



AFFIRMATIVELY FURTHERING FAIR HOUSING:

GUIDE

A Guide for State and Federal Housing Grantees

Connecticut Fair Housing Center, Inc.

is a statewide non-profit organization, working to ensure that all Connecticut residents have access to the housing of their choice free from discrimination.

The Center investigates claims of housing discrimination in violation of federal and state fair housing statutes; assists claimants in litigation and/or administrative enforcement actions and conducts testing to determine compliance with federal and state laws. The Center also provides fair housing education to organizations or professionals with a role in the housing market as well as to home-seekers. Because of the devastating impact foreclosures have had on communities of color, the Center works with homeowners in danger of losing their homes to foreclosure by holding classes on self-representation, assisting with mortgage modifications, and providing legal representation.

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DEFINING AFFIRMATIVELY FURTHERING FAIR HOUSING

Recipients of state and federal funding must undertake efforts to counteract our history of segregation and discrimination.
To do this, grant recipients must analyze the barriers to fair housing in their area,
identify the steps that should be taken to overcome these barriers and undertake these steps.

DOES THE AFFIRMATIVELY FURTHERING OBLIGATION ONLY DEAL WITH RACIAL SEGREGATION?

No. Affirmatively furthering activities should be designed to reach any group
protected under the federal Fair Housing Act.

The federal Fair Housing Act prohibits discrimination on the basis of race, color, national origin,
ancestry, religion, sex, familial status and disability.

In addition to the federally protected classes, the state Fair Housing Act prohibits discrimination
based on marital status, sexual orientation, age, and gender identity or expression.

Introduction

Why do grantees¹ need a guidebook on affirmatively furthering fair housing?

Connecticut is one of the most racially and economically segregated states in the country. This segregation is the result of a web of historic and contemporary government policies and private actions that have intentionally and unintentionally created barriers to equal housing access. Much can be done to reverse this legacy, and the policies of housing grantees in Connecticut can play a central role in encouraging diversity. This guidebook is intended to present recipients of state and federal housing funds with a menu of strategies to promote thriving, open, welcoming, and diverse communities.

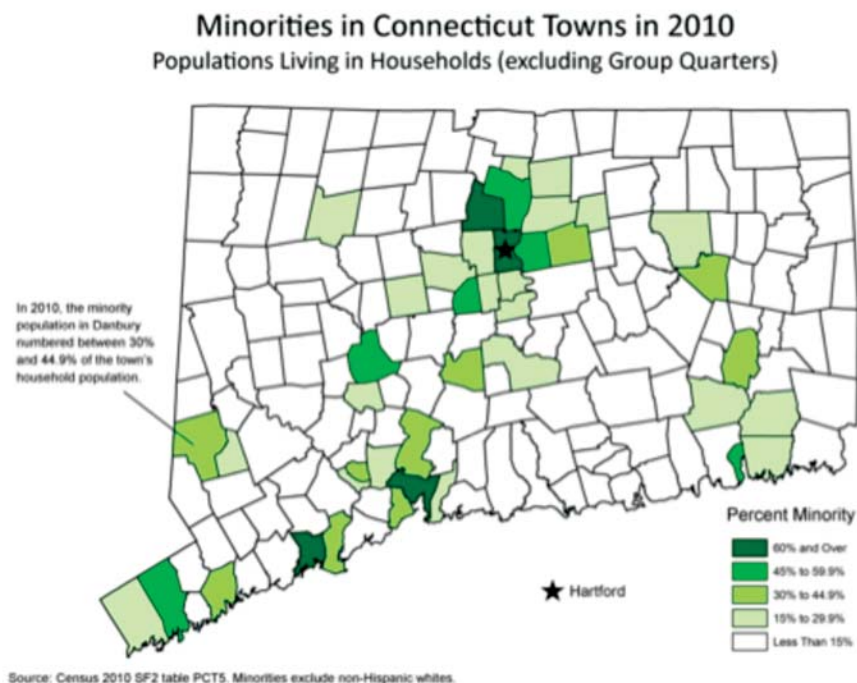
Where does the affirmatively furthering obligation come from?

Virtually every housing program in Connecticut is under a federal or state obligation to affirmatively further fair housing.² The U.S. Department of Housing and Urban Development (HUD) has found that the obligation to affirmatively further fair housing means that the entities implementing housing programs must counteract the historic and contemporary forces that created or currently perpetuate housing segregation.

This guide provides state and federal recipients of housing assistance advice on best practices to “affirmatively further fair housing” (AFFH) including information on how to:

1. Find resources to update, create or localize an Analysis of Impediments to Fair Housing Choice (AI);
2. Create action steps to overcome the impediments to fair housing;
3. Document any fair housing action steps taken.

Even towns that are not obligated to engage in affirmatively furthering activities should consider examining whether municipal policies are having the impact of promoting segregation or discouraging certain groups of people from opting to live in their town.



¹ Recipients of state and federal housing funding must undertake efforts to affirmatively further fair housing to counteract our history of segregation and discrimination. This guide is designed for grantees of funding who may be housing providers, housing authorities, housing cooperatives, cities, towns or other entities who have an obligation to affirmatively further fair housing. Unless specifically stated otherwise, the guidance provided here can be used by any state or federal housing grantee to affirmatively further fair housing.

² 42 USC §3608(e); Con.Gen.Stat. 8-37ee.

Affirmatively Furthering Fair Housing: The Obligation and Its Origins

When does the duty to affirmatively further fair housing apply?

Grantees or sub-grantees of Community Planning and Development programs operated by the U.S. Department of Housing and Urban Development (HUD) must affirmatively further fair housing. These programs include:

- The Community Development Block Grant (CDBG)
- The Home Investment Partnership (HOME)
- Emergency Shelter Grant (ESG)
- Housing Opportunities for Persons with AIDS (HOPWA).³

In addition, under state law every entity participating in any program administered by the Connecticut Department of Economic and Community Development (DECD) or the Connecticut Housing Finance Authority (CHFA) has an affirmative duty to further fair housing.

What do grantees getting state or federal housing funding need to do to affirmatively further fair housing?

Grantees or sub-grantees must:

1. Conduct an analysis to identify impediments to fair housing choice within the jurisdiction;
2. Take appropriate actions to overcome the effects of any impediments identified through the analysis, and
3. Maintain records reflecting the analysis and actions taken in this regard.⁴

Why do grantees have to affirmatively further fair housing?

A Brief History

It is impossible to understand the purpose of AFFH without a deeper understanding of the full range of policies and practices that shaped our current segregated landscape. Many of these policies were created and enforced by federal, state, and local governments. This section focuses on several practices in which government actions fostered segregation.

