden, she didn't have transportation to get to the campus fortunately she was able to do all of her classes online now or she would be out of a job and she would lose her house. Only because the transit authority decided that not enough people ride this bus. So we are getting this story and they are huge that they are contracting the bus lines there and I get calls all the time from folks. I was eligible for para-transit and now I am not. I never even moved. So we are not seeing a lot of people going into the suburbs because of transit.

Comment 18: So unless you address the transportation issue you can build all of the affordable housing you want, but if they don't have cars ...

Comment 19: Definitely for transportation right now the city is definitely better because of the pair. I won't totally pile on RGRTA. I'll take a little bit of the pressure off. Look para-transit loses you a ton of money. I mean you need serious money for that and they which is really annoying and should be illegal. They do everything they can to not provide para-transit rides. It just costs them money and now they have this business model where they run it like a business. They run it like as if it was for-profit and that is not feasible cost wise. Understand and I get it, but we also have folks who can't get out of their own houses or they can't get out of an institution because they can't get to their own doctor's appointment.

Comment 20: I know we are talking about clientele being served and I fully agree with all of the affordability and accessibility talking on the supply side. I am trying to catch up on the main goal of fair housing. That was with certain protected classes and when I look at the list domestic violence is not listed. I was curious of in terms of the HUD regulation that there is the federal law of the Violence Against Women Act. New York State has a proposal and Monroe County has protection against domestic violence victims. So in terms of housing I didn't know where they fit in. I raise that because obviously when we look at Monroe County rates are twice that of the state and the City of Rochester their rates are three times that of the state in terms of domestic violence. That is an undercurrent. Our clients are denied. So, they have a very tough time when we are calling from Alternative for Women to find placement. There is a bias against survivors of domestic violence and there is discrimination that is happening. There is a nuisance laws. From a policy perspective because I have four minutes before I have to walk out. That I just wanted to make sure that was included or how domestic violence victims or victims of family violence are covered or protected in this discussion.

Comment 21: I have a question for you. When your people are denied because of past rental history or money or all of those things?

Comment 22: All of the above. When we call and if our case managers are with that individual and they will obviously call Legal Aid, because in Monroe County thankfully they are more progressive and there are laws that can protect that and there should not be housing discrimination, but I am looking at this as a federal dialog with there is that is not on the list. So I just want to make sure that it is on there. Also with ruined credit history. Absolutely, because that is an abuse tactic. Our goal is to work with property owners who understand that space. We have to come up with a creative way of guaranteeing and I know that Center for Youth does that with their young people when they have apartments. They have private dollars and help the property owner feel OK to rent to this young person. That might be something that we would have to explore.

Comment 23: I know as a landlord you can't displace someone (Inaudible). If you have an individual in the house and they are with a domestic dispute you can't displace or evict that person.

Comment 24: We still see that under the nuisance law and that is where even east Rochester you recall recently where it went to court about that. It was a violation of the nuisance law. So if the police come to the property three times and then as a landlord can ask you to move, which is not how it is supposed to be with domestic violence.

Comment 25: As a landlord, I would site the same issues and pressures to run a rental property as a business apply in this situation. So you have to apply the same standards across the board. So, I can't say you are going to send us a person and we are going to ignore the fact that they don't have the ability to pay the rent or they have terrible credit history or when we do a landlord reference. It is an education as a case by case discussion.

Comment 26: Education case by case, but on a policy level there are other creative ways because the rates are high. If you just peel back the onion just a little bit, most of the individuals we are speaking about have this in their history in some shape or form. So let's figure out how we can support those families and be able to be in housing. They are a protected class in fair housing. Where is it and how is it apart of the dialog. It is so prominent and we have such a significant issue.

Comment 27: Are you talking about people who are victims of domestic violence with children? Then it sits under the familial status of the protected class.

Comment 28: I am speaking specifically around domestic violence. So yes the majority of them do have kids.

Comment 29: I think that.

Comment 30: We have seen the challenges even though there are protections in Monroe County and it is not in New York State yet. We are hoping that is in the next session, but to protect specifically on domestic violence and make sure that there is understanding about the nuisance law in particular can't be used a mechanism to evict.

Comment 31: That is an education thing.

Comment 32: Again, I like this idea that the credit is ruined, it is an abuse tactic and to creatively think of a way to support agencies and way that we are a conduit to others as a way to guarantee. That is to think out of the box a little bit.

Comment 33: We have with some of ours are federal properties that are for mental disabilities. So as a landlord you have to know that somebody is handling the financial. So you have a rep. In the end if the only way you have to keep the building going is you have the rent. If you are not-for-profit it doesn't matter. So you have to balance out the social mission along with your...

Comment 34: Keeping the lights on. So is there a way to leverage the non-profit network. We are case by case managers and supportive services, but there is also the need for the dollars again which we don't have. If we had it I would give it, but we don't. So some other creative way to be able to support the families in transition.

Rob Gaudin: Our housing stock itself has literally shrunk in the city over this decade.

(Presentation)

Comment 35: Just so that I am understating your information. Was that normalized for credit score and for income?

Rob Gaudin: I don't have that slide for income. This is aggregate. It is not normalized for credit score, because that data is not available in the HMDA. What we do see when we normalize it by income is lower denial rates, but we do see higher denial rates in the city and lower denial rates in the remainder in the County.

Comment 36: You are still seeing the same pattern.

Rob Gaudin: That is correct.

Comment 37: One thing I would tell you is I have seen people who buy in the suburbs get a better resource network to draw from. So, if mom and dad own a house in the suburbs and their kid wants to buy a house. If the kid doesn't have the money for closing costs or the kid doesn't have the resources to pay a downpayment a lot of times they will be able to get that from family. That is almost never the situation in the city. At least with the houses we are selling. So I think there is a stronger and I have said it before. It is all about the money. So I

think you are dealing with a less wealthy population in the city and that reflects itself in a lot of different ways and this is one of them.

Rob Gaudin: How would you react if we look at the denial rates by race or ethnicity? Blacks are higher.

Comment 38: Income information in again.

Rob Gaudin: No this is in its aggregate. Actually, the income and I took income categories in those over \$75,000 in income what is their denial rate. What we see is whites are at 5 percent and blacks are roughly 15 percent in the city. So we still have challenges. The denial rates across the board in Rochester and Monroe County are lower than other geographic areas where we have studied this, but the fact that blacks are denied more often than whites is across all geographic areas. As well as Hispanics are denied more often than non-Hispanics.

Comment 39: There is sort of a hearts and minds element. There is only so much we can do about that. In the context of this study I am just curious about what people think is what is influencing these numbers that is not related to hearts and minds. Problems with assistance and problems with programs and those types of things that are influencing these trends.

Comment 40: I think education is financial education and financial capability is extremely important particularly in the target city. Education is important. If you don't understand credit score. If you don't understand debt to income. If you don't understand credit. If you don't understand how to clean up your credit. All those things have major and major impact on you owning a home. Sometimes even your job prospects. You don't have someone going the extra mile to help you to understand that when you go to get a mortgage, before you go to try and buy a car or rent a house. Chances of you being successful in terms of a housing perspective the municipality needs to be supportive. The financial capability program and push the financial capability initiative to help people particular in the city to finally be better off understanding. Bad credit score that are destined and you can improve that over time. Obviously, this disproportionally affects people in the city because that is where the largest concentration of poverty is from that slide. I think you can change that by going to people where they are by that education piece before they get to the stage of doing a mortgage and understanding what their credit score is. It starts from 300 and you want to be as close to 850 as possible and here are the things to make sure. If you don't pay it on time, they may send it to a collection agency who may hurt you. You should not take out things in your kids name because when they turn 18 or 21 and go to buy their first apartment or go to buy a house that is going to have an effect on them. It is a whole education thing that doesn't happen in school. It doesn't happen anywhere for people to understand these things in order for numbers to change. The mortgage lending people come to that usually when they are a little older; by the time they come it is their credit may be shot. We have to try to find ways to improve that before they get to that point. I think Rochester has a lot of things in the community. There are programs which are great and should be expanded to help people with their financial goal. There are resources and there is enough capacity to move the needle on. The number of people in poverty in the city are so pronounced and working poor are so pronounced.

Comment 41: I also wonder what are one of the effects of (Inaudible) on the fact that so many people are concentrated in the city are of color. The criminal justice system is, blacks are much more likely to be in prison before even whites are. More of them are coming back into the community and probation officers are more likely place them in the city than in the suburbs.

So I don't know if that is a fact too. I would also say that their education skill sets have to be a factor in policy. Even though it is not a protected class. (Inaudible), but a reenter policy.

(Presentation)

Comment 42: I can't speak to anything currently, but when I worked for the Housing Council we were the County's Fair Housing Agency and most of them don't go and report it because there is a process. If somebody is trying to find housing depending on where they are, they just want to find their housing. So they may or may not stop along the way and actually put in a formal complaint and wait for that process. So my sense is the numbers actually are something more than what we are seeing here.

Rob Gaudin: In recent years the ability of organizations to conduct testing and enforcement has been curtailed. They have lost funding from HUD which is why complaints have dribbled off, but the kinds of issues that we see these tell me that we are talking about the rental markets and not so much the ability to make a real estate transaction. Although there was a couple down here, but largely it is discriminatory terms and conditions and failure to make reasonable accommodation.

(Presentation)

Comment 43: So in that data you are not seeing anything related to steering on the purchase side?

Rob Gaudin: People do not complain about that. Housing complaints largely relate to rental markets. The commentary we have received thus far about steering has been from the fair housing survey, which we will get to in a few minutes.

(Presentation)

Comment 44: Some of it, I am relying on my regional opportunity counseling experience, some of it and a small part of it there is a piece of education. So the landlords will see Section 8 upfront in a couple of different ways. They will see it as an added layer of regulation and with that comes liability. So there is a whole other piece. In the city it is a part of the city code. On the back side what you get is a tenant under any circumstance who will only pay 30 percent of their income. If they don't have any income the program will pick up the whole freight. The last time I heard a statistic on this the average stay of a Section 8 family was seven years. So you get stability. So that may or may not be an incentive. The challenge is with Section 8 and particularly in the suburbs is FMR is a 40 percentile rent. So you are asking them to take a discounted rent with more regulations.

Comment 45: The reason why I have had this conversation in the past with different folks at the Housing Authority and particularly at the time of the regional opportunity Counseling program, their goal and rightly so is to serve as many families as they can. They can raise the FMR. They have that latitude, but if they are paying more rent per unit, they can help fewer families. So they struck the balance of trying to support the most families they can at a 40 percentile rent. If they move it up to a 50 percentile rent they certainly will serve fewer families. So that is a tradeoff for them.

Comment 46: That is one of those things that certainly the city policy holds influence. Despite the recent, one would think that the Housing Authority and how it is run should be an

integrated part of the city's housing policy. So the fact that the Housing Policy Board has to decide on its own what to do maybe it should be looking at more input on how it can be interpreted into the city's housing problem. So if this first in poverty becomes a higher priority as far as the city is concerned then maybe the Housing Authority should reflect that in how they can use their resources most effectively. I think there is an added value to doing that and that has to do with school districts, education, and this urban suburban program is like a drip in the water and so the most effective way to have a relation and have access to different educational resources is if they are living in whatever suburb that works for them. Honestly you can use those vouchers for so much more than rent if you are looking long term (Inaudible). We tend to direct those more towards suburban towns. You don't have the regulatory issues of trying to create affordable housing. You can use and because it is a limited piece of any towns inventory you would think it would be less controversial.

