

Atkins Consulting Professionals

Fair Housing & Inclusion
*BBI Virtual Management Professionals &
Service Coordinators Training*

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About ACP



- Atkins Consulting Professionals LLC was created in 2009, owned and operated by Amanda K. Atkins.
- Areas of specialties include training, resident file audits for HUD subsidized and similar properties, leasing & occupancy compliance work, policy compliance, procedural support, workplace health, and environmental consulting.
- Provide keynote speaking, HUD training, compliance-based sessions, fair housing, environmental initiatives, senior sensitivity, and other related topics.

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Fair Housing & Inclusion

- How it applies from marketing to application to current residency
- Fair Housing News
- Fair Housing During COVID-19
 - Managing constant change
 - AAPI & targeted crimes
- Mental Health
 - Checking in (residents, staff, yours)
- Honorable Mentions
 - Getting our residents the resources they need, even if they don't want them
 - SB 1157 from California
 - Table Talk Webinar Series

Fair Housing: MORE THAN JUST WORDS



FAIR HOUSING: More than just words on a gameboard, IT IS THE LAW.



**KNOW
YOUR
RIGHTS!**

If you feel you have experienced housing discrimination based on race, color, religion, national origin, sex, disability, and family status, contact HUD at **1-800-669-9777** (voice), **1-800-877-8339** (Federal Relay), online at www.hud.gov/fairhousing, or your local fair housing organization.



Basic Fair Housing Requirements

Fair Housing Act of
1968

Title VI of the Civil
Rights Act of 1964

Section 504 of the
Rehabilitation Act
of 1973

Title II of the
Americans with
Disabilities Act of
1990

Affirmative Fair
Housing Marketing
Plan (AFHMP)

Equal Opportunity
Housing Provider
& Logo

Limited English
Proficiency (LEP)

Why Should We Fairly Market?

It has historically been HUD's mission to promote non-discrimination and ensure fair and equal housing opportunities for all.

It protects the landlord & the resident.

Our funding requires it.

It is the right thing to do.

Fair Housing & Inclusion

FH is a HUD requirement, a funding requirement, a marketing requirement, local authority requirement.

Management's FH practices are checked up on during property inspections, site visits, funding requests, etc. to ensure we are fairly marketing and fairly housing residents.

FH applies to how we seek out applicants, how we market, how select and place. But it also applies to how we maintain residency, apply property rules, and provide a peaceful living environment.

Fair Housing – Throughout All Aspects

- AFHMP
- Waiting List Management
- Placement of Applicants
- Rejection of Applicants
- Leasing a Unit
- Retaining Residents & Co-Existing
- Enduring Emergencies Together
- Vacating Units

Fair Housing & Inclusion

- Individuals with mental health, intellectual, or developmental disabilities deserve equal housing opportunities.
- Regardless of national origin, race or ethnicity, individuals deserve equal housing opportunities.



HOUSING DISCRIMINATION UNMASKED.

Don't let housing discrimination get covered up.

"While I wasn't looking for an apartment, I wore a mask. But they could still see I'm Black. I was told that they wouldn't rent to me because they heard Black people were disproportionately getting COVID-19."

COVID-19 largely is real, and it shouldn't be made worse because of housing discrimination. If you suspect housing discrimination because of your race, color or national origin, file a complaint with HUD or your local fair housing center where you live.

For more information, go to hud.gov/fairhousing or call 1-800-649-9777
Federal Relay Service 1-800-877-8339

EAVE PROUDLY THE LAW IS ON YOUR SIDE.

Equal Housing Opportunity (EHO) logo. Equal Housing Opportunity logo is a registered trademark of National Fair Housing Alliance. © 2020 National Fair Housing Alliance. All rights reserved. HUD is an Equal Housing Opportunity provider. HUD is an Equal Housing Opportunity provider. HUD is an Equal Housing Opportunity provider. HUD is an Equal Housing Opportunity provider.

How to Approach Fair Housing & Inclusion

Urban Institute – 4 papers...