Zoning

In 1926, the Supreme Court in *Village of Euclid, Ohio v. Ambler Realty Co.*,

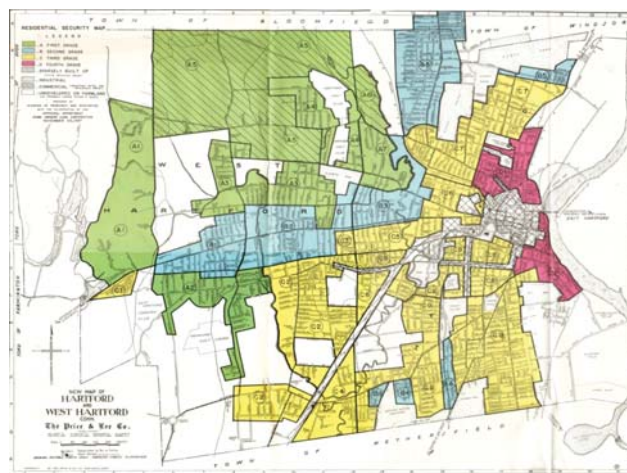
272 U.S. 365 (1926) endorsed local zoning power to designate zones for certain types of buildings and dictated restrictions on lot and building sizes. As a justification for the zoning designation, the lower court found that:

*[T]he blighting of property values and the congesting of population, whenever the colored or certain foreign races invade a resident section, are so well known as to be within the judicial cognizance.*⁵

By upholding local zoning power, the Supreme Court endorsed “Euclidian Zoning” even though it served as a tool to promote segregation. This form of zoning remains in effect in municipalities throughout the United States and continues to operate to create and perpetuate segregated housing because it is based in racial prejudice and stereotypes.

Redlining

Redlining also prevented people of color from moving into more prosperous neighborhoods. Redlining was a process of rating neighborhoods for stability, which used the presence of people of color or new immigrants as major factors for deeming a neighborhood unstable.⁶ Neighborhoods where people of color or new immigrants lived were ringed with a red line on planning maps while neighborhoods where Whites lived were ringed with green lines. This rating system was used to deny loans and homeowners’ insurance to unstable



1937 Redlining Map of the Hartford Area. Source: National Archive, collected by Professor Jack Dougherty of Trinity College.

The obligation to AFFH does not extend solely to the specifically funded project but rather to all housing and housing-related endeavors in the grantee’s jurisdiction regardless of whether such activities are privately or publicly funded.

or “redlined” areas and to approve loans to stable neighborhoods that were greenlined. Alongside this system, other discriminatory policies simultaneously operated to ensure Whites received essentially all (98 percent) of the loans approved by the federal government between 1934 and 1968.⁷

Racial Covenants

Finally, to ensure that persons of color would not be allowed to purchase homes in white communities, the deeds for these homes often included racial covenants. Racial covenants prevent the owner of real estate to sell or transfer the property to blacks or other racial minorities. A common type of this restriction appears in the deeds of West Hartford’s High Ledge Homes Development:

*No persons of any race except the white race shall use or occupy any building on any lot except that this covenant shall not prevent occupancy by domestic servants of a different race employed by an owner or tenant.*⁸

It was not until *Shelley v. Kraemer*, 334 U.S. 1 (1948) that the Supreme Court declared such clauses unenforceable by the courts, although technically they remained legal until the passage of the Fair Housing Act (FHA) in 1968.

Passage of the Federal Fair Housing Act

Despite the long history of housing discrimination and the problems caused by housing segregation, the fair housing movement languished until 1966 when Dr. Martin Luther King, Jr. led an open housing march from Chicago to the all-white suburb of Cicero. Four days after the death of Dr. King in April 1968, Congress passed the Fair Housing Act in recognition of his leadership on this issue. In addition to outlawing discrimination in housing, the law requires entities receiving federal funding to take steps to overcome the adverse effects of past discriminatory practices that continue to reverberate in



President Lyndon Johnson signs the federal Fair Housing Act into law, 1968 (above). Hartford on the night of Martin Luther King, Jr.'s assassination, 1968, <http://hartford-hwp.com/HBHP/index.html> (below).

our modern segregated communities. This component is encapsulated in the obligation to “affirmatively further fair housing”.

The history recounted here focuses on policies affecting segregation and discrimination based on race and ethnicity, however there is a long history of government policies that promoted differential treatment of other groups protected by the federal Fair Housing Act. For example, a longstanding government policy promoting the institutionalization of people with disabilities kept this population isolated for decades.⁹ Illegal occupancy restrictions prevented families with children from living in certain areas.¹⁰ Restrictions on government mortgages disadvantaged pregnant woman trying to purchase homes.¹¹ All of these policies are outlawed by the fair housing laws and are impediments to furthering fair housing.

⁷ HUD, Fair Housing Planning Guide, at 1-2 at <http://www.hud.gov/offices/theo/images/fhpg.pdf> hereinafter “Fair Housing Planning Guide.”

⁸ 24 C.F.R. 91.425(a)(1)(i)

⁹ *Ambler Realty Co. v. Village of Euclid*, Ohio 297 F. 307, 313 (D.C. Ohio 1924).

¹⁰ “During the 1930s, a federal agency (the Home Owners’ Loan Corporation, or HOLC) cooperated with private mortgage lenders to assess investment risks across neighborhoods in over 200 U.S. metropolitan regions. These ratings were not based exclusively on the housing stock, but also on racial, ethnic and social class makeup of the residence. These color-coded maps ranked the safest areas for investment in green and the riskiest in red, which in later years became associated with the phrase “redlining,” or discriminatory lending by geographic area.” This is the first in a series of posts on web-based maps developed by the University of Connecticut Libraries Map and Geographic Information Center (MAGIC), Redlining in Hartford area, 1937: A Web-Based Map with Linked Documents, <http://outsidetheneatline.blogspot.com/2011/07/redlining-in-hartford-area-1937-web.html>.

¹¹ See Rice, Lisa (contributor), The Future of Fair Housing: A Report of the National Commission on the Future of Fair Housing. Available at: <http://www.nationalfairhousing.org/NationalCommission/FutureofFairHousingHowWeGotHere/tabid/3385/Default.aspx>.

¹² This language was taken directly from a property deed in West Hartford’s High Ledge Homes Development. Such clauses were prevalent in the 1940s in Connecticut among many other northern states as a means to prevent minorities from moving into white neighborhoods. University of Connecticut Libraries Map and Geographic Information Center (MAGIC), Land Records, Town of West Hartford, Connecticut High Ledge Homes Vol 152., June 10, 1940 at 224, available at http://magic.lib.uconn.edu/magic_2/vector/37840/155/primary_source/hdming_37840_155_1940_land_records_west_hartford_trinity_high_ledge_homes.pdf

¹³ For an excellent overview of the history of discrimination and segregation of people with disabilities, go to http://dredf.org/publications/ada_history.shtml

¹⁴ See Marans, *Measuring Restrictive Rental Practices Affecting Families With Children: A National Survey*, Office of Policy, Planning and Research, HUD, (1980). The HUD survey also revealed that almost 20% of families with children were forced to live in less desirable housing because of restrictive policies. Congress recognized these problems and sought to remedy them by amending the Fair Housing Act to make families with children a protected class.