Comment 47: It is always dangerous to ask a preacher to speak because we will always talk at the 3,000 foot level and not at specifics, but I do see this earlier you referred to this as being a city problem and it cannot just be a city problem. It has to be a community problem. So whatever policies and I work and am very involved in the education issue less directly with the housing, but there are so many parallels That has to cross whatever policies and planning we are going to have to cross those suburban and urban lines has got to be a part of the equation. The city cannot do it alone. That is not for lack of trying or lack of bright capable motivated people.

Comment 48: I couldn't agree more and that is why I think this process where the city plans for the city and the county plans for everything else. We are not integrated so we can have these separations. So what we are talking about is for the city and that is what the city can control. We can talk about stuff outside of the city but we don't control that because of the way that is set up.

(Presentation)

Comment 49: The Housing Authority if that is what you mean by public housing units is statutorily to work only in the city. There was one big mistake where no one figured that out and they built a project out in Henrietta. The processor of the Housing Authority had no ability to go outside the housing of City of Rochester's limits. So you would have to be talking about a different housing entity. I don't really know who owns 236 or some of these former state funded projects, but the state isn't building things like that now. So generally they will depend on private developers and not-for-profit or for-profit developers who will participate in the tax credit programs or other similar programs and then it becomes an issue of are there sites that are affordable and are there sites you can get zoning? So it is a great wish list to talk about moving it outside the city, but I don't know what a practical method is for that would be.

Comment 50: If the infrastructure isn't in place for transportation and living wage jobs and access to jobs it is just going to reverse what is currently occurring.

Comment 51: The Rochester area foundation maybe six years ago did a study to see if maybe they can get suburban business interested in affordable housing and the study was it went out to these larger employers and they said are you having problems finding people who can work for you and be regular employees? They said no. They said well what about the transportation. They said that we require everyone to have a car. So everyone that comes to them comes fully

loaded and they don't see the bigger issue. So for them there isn't an issue. We have been trying to position for self-interest. The business doesn't see it as an issue if that makes sense.

Rob Gaudin: Yes, it does and that has been our experience in surveying that particular elect as well.

(Presentation)

Comment 52: For me it is not either or it is a balance. So I think what we are talking about isn't everything should just be now in the suburbs. It is finding balance in that that we are not seeing in this information.

Comment 53: As a developer I am seeing the same issue. If you can't find land it doesn't matter where you want to go is immaterial. If you can't find a town that is willing to support an application it doesn't matter where you want to go. It is a pipe dream. Your mission is to provide safe and affordable housing so you do that wherever the opportunity presents itself and the truth is as he just said a lot of the housing within the city is obsolete. You can go in a neighborhood that is 100 percent rental and do a project and for the most part on the nature of the housing stock in that neighborhood you are not providing a great service, because you are as compared to what there is now. Landlords who are just kind of milking one poor family of housing you are still providing a positive impact. One other thing I would say is a lot funding right now for tax credit is skewed so you get extra points and scores for rehabbing an existing building. Which means if you are putting together a project or even getting resources together? We are just finishing a project that has federal, state, low-income housing tax credit and historic tax credit and they only place you are going to find those buildings are going to be in the city. So that is a state regulation and how you weigh it out and how you use those resources, but that is a policy out of ours that almost mandates that you are going to do that in the city as opposed to in the suburbs.

Comment 54: Rob posed a question earlier about if we are talking about deconcentration poverty, do we want to be exporting the poverty outside of the city or importing into the city. That is kind of the underlying theme in all of these focus groups today. I just want to point out in all three of the focus groups an overwhelming part of the discussion was how do we export poverty out of the city? It is all I am hearing is barrier after barrier after barrier of doing that in the suburbs. Yes, we have to address those things, but I am curious to know what are people's thoughts about the possibility of bringing wealth into the city? I am curious to know and could you elaborate more about your concern about that? I really didn't follow what your concerns were about that.

Comment 55: It is a basic principle. First of all it is ridiculously unsuccessful. We have been chipping away at it. What is the population of the city, 200,000 something thousand? I don't know now. How many wealthy people would you have to bring in to up our median income even by \$500?

Comment 56: I think the conversation is just not about bringing in wealthy people, but it is middle income families too.

Comment 57: Why would a middle income family comes to the city? He said a lot of it is the school. So I don't understand. I live in the city and I raised my son in the city. So you have to understand that it is not that I am anti-city. I am not, but I am here by choice. I realize that by the time my son has hit middle school; the city school district was not a good place for him to

be, because he did not feel comfortable there. He had a great education up through 6th grade. I had a choice. I could move to Brighton or Pittsburgh or anywhere else or I could send him to a private school. That is what I choose to do because I had the money to do that. I guarantee it if I had more children or three children I could not make that decision. I would choose to live where my tax payments were supporting a school where he was getting an education that was getting him. It is not to say that the city school district doesn't try hard. It does. The bottom line is where the resources come from to bring middle income families into the city. As far as I know there is no outside funding that allows you to do that. The only funding you can use for that purpose are cash capital, city revenue, city tax payer dollars. Then you have to ask yourself what are the incomes of the families that are paying those taxes and why would they think it is better to use their tax dollars to bring in middle income families as opposed to providing more services or cutting their taxes so that they could maintain their house better. It is just not a fair distribution of resources.

Comment 58: I would say that I am all for bringing in more middle class households into the City of Rochester, but I agree with you. It doesn't necessarily mean all of it has to be subsidized. I think there are a lot of good ways that we could do that. With bringing in more of that middle class population it doesn't mean that it is going to be equally distributed. I am at the point now that just on a tax based standpoint it would be great if we could expand that so that it doesn't cost us more. You know where we are getting tax abatement for ten years for \$450,000 development and all of us are paying for whenever the fire department shows up. I think there are ways to do that. So I am all for it. The challenge is when it comes to deconcentration poverty I don't think that there is only one way. It is an inside outside thing. The challenge is there are very few if any examples in the United States that once a neighborhood has hit 40 percent it never comes back. There are a few, but not many when they hit 20 percent. So pretty much when you hit that 20 percent you are on your way to the point of no return. When you reach 40 percent you are running second in the nation for 40 percentile poverty Census tracts. The ways to fix that if you will are well beyond the City of Rochester. I agree that deconcentration poverty is huge, but there is either a regional addition or regional will to even embrace that one. We are seeing some of that playing out.

Comment 59: You see the consequences in our schools. The schools are at 40 percent. Rochester is way over. We are so far over that that we don't even bother to look at schools. So I mean that and a lot of it is that we need to get some public elected officials that have some guts, which I don't see happening and I am an elected official.

(Laughter)

Comment 60: Even beyond me and a lot of educated people move to places because of schools. So if people and it didn't matter where you lived and you could go to school wherever you wanted. Things would be a little different. You can't even approach that in most places. You can go to Cleveland, anywhere, Charlotte-Mecklenburg is a little different, Montgomery County, that is a little different, it is those are special places. There are not many places around us, yes even New York State that have that.

Comment 61: Two things and one is a little antidotal. So, as an example the proposal has been on the table for ten years and I don't know if anyone remembers this. The regional school that was trying to get going is still out there. I still get the email and I got a message from him today that we are still trying and now we are going to Albany to try to get this going. That whole concept was a school that was half suburban and half urban. The city was totally by lottery and

the suburban was that you had to apply. That whole concept was around social justice and poverty and things like that. That has been there for eight years and we have been trying to get it going with different superintendents and different majority leaders.

Comment 62: I did work for that in 2007.

Comment 63: I can speak a while about that which is out of the scope of...but there is a new grassroots effort with some really dynamic leaders that are up to something. I will talk to you about that later.

Comment 64: The other thing is and you can argue that it is s you, if we are going to use the language in terms of exporting poverty as opposed to eradicating poverty. It is just moving it. You might say that we can't get rid go it if you keep it all in one place, but that language alone keeps us focused, except that it is going to be somewhere. It is going to limit to things we can do about it.

Comment 65: It is also a language question and this is something that we can all do something about is the language that we use and because the assumption with the word poverty and child or a person in poverty is that they have nothing of value to offer the society. That is implicitly not true. So it behooves us to model a different language.

Comment 66: I agree with that. To your point for example the stigma, so Montgomery County back in the 70's and god only knows what policy was like back then. They said hey whenever there is a new housing construction and developers are coming in and they are going to put in 100 houses, 5 percent of those must be affordable and they have to look exactly the same as everyone else's so you can't tell the difference. Over these 40 years they now have an inventory of affordable housing that is now just integrated that you can't tell. So people are amazed when we tell them that the apartment behind Spot and Coffee are 20 percent is affordable housing. They are like really, I didn't know that. Policies like that make a difference over time, but again the city can't control them. Many with Minneapolis/Saint Paul they were able to get the suburbs to align with the city. They were saying that if we keep building all the higher end housing and middle class housing in the suburbs and concentration affordable housing in the city, the suburbs are going to become like to city. It wasn't progressive about the standpoint of enlightenment. This was about saving my own butt. So a look what is happening in our area of the city. What it did was entering suburbs in the city aligned at the county level and pass legislation that every time that you build a high-end house you have to put in a one-time transfer fee into a housing trust fund to be able to help build and subsidize affordable housing and everybody has to take a fair share. If you don't want to take a fair share and the suburbs need it and this is all about self-preservation. You can further put into the trust fund more money so you buy your shares out so to speak. So at least the city will have more money to be able to address more need.

Rob Gaudin: In think that is a great idea.

Comment 67: My sister actually lives in one such community and you cannot tell.

Comment 68: I have a question to ask. What is the impediment for middle class families? You said should we look at ways to bring middle class families and wealthy people here what is stopping them now, because some of us choose to be here. So I don't...

Comment 69: I think it is important that we continually refresh our view of that issue, because things are different now than they were in 1990 and even in 2000. The urban landscape nationally is changing and what brings people into the cities is changing and my family chooses to live in the city and we are surrounded by neighbors nearby in adjacent neighborhood who choose to raise their families in the city and put their kids in city schools. It is a small trend, but it is an emerging trend of reurbanizing cities. It is happening in a much larger scale than in bigger cities. What I am trying to get at is it is not happening to that degree in Rochester but how do we position ourselves to that trend and not operate like it is 1990 anymore.

Comment 70: Look at Brooklyn and Harlem. If you go to Brooklyn and I remember going to Brooklyn, I would have put on a bullet proof vest. Obviously you still have dangers, but it is amazing the way it has changed. More people live in Brooklyn than in Manhattan.

Comment 71: For the longest time it was the schools that have always been the number one impediment and it remains probably the number one impediment, but that has changed too. You can get a great education in the City of Rochester in the city schools. There are options available. Not across the board and there are challenges, if families can find it. Families are finding it. It is a small trend, but it is building up and how are we positioning ourselves to take advantage of that and enable those people.

Comment 72: It is going to be counterintuitive to the traditional flipside of that conversation. One of the appeasements to the middle class. When you look out at the City of Rochester what you are seeing is from a marketing standpoint and environment that was built pre-1950. It was built in the style of the market at the time. Today only a third of the families live in two and a half story single family houses. We don't have the same supply of different types of alternative housing that we need to be able to retain. So, there are ways to do that without over subsidizing it, because now there are pockets in the city where there are people who want to be there. They want to urban experience which is great. So if there are ways to do that I say that is real and let's go for it and we need alternative housing options for different markets that are emerging in them for the middle class. The middle class isn't a monolithic whole when you think about it in terms of housing. There are choices in differences in life styles and that would be one piece.

Comment 73: Isn't that the only way to really deal with the concentration of poverty, because if you export for lack of a better word, you are still going to have a concentration of poverty. It is still going to be.

