

City of Los Angeles Joint Assessment of Fair Housing: Goals and Strategies Section

GOAL 1: INCREASE THE STOCK OF AFFORDABLE HOUSING THROUGHOUT THE CITY, PARTICULARLY IN NEIGHBORHOODS OF OPPORTUNITY.

Goal	Strategy	Fair Housing Issues	Contributing Factors	Metrics, Milestones, Timeframe for Achievement	Responsible Program Participant(s)
1.1	Adopt an Affordable Housing Linkage Fee to fund the City's affordable housing programs and to encourage developers to produce affordable housing in new housing developments	Segregation/Integration, R/ECAPs, Disparities in Access to Opportunity, Disproportionate Housing Needs; Fair Housing Enforcement, Outreach Capacity and Resources	Displacement Due to Economic Pressures; Location/Type of Affordable Housing; Community opposition	Successful introduction and passage of proposed ordinance, amount of money in fees collected, 1-2 Years, development of approximately 1000 units annually with a \$100,000/unit contribution from the linkage fee, 3-5 years	HCIDLA, DCP, Mayor, City Council
1.2	Study the Affordable Housing Linkage Fee's economic impact on the development market and make recommendations to Elected Local Officials for strengthening the inclusionary set-aside requirements of the policy for new housing developments	Segregation/Integration; R/ECAPs; Disparities in Access to Opportunity; Disproportionate Housing Need; Fair Housing Enforcement, Outreach Capacity and Resources	Location and Type of Affordable Housing; Displacement of Residents Due to Economic Pressures; Community Opposition	After one year of adoption for the linkage fee ordinance, complete an analysis of the policy's impacts and the potential for stronger inclusionary requirements, 3-5 Years	HCIDLA, DCP
1.3	Identify and allocate city-owned land for affordable housing, particularly in current and emerging high-opportunity areas	Segregation/Integration, Disparities in Access to Opportunity, Disproportionate Housing Needs	Location and Type of Affordable Housing; Displacement of Residents Due to Economic Pressures; Community Opposition;	Number of parcels and acreage of land acquired for housing, proportion that is within high opportunity areas, 1-5 Years	HCIDLA, HACLA

			Availability of affordable units in a range of sizes; Private Discrimination; Impediments to Mobility		
Goal	Strategy	Fair Housing Issues	Contributing Factors	Metrics, Milestones, Timeframe for Achievement	Responsible Program Participant(s)
1.4	Remove barriers to producing affordable housing by streamlining the development process, especially in high-opportunity neighborhoods	Disparities in Access to Opportunity, Publicly Supported Housing, Segregation/Integration, R/ECAPs	Community Opposition; Zoning and Land Use Laws	Update all 35 community plans by 2024 that will focus on zoning; remove barriers through re:code LA and other city-wide land-use policies; maximize TOC development and adoption of a Value Capture ordinance Implementation of the State's streamlining legislative bill upon Governor signature. Ongoing through 5-year period of time.	HCIDLA, DCP
1.5	Develop a siting policy for permanent supportive housing with the Citizens Oversight Committee for Measure HHH to be presented to Local Elected Officials for consideration of adoption.	Segregation/Integration, R/ECAPs, Disparities in Access to Opportunity, Disproportionate Housing Needs	Siting selection policies, practices and decisions for publicly supported housing; Community Opposition	In Year 1 with the Citizens Oversight Committee for HHH, 1-5 Years	HCIDLA, HACLA
1.6	Increase the stock of affordable housing for people experiencing	Segregation/Integration, R/ECAPs, Disparities in	Siting selection policies, practices and decisions for	Number of affordable units built for people	HCIDLA, HACLA

	homelessness using the follow tools/resources: <ul style="list-style-type: none"> • Measure HHH • Value-capture Ordinance • Density Bonus • Inclusionary Zoning • Shallow Subsidy Program 	Access to Opportunity, Disproportionate Housing Needs	publicly supported housing; Community opposition; Displacement of Residents due to Economic Pressure; Community Opposition	experiencing homelessness increases at a rate of 1000 units per year, 1-10 Years	
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Discussion

Background

Los Angeles (LA) has a significant shortage of housing affordable to lower-income households. There are 713,710 households in the city that make less than 80% of Area Median Income (AMI).¹ Housing prices in Los Angeles have grown four times faster than incomes since 2000. And almost two-thirds of all households in the City are rent burdened (meaning they spend more than the recommended 30% of their income on rent or mortgage payments).² This shortage of affordable homes disproportionately affects people of color and individuals with disabilities. Within both the City of Los Angeles and the broader region, most racial or ethnic minority groups experience higher rates of housing problems, including but not limited to severe housing cost burden, than do non-Hispanic White households.³ And there is a significant need for accessible housing in the City of Los Angeles. Over 200,000 Los Angeles households include an individual with an ambulatory disability, and over 170,000 include an individual with a visual or hearing disability. People with mobility and sensory disabilities face unique disadvantages when seeking affordable, accessible, community-based housing, not only due to cost, but also because most housing does not include necessary accessibility features. This is especially significant in affordable housing, given the large percentage of people with disabilities whose income is below the poverty line.