- Housing as a safety net
- Housing as a platform
- Housing as a building block for inclusion
- Housing as an asset class

Source: Urban Institute, <https://www.urban.org/policy-centers/metropolitan-housing-and-communities-policy-center/projects/housing-equity-and-inclusion>

Housing As A Safety Net

- Housing instability and the shortage of housing affordable for extremely low-income people, and the implications for their long-term economic security.
- It offers three sets of entry points for reform:
 1. Strengthening the legal and consumer protection framework for all renters;
 2. Increasing housing assistance for low-income renters; and
 3. Transforming the way housing assistance is provided.

Housing As A Platform

- Describes the relationships between housing and neighborhood quality and a range of individual and family outcomes, and the ways the system currently fails to ensure low-income households' long-term wellbeing.

Housing As A Building Block for Inclusion

- Appraises the significant costs wrought by postwar suburbanization and a singular focus on the owner-occupied detached single-family home.
- It lays out strategies to create greater diversity and access to opportunity in neighborhoods, cities, and regions, leveraging growing demand for compact, walkable, sustainable cities through broader participation and deeper consensus-building.

Housing As An Asset Class

- Examines the incentives built into rules, regulations, and programs.
- It outlines a series of potential reforms that would motivate market action among developers and investors, spurring the production and preservation of affordable housing for low- and middle-income households.

Inclusionary Housing

- Inclusionary housing programs are local policies that tap the economic gains from rising real estate values to create affordable housing for lower income families.
- An inclusionary housing program might require developers to sell or rent 10 to 30 percent of new residential units to lower-income residents (tax credit properties).
- Inclusionary housing policies were first developed to specifically counteract a history of 'exclusionary zoning' policies that reinforced economic and racial segregation.

Fair Housing & Moving Towards Inclusion

- After a year of seclusion, we may encounter challenges with reintegration.
- The FHA and other federal laws prohibit the eviction, turning away or harassment of a person in housing because they are profiled, on the basis of race, national origin or other protected class, to be associated with COVID-19.
- We need to move away from archaic practices, like racial profiling or home visits, that are forms of harassment and discrimination, or can be extremely subjective.

Fair Housing News

Recent common complaints –

- discrimination based upon disability;
- discrimination based upon race, ethnicity, or national origin;
- failure to provide language access services;
- failure to provide reasonable accommodations;
- failure to allow a resident to pay for a reasonable accommodation;
- issues with assistant animals;
- sexual harassment.

Dallas Housing Authority – April 16, 2021 Press Release

HUD recently issued findings that the Housing Authority of Dallas (DHA), Texas, discriminated against a tenant with a disability by failing to provide a reasonable accommodation and seeking to evict her.

Specifically, the DHA failed to transfer a tenant with a mobility disability to a ground-floor unit, forcing her to leave her wheelchair and crawl up or down the stairs in order to access or leave her housing.

In this case, the Fair Housing Act, Section 504 of the Rehabilitation Act, and Americans with Disabilities Act all applied.

Family
Discrimination
– April 20, 2021
Press Release

HUD recent charged an owner of a six-bedroom rental home in Frisco, Texas, with violating the Fair Housing Act by refusing to rent to a woman and her ten children.

HUD's charge alleges that the owner stated that he could not rent the home to a family with eleven people, even though the mother, a HUD Housing Choice Voucher recipient, was qualified to rent the home.

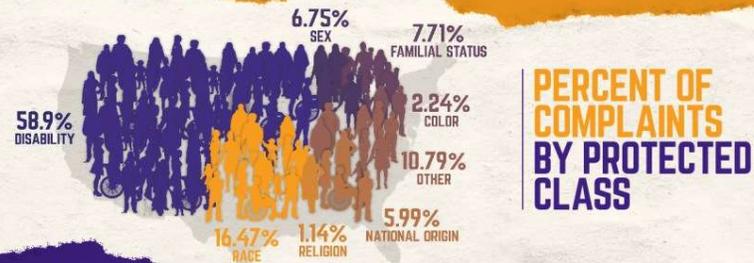
The FHA makes it unlawful to refuse to rent to a family because of children under the age of 18 and to make statements that discriminate against families with children, including marketing.