Comment 74: I would argue that if you did it right, no. Which you are doing is you are doing it like the Montgomery experience where there is no reconcentrating in the city. The issue of concentration of poverty isn't that poverty doesn't, because it is the reason that it is a problem is that it exists in such a concentrated form. It overwhelms the neighborhood, socially, economically.

Comment 75: The individuals in the neighborhood, for me the question is how do you help families get those opportunities whether it is access to better schools or closer to a job or equity in their house. Poverty is not this faceless, meaningless, whatever. It is real people. Some of them are able to make a better life because they have opportunities that maybe if their kid was worried about attending school because they were going to get beat up or walking to the corner store. It becomes way too hard. How do you work two jobs when you are worried

about what is going to happen to your kid at night? There is a lot of issues like that that now I think if you begin to put people in separate neighborhoods where they have more opportunity or more of their peers are saying that it is really important that if you want to go to college to go to college. It becomes a whole different mindset. I have a house now that I can use the equity on the send my kid to college. It is just a different mind.

Comment 76: I think one of the things that and I guess I have some problem with exporting poverty and I think bring wealth into the city could be defined in other ways other than bringing people who have money into the city. As mitigating poverty, conditions of poverty and that is one thing that affordable housing can do. I was just reading an article about education and housing and housing stability most importantly. If it is affordable then it becomes more stable and then the educational achievement of kids goes way up. It is much higher for example in a public housing authority site because people stay there and they are in the school and they don't keep moving around constantly looking for an apartment that is \$50 dollars cheaper, because \$50 cheaper means a whole lot to somebody who is living in poverty. So it is one thing to export it, but that would take so many year of doing it at a little piece at a time that I think some of it and there still has to be significant supply within the city to really. Otherwise you are never going to be able to get people going.

12/10/2014 Rental Housing Focus Group

Comment 1: It is available, but the barriers represented by the lack of transportation and the de-concentration make it difficult for folks to take advantage of it and because there is so little of it they are consistently at 100 percent occupancy. We are seeing waiting lists of two or three years.

Comment 2: There are actually subsidized, quite a few subsidized housing projects outside of the city. Then tend to be overwhelming white as well even though they present affordable housing. One of the issues we have a Section 8 program here that has 9,000 vouchers available to families and persons with disabilities. If you look at the distribution of those vouchers and the use of those vouchers overwhelming minority city residents use them in the inner city and they are disproportionately used by whites who have vouchers outside the city. That tells you that something else is going on besides transportation. I think we have to say it outright. There is actually racism that is affecting these patterns quite a bit and I would also want to address at this meeting, the issue of institution racism. I am using the R word and I shouldn't be that frank, but you look at county welfare policies for example. The county has landlords that will accept welfare rents paid directly by the county. All of those and I don't think that you can look at that Housing Council list. Are there any properties located outside of the city or is it still overwhelmingly in the city and the inner city?

Comment 3: I think currently it is 99.99 percent are located in the City of Rochester and probably we have had less than that in the county. The county ones were landlords that were specifically renting to someone and that is the only reason that they were accepting it.

Comment 4: So you look at that and you know there is no wonder why so many citizens in the city are segregated by race and income. It affects everything in the city form the educational system to employment to crime statics and everything else. That is the main and central problem that we have in Rochester. I would say it continues. If you want to mention something

else and Channel 13 our local ABC affiliate covered the issue of Section 8 vouchers on Friday night. The fact that so many of these Section 8 vouchers are being used not just in city limits, but just in those areas of the city that have heavy racial, heavy concentrations of minorities, and low-income people. They are being used very little outside the city. They are very little in the city in the high rent income areas. Those are various things that you can do to address that. The subject of that broadcast was the discussion on whether the city should pass an ordinance on what they call a source of income ordinance which mandates that if the tenant otherwise qualifies for the housing you can't deny the housing just based on the fact that some of the rent is coming from a housing voucher. The city ordinance would pass you would still have the problem of the suburbs, but that is one thing to look at.

(Presentation)

Comment 5: Where is the poverty going to go? There are already problems with people with Section 8 vouchers going outside the city. Where are all these poor people going to go when you gentrify certain areas? You increase the problem having somewhere else in the city more well off and more white than other areas increasingly feeding into the same problem that we just discusses higher concentration for minorities in the city.

Rob Gaudin: How do we resolve it?

Comment 6: Based on my experience and especially working with the strategy with the rental market. There are a couple of observations in talking to the tenant and in having to communicate with the landlord. One of the major issues that I have found was the absentee landlord and especially if the absentee landlord that lives in a different country. The focus there was purchasing property in Rochester. Rochester seems to have been a major market where you can purchase properties for a small dollar amount and you were able to get your monthly income from those properties from the DSS, from the HUD vouchers. The properties were not being maintained. So one of the institutionalized problems that we have with that is DSS controlling the property, I don't know if it is unwillingly or is it just addresses are popping up where there are empty properties that are available, but the problem is with DSS and the allocation of the HUD money toward the vouchers being centralized. So, I think if there were training with those two organizations and the people that place the residents into those areas. If they were trained to identify where they are centralizing and decentralize the recipients of those vouchers. That would be a huge huge help, because the landlords, especially the absentee landlords just don't care. Then you have landlords that have received the properties. They are grandfathered into these properties because they are properties that their parents owned when Kodak was alive and surviving. They have now downsized or they are no longer living or what have you. These children have taken these properties and they are living outside of the city. They really don't have the finances to maintain those properties, but once again you are still getting income from those properties on a monthly basis. It is guaranteed income, but they are not maintaining those properties. So those are three of the major major issues that I am experience in working just FIS.

Comment 7: I don't disagree with any of those points, but I don't think it speaks to the opportunity to enhance housing choice. Even if the city does pass legislation that requires or makes income source a protected class. It still doesn't speak to the opportunities for folks to actually find and engage housing when DSS maximum rental payment for a one bedroom is \$440. So I am still trapped within a zone of poverty because I cannot go out and live in a suburb and pay \$440 for a one bedroom. I can't even rent a room in Pittsburgh for \$440 a

month. So we still haven't even begun to discuss how that inequity is institutionalized on a number of levels just because the class of the housing and not so much on whether it is maintained or not maintained. It is just its geographic location and ultimately its value, financially its value.

Comment 8: That gets me back to the question of the Section 8 vouchers. There are opportunities in the suburbs. There are low-income tax credit projects. Those are projects that are particularly funded when they were constructed by state monies. As a consequence they are legally obligated to accept the vouchers. Most of these projects, the majority of them are outside the city, but again the vouchers re not being used for tax credit projects. The vouchers are designed to make the housing affordable. One other thing I should say is that there is a party missing here. The last time the AI was done a few years ago it was a joint AI with the county, the city, and the towns. So, many of these problems that we are talking about are most concern for the county. The county and the suburbs are intertwined in the interest in both the city and the county are joined and the city can also effect what will happen in the county. So it is also unfortunate that the county cannot be part of this process as well.

Comment 9: That is a good point and they are in fact not at this table right now, but they are in fact a part of this process. The unfortunate timing of this is that they are also in the process of updating their version of the AI. So, when we started this the stars didn't align for us to do it as a joint AI as much as we think that is the right thing to do. We are sort of doing a hybrid now. The county is represented on our projects hearing committee which is meeting regularly throughout this project. The other is that we are hopefully setting it up so that the next time we all go to update this AI it needs to be a joint AI. At least we believe that it needs to and hopefully the county would agree. Although their recommendations that come out of the study are largely going to be enforceable at the city level we are going to make some sort of general recommendations for the entire region. It is not an ideal situation and I agree with your point, but we are trying to mitigate that as best we can.

Comment 10: I really see the issue outside the city as a supply issue. We can get a community and the approval process. If you can get your way through that process then we can build a 50 unit affordable housing units. That will lease up in less than four weeks or five weeks. I could build 10 or 20 of those developments and the supply, the demand is there. There is no supply outside of the city. Within the city affordable housing really is a Community Development opportunity where the housing stock is not good. It has aged. It's not livable in a lot of cases and so we are developing affordable housing in the city it is really creating better state of the art houses and replacing old stock. In that case the demand is there. My belief that within the city the demand is there because that is what people want a better place to live.

Rob Gaudin: So you are indicating there are redevelopment opportunities.

Comment 11: Right, but I think that outside of the city I truly believe that supply is an issue. Zoning and NIMBYism is huge. We see it every day. In Westchester for example we are suing the county right now on projects. The community in Westchester it is a terrible situation and the zoning is such that any seeker in our state it is such that the population can stop a project at any given time and it happens every day. It is NIMBYism issues that are disguised as paramount issues or noise issues or community issues. I think that there are some real challenges in the zoning code to get these projects for affordable housing in general approved.

Rob Gaudin: Can you site an example of zoning code?

Comment 12: Think that density is a big one. For instance we are in a community now where we are trying to develop one, two, and three bedrooms. The zoning code states that three bedrooms cannot be larger than 800 square feet. We would never build a three bedroom for 800 square feet. So they write things in the code that are prohibitive to a project ever being built or driving the project towards a one bedroom development that will really be for seniors or single working individuals.

Comment 13: Was that here in Monroe County that example?

Comment 14: It was outside Monroe County. It was close by in a Rochester suburb. We see those types of zoning criteria at times and the cost of land. The most common one that you will see in any suburb is you need a quarter acre per unit. You are just not going to develop affordable housing in any community that has those criteria. A lot of communities don't have multi-family units. The challenges are pretty extreme when it comes to the approval process and how sophisticated it is. A NIMBYism issue can stop a project earlier.

Comment 15: So if you had 100 ideas in different place, how many would actually make it to the finish line where somebody is turning a key?

Comment 16: It depends. Step one is always meeting with the elected officials and to see if they want it. If they don't want it we go away, because the best project in the world is just not going to happen with the opposition. There seems to be opposition everywhere.

Comment 17: The whole time line from if it does go through to the goal line.

Comment 18: It really and I don't think that if a community is supportive it could be as little as six months or nine months. In other communities it could take two years at least.

Comment 19: I was wondering if you have a graph, if you went back, I don't know how much data we have. I am sure it is out there somewhere. Apartment rents going back 20 or 30 years. One bedroom rents, two bedrooms rents and then overlay that with what he was saying about housing allowance over that same time period.

Comment 20: That housing allowance doesn't keep step with it.

Comment 21: I know that is doesn't.

Comment 22: I think it is like somewhere between ten or fifteen years. I don't remember exactly. It has been a while. Rent allowance that keeps closer in step are the PHA house one and you see better access to units, but again there is that. If somebody builds a development that has let's say 30 tax credit units, how are the odds of a city resident being made aware of those units as opposed to folks that already live in that neighborhood or already have access to that area. We see again suburban units that are affordable being predominately white and the city predominately black/Hispanic. We have a rental register that we put out that lists affordable units in the City of Rochester and it is accessed about 70,000 times a year by different agencies and individuals in the community. We also publish the affordable housing list that is all of the affordable housing units that we know in the entire county. It is accessed about 16,000 times a year. You can see the general disparity there that that list is accessed almost five times less.

Comment 23: I think you are right. There is a big educational component.

