

SECTION II. EXECUTIVE SUMMARY

Introduction

The U.S. Department of Housing and Urban Development (HUD) requires cities and public housing authorities that receive federal funds for housing and community development to Affirmatively Further Fair Housing (AFFH). AFFH imposes a duty to not discriminate in housing programs and to address segregation and related barriers for groups with characteristics protected by the Fair Housing Act, including segregation and related barriers in racially or ethnically concentrated areas of poverty.

To fulfill this requirement as recipients of HUD funds, MDHA and Metro Nashville must conduct an Assessment of Fair Housing (AFH), which includes an analysis of fair housing data, an assessment of fair housing issues and contributing factors, and an identification of fair housing priorities and goals. The purposes of the AFH is to assess whether individuals and families have the information, opportunity, and options to live where they choose without unlawful discrimination related to **race, color, religion, sex, familial status, national origin, or disability** and assess whether housing options are realistically available in integrated areas and areas with access to opportunity. Metro and MDHA have conducted a joint AFH, with staff work undertaken by MDHA's Community Development Department, as the administrator of Metro's Consolidated Plan, in coordination with Metro and MDHA staff.

AFH Process

AFH Planning and Consultation Phases

The requirements for developing the AFH are specified in federal regulations (24 CFR 5.154, 5.156, 5.158, and 5.160). The AFH was developed using the HUD-provided local government assessment tool since Metro government is deemed the Lead Agency for AFH. In addition, HUD provided data and maps used in the analysis. Local data and local knowledge were used to supplement the HUD-provided data. Early in the planning process, MDHA held a public hearing to explain the citizen participation plan, discuss the AFH planning process and timeline, and review the AFH planning tools.

AFH Planning Tools

1. **HUD-provided data and resources.** HUD-provided data and tools are available for the public to view by clicking on the links below.
 - **Local Government Assessment Tool:**
<https://www.hudexchange.info/resource/5216/assessment-of-fair-housing-tool-for-local-governments/>. Please note that Sections F and G and Appendix D **do not apply** to the Metro/MDHA Joint AFH.
 - **AFFH Data and Mapping:**
<https://www.hudexchange.info/programs/affh/resources/#affh-data-and-mapping>.

- o **Additional AFFH Resources:**

<https://www.hudexchange.info/programs/affh/resources/#tools-for-fair-housing-planning-under-the-affh-rule>.

2. **Local Data:** HUD defines local data as metrics, statistics, and other quantified information, subject to a determination of statistical validity by HUD, that are relevant to Metro's/MDHA's geographic area of analysis, can be found through a reasonable amount of searching, are readily available at little or no cost, and are necessary for the completion of the AFH using the local government assessment tool. For the purpose of completing the AFH, MDHA utilized data maintained by the agency as well as local and state data that met HUD's criteria.
3. **Local Knowledge:** HUD defines local knowledge as information that relates to the Metro's/MDHA's geographic area of analysis and that is relevant to the AFH, is known or becomes known to MDHA, and is necessary for the completion of the AFH using the local government assessment tool. Essentially, local knowledge is public input; the method used for gathering input is explained in Section III. For the purpose of the AFH, references to neighborhoods and communities are consistent with designations used by the Metro Planning Department. (See <http://www.nashville.gov/Planning-Department/Community-Planning-Design/Community-Plans.aspx>.)

AFH Draft Review and Comment Period

The draft AFH was available for review and comment beginning at 8:00 a.m. on Friday, May 26, 2017 through Noon on July 10, 2017. During the public comment period, MDHA held six public hearings. One of the public hearings was held before the MDHA Board of Commissioners on June 13, 2017, and five public hearings were held at different locations throughout the county. Information on the community participation process is provided in Section III. A summary of the comments received during the public comment period, including an explanation of why some comments/views were not accepted, is provided in Appendix E.

At the conclusion of the public comment period, the final AFH was submitted to the MDHA Board of Commissioners and to the Metropolitan Council for approval. Upon receiving all local approvals, the final AFH will be submitted to HUD by its due date of September 1, 2017.