However, the existing stock of affordable housing falls well short of the need. As of 2016, the total stock of all housing units in Los Angeles was 1,453,271.⁴ The total stock of Publicly Supported Housing (including public housing, project-based Section 8, and other HUD multifamily units) is 34,661 units.⁵ There are 28,830 low-income units in Low Income Housing Tax Credit (LIHTC) developments in the City of Los Angeles.⁶ However, between 2017 and 2020, 24% of units are set

¹ Publicly Supported Housing Analysis

² Disproportionate Housing Needs Analysis

³ Disproportionate Housing Needs Analysis

⁴ <https://www.scag.ca.gov/Documents/LosAngeles.pdf>

⁵ Publicly Supported Housing Analysis

⁶ Disability and Access Analysis

to expire, with another 35% expiring between 2020 and 2025, and 36% expiring between 2026 and 2030.⁷ And there are approximately 46,000 Housing Choice Vouchers (HCVs) in use in Los Angeles.⁸ Adding all these sources together, the existing stock of affordable homes and Housing Choice Vouchers accounts for only about 8% of all housing units in the City of Los Angeles and, therefore, can serve only a small fraction of households making less than 80% of AMI.⁹ There are also roughly 631,000 units that fall under the City's Rent Stabilization Ordinance (RSO).¹⁰ However, due to vacancy decontrol, where rents can be increased to market rate if a tenant voluntarily moves out or is evicted with cause, it is unclear how many of those units are affordable to lower-income households since the RSO does not require that tenants qualify to rent based on their income. The high percentage of households who are rent burdened indicates that, while RSO housing can help keep rents below market by preventing rental increases, many RSO renters may still be rent-burdened.

In addition, the affordable housing that does exist is disproportionately concentrated in R/ECAPs, which are some of the lowest-opportunity neighborhoods in Los Angeles.¹¹ For example, 9,533, or 27.5%, of the 34,611 Publicly Supported Housing units are in R/ECAPs while only 9.75% of the City's population resides in R/ECAPs.¹² Public Housing and LIHTC housing in particular are largely located in segregated, predominantly Hispanic, Asian, and Black neighborhoods. HCV usage is largely located in segregated, predominantly Black neighborhoods on the western side of the central part of the City.¹³ By contrast, notably less affordable housing is available in neighborhoods of high opportunity in the Northwest and West parts of Los Angeles. Several factors likely contribute to protected classes concentrating in areas that have high exposure to poverty and less access to other amenities such as proficient schools and access to grocery stores and fresh produce.¹⁴ The high cost of land and community opposition from residents in high-opportunity creates barriers to affordable housing there.

Strategies

Adopt an Affordable Housing Linkage Fee to fund the City's affordable housing programs and to encourage developers to produce affordable housing in new housing developments

To ensure that the City's significant new market-rate development supports the creation of new affordable housing, the City is in the process of adopting its first mandatory inclusionary program, called the Affordable Housing Linkage Fee. Both new commercial and new residential development generate a need for more affordable homes, either for low-income workers employed in new commercial buildings or for low-income workers needed to provide local services (such as child care, restaurant workers, and landscape workers) to residents of new residential buildings. This puts additional strain on the existing limited affordable housing stock. A linkage fee is an essential tool to address the affordable housing demand created by new commercial development and by new market-rate rental development. In addition to charging a linkage fee on new commercial and single family developments, the proposed linkage fee policy will provide an exemption for all new multifamily residential development, both homeownership and rental developments, that include a certain percentage of their units as covenanted

⁷ <https://www.realtor.com/mpf-research/where-affordable-housing-greatest-risk-expiring/>

⁸ Publicly Supported Housing Analysis

⁹ Over 700,000 households in the City of Los Angeles make less than 80% AMI as per the Publicly Supported Housing Analysis.