Comment 24: We have had tremendous success with the Housing Council when we ran a program called Regional Opportunities. Where we took Section 8 voucher holders from high poverty neighborhoods in the City of Rochester and moved them to lower poverty Census tracts predominately within the county, but it did require a lot of education and intensive case management for periods of time. So, if you are looking at those households and as we look at those households at one year, two year, and three years they had great stability. They stayed in those communities. It was a lot of work to get them out there. If those folks do know that those units are available and I still don't know about this transportation thing. If I am somebody who lives in the city and want to access a unit that is in Fairport, the pains that I have to make if I don't have a car to get there to be able to apply in person for the unit. I could be investing just there transportation wise three or four hours. If I don't have cash on me and that is another barrier. Affording the opportunity for folks to have bus passes when they are apartment seeking is usually not something available to folks. It is usually and you have medical appointments or you have DSS appointments I will give you a bus pass, but if you are going to look for apartments in Fairport and you are going to waste an entire day on one apartment? I am not going to allow you to do that. We have to educate the tenants to what is available out there. I also think we have limited success through the LCSW program through DSS about educating landlords about the opportunity to take it. I again I am part of the problem, because I focus my efforts on educating landlords within the City of Rochester. We try our best to do it in every single corner of the city and we have an opportunity to do that because we deal with management companies on a regular basis that have units throughout several of the different neighborhoods, but do I make a concentrated effort right now to educate property owners in Bennington? I don't. I just don't have the physical resources to actually do that.

Comment 25: What about educating those with a voucher.

Comment 26: Sure. I would love to. We don't currently. We have in the past relationships with the Housing Authority to do education programs to expand their reach. I don't think we can collectively fault them. They have the resources to administer their program not necessarily to advertise their program. So I don't know.

Comment 27: And on fewer resources too.

Comment 28: Yes and the same with DSS. DSS has an unending tide of folks that qualify for their programs. They have made systematic changes recently over the last five years that have made the process easier on both sides, but it is still far from perfect, but I hear consistently from property owners that engaging in the process is much much easier now. I feel part of that is us because we took over part of the LCSW program and made it easier and friendlier, but I think on the other side case workers are actually being more respondent to a person also.

Comment 29: I think that goes back to the point that I brought up earlier is that education is very important to everybody. To all three in the process, the tenant, the landlord, and the case worker that administers that voucher. That would certainly be a factor in the decentralization of the poverty that is everybody could be educated. How do we do that? The resources for the Housing Council are pretty much tied up so what else do we do? As community partners I think that we all need to come to the table and invest our resources to make that education happen, because that is the only way we can make that change where in Rochester.

Comment 30: I also want to add that I think we need to influence and educate elected officials also in the community. That is a perfect example is that you have to go find the person that is

the most senior in the community to try and convince them that this is something that is valuable for your community and then work your way backwards from there convincing every single level that it is appropriate.

Comment 31: I think you have to recognize too that you have to have a willing political official that there are considerable political risks for elected officials outside the city to take a strong position to access to housing or fair housing.

(Presentation)

Comment 32: Just to speak about disability, I see consistently we operate a housing hotline and we get about 14,000 calls a year. The predominate folks that call are tenants. We do have a pretty decent cross section of folks that complain. We have a service rich community and we have several institutions in our community that draw people from outside. The Rochester School for the Deaf has one of our phenomenal resources they have been here for over 100 years. Folks find it difficult to find housing when it meets their needs when it comes to disability and educating landlords and property owners on what reasonable accommodation are is an ongoing task for my organization. Folks just don't understand the law and they get confused and they make a leap to having to put an elevator in a two story building. That is what they think ultimately they are going to have to do and they believe that they have to be the sole carrier of the burden of the financial cost of it.

Comment 33: Our enforcements that are and I agree with what you said. I think at least 50 percent of the complaints that we receive on the enforcement actions we file in court are disability based. I think a lot of it has to do with ignorance on the part of landlords as to what is required for the Fair Housing Act. Also there are significant categories with race being one of them and familial status, which I think is closely related to race. A lot of landlords do discriminate sometimes pretty blatantly against families with children. So I think it all part of it.

Comment 34: I think we are doing better with compliant issues. I would say that if we look back at 2000 and I don't have any of the data in front of me, but I would guess as the laws started to get hold that we saw familiar status being a barrier intensely and provably a spike in the complaints. I still see on craigslist no kids under six. That is a pretty specific call to discriminate against a very particular set of folks and that is a reaction to the potential of lead poisoning and as everybody has said already we have an intensely older housing stock. So we have those issues or at least the perception of those potential issues.

Comment 35: One comment on the race cases we get. We frequently see applicants for rental housing and this is particularly in the suburbs, where one spouse who is white goes in and inquires about the housing and then when the spouse brings their husband or wife in and he or she is of another race then they find that the housing is unavailable. That happens not infrequently.

(Presentation)

Comment 36: If I could just add something to those figures. We also get complaints that do not go to HUD. We file a lot of cases each year in Federal Court. Unfortunately neither division has testing resources and particularly in race based cases if you don't have and you can't do a test you often have no evidence. So the fact that there is no cause found doesn't necessarily mean that there wasn't cause in my opinion. It means that based on the investigatory capability of these agencies which consist of basically interviews after the fact that you can't discover

particularly raced based complaints and you can't really find the validity of these complaints without testing having occurred. That is why the ability to test you can't uncover differences in treatment amongst applicants, but you can in the agency base compliant process where you are just investigating something after the fact.

Comment 37: We have a course of action for our rental assistance programs. We review the leases to see if there is any discriminatory language in them and I regularly find that there is familial status discrimination clause in leases and basically we are not in this instance an enforcement agency so we do do education to those landlords to help them correct those deficiencies in their leases. These aren't going to be cases that necessarily alert me that somebody has been discriminated against because I am only seeing the document and the person that that presented it to me is the tenant. So they did access housing, but we do that piece and that is another significant number. It may be an oversight, because some landlords that we deal with use generic tools that I don't think that they necessarily need or understand, but I have found that some landlords to when we address the issue of potential discriminatory language in their leases a very small percentage did try to validate a reason why it is there. I had one lease that we did try to educate a landlord on and ultimately suggested that the tenant not take residence there and we called this a Mayberry lease. It was not only discriminatory in familiar status, but in regards to have guests over and you could only entertain people on the porch as opposed to in your actual unit. I keep suggesting that I wanted to go and steal the pie that was cooling on the window, but we try our best to educate people or not in this aspect an enforcement agency and we are not even an education facility anymore because we do not have current funding from HUD for fair housing. We still do that on an ongoing basis.

Comment 38: I know cases based on familiar status do you think that it is mainly because of the concern about lead or is there possible perception if there are kids and they are renting then maybe it is a single mom situation and they are discriminating on the perception of that scenario. When it is really just discrimination and not just an oversight in the language or the perception that very very small percentage I think probably split right down the middle. There are landlords that specifically do not rent to families with children under six.

Comment 39: For lead reasons?

Comment 40: For lead. It seems to be concentrated in those neighborhoods where the housing stock is the oldest and the most ripe for those cases to evolve. The barrier requiring I don't see as much, but we do see steering on a regular basis and especially out in the suburbs where families with children are be located on first floor or the big language pitch for steering is that we want to put you closer to the playground which means at the back of the complex away from everyone else so you won't disturb them.

Rob Gaudin: I think this gentleman was talking about testing and if I understood you correctly you were saying that there really isn't enough. Is that correct?

Comment 41: We do testing and we have the capacity to basically investigate all the complaints that we get with pair testing if it is appropriate. I think the problem is more getting the people to those resources. Again we try to outreach as much as possible, but people don't know that there is a fair housing enforcement law firm with testing capability in Rochester so they may not come to our office. We actually don't file very many cases in the division. We take most of them to Federal Court, because we think that we can get better justice and better awards and settlements in the Federal Court setting. Again because of the inherent problems

especially in race testing and race complaints of actually finding out what happened and what the motive was without testing data. I think very few of those cases have been filed with the division or that HUD would have sufficient proof for finding of cause.

Comment 42: Would you say that there is maybe in fact a testing capacity issue outside of the cases that come to Law New York? LawNY?

Comment 43: I think we have the testing capacity at least for the cases we receive now. We cover not only Rochester, but we cover adjoining counties as well, but I don't think enough people really know about it and unless they are referred by someone who is knowledgeable, people don't know to come to our office and we get those cases early and while the discrimination is occurring or shortly after it has occurred we can test which so many times are very revealing. So I think that is an informational issue. The city by the way used to fund outreach and training for our fair housing project and due to financial constraints that funding ceased a number of years ago, but that was actually very helpful in getting the word out and getting folks to know that if you think you have perceived discrimination that there is a place you can come to that will actually conduct an immediate investigation with trained testers.

Rob Gaudin: So in addition to insufficient testing and enforcement, because of budgets there is also a lack of outreach and education or sufficient outreach and education.

Comment 44: I would say so. I think people don't know what they should do in these situations. I think the vast majority of incidences result in no complaint because the person doesn't really know.

Comment 45: Just to even reinforce that. I don't think that it is people don't know what to do. I don't think that the people know that the activities themselves are actually illegal. We track calls by the nature of the calls and the primary discussion. I can look back and see spikes during National Fair Housing Month, because there are TV spots and folks are seeing it and recognizing that an activity that they experienced was discriminatory as opposed to normal course of business where a landlord has the right to say no to my kids or no to my elderly mother or no to a mixed race couple.

Comment 46: Again Housing Counsel did have funds from HUD to do the outreach, but unfortunately we try and we will do as much education as we can, but the folks that we have the ability to engage right now are well below the poverty line and have limited choice as to what their housing is in the first place and the neighborhoods that they tend to live in are high poverty neighborhoods where I can't say confidently that the acts of discrimination other than against familial status I don't think that race is an issue in a lot of those neighborhoods because they are predominately black and Hispanic. It would be nice to have more money to do education, because we did educate a lot of folks.

Comment 47: I would love to see what the numbers of compliant were when he was fully funded and potentially when other organizations had education dollars through FHIP to see if there was a general increase in the number of complaints and my guess is between him and I don't think we have had funding for four or five years and my guess is that over those four or five years we have probably seen a steady decline in the number of complaints and I think that you can directly associate that with the lack of education out there.

Rob Gaudin: In 2004 we had the most complaints for the city.

Comment 48: That was when we were fully funded.

Comment 49: That was when there was a lot of outreach. I agree with you.

Comment 50: I am going to guess that around 2009 and 2010 that the complaints overall started going down?

Rob Gaudin: They start to go down.

Comment 51: I think that is a good example that we actually draft the narrative for the document for this that this is the story behind the data. At first glance that might just look like that is getting better, but there is a nuisance to that story and one component of it is the funding issue.

Rob Gaudin: That is correct. Just because there are fewer complaints doesn't mean that it has gone away.

(Presentation)

Comment 52: That is very hard. We do rental testing because it is much more practical to so and that is where the majority of our clients witness discrimination. It is very difficult to do testing for home purchases or for mortgage. So it is particularly hard to uncover that type of discrimination.