Highlights

The AFH requirements include an analysis of the following fair housing issues: segregation; racially or ethnically concentrated areas of poverty (R/ECAPs); disparities in access to opportunity; and disproportionate housing needs. Separate analyses on these issues as applicable to publicly supported housing and disability and access and an analysis on fair housing education, testing, and enforcement are also included.

Below are highlights from each of the areas analyzed, including a list of contributing factors identified during the AFH process that significantly create, contribute to, perpetuate, or increase the severity of each fair housing issue.

Segregation/Integration

North Nashville and Bordeaux are highly segregated, African-American communities. White populations are concentrated in areas to the south of downtown and more rural areas of the county. The southeastern area of the county shows integration but reflects a concentration of Hispanic and Foreign-born populations.

Factors that contribute to Segregation include:

- Community opposition
- Displacement of residents due to economic pressures
- Lack of private investments in specific neighborhoods
- Lack of public investments in specific neighborhoods, including services or amenities
- Land use and zoning laws
- Lending discrimination
- Location and type of affordable housing
- Loss of affordable housing
- Occupancy codes and restrictions
- Private discrimination
- Source of income discrimination

Racially or Ethnically Concentrated Areas of Poverty (R/ECAPs)

R/ECAPs are census tracts which have a non-White population of 50% or more and the poverty rate exceeds 40% or more for individuals living at or below the poverty line. There are 19 R/ECAPs in Davidson County, and Davidson County is the only county in the Metropolitan Statistical Area with R/ECAPs. The number of R/ECAPs has doubled between 1990 and 2010. All R/ECAPs except 1 are located in highly segregated, African-American communities. One R/ECAP (Antioch) is located in an area with a high concentration of Hispanic and Foreign-born populations. The percentage of Families with Children living in R/ECAPs is overrepresented compared to their overall percentage of the total population.

Factors that contribute to R/ECAPs include:

- Community opposition
- Deteriorated and abandoned properties
- Displacement of residents due to economic pressures
- Lack of community revitalization strategies
- Lack of private investments in specific neighborhoods

- Lack of public investments in specific neighborhoods, including services or amenities
- Land use and zoning
- Location and type of affordable housing
- Loss of affordable housing
- Private discrimination
- Source of income discrimination

Disparities in Access to Opportunity

Disparities in Access to Opportunity analyzes how a person's place of residence, locations of different opportunities (proficient schools, employment, transportation, exposure to poverty, and environmentally healthy neighborhoods) contribute to fair housing issues. There is a strong correlation between living in segregated neighborhoods (of predominantly African-American or Foreign-born populations) and higher exposure to poverty, lower school performance, lower access to the labor market, and greater reliance on public transportation.

Factors that contribute to Disparities in Access to Opportunity include:

- Access to financial services
- Availability, type, frequency, and reliability of public transportation
- Lack of private investments in specific neighborhoods
- Lack of public investments in specific neighborhoods, including services or amenities
- Lending discrimination
- Location and type of affordable housing
- Location of environmental health hazards
- Loss of affordable housing
- Private discrimination
- Source of income discrimination

Disproportionate Housing Needs

Disproportionate Housing Needs measures the following housing conditions: cost burden, overcrowding, and substandard housing. Areas with the highest housing needs are segregated areas. African-Americans are the predominant group living in areas with the greatest housing needs. Foreign-born residents also tend to live in areas with higher housing burdens.

Factors that contribute to Disproportionate Housing Needs include:

- Availability of affordable units in a range of sizes
- Displacement of residents due to economic pressures

- Displacement of and/or lack of housing support for victims of domestic violence, dating violence, sexual assault, and stalking
- Lack of access to opportunity due to high housing costs
- Land use and zoning laws
- Lending discrimination
- Loss of affordable housing
- Source of income discrimination

Publicly Supported Housing

Publicly Supported Housing includes MDHA Public Housing and Housing Choice Voucher (HCV) Program; privately-owned Project-Based Section 8; and Other HUD Multifamily housing. Publicly Supported Housing of all types are concentrated in segregated, predominantly African-American neighborhoods, such as North Nashville and Bordeaux. There is also a concentration of HCVs and Low-Income Housing Tax Credit projects in the southeast area of the county. Little to no publicly supported housing is located in predominantly White areas of the county, especially in areas south of downtown; in addition, there is very little renter-occupied housing in these areas. Although 26.12% of households in Davidson County are Black, the number of Blacks living in all types of Publicly Supported Housing is disproportionately high, ranging in from 73.23% of households in Other HUD Multifamily housing to 89.23% of households living in MDHA Public Housing.