¹⁵ <http://portal.hud.gov/hudportal/HUD?src=/states/texas/news/HUDNo.2012-08-01> (Lender alleges Fannie Mae underwriting guidelines prohibit lending based on maternity pay.)

An Overview of State and Federal Fair Housing Laws

The fair housing laws prohibit a wide range of discriminatory conduct in the housing sector.¹²

To determine how the fair housing laws apply to any situation, begin by asking three questions:

1. Is the person covered?
2. Is the property covered?
3. Is the behavior covered?

If the answer to all three questions is yes, then the fair housing laws apply.

1. Is the person covered?

The Federal FHA prohibits discrimination in housing and related services to any person on the basis of:

- race
- color
- national origin
- religion
- physical or mental disability
- sex and
- familial status, meaning families with children.

In addition, Connecticut law prohibits discrimination on the basis of:

- marital status
- sexual orientation
- age
- source of income and
- gender identity or expression.

Housing providers operating in Connecticut must affirmatively further fair housing for all federal and state protected classes.

2. Is the property covered?

Fair housing laws apply to the sale, rental, homeowners' insurance or financing of nearly all forms of residences. This includes:

- Apartments
- Single-family homes
- Mobile homes
- Nursing homes
- Homeless shelters
- Homeowners who are selling or renting property, and
- Vacant lots that will be used for housing.

Some properties are exempt from the law, but for purposes of affirmatively furthering fair housing those exemptions are not relevant.

3. Is the behavior covered?

The fair housing laws prohibit two types of conduct:

- **Ban on Differential Treatment:** It is illegal to treat someone differently, that is refuse to rent, sell, insure, or finance housing, because of that person's membership in a protected class. Forms of differential treatment include:
 1. Refusing to rent or sell to someone because of their membership in a protected class.
 2. Having different terms or conditions for people in the protected classes than for everyone else.
 3. "Steering" people toward or away from housing because of membership in a protected class.
 4. Advertising in a discriminatory way or otherwise making discriminatory statements.
 5. Refusing to make reasonable accommodations in rules, policies or practices, or to make reasonable modifications for an individual with a disability is also considered differential treatment.
- **Ban on Disparate Impact (or differential effect):** A neutral rule which has a greater impact on people in the protected classes is illegal.

¹² A one-page summary of the state and federal fair housing laws and statutory citations can be found in the appendix.

Affirmatively Furthering Fair Housing: Step-By-Step

Step 1: The Analysis of Impediments to Fair Housing Choice

State and local entitlement communities receiving HUD funding must create an Analysis of Impediments to Fair Housing Choice as a first step in affirmatively furthering fair housing.¹³

Do I have to do an Analysis of Impediments?	
State recipient of HUD Community Planning Development (CPD) funding (e.g. CDBG, HOME, see pg. 4)	Yes ¹⁴
Local entitlement communities	Yes
Non-municipal recipients of CPD funding	No – use local AI, if entitlement jurisdiction, or State AI otherwise

What must be included in the AI?

The AI consists of a broad and extensive review of impediments to fair housing choice in the public and private sector.¹⁵ It should include answers to the following questions:

1. Who lives in my town and region?

Analyze the population of the municipality and the surrounding region by protected class. This analysis should include the nearest major metropolitan areas with concentrations of people of color and poverty. Consider how these populations have shifted over time. It is important to include information on the location of HUD subsidy holders and subsidized units. Also consider the extent to which populations are disproportionately low-income. A significant income disparity among certain groups means that the lack of affordable housing in certain areas is an impediment to fair housing.

TIP: Data on disability status is not available for towns with populations of less than 20,000.

Resources for demographic research:

a. American Fact Finder: The U.S. Census Bureau's website. Updated formatting should make this site more user-friendly beginning in January 2013. Available at <http://factfinder2.census.gov/faces/nav/jsf/pages/index.xhtml>.

To easily get data on the racial and ethnic composition of a town or county, go to the Census Bureau's *Quick Facts* page at: <http://quickfacts.census.gov/qfd/states/09000.html#>.

b. Data Haven: A Connecticut non-profit data source that partners with other organizations to make Connecticut data accessible. Available at <http://www.ctdatahaven.org/>.

c. Diversity Data at Harvard University: Home to a wealth of data on demographics and topics like education, health, and crime, Diversity Data is an excellent resource for information by Metropolitan Statistical Area. Available at <http://diversitydata.sph.harvard.edu/>.

d. Connecticut Data Center: The State of Connecticut's data center at the University of Connecticut. In addition to data, this site contains some excellent links to tips for finding data under the "How do I..." link. Available at <http://quickfacts.census.gov/qfd/states/09000.html#>.

e. HUD Picture of Subsidized Households: See above. This site can also help grantees look at segregation of people using HUD subsidies. Where possible, it is important to separate elderly, supportive and family housing because the different groups served experience different kinds and levels of discrimination.

2. Where do we live?

Look at whether people are segregated within a region, town or section of a town by protected class. Access to mapping technology will allow municipalities and the State to see any patterns that might exist.

Resources:

a. Diversity Data: See above.

b. Brown University – US2010: Provides data by town and region on various segregation levels over time. Available at <http://www.s4.brown.edu/us2010/>.

TIP: Consider analyzing demographics and segregation both in terms of race and ethnicity separately and by looking at the non-Hispanic White population.

¹³ 24 CFR 91ff. State or federal housing grantees that are not entitlement communities do not have to create an AI. They can use the AI of the entitlement community in which the housing is located or the State AI if the housing is located in a non-entitlement community. Conn. Dept. of Econ. & Cmty. Dev., Small Cities CDBG Program Application Handbook at 24 (2008) available at http://www.ct.gov/ecd/lib/ecd/final_handbook_4-28.pdf. For a list of Connecticut entitlement communities, go to <http://portal.hud.gov/hudportal/HUD?src=/states/connecticut/community/cdbg#cities>

¹⁴ The State of Connecticut anticipates publishing its newest Analysis of Impediments to Fair Housing Choice in the Spring of 2013. Much of the demographic data needed to update an AI or create an affirmative fair housing marketing plan should be contained in this document.

¹⁵ Fair Housing Guide, *supra* note 3, at 2-8.

Affirmatively Furthering Fair Housing: Step-By-Step (continued)

3. What are our housing needs?

Again, this housing needs assessment must be a *regional assessment*.

For most Connecticut towns, a county, housing market area, or expanded housing market area¹⁶ review should be effective. It is meaningless to say that a town that is historically overwhelmingly non-Hispanic White has no issues related to housing segregation if most of the people of color in the region are segregated into a nearby town. It is just as meaningless to say that a wealthy town is meeting the local housing affordability needs if only town statistics are considered.

Resources:

a. Out of Reach, Connecticut, National Low-Income Housing Coalition:

This annual report provides data on the extent to which housing is not affordable in Connecticut by metropolitan area. Available at <http://nlihc.org/oor/2012/CT>.

b. Town Profiles, Partnership for Strong Communities: These reports provide information by town on housing need as well as other useful housing data. Please note—the housing numbers are by town, so grantees should be sure to look at regional issues as well. Available at <http://pschousing.org/2011-housing-data-profiles-towns-listed-alphabetically>.