(Presentation)

Closing Remarks

D: ADDITIONAL TABLES

ADDITIONAL HMDA TABLES

Table D.1
Owner-Occupied Home Purchase Loan Applications by Loan Type
City of Rochester
2004–2013 HMDA Data

Loan Type	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
City of Rochester											
Conventional	2,724	3,017	3,097	2,377	1,120	680	548	485	626	917	15,591
FHA - Insured	914	907	912	865	1,057	1,592	1,448	1,020	1,024	969	10,708
VA - Guaranteed	46	41	47	54	37	69	46	41	48	70	499
Rural Housing Service or Farm Service Agency	0	1	0	0	0	1	0	1	0	0	3
Total	3,684	3,966	4,056	3,296	2,214	2,342	2,042	1,547	1,698	1,956	26,801
Remainder of Monroe County											
Conventional	10,820	11,182	11,450	9,870	6,263	4,687	4,234	4,203	5,019	6,124	73,852
FHA - Insured	1,985	1,997	1,891	2,145	3,082	5,394	4,589	3,960	4,032	3,483	32,558
VA - Guaranteed	218	230	232	220	288	394	313	378	435	489	3,197
Rural Housing Service or Farm Service Agency	13	5	3	9	25	54	70	141	174	170	664
Total	13,036	13,414	13,576	12,244	9,658	10,529	9,206	8,682	9,660	10,266	110,271
Monroe County											
Conventional	13,544	14,199	14,547	12,247	7,383	5,367	4,782	4,688	5,645	7,041	89,443
FHA - Insured	2,899	2,904	2,803	3,010	4,139	6,986	6,037	4,980	5,056	4,452	43,266
VA - Guaranteed	264	271	279	274	325	463	359	419	483	559	3,696
Rural Housing Service or Farm Service Agency	13	6	3	9	25	55	70	142	174	170	667
Total	16,720	17,380	17,632	15,540	11,872	12,871	11,248	10,229	11,358	12,222	137,072

Table D.2
Loan Applications by Reason for Denial

City of Rochester
2004–2013 HMDA Data

Denial Reason	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
City of Rochester											
Debt-to-Income Ratio	66	80	76	56	30	31	35	21	25	38	458
Employment History	9	13	6	15	5	10	7	3	3	9	80
Credit History	105	129	99	134	66	44	25	21	24	34	681
Collateral	38	36	50	33	28	29	27	14	13	23	291
Insufficient Cash	8	4	13	14	7	7	5	4	5	8	75
Unverifiable Information	7	15	21	46	14	8	8	6	5	6	136
Credit Application Incomplete	28	37	44	49	10	8	6	4	18	15	219
Mortgage Insurance Denied	1	0	2	0	4	2	0	0	0	2	11
Other	62	102	65	51	24	14	17	10	12	17	374
Missing	99	103	209	89	72	53	32	22	27	44	750
Total	423	519	585	487	260	206	162	105	132	196	3,075
Remainder of Monroe County											
Debt-to-Income Ratio	129	123	121	164	111	128	161	142	167	137	1,383
Employment History	16	21	17	19	14	17	15	16	18	18	171
Credit History	159	148	144	196	123	77	74	79	83	96	1,179
Collateral	46	42	57	55	50	39	63	46	42	42	482
Insufficient Cash	19	16	18	22	27	19	18	16	15	21	191
Unverifiable Information	21	43	42	66	37	18	18	34	15	25	319
Credit Application Incomplete	63	90	90	115	60	34	43	47	69	65	676
Mortgage Insurance Denied	4	1	5	0	8	7	5	2	0	1	33
Other	137	112	130	118	60	41	36	51	43	32	760
Missing	161	165	238	175	127	115	81	50	85	114	1,311
Total	755	761	862	930	617	495	514	483	537	551	6,505
Monroe County											
Debt-to-Income Ratio	195	203	197	220	141	159	196	163	192	175	1,841
Employment History	25	34	23	34	19	27	22	19	21	27	251
Credit History	264	277	243	330	189	121	99	100	107	130	1,860
Collateral	84	78	107	88	78	68	90	60	55	65	773
Insufficient Cash	27	20	31	36	34	26	23	20	20	29	266
Unverifiable Information	28	58	63	112	51	26	26	40	20	31	455
Credit Application Incomplete	91	127	134	164	70	42	49	51	87	80	895
Mortgage Insurance Denied	5	1	7	0	12	9	5	2	0	3	44
Other	199	214	195	169	84	55	53	61	55	49	1,134
Missing	260	268	447	264	199	168	113	72	112	158	2,061
Total	1,178	1,280	1,447	1,417	877	701	676	588	669	747	9,580

Table D.3.A
Loan Applications by Selected Action Taken by Race/Ethnicity of Applicant
City of Rochester
2004–2013 HMDA Data

Race		2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
American Indian	Originated	2	6	7	7	1	3	1	1	4	4	36
	Denied	3	2	4	2	4	0	0	0	2	0	17
	Denial Rate	60.0%	25.0%	36.4%	22.2%	80.0%	.0%	.0%	.0%	33.3%	.0%	32.1%
Asian	Originated	58	41	48	31	29	32	20	16	18	28	321
	Denied	11	12	6	11	2	4	4	2	3	7	62
	Denial Rate	15.9%	22.6%	11.1%	26.2%	6.5%	11.1%	16.7%	11.1%	14.3%	20.0%	16.2%
Black	Originated	359	379	416	348	228	169	172	130	135	133	2,469
	Denied	106	186	233	160	76	49	53	36	39	60	998
	Denial Rate	22.8%	32.9%	35.9%	31.5%	25.0%	22.5%	23.6%	21.7%	22.4%	31.1%	28.8%
White	Originated	1,332	1,503	1,398	1,273	927	937	783	644	672	744	10,213
	Denied	233	236	258	255	158	133	95	61	76	111	1,616
	Denial Rate	14.9%	13.6%	15.6%	16.7%	14.6%	12.4%	10.8%	8.7%	10.2%	13.0%	13.7%
Not Available	Originated	114	101	113	66	75	52	44	37	41	40	683
	Denied	67	82	84	59	20	20	10	6	12	18	378
	Denial Rate	37.0%	44.8%	42.6%	47.2%	21.1%	27.8%	18.5%	14.0%	22.6%	31.0%	35.6%
Not Applicable	Originated	29	0	0	0	0	0	1	0	0	0	30
	Denied	3	1	0	0	0	0	0	0	0	0	4
	Denial Rate	37.0%	44.8%	42.6%	47.2%	21.1%	27.8%	18.5%	14.0%	22.6%	31.0%	11.8%
Total	Originated	1,894	2,030	1,982	1,725	1,260	1,193	1,021	828	870	949	13,752
	Denied	423	519	585	487	260	206	162	105	132	196	3,075
	Denial Rate	18.3%	20.4%	22.8%	22.0%	17.1%	14.7%	13.7%	11.3%	13.2%	17.1%	18.3%
Non-Hispanic	Originated	1,461	1,746	1,698	1,506	1,087	1,063	893	722	765	810	11,751
	Denied	280	380	437	374	206	159	141	85	103	142	2,307
	Denial Rate	16.1%	17.9%	20.5%	19.9%	15.9%	13.0%	13.6%	10.5%	11.9%	14.9%	16.4%
Hispanic	Originated	154	167	172	147	105	88	90	76	76	107	1,182
	Denied	50	53	64	59	39	29	9	14	18	38	373
	Denial Rate	24.5%	24.1%	27.1%	28.6%	27.1%	24.8%	9.1%	15.6%	19.1%	26.2%	24.0%

Table D.3.B
Loan Applications by Selected Action Taken by Race/Ethnicity of Applicant
Remainder of Monroe County
2004–2013 HMDA Data

Race		2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
American Indian	Originated	25	19	18	11	16	14	4	5	11	7	130
	Denied	3	0	6	4	5	2	0	2	0	2	24
	Denial Rate	10.7%	.0%	25.0%	26.7%	23.8%	.0%	.0%	28.6%	.0%	22.2%	15.6%
Asian	Originated	259	262	226	251	174	184	164	167	155	193	2,035
	Denied	16	25	25	27	15	15	22	29	33	27	234
	Denial Rate	5.8%	8.7%	10.0%	9.7%	7.9%	7.5%	11.8%	14.8%	17.6%	12.3%	10.3%
Black	Originated	251	307	334	252	181	143	178	160	183	196	2,185
	Denied	49	67	86	105	36	35	43	29	45	39	534
	Denial Rate	16.3%	17.9%	20.5%	29.4%	16.6%	19.7%	19.5%	15.3%	19.7%	16.6%	19.6%
White	Originated	7,354	7,670	7,340	6,552	5,335	5,260	4,506	4,477	4,921	5,510	58,925
	Denied	599	570	641	724	528	419	410	391	431	446	5,159
	Denial Rate	7.5%	6.9%	8.0%	10.0%	9.0%	7.4%	8.3%	8.0%	8.1%	7.5%	8.1%
Not Available	Originated	457	333	374	345	245	252	196	200	176	223	2,801
	Denied	84	99	104	70	33	24	39	32	28	37	550
	Denial Rate	15.5%	22.9%	21.8%	16.9%	11.9%	8.7%	16.6%	13.8%	13.7%	14.2%	16.4%
Not Applicable	Originated	35	0	0	0	1	1	0	0	0	0	37
	Denied	4	0	0	0	0	0	0	0	0	0	4
	Denial Rate	15.5%	22.9%	21.8%	16.9%	11.9%	8.7%	16.6%	13.8%	13.7%	14.2%	9.8%
Total	Originated	8,381	8,591	8,292	7,411	5,952	5,854	5,048	5,009	5,446	6,129	66,113
	Denied	755	761	862	930	617	495	514	483	537	551	6,505
	Denial Rate	8.3%	8.1%	9.4%	11.1%	9.4%	7.8%	9.2%	8.8%	9.0%	8.2%	9.0%
Non-Hispanic	Originated	6,809	7,998	7,700	6,885	5,567	5,470	4,704	4,661	5,118	5,726	60,638
	Denied	581	615	709	820	556	440	455	438	485	474	5,573
	Denial Rate	7.9%	7.1%	8.4%	10.6%	9.1%	7.4%	8.8%	8.6%	8.7%	7.6%	8.4%
Hispanic	Originated	153	198	202	170	124	129	134	119	142	168	1,539
	Denied	29	33	41	41	21	27	20	15	20	27	274
	Denial Rate	15.9%	14.3%	16.9%	19.4%	14.5%	17.3%	13.0%	11.2%	12.3%	13.8%	15.1%

Table D.3.C
Loan Applications by Selected Action Taken by Race/Ethnicity of Applicant
 Monroe County
 2004–2013 HMDA Data

Race		2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
American Indian	Originated	27	25	25	18	17	17	5	6	15	11	166
	Denied	6	2	10	6	9	2	0	2	2	2	41
	Denial Rate	18.2%	7.4%	28.6%	25.0%	34.6%	.0%	.0%	25.0%	11.8%	15.4%	19.8%
Asian	Originated	317	303	274	282	203	216	184	183	173	221	2,356
	Denied	27	37	31	38	17	19	26	31	36	34	296
	Denial Rate	7.8%	10.9%	10.2%	11.9%	7.7%	8.1%	12.4%	14.5%	17.2%	13.3%	11.2%
Black	Originated	610	686	750	600	409	312	350	290	318	329	4,654
	Denied	155	253	319	265	112	84	96	65	84	99	1,532
	Denial Rate	20.3%	26.9%	29.8%	30.6%	21.5%	21.2%	21.5%	18.3%	20.9%	23.1%	24.8%
White	Originated	8,686	9,173	8,738	7,825	6,262	6,197	5,289	5,121	5,593	6,254	69,138
	Denied	832	806	899	979	686	552	505	452	507	557	6,775
	Denial Rate	8.7%	8.1%	9.3%	11.1%	9.9%	8.2%	8.7%	8.1%	8.3%	8.2%	8.9%
Not Available	Originated	571	434	487	411	320	304	240	237	217	263	3,484
	Denied	151	181	188	129	53	44	49	38	40	55	928
	Denial Rate	20.9%	29.4%	27.9%	23.9%	14.2%	12.6%	17.0%	13.8%	15.6%	17.3%	21.0%
Not Applicable	Originated	64	0	0	0	1	1	1	0	0	0	67
	Denied	7	1	0	0	0	0	0	0	0	0	8
	Denial Rate	20.9%	29.4%	27.9%	23.9%	14.2%	12.6%	17.0%	13.8%	15.6%	17.3%	10.7%
Total	Originated	10,275	10,621	10,274	9,136	7,212	7,047	6,069	5,837	6,316	7,078	79,865
	Denied	1,178	1,280	1,447	1,417	877	701	676	588	669	747	9,580
	Denial Rate	10.3%	10.8%	12.3%	13.4%	10.8%	9.0%	10.0%	9.2%	9.6%	9.5%	10.7%
Non-Hispanic	Originated	8,270	9,744	9,398	8,391	6,654	6,533	5,597	5,383	5,883	6,536	72,389
	Denied	861	995	1,146	1,194	762	599	596	523	588	616	7,880
	Denial Rate	9.4%	9.3%	10.9%	12.5%	10.3%	8.4%	9.6%	8.9%	9.1%	8.6%	9.8%
Hispanic	Originated	307	365	374	317	229	217	224	195	218	275	2,721
	Denied	79	86	105	100	60	56	29	29	38	65	647
	Denial Rate	20.5%	19.1%	21.9%	24.0%	20.8%	20.5%	11.5%	12.9%	14.8%	19.1%	19.2%