FAIR HOUSING TRENDS IN 2019

In 2019, there were
28,880
 reported acts of housing discrimination across the USA.

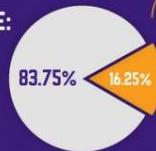
Sex Discrimination comprised
6.75%
 of all forms of reported housing discrimination, with 204 cases- our highest rate ever recorded.

From 2018 to 2019, Harassment based on Sex rose from
139 TO 204
 (46.8% increase)



COMPLAINTS BY TRANSACTION TYPE:

- Rental
- All other transactions



ALL OTHER TRANSACTIONS:

- Sales (2.70%)
- Lending (.81%)
- Insurance (.07%)
- Harassment (2.64%)
- Ads (.42%)
- HOA (.54%)
- Other (9.08%)



NFHA

Find out more at WWW.NATIONALFAIRHOUSING.ORG



WILDFIRES DON'T CARE ABOUT YOUR RACE. BUT WHEN WE TRIED TO RENT A NEW PLACE TO LIVE, WE LEARNED THAT SOME LANDLORDS DO.

When the fire came, we had to run from our home. Fortunately, we found temporary shelter. But as we started looking for a place to live, we ran into housing discrimination, which isn't just unfair – it's illegal. If you feel that a landlord or broker has denied you the sale, rental or financing of a home based on your race, color, religion, sex, national origin, disability or because you have children, report it to HUD or your local fair housing center.

Go to [hud.gov/fairhousing](https://www.hud.gov/fairhousing)
or call 1-800-669-9777
Federal Relay Service 1-800-877-8339



FAIR HOUSING: THE LAW IS ON YOUR SIDE.

A public service message from the U.S. Department of Housing and Urban Development in cooperation with the National Fair Housing Alliance.
The federal Fair Housing Act prohibits discrimination because of race, color, religion, national origin, sex, marital status or disability.

Fair Housing Initiatives Program (FHIP)

HUD announced in May 2021 that it made \$20,229,156 available in fair housing organizations across the nation working to fight housing discrimination.

The funds will support a variety of activities, including fair housing testing, education and outreach, and capacity building.

Three categories – Education & Outreach (EOI); Fair Housing Organizations Initiative (FHOI); Private Enforcement Initiative (PEI)

Applications must be received by June 14, 2021

Fair Housing Notices & News

HUD has been actively promoting awareness throughout all practices.

Fair Housing Awareness Month – April 2021

Mental Health Awareness Month – May 2021

AAPI & Targeted Hate Crimes

- Crimes targeted at the Asian American Pacific Islander (AAPI) Community
 - Violent in nature
- Have doubled (or more) in recent times, depending upon data source.
- The elderly are targeted most often for unsolicited physical attacks.
- When the situation becomes physical, involve local authorities; violation of lease and house rules.
- Fair Housing, management policies, the residential lease and house rules all apply. Most likely will involve an active criminal case.

Fair Housing During COVID-19

- In our communities – Hate crimes and similar incidents often fall under freedom of speech, therefore authority figures are often unable to do much without threats. Common: verbal harassment.
- Other group specific targeted crimes.
- Various forms of discrimination, even under a mask.

Fair Housing During Covid-19

Disparate impact of the Covid-19 crisis.

The Centers for Disease Control and Prevention (CDC) found that residential segregation is linked with a variety of adverse health outcomes and underlying health conditions, which can also increase the likelihood of severe illness or death from COVID-19

(Source: NFHA 2020 Fair Housing Trends Report)

The CDC also pointed out not just the disproportionate access to healthy food, but also the unequal access to medical facilities.

ALMOST **38 PERCENT** OF RENTERS
**WORK IN THE FIVE INDUSTRIES MOST
VULNERABLE TO COVID-19 SHOCK:**

FOOD AND ACCOMMODATIONS,
CONSTRUCTION,
ENTERTAINMENT,
RETAIL,
OR OTHER SERVICES.