4. What are the barriers or impediments to fair housing choice in the grantee's town?

Impediments include any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin which restrict housing choice or the availability of housing choice in addition to any actions, omissions, or decisions which have this effect.¹⁷ Many groups protected by the Fair Housing Act are disproportionately low-income, thus the lack of affordable housing may be the core impediment to fair housing choice that they face. All public policies, practices, and procedures involving housing and housing-related activities need to be considered.¹⁸

Some examples of impediments that other communities have identified include:

• Federal, state or municipal policies that limit where people can live or who benefits from programs:

- Limits on unrelated people residing together.
- Occupancy limits.
- Zones that only permit elderly housing.

- Limits on who can live in a jurisdiction's affordable housing—for example a preference for local applicants, municipal employees or other groups that may be disproportionately comprised of certain groups like non-Hispanic Whites or people without disabilities would prevent many people of color from moving into the affordable housing.
- Lack of affirmative marketing to people in the protected classes leading to a jurisdiction's public housing or housing subsidy population that does not reflect the racial and ethnic composition of the region.

Many groups protected by the Fair Housing Act are disproportionately low-income, thus the lack of affordable housing may be the core impediment to fair housing choice that they face.

• Federal, state or municipal policies that promote or limit affordable housing development:

- Zoning and land use rules promoting large lots or imposing requirements on multifamily housing that are different from those for single-family housing.
- Tax assessments that are higher in neighborhoods of color than in White neighborhoods.
- Town or State plans that do not foresee or allow for the creation of affordable housing in response to a regional housing need.
- Federal and state limits on the jurisdiction of housing authorities that prevent them from diversifying neighborhoods.
- Federal housing subsidy program policies that create incentives for urban development only.
- A jurisdiction's failure to have a housing authority or a family housing voucher program.
- Accommodating community opposition to affordable housing based on unsubstantiated fears about loss of "town character," increased school costs, falling market value, crime, or racial integration.

• Lack of Education and Outreach on Fair Housing:

- Failure to provide details pertaining to fair housing complaints or lawsuits to town officials or the general public.
- Lack of a fair housing complaint process or referral process for fair housing complaints.

¹⁶ A *housing market area* is the area (not necessarily the census tract, but the entire geographic area) from which the owner or manager of the project may reasonably expect to draw a substantial number of its applicants. If a housing market area is not demographically diverse in terms of race, color, national origin, religion, sex, disability, or familial status, an expanded housing market area must be used. An *expanded housing market area* is a larger geographic area that may provide additional diversity.

¹⁷ Fair Housing Guide at 2-17.

¹⁸ Fair Housing Guide at 2-9.

- Lack of training for municipal staff on fair housing issues.

This list is by no means exhaustive and impediments vary greatly by the particular forces at play in a given municipality.

If a grantee is using the State AI to determine action steps, the grantee must still identify which impediments exist in its community. For example, a grantee that regularly holds fair housing trainings for staff cannot list lack of education on the fair housing laws as an impediment to fair housing. Additional action steps to address other impediments must be chosen.

In Connecticut, towns should examine the interaction between State and municipal plans which influence housing. A town's plan for overcoming the impediments to fair housing should be included in the affordable housing considerations required by the State Plan of Conservation and Development process as well as in a regional housing needs assessment.

Links to AIs from other jurisdictions can be found in the appendix.

5. Recommendations for Overcoming Impediments to Fair Housing Choice

After identifying the barriers to fair housing choice, each AI must also present recommendations for overcoming these barriers. Each recipient of state or federal housing funding must create Action Steps to assist in overcoming the impediments to fair housing.

While it is impossible to provide guidance on recommendations for every type of jurisdiction, the table below offers some examples based on the sample impediments outlined above.

Who are partners in doing the AI?

STAKEHOLDERS: Reach out to any groups that have a stake in housing in the jurisdiction whether they are local groups or groups working statewide. These include fair housing groups, non-profit and state agencies representing groups in the protected classes, landlord organizations, real estate agents, housing authorities, developers, and affordable housing advocates.

CONTRIBUTORS: Depending on the resources available within a municipality, the AI may be completed in-house or with the assistance of a consultant. Even if a consultant is used, the municipality should be actively involved in the development of the analysis. A cookie-cutter AI will likely not assist in truly overcoming the impediments to fair housing. Grantees should also consider calling on the expertise of academics, data specialists, and fair housing experts.

What steps should grantees take once the AI is complete?

HUD encourages jurisdictions to communicate conclusions and recommendations to policy makers, key government staff, community organizations, and the general public.¹⁹ The AI should be posted on the jurisdiction's website, but the jurisdiction should also consider holding briefing sessions for interested parties about the conclusions and policy implications of the analysis.

In addition to efforts to inform the public about the AI, the jurisdiction must also develop a series of Action Steps. This process is discussed in the following section on page 11.

Sample Impediment	Potential AI Recommendation
Limits on unrelated people residing together.	The jurisdiction should add a provision to its zoning ordinance explicitly permitting unrelated individuals to live together under the same rules that apply to a family, as a reasonable accommodation. Zoning officers should be vested with the authority to grant such reasonable accommodations.
Occupancy limits.	Occupancy limits should be brought into conformance with the state health code.
Zones that only permit elderly housing.	The zoning ordinance should be changed to permit housing for families in any zone that is currently limited to elderly development.
Limits on who can live in a jurisdiction's affordable housing—for example preference for local applicants, municipal employees or other groups that may be disproportionately comprised of certain groups like non-Hispanic Whites or people without disabilities.	The jurisdiction should remove all such requirements from zoning ordinances or program rules.
Lack of affirmative marketing to people in the protected classes leading to a jurisdiction's public housing or housing subsidy population that does not reflect the racial and ethnic composition of the region.	The jurisdiction needs to increase its efforts to affirmatively market housing opportunities to people who are underrepresented in housing assistance programs.

(continued next page)

¹⁹ Fair Housing Guide at 2-21.