Table D.4
Loan Applications by Reason for Denial by Race/Ethnicity of Applicant
City of Rochester
2004–2013 HMDA Data

Denial Reason	American Indian	Asian	Black	White	Not Available	Not Applicable	Total	Hispanic (Ethnicity)
City of Rochester								
Debt-to-Income Ratio	1	8	151	252	46	0	458	49
Employment History	0	3	19	50	7	1	80	10
Credit History	4	15	268	313	80	1	681	89
Collateral	0	6	72	184	29	0	291	28
Insufficient Cash	2	2	28	39	4	0	75	5
Unverifiable Information	1	1	39	88	7	0	136	18
Credit Application Incomplete	1	2	66	118	31	1	219	17
Mortgage Insurance Denied	0	0	1	10	0	0	11	1
Other	0	9	113	186	65	1	374	35
Missing	8	16	241	376	109	0	750	121
Total	17	62	998	1,616	378	4	3,075	373
% Missing	47.1%	25.8%	24.1%	23.3%	28.8%	0.0%	24.4%	32.4%
Remainder of Monroe County								
Debt-to-Income Ratio	1	59	115	1,110	98	0	1,383	64
Employment History	1	8	8	146	8	0	171	7
Credit History	3	32	144	917	82	1	1,179	51
Collateral	0	12	24	419	27	0	482	16
Insufficient Cash	2	10	10	155	14	0	191	10
Unverifiable Information	1	15	16	255	32	0	319	8
Credit Application Incomplete	2	32	45	527	68	2	676	24
Mortgage Insurance Denied	0	1	4	25	3	0	33	0
Other	5	21	55	611	67	1	760	24
Missing	9	44	113	994	151	0	1,311	70
Total	24	234	534	5,159	550	4	6,505	274
% Missing	37.5%	18.8%	21.2%	19.3%	27.5%	0.0%	20.2%	25.5%
Monroe County								
Debt-to-Income Ratio	2	67	266	1,362	144	0	1,841	113
Employment History	1	11	27	196	15	1	251	17
Credit History	7	47	412	1,230	162	2	1,860	140
Collateral	0	18	96	603	56	0	773	44
Insufficient Cash	4	12	38	194	18	0	266	15
Unverifiable Information	2	16	55	343	39	0	455	26
Credit Application Incomplete	3	34	111	645	99	3	895	41
Mortgage Insurance Denied	0	1	5	35	3	0	44	1
Other	5	30	168	797	132	2	1,134	59
Missing	17	60	354	1,370	260	0	2,061	191
Total	41	296	1,532	6,775	928	8	9,580	647
% Missing	41.5%	20.3%	23.1%	20.2%	28.0%	0.0%	21.5%	29.5%

Table D.5
Loan Applications by Selected Action Taken by Gender of Applicant

City of Rochester
2004–2013 HMDA Data

Gender		2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
City of Rochester												
Male	Originated	1,053	1,111	1,115	894	705	668	559	447	478	513	7,543
	Denied	214	242	289	255	128	106	87	67	75	107	1,570
	Denial Rate	16.9%	17.9%	20.6%	22.2%	15.4%	13.7%	13.5%	13.0%	13.6%	17.3%	17.2%
Female	Originated	802	868	818	794	513	503	442	364	381	413	5,898
	Denied	175	244	261	209	122	92	71	34	52	82	1,342
	Denial Rate	17.9%	21.9%	24.2%	20.8%	19.2%	15.5%	13.8%	8.5%	12.0%	16.6%	18.5%
Not Available	Originated	39	51	49	37	42	22	19	17	11	23	310
	Denied	34	32	35	23	10	8	4	4	5	7	162
	Denial Rate	46.6%	38.6%	41.7%	38.3%	19.2%	26.7%	17.4%	19.0%	31.3%	23.3%	34.3%
Not Applicable	Originated	0	0	0	0	0	0	1	0	0	0	1
	Denied	0	1	0	0	0	0	0	0	0	0	1
	Denial Rate	%	100.0%	%	%	%	%	0.0%	%	%	%	50.0%
Total	Originated	1,894	2,030	1,982	1,725	1,260	1,193	1,021	828	870	949	13,752
	Denied	423	519	585	487	260	206	162	105	132	196	3,075
	Denial Rate	18.3%	20.4%	22.8%	22.0%	17.1%	14.7%	13.7%	11.3%	13.2%	17.1%	18.3%
Remainder of Monroe County												
Male	Originated	5,604	5,641	5,411	4,870	3,900	3,812	3,244	3,208	3,579	3,917	43,186
	Denied	480	433	481	549	389	310	323	295	327	332	3,919
	Denial Rate	7.9%	7.1%	8.2%	10.1%	9.1%	7.5%	9.1%	8.4%	8.4%	7.8%	8.3%
Female	Originated	2,537	2,735	2,667	2,328	1,914	1,911	1,691	1,654	1,758	2,066	21,261
	Denied	229	280	331	344	203	178	168	167	195	194	2,289
	Denial Rate	8.3%	9.3%	11.0%	12.9%	9.6%	8.5%	9.0%	9.2%	10.0%	8.6%	9.7%
Not Available	Originated	238	215	214	213	138	130	113	147	109	146	1,663
	Denied	46	48	50	37	25	7	23	21	15	25	297
	Denial Rate	16.2%	18.3%	18.9%	14.8%	15.3%	5.1%	16.9%	12.5%	12.1%	14.6%	15.2%
Not Applicable	Originated	2	0	0	0	0	1	0	0	0	0	3
	Denied	0	0	0	0	0	0	0	0	0	0	0
	Denial Rate	0.0%	%	%	%	%	0.0%	%	%	%	%	0.0%
Total	Originated	8,381	8,591	8,292	7,411	5,952	5,854	5,048	5,009	5,446	6,129	66,113
	Denied	755	761	862	930	617	495	514	483	537	551	6,505
	Denial Rate	8.3%	8.1%	9.4%	11.1%	9.4%	7.8%	9.2%	8.8%	9.0%	8.2%	9.0%
Monroe County												
Male	Originated	6,657	6,752	6,526	5,764	4,605	4,480	3,803	3,655	4,057	4,430	50,729
	Denied	694	675	770	804	517	416	410	362	402	439	5,489
	Denial Rate	9.4%	9.1%	10.6%	12.2%	10.1%	8.5%	9.7%	9.0%	9.0%	9.0%	9.8%
Female	Originated	3,339	3,603	3,485	3,122	2,427	2,414	2,133	2,018	2,139	2,479	27,159
	Denied	404	524	592	553	325	270	239	201	247	276	3,631
	Denial Rate	10.8%	12.7%	14.5%	15.0%	11.8%	10.1%	10.1%	9.1%	10.4%	10.0%	11.8%
Not Available	Originated	277	266	263	250	180	152	132	164	120	169	1,973
	Denied	80	80	85	60	35	15	27	25	20	32	459
	Denial Rate	22.4%	23.1%	24.4%	19.4%	16.3%	9.0%	17.0%	13.2%	14.3%	15.9%	18.9%
Not Applicable	Originated	2	0	0	0	0	1	1	0	0	0	4
	Denied	0	1	0	0	0	0	0	0	0	0	1
	Denial Rate	0.0%	100.0%	%	%	%	0.0%	0.0%	%	%	%	20.0%
Total	Originated	10,275	10,621	10,274	9,136	7,212	7,047	6,069	5,837	6,316	7,078	79,865
	Denied	1,178	1,280	1,447	1,417	877	701	676	588	669	747	9,580
	Denial Rate	10.3%	10.8%	12.3%	13.4%	10.8%	9.0%	10.0%	9.2%	9.6%	9.5%	10.7%

Table D.6.A
Loan Applications by Income of Applicant: Originated and Denied
City of Rochester
2004–2013 HMDA Data

Income		2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
\$15,000 or Below	Loan Originated	27	20	16	10	9	8	6	4	4	6	110
	Application Denied	30	29	24	12	9	7	2	6	7	12	138
	Denial Rate	52.6%	59.2%	60.0%	54.5%	50.0%	46.7%	25.0%	60.0%	63.6%	66.7%	55.6%
\$15,001 –\$30,000	Loan Originated	544	526	478	428	286	267	273	203	183	193	3,381
	Application Denied	155	184	200	165	74	75	52	32	42	64	1,043
	Denial Rate	22.2%	25.9%	29.5%	27.8%	20.6%	21.9%	16.0%	13.6%	18.7%	24.9%	23.6%
\$30,001 –\$45,000	Loan Originated	596	663	673	566	440	385	306	211	214	250	4,304
	Application Denied	110	152	154	158	93	66	45	30	30	50	888
	Denial Rate	15.6%	18.7%	18.6%	21.8%	17.4%	14.6%	12.8%	12.4%	12.3%	16.7%	17.1%
\$45,001 –\$60,000	Loan Originated	278	368	364	304	210	255	182	155	197	181	2,494
	Application Denied	59	73	102	62	29	27	21	15	24	29	441
	Denial Rate	17.5%	16.6%	21.9%	16.9%	12.1%	9.6%	10.3%	8.8%	10.9%	13.8%	15.0%
\$60,001 –\$75,000	Loan Originated	180	167	161	131	123	106	90	83	85	103	1,229
	Application Denied	18	20	41	29	22	14	10	10	11	17	192
	Denial Rate	9.1%	10.7%	20.3%	18.1%	15.2%	11.7%	10.0%	10.8%	11.5%	14.2%	13.5%
Above \$75,000	Loan Originated	206	240	262	267	182	165	157	164	182	214	2,039
	Application Denied	31	51	39	48	30	14	28	8	16	22	287
	Denial Rate	13.1%	17.5%	13.0%	15.2%	14.2%	7.8%	15.1%	4.7%	8.1%	9.3%	12.3%
Data Missing	Loan Originated	63	46	28	19	10	7	7	8	5	2	195
	Application Denied	20	10	25	13	3	3	4	4	2	2	86
	Denial Rate	24.1%	17.9%	47.2%	40.6%	23.1%	30.0%	36.4%	33.3%	28.6%	50.0%	30.6%
Total	Loan Originated	1,894	2,030	1,982	1,725	1,260	1,193	1,021	828	870	949	13,752
	Application Denied	423	519	585	487	260	206	162	105	132	196	3,075
	Denial Rate	18.3%	20.4%	22.8%	22.0%	17.1%	14.7%	13.7%	11.3%	13.2%	17.1%	18.3%