¹⁰ <http://HCIDLAla.lacity.org/What-is-Covered-under-the-RSO>

¹¹ Disparities in Access to Opportunity Analysis

¹² Publicly Supported Housing Analysis

¹³ Publicly Supported Housing Analysis

¹⁴ Disparities in Access to Opportunity Analysis

affordable housing, with 40% of total units affordable at moderate income levels, 20% at low income, or 11% at very low income levels. In-lieu of providing those units on-site, developers can choose to pay a fee that was deemed feasible by an independent economic analysis.

Study the Affordable Housing Linkage Fee's economic impact on the development market and make recommendations to Elected Local Officials for strengthening the inclusionary set-aside requirements of the policy for new housing developments

After one year of the linkage fee's implementation, the City will commit to studying the economic impacts of the policy, and whether or not the market could support stronger on-site affordability requirements and/or fee levels in particular submarket regions.

Alternatively, the City could study the adoption of a mandatory inclusionary zoning policy *without* an in-lieu fee option as proposed for the Affordable Housing Linkage Fee. This policy proposal has its challenges, however, because of a prior court decision precludes the City from implementing such a mandatory inclusionary policy on rental developments across California. However, there is State legislation, AB 1505 (Bloom),¹⁵ that was recently introduced to authorize cities to adopt inclusionary zoning ordinances that require, as a condition of development of residential rental units, that the development include a certain percentage of residential rental units affordable to, and occupied by, moderate-income, lower-income, very low-income, or extremely low-income households. The City of Los Angeles took a position in support of this legislation and has similarly gone on record supporting past bills with the same intent. If this statewide legislation is passed, the City will include a mandatory inclusionary option without an in-lieu option in its analysis of the Affordable Housing Linkage Fee policy.

Similarly, the City is considering how to prioritize meaningful inclusionary requirements and affordable housing funding within any tax increment financing (TIF) program adopted by the City such as Enhanced Infrastructure Finance Districts (EIFDs) and Community Revitalization Investment Areas (CRIAs). However, the limitations on this approach should be noted--EIFDs are adopted by resolution, do not have a mandatory affordable housing set-aside and may take upwards of a decade to generate meaningful returns. EIFDs are not required to have affordable housing set-asides but may include these on an ad-hoc basis.

The monitoring and enforcement of any mandatory inclusionary zoning policies will be particularly important to determine whether and to what extent these measures are producing the desired outcomes.

Identify and allocate city-owned land for affordable housing, particularly in current and emerging high-opportunity areas

One significant barrier to increasing the stock of affordable housing is access to land. The City is exploring mechanisms to reserve publicly-owned land, especially in neighborhoods of opportunity, for affordable housing. These mechanisms include the Naturally Occurring Affordable Housing (NOAH) pilot program and the disposition of former Community Redevelopment Agency of the City of Los Angeles' land for affordable housing. The City is also exploring ways to support strategic land acquisition by nonprofit developers and community land trusts, including by acquiring smaller multi-family properties that currently provide below market rents and converting them into regulated affordable housing. The New Generation Fund could support these acquisitions, in part, but additional funding sources would need to be identified to support this effort. Flexible funding from a Linkage Fee could support this type of program.

Remove barriers to producing affordable housing by streamlining the development process, especially in high-opportunity neighborhoods

To make it easier to build affordable housing throughout the City, and particularly in high-opportunity areas, the City is working to reduce barriers that make affordable housing more difficult to build, costly, and time-consuming to produce. California Government Code Section 65915, the Density Bonus Program,

¹⁵ https://leginfo.ca.gov/faces/billNavClient.xhtml?bill_id=201720180AB1505

already offers a menu of incentives to developers to build affordable housing units, while reducing some of the barriers to do so. In addition to the density bonus, these include reduced parking requirements, additional building height, and more. The City will continue to remove barriers that increase the cost and reduce the feasibility of affordable housing production. The City understands the need to rezone appropriate areas and parcels for multi-family housing and make changes to the development and permit process that reduce the cost or time or increase the amount of land where affordable housing can be developed.

Develop a siting policy for permanent supportive housing with the Citizens Oversight Committee for Measure HHH to be presented to Local Elected Officials for consideration of adoption

The permanent supportive housing to be created through Measure HHH funding is intended to provide housing for people experiencing homelessness and in need of service enriched housing, including health services and mental health programs on-site. Homeless families and individuals are a group that consists of predominantly people with disabilities, people of color, and families with children--all are protected under federal fair housing laws. In the coming months, the City Council will review a draft ordinance to streamline the administrative clearance process for qualifying Permanent Supportive Housing projects. This is designed to facilitate construction of Measure HHH projects. To affirmatively further fair housing it is essential that this ordinance is finalized and passed to ensure the creation of this housing throughout the City.