Affirmatively Furthering Fair Housing: Step-By-Step (continued)

Sample Impediment	Potential AI Recommendation
Zoning and land use rules promoting large lots or imposing requirements on multifamily housing that are different from those for single-family housing.	The jurisdiction needs to update its zoning ordinance to permit multifamily development in the town and ensure that zoning requirements do not overburden multifamily development.
Town or State plans that do not foresee or allow for the creation of affordable housing in response to a regional housing need.	All jurisdictional plans touching on housing development should be amended to include concrete steps for meeting regional housing needs.
Federal and state limits on the jurisdiction of housing authorities that prevent them from diversifying neighborhoods.	Each jurisdiction should include changes to limits on housing authority purview as part of its advocacy efforts.
Tax assessments that are higher in neighborhoods of color than in White neighborhoods.	The jurisdiction must investigate the reason for the tax discrepancy and assessment procedures should be adjusted accordingly to achieve parity.
Federal housing subsidy program policies that create incentives for urban development only.	The jurisdiction should work with advocates for integration to encourage changes at the federal level.
A jurisdiction's failure to have a housing authority or a family housing voucher program.	The jurisdiction should work with advocates and local community supporters to encourage the creation of such programs.
Community opposition to affordable housing based on unsubstantiated fears about loss of "town character," increased school costs, crime, or racial integration.	The jurisdiction should invite affordable housing advocates to present to a town forum addressing such myths.
Failure to provide details pertaining to fair housing complaints or lawsuits to employees or the general public.	The grantee should publicize information on fair housing rights, resources and news through its webpage, newsletter or other source.
Lack of a fair housing complaint process or referral process for fair housing complaints.	Create a process for accepting and referring fair housing complaints.
Lack of training for municipal staff on fair housing issues.	Design and implement a fair housing training program. Fair housing non-profit organizations can assist with this effort.
Failure to publicize the results of fair housing testing that illustrates the market forces which influence housing choice.	Include fair housing information on the jurisdiction's website, in newsletters, and in other available outlets.

Addressing Community Opposition

In many towns, one of the primary impediments to affordable housing development is community opposition. Such attitudes should be identified in the AI as an impediment to fair housing since many people in the protected classes are disproportionately low-income making a lack of affordable housing a core impediment to fair housing choice. Action steps the town can undertake to address such opposition include:

- **PROVIDING EDUCATION ON THE FACTS ABOUT AFFORDABLE HOUSING.** Many of the frequently cited reasons for opposing affordable housing are simply myths. Numerous studies now demonstrate that well-planned mixed-income affordable housing developments do not increase crime, overburden schools or lower neighboring property values.

- **FOSTERING DIVERSITY.** Even though discussing race and ethnicity is uncomfortable for many people, in some areas encouraging such discussions with the assistance of an experienced diversity trainer might allow some community members to better understand their reactions to affordable housing proposals. Towns can also promote diversity exposure through joint activities with towns with different demographics.

- **ACKNOWLEDGING THE TRUTH ABOUT FAILED HOUSING POLICY.** The segregation of today was fueled by failed housing policies of the past that concentrated poverty. New affordable housing proposals should be mixed-income and to scale for the site. With an understanding of the regional affordable housing needs towns can work with their local communities to develop a vision of affordable housing that will work for their area.

Step 2: Developing Action Steps

After completing the AI, a municipality must identify appropriate actions to overcome the effects of any impediments identified. Each “action step” should respond to an impediment to fair housing and the recommendations to overcoming the impediments.²⁰ Even if a grantee is not a municipality,

its action steps must overcome impediments to fair housing. An example of Actions Steps connected to a recommendation and an identified impediment can be found in below table.

Sample Impediment, Recommendation, and Action Steps		
Impediment Example	Recommendation Example	Action Steps Example
Lack of affirmative marketing to people in the protected classes leading to a jurisdiction’s public housing or housing subsidy population that does not reflect the racial and ethnic composition of the region.	The jurisdiction needs to increase its efforts to affirmatively market housing opportunities to people who are underrepresented in housing assistance programs.	<ul style="list-style-type: none"> • Evaluate which population is underrepresented in housing programs. • Develop partnerships with housing authorities with disproportionate representation of that population. • Fund mobility counseling programs that will inform underrepresented program participants of availabilities in the jurisdiction. • Work with local landlords and State agencies to develop unified listings of available units.

These steps must be undertaken within the federal grant year or on an ongoing basis and must include measurable results.

More Action Step Examples

This guide provides examples of action steps that overcome some impediments to fair housing. The list is not meant to be exhaustive.

Fair Housing Training and Outreach

Every entity receiving federal funding must train its staff, including elected officials and any sub-contractors working on housing issues, on the grantee’s commitment to fair housing, the grantee’s fair housing program, federal and state fair housing laws and the public’s rights under these laws.

This training must be conducted by an expert on fair housing laws and the affirmatively furthering fair housing obligation. The trainer can be a staff member or someone hired to conduct the training. Training should be conducted yearly. One way to defray the cost of yearly training is to work with other grantees in the region to provide fair housing training to all of the grantee’s employees.

Fair housing training action steps for city or town staff could include:

- **Identifying fair housing training seminars.** Such trainings should be made available to grantee employees dealing with housing and should provide updates on recent fair housing developments.
- **Providing trainings on code enforcement, reasonable accommodation, and fair housing.** Building code enforcement departments, Zoning Boards, the Zoning Board of Appeals, building inspectors, and others who are responsible for ensuring that the housing meets all applicable code requirements should be trained on the adaptability and accessibility requirements of the Fair Housing Act and Americans with Disabilities Act,²¹ and the reasonable accommodation requirements of the Fair Housing Act.
- **Sponsor sessions on racial sensitivity.** A grantee can arrange racial sensitivity or diversity trainings for employees who interact with the public.

Fair housing training for the housing industry and the general public could include:

- **Provide fair housing training for housing industry representatives.** Grantees can further fair housing by providing fair housing training for housing professionals working with the grantee including developers, landlords, real estate agents, lenders, and others who work in the housing industry.

²⁰ Fair Housing Guide, *supra* note 3, at 2-22.

²¹ Training on the accessibility requirements of the FHA and the ADA can be provided by Fair Housing Accessibility www.fairhousingfirst.org.

Affirmatively Furthering Fair Housing: Step-By-Step (continued)

- **Provide training for residents or prospective residents of the housing.** Information on the fair housing rights and responsibilities of both residents and housing providers should be provided especially with regard to reasonable accommodations and reasonable modifications.

Why reach out to the general public?

If the AI identifies the lack of fair housing knowledge or community opposition as an impediment, grantees should conduct fair housing outreach to the public. The goal is to raise awareness about the fair housing laws to create an environment that is more conducive to promoting fair housing.

Activities should focus on making fair housing information easily available to the public.

- **Distribute fair housing materials.** Such materials can provide general fair housing information, outline a grantee's commitment to fair housing, the grantee's fair housing program, federal and state fair housing laws and the public's rights under these laws.
- **Gathering information from organizations and agencies involved with fair housing.** These materials can be distributed to all staff involved with housing, community development, social services, or public safety.
- **Creating a fair housing library.** This information could be made accessible at Town Hall, the local housing authority, the town library, or other convenient locations.
- **Making use of town media resources.** Using public access TV, the jurisdiction's website and newsletter are great ways to inform the public of the grantee's fair housing program and provide information on affirmatively furthering fair housing and the fair housing laws.
- **Reaching out beyond the jurisdiction.** Conducting outreach activities outside of the community to improve access to housing opportunities for racial/ethnic minorities, or, in places that are majority minority, Whites.
- **Providing fair housing information for tenants and landlords.** Conducting outreach activities and brochures to renters on the fair housing laws and landlord/tenant rights.
- **Providing fair housing information for people with disabilities.** Gathering and distributing information on housing adaptability and accessibility and the resources available to make existing homes accessible.