Table D.6.B
Loan Applications by Income of Applicant: Originated and Denied
 Remainder of Monroe County
 2004–2013 HMDA Data

Income		2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
\$15,000 or Below	Loan Originated	49	42	25	24	22	10	5	5	1	1	184
	Application Denied	17	30	12	17	7	8	11	10	10	8	130
	Denial Rate	25.8%	41.7%	32.4%	41.5%	24.1%	44.4%	68.8%	66.7%	90.9%	88.9%	41.4%
\$15,001 –\$30,000	Loan Originated	699	577	511	380	338	398	326	295	352	365	4,241
	Application Denied	119	133	115	114	83	72	71	69	89	76	941
	Denial Rate	14.5%	18.7%	18.4%	23.1%	19.7%	15.3%	17.9%	19.0%	20.2%	17.2%	18.2%
\$30,001 –\$45,000	Loan Originated	1,829	1,735	1,612	1,502	1,195	1,323	988	978	1,011	1,167	13,340
	Application Denied	200	180	198	227	142	119	135	97	128	133	1,559
	Denial Rate	9.9%	9.4%	10.9%	13.1%	10.6%	8.3%	12.0%	9.0%	11.2%	10.2%	10.5%
\$45,001 –\$60,000	Loan Originated	1,629	1,767	1,623	1,454	1,185	1,245	982	973	1,072	1,195	13,125
	Application Denied	139	134	191	189	137	97	93	104	109	104	1,297
	Denial Rate	7.9%	7.0%	10.5%	11.5%	10.4%	7.2%	8.7%	9.7%	9.2%	8.0%	9.0%
\$60,001 –\$75,000	Loan Originated	1,268	1,320	1,181	1,078	862	841	754	731	763	904	9,702
	Application Denied	75	81	125	109	75	62	52	57	61	66	763
	Denial Rate	5.6%	5.8%	9.6%	9.2%	8.0%	6.9%	6.5%	7.2%	7.4%	6.8%	7.3%
Above \$75,000	Loan Originated	2,642	2,890	3,082	2,798	2,291	1,957	1,930	1,968	2,196	2,441	24,195
	Application Denied	146	162	188	234	161	128	142	132	129	151	1,573
	Denial Rate	5.2%	5.3%	5.7%	7.7%	6.6%	6.1%	6.9%	6.3%	5.5%	5.8%	6.1%
Data Missing	Loan Originated	265	260	258	175	59	80	63	59	51	56	1,326
	Application Denied	59	41	33	40	12	9	10	14	11	13	242
	Denial Rate	18.2%	13.6%	11.3%	18.6%	16.9%	10.1%	13.7%	19.2%	17.7%	18.8%	15.4%
Total	Loan Originated	8,381	8,591	8,292	7,411	5,952	5,854	5,048	5,009	5,446	6,129	66,113
	Application Denied	755	761	862	930	617	495	514	483	537	551	6,505
	Denial Rate	8.3%	8.1%	9.4%	11.1%	9.4%	7.8%	9.2%	8.8%	9.0%	8.2%	9.0%

Table D.6.C
Loan Applications by Income of Applicant: Originated and Denied

Monroe County
2004–2013 HMDA Data

Income		2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
\$15,000 or Below	Loan Originated	76	62	41	34	31	18	11	9	5	7	294
	Application Denied	47	59	36	29	16	15	13	16	17	20	268
	Denial Rate	38.2%	48.8%	46.8%	46.0%	34.0%	45.5%	54.2%	64.0%	77.3%	74.1%	47.7%
\$15,001 –\$30,000	Loan Originated	1,243	1,103	989	808	624	665	599	498	535	558	7,622
	Application Denied	274	317	315	279	157	147	123	101	131	140	1,984
	Denial Rate	18.1%	22.3%	24.2%	25.7%	20.1%	18.1%	17.0%	16.9%	19.7%	20.1%	20.7%
\$30,001 –\$45,000	Loan Originated	2,425	2,398	2,285	2,068	1,635	1,708	1,294	1,189	1,225	1,417	17,644
	Application Denied	310	332	352	385	235	185	180	127	158	183	2,447
	Denial Rate	11.3%	12.2%	13.3%	15.7%	12.6%	9.8%	12.2%	9.7%	11.4%	11.4%	12.2%
\$45,001 –\$60,000	Loan Originated	1,907	2,135	1,987	1,758	1,395	1,500	1,164	1,128	1,269	1,376	15,619
	Application Denied	198	207	293	251	166	124	114	119	133	133	1,738
	Denial Rate	9.4%	8.8%	12.9%	12.5%	10.6%	7.6%	8.9%	9.5%	9.5%	8.8%	10.0%
\$60,001 –\$75,000	Loan Originated	1,448	1,487	1,342	1,209	985	947	844	814	848	1,007	10,931
	Application Denied	93	101	166	138	97	76	62	67	72	83	955
	Denial Rate	6.0%	6.4%	11.0%	10.2%	9.0%	7.4%	6.8%	7.6%	7.8%	7.6%	8.0%
Above \$75,000	Loan Originated	2,848	3,130	3,344	3,065	2,473	2,122	2,087	2,132	2,378	2,655	26,234
	Application Denied	177	213	227	282	191	142	170	140	145	173	1,860
	Denial Rate	5.9%	6.4%	6.4%	8.4%	7.2%	6.3%	7.5%	6.2%	5.7%	6.1%	6.6%
Data Missing	Loan Originated	328	306	286	194	69	87	70	67	56	58	1,521
	Application Denied	79	51	58	53	15	12	14	18	13	15	328
	Denial Rate	19.4%	14.3%	16.9%	21.5%	17.9%	12.1%	16.7%	21.2%	18.8%	20.5%	17.7%
Total	Loan Originated	10,275	10,621	10,274	9,136	7,212	7,047	6,069	5,837	6,316	7,078	79,865
	Application Denied	1,178	1,280	1,447	1,417	877	701	676	588	669	747	9,580
	Denial Rate	10.3%	10.8%	12.3%	13.4%	10.8%	9.0%	10.0%	9.2%	9.6%	9.5%	10.7%

Table D.7
Loans by Loan Purpose by HAL Status
City of Rochester
2004–2013 HMDA Data

Loan Purpose		2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
City of Rochester												
Home Purchase	Other	1,585	1,526	1,466	1,476	1,110	1,149	1,020	825	865	948	11,970
	HAL	309	504	516	249	150	44	1	3	5	1	1,782
	Percent HAL	16.3%	24.8%	26.0%	14.4%	11.9%	3.7%	0.1%	0.4%	0.6%	0.1%	13.0%
Home Improvement	Other	351	448	518	393	325	306	339	353	348	373	3,754
	HAL	91	131	172	111	26	9	7	4	10	6	567
	Percent HAL	20.6%	22.6%	24.9%	22.0%	7.4%	2.9%	2.0%	1.1%	2.8%	1.6%	13.1%
Refinancing	Other	1,169	730	512	414	347	660	534	530	703	584	6,183
	HAL	366	563	482	322	138	54	8	3	8	5	1,949
	Percent HAL	23.8%	43.5%	48.5%	43.8%	28.5%	7.6%	1.5%	0.6%	1.1%	0.8%	24.0%
Total	Other	3,105	2,704	2,496	2,283	1,782	2,115	1,893	1,708	1,916	1,905	21,907
	HAL	766	1,198	1,170	682	314	107	16	10	23	12	4,298
	Percent HAL	19.8%	30.7%	31.9%	23.0%	15.0%	4.8%	0.8%	0.6%	1.2%	1.2%	16.4%
Remainder of Monroe County												
Home Purchase	Other	7,722	7,530	7,125	6,873	5,653	5,694	5,034	4,994	5,436	6,122	62,183
	HAL	659	1,061	1,167	538	299	160	14	15	10	7	3,930
	Percent HAL	7.9%	12.4%	14.1%	7.3%	5.0%	2.7%	0.3%	0.3%	0.2%	0.1%	5.9%
Home Improvement	Other	1,233	1,634	1,913	1,728	1,072	1,223	1,176	1,229	1,452	1,432	14,092
	HAL	183	268	363	251	121	73	17	25	49	36	1,386
	Percent HAL	12.9%	14.1%	15.9%	12.7%	10.1%	5.6%	1.4%	2.0%	3.3%	2.5%	9.0%
Refinancing	Other	6,656	4,673	3,741	3,342	2,898	6,443	5,929	5,667	7,026	5,395	51,770
	HAL	1,028	1,359	1,348	858	411	226	14	18	35	22	5,319
	Percent HAL	13.4%	22.5%	26.5%	20.4%	12.4%	3.4%	0.2%	0.3%	0.5%	0.4%	9.3%
Total	Other	15,611	13,837	12,779	11,943	9,623	13,360	12,139	11,890	13,914	12,949	128,045
	HAL	1,870	2,688	2,878	1,647	831	459	45	58	94	65	10,635
	Percent HAL	10.7%	16.3%	18.4%	12.1%	7.9%	3.3%	0.4%	0.5%	0.7%	0.7%	7.7%
Monroe County												
Home Purchase	Other	9,307	9,056	8,591	8,349	6,763	6,843	6,054	5,819	6,301	7,070	74,153
	HAL	968	1,565	1,683	787	449	204	15	18	15	8	5,712
	Percent HAL	9.4%	14.7%	16.4%	8.6%	6.2%	2.9%	0.2%	0.3%	0.2%	0.1%	7.2%
Home Improvement	Other	1,584	2,082	2,431	2,121	1,397	1,529	1,515	1,582	1,800	1,805	17,846
	HAL	274	399	535	362	147	82	24	29	59	42	1,953
	Percent HAL	14.7%	16.1%	18.0%	14.6%	9.5%	5.1%	1.6%	1.8%	3.2%	2.3%	9.9%
Refinancing	Other	7,825	5,403	4,253	3,756	3,245	7,103	6,463	6,197	7,729	5,979	57,953
	HAL	1,394	1,922	1,830	1,180	549	280	22	21	43	27	7,268
	Percent HAL	15.1%	26.2%	30.1%	23.9%	14.5%	3.8%	0.3%	0.3%	0.6%	0.4%	11.1%
Total	Other	18,716	16,541	15,275	14,226	11,405	15,475	14,032	13,598	15,830	14,854	149,952
	HAL	2,636	3,886	4,048	2,329	1,145	566	61	68	117	77	14,933
	Percent HAL	12.3%	19.0%	20.9%	14.1%	9.1%	3.5%	0.4%	0.5%	0.7%	0.7%	9.1%

Table D.8
HALs Originated by Race of Borrower

City of Rochester
2004–2013 HMDA Data

Race	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	Total
City of Rochester											
American Indian	2	3	3	1	0	0	0	0	0	0	9
Asian	12	10	8	2	7	1	0	0	0	0	40
Black	89	163	181	97	44	9	0	1	0	0	584
White	170	289	276	126	90	32	1	1	3	1	989
Not Available	35	39	48	23	9	2	0	1	2	0	159
Not Applicable	1	0	0	0	0	0	0	0	0	0	1
Total	309	504	516	249	150	44	1	3	5	1	1,782
Non-Hispanic	229	408	416	204	119	40	0	2	1	1	1,420
Hispanic	27	49	49	21	20	2	1	1	1	0	171
Remainder of Monroe County											
American Indian	9	2	7	1	0	0	0	0	0	0	19
Asian	16	21	25	10	4	3	1	0	0	1	81
Black	41	100	131	51	13	4	0	1	0	1	342
White	533	884	910	444	263	147	10	14	8	5	3,218
Not Available	56	54	94	32	18	6	3	0	2	0	265
Not Applicable	4	0	0	0	1	0	0	0	0	0	5
Total	659	1,061	1,167	538	299	160	14	15	10	7	3,930
Non-Hispanic	545	951	1,021	484	267	147	11	15	7	7	3,455
Hispanic	19	43	40	16	8	6	1	0	0	0	133
Monroe County											
American Indian	11	5	10	2	0	0	0	0	0	0	28
Asian	28	31	33	12	11	4	1	0	0	1	121
Black	130	263	312	148	57	13	0	2	0	1	926
White	703	1,173	1,186	570	353	179	11	15	11	6	4,207
Not Available	91	93	142	55	27	8	3	1	4	0	424
Not Applicable	5	0	0	0	1	0	0	0	0	0	6
Total	968	1,565	1,683	787	449	204	15	18	15	8	5,712
Non-Hispanic	774	1,359	1,437	688	386	187	11	17	8	8	4,875
Hispanic	46	92	89	37	28	8	2	1	1	0	304