WITHIN THE FIVE INDUSTRIES MOST
VULNERABLE TO COVID-19 SHOCK,

**45.5 PERCENT OF LATINO WORKERS ARE RENTERS,
AS ARE 31.8 PERCENT OF BLACK WORKERS,
29.7 PERCENT OF ASIAN WORKERS,
AND 37.3 PERCENT OF WHITE WORKERS.**

NFHA

Find out more at WWW.NATIONALFAIRHOUSING.ORG

Fair Housing During COVID-19

- Remember that any provided Covid-19 materials or resources should be available in appropriate multilingual formats, or formats accessible for persons with disabilities.
- The federal Fair Housing Act continues to apply and to make accommodations as necessary to avoid claims of discrimination against protected classes. For example, virtual tours should accommodate blind or visually impaired visitors, and leasing staff should work with prospective residents with disabilities to further accommodate any additional needs they may have.

Fair Housing During COVID-19

- Vaccine Cards and showing proof of vaccination(s)
- Some property management companies and owners have voluntarily opted to treat Covid as a disability for purposes of the Fair Housing Act.
- Housing insecurity has been a crucial social determinant of health during this pandemic.

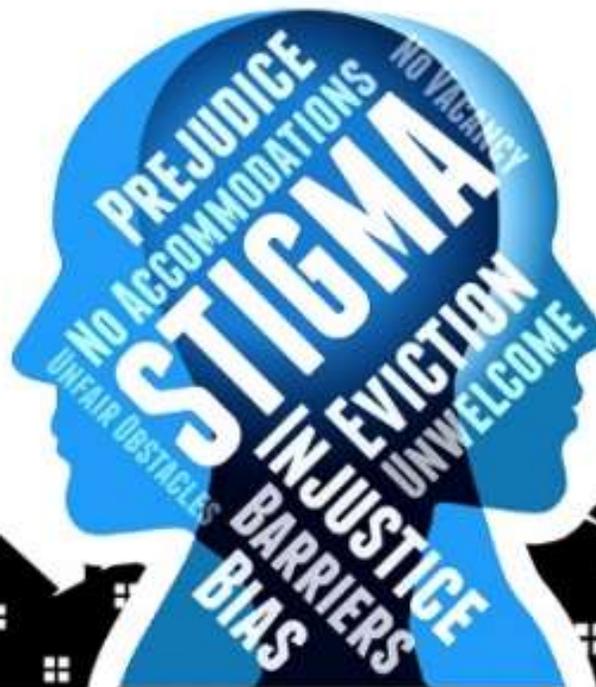


FH Awareness - Mental Health Theme

- May 2021
- The new education and outreach campaign consists of social media graphics, as well as fact sheets for individuals with mental health, intellectual, or developmental disabilities, and housing providers, informing them of their fair housing rights and responsibilities under the Fair Housing Act, Section 504 of the Rehabilitation Act, and the Americans with Disabilities Act.

Individuals with *mental health, intellectual, or developmental disabilities* deserve equal housing opportunities.

Housing discrimination against individuals with mental health, intellectual, or developmental disabilities is illegal.



If you believe you have experienced housing discrimination, contact **HUD** to file a complaint.



Visit www.hud.gov/fairhousing or call the National Discrimination Hotline at 1-800-669-9777 or 1-800-877-8339 (Fed. Relay)

Mental Health

- 
- Residents
 - Staff
 - You

Mental Health
Check-In



4 M's OF MENTAL HEALTH



MOVEMENT

MINDFULNESS



**MEANINGFUL
ENGAGEMENT**

MASTERY





YOU ARE
NOT
ALONE

Now more than ever, we need to find ways to stay connected with our community. No one should feel alone or without the information, support and help they need.

Honorable Mentions



Getting Residents to Accept Help

- Getting our residents resources even when they don't want them.
- Ways to solicit and share information.
- Supporting our community.