Enforcement

In jurisdictions where the AI has revealed a number of potential violations of the fair housing laws as evidenced by complaints, lawsuits, or the results of fair housing testing, action steps should include fair housing enforcement. The grantee should:

- **Appoint a fair housing officer.** This person will maintain a full record of each fair housing inquiry received that documents the nature of the inquiry, type of discrimination, basic facts of the case, identity of the alleged discriminator, referral made, and resolution of the complaint. The grantee should publicize the name of the fair housing officer, how to get in touch with him/her, and the assistance available to help with discrimination complaints.
- **Connect the public to the fair housing officer.** If the grantee is a town or city, train town hall phone operators and receptionists to refer all calls about housing discrimination to the city's Fair Housing Officer. Any outgoing recording that callers to town hall hear when the lines are busy or town hall is closed should include how to reach the Fair Housing Officer.
- **Publicize the fair housing complaint process.** The fair housing complaint process can be included on the grantee's website, materials used to welcome newcomers to the area and in any general guides created by the grantee. Such materials can provide contact information for HUD, the Commission on Human Rights and Opportunities and private non-profit fair housing groups like the Connecticut Fair Housing Center. Websites can link to the HUD and CHRO fair housing complaint forms and the Center's website for more information.
- **Provide translation.** Ensure that there is language translation available for callers who are unable to speak or understand English;
- **Proactively check for illegal advertisements.** If the grantee is a city or town, the fair housing officer should review newspapers for illegal advertisements then contact newspapers and housing providers about violations. Repeat offenders should be reported to CHRO, HUD and the Connecticut Fair Housing Center.
- **Support fair housing testing.** Fund a fair housing testing project to determine if there is discrimination occurring in the housing market. The Connecticut Fair Housing Center provides such services. The results of such investigations should be publicized.

Adjustments to Local Rules

The underlying goal of affirmatively furthering fair housing is to promote fair housing choice. In order to ensure that people can choose where to live, a community must have a wide array of housing options that meet the needs of persons from diverse backgrounds. If the AI reveals a lack of housing of one type or an oversupply of housing of another, the jurisdiction should list this as an impediment to fair housing. To overcome this impediment, the town should take steps to promote a town infrastructure that supports and encourages the development of all housing types. Here are some steps cities or towns can take to ensure a diversity of housing.

- **Review zoning codes and other legal requirements.** An important first step is a comprehensive review of local building and zoning codes to identify restrictions that inhibit the development of housing disproportionately needed by members of the protected classes. Such a review should consider

occupancy standards that may arbitrarily limit the number of people who can live in a unit,²² family definitions which limit who can live in a unit,²³ and density requirements.

- **Adopt disability-friendly reasonable accommodation policies.** The jurisdiction should develop and implement a policy to waive a building or zoning code requirement to accommodate a resident's disability. For example, many zoning codes include a requirement that buildings or accessories be setback at least 25 feet from the sidewalk. A person with a disability should be permitted to build a ramp that encroaches on the setback as a reasonable accommodation to her disability. Requiring a resident with a disability to go through the Zoning Board of Appeals to obtain such a change in a zoning rule or policy may be an impediment to fair housing.
- **Consider redefining a zoning "hardship."** The jurisdiction should also look closely at the definition of "hardship," which allows the Zoning Department or the Zoning Board of Appeals to waive a zoning requirement. If the definition does not permit waiver of a provision of the zoning code as a reasonable accommodation, the zoning code may violate the fair housing laws.
- **Promote inclusionary zoning.** Jurisdictions should take steps to promote inclusionary zoning for families and low-income rentals through the expansion of multi-family zones. Development of alternative ownership models such as limited equity cooperatives, mutual housing, land trusts, and turn-key programs²⁴ also increase the desirability of a community to diverse persons.
- **Reject residency requirements.** Zoning codes should not include residency requirements for affordable housing. A typical residency requirement limits eligibility for affordable housing to current residents of the town, residents of the town within the past five years, or relatives of town residents. Connecticut's severe housing racial segregation guarantees that a residency requirement will have a disparate impact on a protected group. Zoning codes that include a residency *preference* should also be avoided. A residency *preference* replaces the requirement that a person live in or be related to someone from a town with a preference for such groups. A preference can have the same effect as a requirement and should be avoided.
- **Support enhanced public transportation.** Lack of a sufficient public transportation infrastructure may be an impediment to attracting a diverse group of residents. For many people, it is imperative to be in communities that offer a number of transportation options. Initiatives to expand access to mass transportation through the development of van pools and ride sharing programs should be explored among other viable options. The underlying objective with this action step is to promote the development of infrastructures that can serve the needs of a broad range of persons.

Strategies for Promoting Mixed-Income Housing

- **LIMITED EQUITY COOPERATIVES:** In a limited equity cooperative, residents buy a share of the co-op. A co-op share entitles a resident to a long-term lease on a unit and a vote in corporate governance. The individual is both a "tenant" because of their lease with the corporation, and an "owner", because of their stock ownership and participation in group governance.
- **INCLUSIONARY ZONING:** Jurisdictions should consider adopting an inclusionary zoning policy wherein the jurisdiction requires a certain percentage of new residential developments over a certain size to include a percentage of units that must remain affordable.
- **MIXED-USE ZONING:** Combining mixed-income affordable and commercial zoning is one way to simultaneously foster economic growth, Smart Growth and equitable growth.
- **MUTUAL HOUSING:** A form of homeownership or rental housing in which the residents have an equity stake in the place where they live.
- **LAND TRUSTS:** A land trust is a form of homeownership in which a non-profit owns the land and the resident owns the home on the land. Separating the ownership of the land from the ownership of the home keeps the housing affordable.
- **TURN-KEY PROGRAMS:** These programs allow a household to rent a unit at a subsidized rate and use the time in the rental to save toward a down payment.
- **FORECLOSURE CONVERSION:** Zoning codes should be adjusted to permit the easy conversion of foreclosed properties to multifamily use.
- **IN-LAW APARTMENTS:** Within the confines of the health code, jurisdictions should endeavor to make the process for adding an in-law apartment to a single-family home as streamlined as possible.

Proactively Supporting Affordable Housing Creation

There is a range of creative steps cities or towns can take to proactively support the development of affordable housing.

- **Donate land.** In jurisdictions where the development of affordable housing is needed to affirmatively further fair housing, the town can play a vital role in keeping the costs of such developments down. Since one of the biggest costs in housing development is land acquisition, the town can donate land for the development of such housing. Frequently, the initial donation will be financially advantageous due to resulting tax implications and tax revenues that come with additional economic activity.
- **Identify developable lots.** Even if the town is not in a position to donate land, it can facilitate the development of affordable housing by identifying

²² An occupancy standard based on the State Building Code looks at the square footage of a housing unit to determine how many people can live there, not the number of bedrooms. HUD has found that using the square footage as opposed to number of bedrooms in most cases does not violate the fair housing laws. <http://www.hud.gov/offices/fheo/library/occupancystds.pdf>.