ADDITIONAL HUD COMPLAINT TABLES

Table D.9
Fair Housing Complaints by Closure Status
City of Rochester
2004–2014 HUD Data

Closure Status	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	Total
No Cause	24	14	9	6	17	18	16	6	10	9	3	132
Withdrawal After Resolution	6	3		1	2	2		4	2	1		21
Conciliated / Settled		2		1		2	4	1	1	2	1	14
FHAP Judicial Consent Order		1	2	3	1				1	2	1	11
Withdrawal Without Resolution			2			2		1	1			6
Lack of Jurisdiction		1		1				1	1			4
Trial has Begun	1			1								2
Open								1	1	1	3	6
Total Complaints	31	21	13	13	20	24	20	14	17	15	8	196

Table D.10
Fair Housing Complaints by Issue

City of Rochester
2004–2014 HUD Data

Issue	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	Total
Discriminatory terms, conditions, privileges, or services and facilities	6	7	4	5	9	10	8	9	8	7	5	78
Discrimination in term, conditions or privileges relating to rental	9	9	4	7	5	8	5	3	7	5	1	63
Discriminatory acts under Section 818 (coercion, etc.)	6	5	3	2	5	9	8	6	5	3	1	53
Discriminatory refusal to rent	7	1	4	1	8	5	7	2	7	3	2	47
Other discriminatory acts		2	3	2	2	5	5	1	4	4	2	30
Discriminatory refusal to rent and negotiate for rental	5	2	3	1	1	7	3	1		1		24
Otherwise deny or make housing available	4	1	2	1	3	7						18
Failure to make reasonable accommodation	1		1	1			4	2	2	2	1	14
False denial or representation of availability - rental	3	1				1	2		1			8
Discriminatory financing (includes real estate transactions)	2	3				1				1	1	8
Discriminatory refusal to negotiate for rental	1				1	2						4
Discriminatory advertising, statements and notices					2		1	1				4
Discriminatory advertisement - rental						2			1			3
False denial or representation of availability					1	1	1					3
Discriminatory brokerage service					1				1	1		3
Discrimination in services and facilities relating to rental	1					2						3
Blockbusting - rental						2						2
Discriminatory refusal to sell and negotiate for sale		1										1
Discrimination in making of loans					1							1
Total Issues	45	32	24	20	39	62	44	25	36	27	13	367
Total Complaints	31	21	13	13	20	24	20	14	17	15	8	196

HUD Complaints Found With Cause

Table D.11
Fair Housing Complaints Found With Cause by Basis
 City of Rochester
 2004–2014 HUD Data

Basis	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	Total
Disability	2	3	1	2	3	3	3	4	2	5	2	30
Family Status	2		1	3				1	2	1		10
Race	1	2			1	3	1	1				9
Sex	1	1			1	1	1	2		1		8
National Origin		1		1			1			1		4
Color		1				1	1					3
Religion							2	1				3
Retaliation								1				1
Total Bases	6	8	2	6	5	8	9	10	4	8	2	68
Total Complaints	6	6	2	5	3	4	4	5	4	5	2	46

Table D.12
Fair Housing Complaints Found With Cause by Issue
City of Rochester
2004–2014 HUD Data

Issue	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	Total
Discrimination in term, conditions or privileges relating to rental	3	4		3	1	1	1	1	2	2		18
Discriminatory terms, conditions, privileges, or services and facilities	1	1		2	1	2		4	2	2	2	17
Discriminatory refusal to rent	2		1	1		2	2	1	2	1		12
Discriminatory acts under Section 818 (coercion, etc.)	1	1		1	1	1	1	2			1	9
Otherwise deny or make housing available	2	1	1	1		2						7
Other discriminatory acts			1	1	1	1			1	1		6
Discriminatory refusal to rent and negotiate for rental	1					1	2	1				5
Failure to make reasonable accommodation							1	1	1	1	1	5
Discriminatory advertising, statements and notices							1	1				2
False denial or representation of availability - rental							1		1			2
Discriminatory refusal to sell and negotiate for sale		1										1
False denial or representation of availability						1						1
Discriminatory financing (includes real estate transactions)						1						1
Total Issues	10	8	3	9	4	12	9	11	9	7	4	86
Total Complaints	6	6	2	5	3	4	4	5	4	5	2	46

ADDITIONAL DEPARTMENT OF HUMAN RIGHTS COMPLAINT TABLES

Table D.13
Fair Housing Complaints By Complaint Description
Monroe County
New York State Division of Human Rights

Event Description	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	Total
No Probable Cause Determination Issued	21	17	15	19	18	26	19	16	11	17	12	191
Conciliation Closing Issued	4	5	4	2	4	7	5	10	3	4	3	51
Complaint Dismissed	1	1	2	6	4	5	2	6	2	6	1	36
Serve Order After Stipulation of Settlement	1	0	0	1	2	2	0	1	0	1	2	10
Withdrawn Without Benefits	4	0	0	0	0	0	0	0	0	0	0	4
AC: Other	1	0	0	0	0	0	0	0	0	0	0	1
Serve Order After Hearing: Sustaining A Demurrer	0	0	0	1	0	0	0	0	0	0	0	1
Total	32	23	21	29	28	40	26	33	16	28	18	294

Table D.14
Conciliated Fair Housing Complaints by Outcome
Monroe County
New York State Division of Human Rights

Outcome	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	Total
Pre-determination	0	3	1	1	2	4	2	5	1	1	2	22
Withdrawn with Benefits	4	2	3	1	2	3	3	5	2	3	1	29
Total	4	5	4	2	4	7	5	10	3	4	3	51

Table D.15
Fair Housing Complaints by Basis of Complaints

Monroe County
New York State Division of Human Rights

Basis	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	Total
Disability	8	10	10	17	13	17	17	18	10	15	11	146
Race/Color	12	12	8	12	14	18	8	12	5	9	7	117
Sex	7	3	3	2	4	11	7	8	2	7	6	60
Familial Status	9	2	1	5	6	9	2	7	5	7	5	58
Creed	.	1	1	2	4	4	2	6	1	3	2	26
Opposed Discrimination/Retaliation	.	1	.	3	1	2	6	5	.	3	5	26
Age	2	2	.	1	1	8	1	.	1	3	2	21
Marital Status	.	.	2	.	.	.	.	2	1	2	.	7
Sexual Orientation	.	.	.	.	.	2	1	1	.	.	1	5
Arrest Record	.	.	.	.	.	1	.	1	.	1	.	3
Total Basis	38	31	25	42	43	72	44	60	25	50	39	469
Total Complaints	32	23	21	29	28	40	26	33	16	28	18	294

Table D.16
Conciliated Fair Housing Complaints by Basis of Complaints

Monroe County
New York State Division of Human Rights

Basis	2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	Total
Disability	3	4	2	2	3	5	5	7	2	3	2	38
Race/Color	1	1	2	2	2	3		3		1	2	17
Familial Status	2	1			2			2	1		2	10
Sex	1				1	1		2			1	6
Age		1				3						4
Creed					1			2				3
Opposed Discrimination/Retaliation								2				2
Total Basis	7	7	4	4	9	12	5	18	3	4	7	80
Total Conciliated Complaints	4	5	4	2	4	7	5	10	3	4	3	51

E: PRIORITIZATION OF ACTIONS PROPOSED TO ADDRESS FAIR HOUSING IMPEDIMENTS

CITY OF ROCHESTER | ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE | Prioritizing Actions

DRAFT IMPEDIMENTS & ACTIONS

PRIVATE SECTOR	Impediment	#	Action	Total	Rank
	1: High rates of home purchase loan denials for black & Hispanic applicants.	1.1	Development of a responsible banking ordinance, requiring banks to submit annual reports related to fair housing.	16	8
		1.2	Encourage housing-related entities to offer key publications in Spanish.	2	13
		1.3	Support efforts of local entities to secure fair housing grants.	4	12
	2: Discriminatory terms & conditions in rental housing market on basis of race, ethnicity, or familial status.	2.1	Continue outreach & education efforts designed for landlords, property managers, & tenants.	14	9
		2.2	Increase & enhance fair housing testing of rental properties & insurance providers.	18	T5
	3: Lack of accessible housing limits rental choices for persons with disabilities.	3.1	Increase outreach & education efforts targeting housing providers as well as prospective tenants with disabilities to underline legal requirements concerning reasonable accommodation.	19	4
	4: Lack of understanding of fair housing law on the part of housing providers & consumers.	4.1	Design a more dynamic & strategic outreach campaign that educates residents, landlords, & other housing professionals about fair housing rights & obligations.	27	T1
		4.2	Update the City's Annual Action Plan to dedicate additional funds to education, outreach, & enforcement.	17	7
		4.3	Enhance outreach & education related to fair housing requirements, compliance, & best practices to lenders, landlords, property owners, tenants, etc.	18	T5
	5: Redlining & steering.	5.1	Develop materials that educate homebuyers & tenants about redlining & steering.	5	11
		5.2	Increase & enhance fair housing testing of rental properties & insurance providers. <i>(repeat)</i>	9	10
	6: Financial capability & self-sufficiency of low income, black, & Hispanic residents.	6.1	Outreach & education activities for prospective homebuyers focusing on establishing good credit.	27	T1
		6.2	Increase visibility of housing counseling agencies targeted at low-income & minority homebuyers.	26	3

CITY OF ROCHESTER | ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE | Prioritizing Actions

DRAFT IMPEDIMENTS & ACTIONS

PUBLIC SECTOR	Impediment	#	Action	Total	Rank
	1: Significant concentrations of black & Hispanic residents & households in poverty around the city center.	1.1	Continue to promote mixed-income development.	37	2
		1.2	Conduct a city-wide study to identify areas of public/affordable housing & opportunities to phase out clusters.	23	6
		1.3	Work with the County to consider raising the shelter allowance rate.	48	1
		1.4	Enhance the City Living Sundays event to feature all aspects of city living, not just real estate opportunities.	6	11
		1.5	Further align city resources with alleviation of poverty & economic development.	28	4
		1.6	Promote rehab of existing units in areas w/ high concentration of distressed units.	27	5
	2: Significant concentrations of affordable housing in select areas of the city.	2.1	Continue to promote mixed-income development. <i>(repeat)</i>	17	T8
		2.2	Develop a program for rehabbing homes to bring them up to RHA standards.	29	3
		2.3	Expand outreach efforts to educate landlords on the benefits of accommodating Section 8 vouchers.	19	7
		2.4	Explore options for refining the City's Homebuyer Assistance Program to help deconcentrate poverty.	17	T8
		2.5	Further align city resources with alleviation of poverty & economic development. <i>(repeat)</i>	14	10