SB 1157

- SB 1157 from California.
- A first in the nation bill will require large property managers of subsidized units to offer tenants the option of having their rental payments reported to a major credit bureau.
- Rent reporting helps individuals who lack credit scores establish those scores and helps individuals with nonprime credit improve their credit scores.
- \$10 per month fee, opt out instructions.
- *Section 8 or Housing Choice Vouchers Program Units are not Obligated to meet the Requirements of SB-1157.*

Table Talk Series

- FHEO Table Talk Series
 - <https://www.youtube.com/watch?v=OIF-SAEy-SU>
- New, long-awaited, only a few episodes.
- Created to foster sustainable partnerships with trusted voices of the community.

Unemployment Benefits

Section 2104: Federal Pandemic Unemployment Compensation (FPUC) in the 2021 Appropriations and the ARP provides eligible individuals who are collecting regular unemployment insurance an additional \$300/week. **Owners/agents shall exclude this unemployment benefit from the annual income calculation** on the basis that it is temporary income.

Section 7527A: Advance Payment of Child Tax Credit in the ARP provides a monthly payment up to \$300/week from July 2021 through December 2021. **Owners/agents shall exclude the child tax credit** on the basis that it is excludable income under 26 USC 6409.

Unemployment Benefits

- Section 2102: Pandemic Unemployment Assistance (PUA). This is an unemployment benefit for individuals who are self-employed, seeking part-time employment, or whom otherwise would not qualify for regular unemployment insurance (UI). HUD has determined that PUA benefits must be included as annual income.
- Section 2107: Pandemic Emergency Unemployment Compensation (PEUC) program. This program provides an extension to regular unemployment insurance benefits for eligible individuals, allowing them to receive up to 13 weeks of additional benefits (this extends UI from 26 weeks to 39 weeks in total). HUD has determined that PEUC benefits must be included in annual income.

Unemployment Benefits

- HUD also notes that regular payments of unemployment insurance (issued by the state) are treated as annual income according to existing HUD policy.



EVERYTHING
WILL BE
LIGHT



Some days, doing "the best we can" may still fall short of what we would like to be able to do, but life isn't perfect on any front-and doing what we can with what we have is the most we should expect of ourselves or anyone else.

Fred Rogers

quote fancy

Tips & Resources

- Fair Housing
 - www.hud.gov/fairhousing
- HUD Notice FHEO 2020-01
 - <https://www.hud.gov/sites/dfiles/PA/documents/HUDAsstAnimalNC1-28-2020.pdf>
- ADA rules and service animal guidance on DOJ's ADA Home Page at
 - www.ada.gov22
- ADA Information Line - 1-800-514-0301

Tips & Resources Continued

- HUD's RHIP ListServ
 - https://portal.hud.gov/hudportal/HUD?src=/program_offices/housing/mfh/rhiip/mfhrhiip
- HUD Housing Notices
 - http://portal.hud.gov/hudportal/HUD?src=/program_offices/administration/hudclips/notices/hsg/
- HUD Exchange
 - <https://www.hudexchange.info/>
- HUD YouTube Channel (webinars)
 - <https://www.youtube.com/user/HUDchannel>

Covid-19 Resources for Our Industry

HUD COVID-19 Resources and Fact Sheets

<https://www.hud.gov/coronavirus>

Addressing Tenant Concerns Brochure

https://www.hud.gov/sites/dfiles/Housing/documents/MF_Tenant_Concerns_COVID-19_Brochure.pdf

Promoting Housing Stability During the Covid-19 National Emergency

https://www.hud.gov/sites/dfiles/Housing/documents/MF_Tenant_Concerns_COVID-19_Brochure.pdf

CARES Act Info for Property Managers

<https://www.consumerfinance.gov/coronavirus/mortgage-and-housing-assistance/renter-protections/cares-act-information-hud-multifamily-properties>

Consumer Finance Group - Mortgage & Housing Assistance

<https://www.consumerfinance.gov/coronavirus/mortgage-and-housing-assistance>

National Housing Law Project Resource List

<https://www.nhlp.org/campaign/protecting-renter-and-homeowner-rights-during-our-national-health-crisis-2/>



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Open floor for questions
and comments!

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