²³ Fair housing challenges to zoning regulations that arbitrarily limit the definition of "family" people who are within two degrees of relationship have resulted in significant fair housing damage settlements. http://www.equalrightscenter.org/site/PageServer?pagename=pr_08_09_23. In addition, Courts have held that refusing to make a reasonable accommodation to allow a group home for people in recovery to be treated as a family constitutes a fair housing violation. *City of Edmonds v. Oxford House, Inc.* 514 U.S. 725 (1995).

²⁴ Turn-key programs are those that allow a household to rent a house at a subsidized rate and use the time in the rental to save toward a down payment on the house. HUD has created turn-key programs in several communities around the country. Information about these programs can be found at www.hud.gov.

Affirmatively Furthering Fair Housing: Step-By-Step (continued)

properties that would be ideal for mixed-income projects with an affordable component. The town should share these locations with developers through networks like the CT Homebuilders and the Connecticut Bar Association's Planning and Zoning Section.

- **Foreclosure conversion.** As mentioned previously, tax-foreclosed properties are another source of land or housing for affordable housing development. These properties could be turned over to non-profit developers who agree to use them to build multi-family mixed income housing with an affordable component. Such properties must be affirmatively marketed to groups least likely to apply.
- **Allocate funding.** When addressing affordable housing needs, towns can appropriate local funds for development of lower cost family housing. Where such funds are lacking or are otherwise insufficient, the jurisdiction should obtain state and federal funding to build multi-family housing.
- **Support mobility counseling.** Mobility counseling programs provide information to people using government housing subsidies about the full range of housing options and locations available to them.
- **Code enforcement and lead abatement.** Any steps a town can take to prevent the deterioration of rental property by providing funding for the removal of lead paint and the rehabilitation of properties that have fallen into disrepair will help maintain a high quality of housing stock and create a stable local housing market.

- **Create an accessibility fund.** Promoting accessible housing by providing funding for alterations which make a unit accessible to people with physical disabilities also affirmatively furthers fair housing..

Promoting Racial and Ethnic Diversity

There are several additional steps a town with a population that is disproportionately non-Hispanic White compared to that of the region can take to promote diversity.

- **Create or enhance housing subsidy programs.** A town can create or expand its Section 8 housing voucher program through:
 - Seeking additional rental subsidies from DSS or HUD.
 - Conduct a local rent survey to determine if the standard rents in housing subsidy programs are sufficiently high enough to afford local rentals.
 - Adding a family component to any housing subsidy or public housing supported by the town.
- **Review Affirmatively Furthering Marketing Plans.** On an annual basis grantees its own or an affordable housing provider's plans to affirmatively market openings and suggest changes to ensure that the housing providers attract those least likely to apply.

Step 3: Documenting Action Steps

The third and final step in complying with the affirmatively furthering fair housing certification is to “maintain records reflecting the analysis and actions taken in this regard”.²⁵

What does a grantee need to do to document efforts to affirmatively further fair housing?

Any report to HUD or other agency monitoring compliance with AFFH requirements should include:

1. A summary of the AI and the impediments on which the municipality is working;
2. A description of the actions taken during the past program year, and
3. An analysis of the impact of the action steps taken.²⁶

The analysis of the action steps should include a discussion of whether the steps succeeded in overcoming the impediment it addressed, any additional work which must be done, and information on how the action steps should be changed or supplemented to ensure that the barriers to fair housing

choice are overcome. Completing the same action steps year after year is not acceptable unless the analysis shows that some progress in overcoming an impediment is made. All documentation must be available for public review.²⁷

What supporting documents can a jurisdiction provide?

As further support for the AFFH certification, HUD suggests that jurisdictions include the following documentation in their records:²⁸

- A description of the nature and extent of the chief executive or governing body’s commitment to AFFH.
- A description of the financial and in-kind support for AFFH efforts, including funds or services provided by the jurisdiction, nonprofit organizations, private individuals, colleges, universities, contractors, and staff support.
- A list of groups participating in the formulation of the plan to AFFH;
- Transcripts of public meetings/forums and citizen comments/input on the AI or any action steps taken.

²⁵ 24 CFR 91.225(a)(1), 91.325(a)(1), and 91.425(a)(1)(i).

²⁶ Fair Housing Guide, *supra* note 3, at 2-25.

²⁷ *Id.*

²⁸ *Id.*

Consequences of Failing to Affirmatively Further Fair Housing

The failure to comply with the obligation to AFFH has resulted in court decisions reversing actions taken by the grantee, the loss of federal funding, and other monetary penalties.

In *Huntington Branch, NAACP v. Town of Huntington*, 824 F.2d 528 (2nd Cir. 1988), *aff'd* 488 U.S. 15 (1988) a predominantly white suburban town limited multifamily development to its urban renewal areas which were already majority minority.²⁹ The Court determined that the town's actions had a discriminatory impact on people of color and harmed the community in general by promoting segregation.³⁰ Statistical evidence illustrated that the shortage of affordable rental housing for low and middle-income households had an effect that was three times greater on Blacks than on the population overall.³¹ As a result, the town's proposed definition of urban renewal zones was overturned.

In *U.S. v. Westchester County, N.Y.*, 668 F.Supp.2d 548 (S.D.N.Y. 2009), the Department of Justice and a private fair housing group challenged Westchester County's repeated assertions that it was affirmatively furthering fair housing. The Federal District Court agreed that the county's failure to consider race-based impediments to fair housing choice constituted a violation of its obligation to AFFH. As a result of the ruling, the County was threatened with the loss of all of its CDBG funding as well as the possibility of having to repay as many as six years of CDBG payments. The parties reached an agreement in which the County agreed to develop \$60 million of affordable housing in areas that were majority White and to return \$30 million to HUD.

Likewise, in *Kennedy v. City of Zanesville*, 505 F.Supp.2d 456 (S.D. Oh. 2007), a group of town residents challenged the City's use of CDBG funding to build a water and sewer system that did not serve the nearly all black neighborhood of Coal Run. While the Court did not order the return of the CDBG funding to HUD, it did award \$11 million in damages to neighborhood residents, some of whom never had running water in their homes.

In 2009, the Texas Low Income Housing Information Service filed a HUD complaint against the State of Texas alleging that it failed to use its CDBG funds to meet the needs of its very low, low, and moderate income households and had failed to adequately analyze and address the State's impediments to fair housing choice. To settle the issues raised in the complaint, the State of Texas agreed to create a new AI to be approved by HUD, and spend more than \$100 million to create and rehabilitate affordable housing.³²

In 2010, in the case of *The Anderson Group v. City of Saratoga Springs*, a federal court jury held that the zoning policies used by the City of Saratoga Springs, New York had a discriminatory disparate impact on African Americans and families with children and awarded \$1 million to The Anderson Group, an Albany, New York builder that sought to construct a mixed-income housing development in the virtually all-white city. The evidence introduced in the case showed that the City blocked Anderson's proposed development as part of a continuing discriminatory policy that excluded and segregated African Americans by manipulating its zoning and land use rules to ensure that all affordable housing was contained in a small downtown area.³³

More recently, the Diamond State Community Land Trust brought suit against Sussex County, Delaware alleging that the county violated the FHA and the obligation to AFFH by denying preliminary site plan review to a homeownership development designed for low- and moderate-income people employed in agricultural, retail and service industries.³⁴ The complaint alleged that Sussex County discriminated on the basis of race, color, and national origin when it refused to approve the housing development.