Nearly half of the residents in MDHA Public Housing and members of households participating in the HCV program are under the age of 18, and over 60% of the residents in both types of assisted housing are female. MDHA-owned public housing (traditional & contemporary properties) is located in R/ECAPs. Other types of publicly supported housing are located in non-R/ECAP areas, but there is a concentration of HCVs in non-R/ECAPs in Bordeaux.

Families with children living in MDHA Public Housing and Project-Based Section 8 housing are more likely to live in R/ECAPs, as are nearly half of HCV recipients that are Families with Children. Although Spanish is the # 1 limited English proficiency language (LEP) in Davidson County, persons speaking Arabic accessed the MDHA language line more than persons speaking other languages.

Factors that contribute to Publicly Supported Housing Location and Occupancy include:

- Admissions and occupancy policies and procedures, including preferences in publicly supported housing
- Community opposition
- Displacement of residents due to economic pressure
- Impediments to mobility
- Lack of access to opportunity due to high housing costs
- Lack of meaningful language access
- Lack of private investment in neighborhoods

- Lack of public investment in specific neighborhoods, including services and amenities
- Loss of affordable housing
- Occupancy codes and restrictions
- Quality of affordable housing information programs
- Siting selection policies, practices and decisions for publicly supported housing, including discretionary aspects of Qualified Allocation Plans and other programs
- Source of income discrimination

Disability and Access

Persons with disabilities are fairly distributed in communities throughout the county and not segregated in a particular area nor are persons with disabilities concentrated in R/ECAPs. However, this does not necessarily mean that persons with disabilities live in areas near transportation or services. Persons with disabilities tend to experience disparities in accessing public infrastructure (sidewalks), public transportation, and jobs. Housing affordability and costs to make homes affordable are the greatest housing needs experienced by persons with disabilities.

Factors that contribute to Disability and Access issues include:

- Access to publicly supported housing for persons with disabilities
- Access to transportation for persons with disabilities
- Inaccessible public or private infrastructure
- Lack of affordable in-home or community-based supportive services
- Lack of affordable, accessible housing in range of unit sizes
- Lack of assistance for transitioning from institutional settings to integrated housing
- Lack of assistance for housing accessibility modifications
- [Lack of knowledge about requesting reasonable accommodation to] Land use and zoning laws
- Loss of affordable housing

Fair Housing Enforcement, Outreach Capacity, and Resources

Factors that contribute to the lack of Fair Housing Enforcement, Outreach Capacity, and Resources include:

- Lack of local private fair housing outreach and enforcement
- Lack of local public fair housing enforcement
- Lack of resources for fair housing agencies and organizations

Fair Housing Goals and Priorities

The fair housing goals and priorities presented in Section VI. and listed below are based on community input, data analysis, and contributing factors identified in the Fair Housing Analysis. Each of the following goals includes strategies, ranked by priority, for addressing fair housing issues and provided in Section VI. MDHA and Metro must incorporate these goals and priorities in their next Five Year Plans.

- Increase the number of affordable housing units accessible to all protected classes.
- Preserve existing affordable housing units, especially for persons with Limited English Proficiency (LEP) and persons with disabilities (and the elderly).
- Increase access to affordable housing opportunities, especially for persons with Limited English Proficiency (LEP) and persons with disabilities.
- Create/expand programs to help tenants and homeowners retain housing.
- Create/expand programs to increase self-sufficiency.
- Increase public investment in underserved neighborhoods.
- Incentivize private investment in underserved neighborhoods.
- Expand fair housing outreach, education, and enforcement activities.