On November 28, 2012, Sussex County agreed to reconsider the land use denial and pay Diamond State \$750,000 in damages and attorney's fees.³⁵ In addition, the County is required to appoint a fair housing compliance officer, take affirmative steps with respect to promotion of future affordable housing development and provide periodic reports to the public and the Department of Justice.³⁶ HUD also notified the County that its failure to come into immediate compliance would lead to "further action to suspend or terminate, or refuse to grant or to continue further Federal financial assistance" or to an additional referral to DOJ.³⁷

Connecticut receives more than \$13 million each year from the Small Cities' CDBG program and has distributed more than \$325,700,000 to Connecticut communities since 1982. This amount does not include funding received from other federal or state sources.³⁸ If the recipients of state and federal housing funding took seriously their obligations to affirmatively further fair housing over the next thirty years, Connecticut's neighborhoods would look far different. Without any increase in funding, residents would have access to affordable housing in every community and the problems caused by segregation and discrimination would be eliminated.

²⁹ The population in the renewal areas was 52% minority. *Huntington Branch, NAACP v. Town of Huntington*, 488 U.S. at 16.

³⁰ *Id.* at 17.

³¹ *Id.*

³² http://www.glo.texas.gov/GLO/_documents/disaster-recovery/fair-housing-issues/conciliation-agreement.pdf

³³ <http://www.timesunion.com/news/article/Spa-City-hit-with-1M-bias-ruling-570623.php>

³⁴ Relman, Dane & Colfax, *Federal Court Consent Decree Clears Way for Delaware Affordable Housing Project*, Dec. 4, 2012, <http://www.housingalliancepa.org/node/853>.

³⁵ *Id.*

³⁶ *Id.*

³⁷ *Id.*

³⁸ Department of Economic and Community Development, *The Key to Connecticut's Community Development Future*, last visited Dec. 7, 2012, <http://www.ct.gov/ecd/cwp/view.asp?a=3414&Q=249736>.

Appendix

Summary of the Fair Housing Laws

Links to Other AIs

List of Fair Housing Resources

HUD

CHRO

CFHC

FHACT

Illegal Housing Discrimination – A Summary

Protected Classes	Federal or Connecticut Law	Property not covered ³⁹	Remedy
Race	Federal: 42 U.S.C. §1982 (Civil Rights Act of 1866)	None	Federal court
	State: Con.Gen.Stat. 46a-58a	None	State court or CHRO ⁴⁰
Race, Color, National Origin, Ancestry, Sex, Religion	Federal: 42 U.S.C. §3604	Federal: Owner occupied buildings with 4 units or less; single family homes	Federal court or HUD ⁴¹
	State: Con.Gen.Stat. 46a-64c	State: Owner occupied buildings with 2 units or less; owner occupied rooming house	State court or CHRO
Familial Status or the presence of children	Federal: 42 U.S.C. §3604	Federal: Owner occupied buildings with 4 units or less; single family homes	Federal court or HUD
	State: Con.Gen.Stat. 46a-64c	State: Owner occupied 4 units or less; elderly housing	State court or CHRO
Disability	42 U.S.C. §3604	Federal: Owner occupied buildings with 4 units or less; single family homes	Federal Court or HUD
	29 U.S.C. §794	Federal: All housing not receiving federal money	Federal court
	State: Con.Gen.Stat. 46a-64c	State: Owner occupied buildings with 2 units or less; owner occupied rooming house	State court or CHRO
Marital Status (except an unmarried unrelated man and woman)	State: Con.Gen.Stat. 46a-64c	State: Owner occupied buildings with 2 units or less; owner occupied rooming house	State court or CHRO
Sexual Orientation	State: Con.Gen.Stat. 46a-81e	State: Owner occupied buildings with 4 units or less	State court or CHRO
Age (except minors)	State: Con.Gen.Stat. 46a-64c	State: Owner occupied buildings with 2 units or less; owner occupied rooming house; elderly housing	State court or CHRO
Lawful source of income	State: Con.Gen.Stat. 46a-64c	State: Owner occupied buildings with 2 units or less; owner occupied rooming house	State court or CHRO
Gender identity or expression	State: Con.Gen.Stat. 46a-64c	State: Owner occupied buildings with 2 units or less; owner occupied rooming house	State court or CHRO

- It is illegal to refuse to rent or sell property, to discriminate in the terms or conditions of a rental or sale (for example, to charge different amounts), to steer, to discriminate in mortgage lending or other related practices, or to otherwise make housing unavailable because someone is a member of a protected class.
- All persons involved in any real estate transaction must make reasonable accommodations for persons with mental or physical handicaps.
- It is illegal, with some exceptions, to advertise in a discriminatory manner.

³⁹ The exemptions from the law are complicated, and properties which are listed as exempt under fair housing laws may be covered by other civil rights laws.

⁴⁰ Connecticut Commission on Human Rights and Opportunities

⁴¹ Department of Housing and Urban Development

Links to Other Analyses of Impediments to Fair Housing:

- **Lakewood, OH**

<http://www.planningcommunications.com/AI/Lakewood%20OH%20AI%202011.pdf>

- **Murfreesboro, TN**

http://www.planningcommunications.com/ai/murfreesboro_tn_ai_2010.pdf

- **Washington, DC**

<http://www.planningcommunications.com/ai/DC%20Analysis%20of%20Impediments%202012.pdf>

- **Commonwealth of Massachusetts**

<http://www.mass.gov/hed/community/planning/fair-housing-and-civil-rights-information.html>

- **State of California**

http://www.hcd.ca.gov/hpd/hrc/rep/fed/ai_web.html

Fair Housing Resources

The Connecticut Fair Housing Center, Inc.

221 Main Street
Hartford, CT 06106
(860)247-4400
(888)-247-4401 (toll free)
info@ctfairhousing.org
www.ctfairhousing.org

Fair Housing Association of Connecticut

1028 Boulevard #354,
West Hartford, CT 06119
Board Chair: Margaret K. Suib
Phone: (203) 854-7820
Email: *MSuib@norwalkct.org*

Commission on Human Rights and Opportunities

25 Sigourney Street, 7th Floor
Hartford, CT 06106
860-541-3403
800-477-5737 (toll free)

Department of Housing and Urban Development

(800) 827-5005 (toll free)
http://portal.hud.gov/hudportal/HUD?src=/topics/housing_discrimination (on-line complaint)

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