Increase the stock of affordable housing for people experiencing homelessness using the follow tools/resources:

- Measure HHH
- Value-capture Ordinance
- Density Bonus
- Inclusionary Zoning
- Shallow Subsidy Program

The permanent supportive housing to be created through Measure HHH funding is intended to provide housing for people experiencing homelessness and in need of service enriched housing, including health services and mental health programs on-site. Homeless families and individuals are a group that consists of predominantly people with disabilities, people of color, and families with children--all are protected under federal fair housing laws. In the coming months, the City Council will review a draft ordinance to streamline the administrative clearance process for qualifying Permanent Supportive Housing projects. This is designed to facilitate construction of Measure HHH projects. To affirmatively further fair housing it is essential that this ordinance is finalized and passed to ensure the creation of this housing throughout the City.

GOAL 2: PRESERVE THE EXISTING STOCK OF AFFORDABLE RENTAL HOUSING

Goal	Strategy	Fair Housing Issues	Contributing Factors	Metrics, Milestones, Timeframe for Achievement	Responsible Program Participant(s)
2.1	Develop a citywide policy that sets forth a no net loss of affordable housing policy that is included in land-use plans, local laws, community plans, and RFPs for funding for affordable housing	Segregation/Integration, R/ECAPs, Disparities in Access to Opportunity, Disproportionate Housing Needs	Lack of private investment in specific neighborhoods; Location and type of affordable housing; Availability of affordable units in a range of sizes	Net change in affordable housing, 1-5 Years	HCIDLA, DCP
2.2	Develop and implement an acquisition and rehabilitation loan program for small multi-family properties located in areas experiencing displacement pressures. Use a set of identified metrics to help determine impacted areas in the City.	Segregation/Integration, R/ECAPs, Disparities in Access to Opportunity, Disproportionate Housing Needs	Lack of private investment in specific neighborhoods; Location and type of affordable housing; Availability of affordable units in a range of sizes	Increase in the number of interventions to prevent the loss of affordable housing and older housing stock, 1-5 Years; Adopt LA NOAH Loan Program, Years 1-2	HCIDLA
2.3	Enhance enforcement of codes and regulations around habitability	R/ECAPs, Disparities in Access to Opportunity, Disproportionate Housing Needs	Location and type of affordable housing; Displacement of residents due to Economic Pressures; Community Opposition; Impediments to mobility; Lack of access to opportunity due to high housing costs	Quality and quantity of enforcement actions brought, rates and timeliness of compliance, 1-4 Years	HCIDLA
2.4	Strengthen and expand education and outreach to tenants and owners of affordable rental housing at risk of	Segregation/Integration, R/ECAPs, Disparities in Access to Opportunity,	Displacement of Residents due to Economic Pressures; Lack of	Annual publication of reports documenting status of the affordable	HCIDLA

Goal	Strategy	Fair Housing Issues	Contributing Factors	Metrics, Milestones, Timeframe for Achievement	Responsible Program Participant(s)
	conversion to market rents that include options for nonprofits and/or tenants the opportunity to purchase expiring properties	Disproportionate Housing Needs	affordable, accessible housing in a range of unit sizes; Community opposition; Impediments to mobility; Access to affordable housing information programs	housing units at risk of expiring in the next 5 years and education and outreach efforts by property. Report to include the number of units lost and preserved.	

Discussion

Background

As noted above, most racial or ethnic minority groups experience higher rates of housing problems, including but not limited to severe housing cost burden, than do non-Hispanic White households.¹⁶ Given the shortage of housing affordable to lower-income households, to reduce (or at least not exacerbate) these disproportionate housing needs, it is essential that the existing stock of affordable housing be preserved. However, affordable units are at risk of being lost through multiple mechanisms.

Regulated apartments in some neighborhoods have an economic incentive to exit from government restrictions and increase their asking rents to market-rate levels. This is particularly true in desirable, high-opportunity neighborhoods where apartments can command a high, market-rate rent. A series of affordability regulations on deed-restricted affordable units, particularly LIHTC-funded units, are set to expire over the next five years. The California Housing Partnership Corporation projects that about 14,000 units spread across 232 buildings in Los Angeles County are at "very high" (within 1 year) or "high" (between 1-5 years) risk of being converted to market rates over the next five years with a significant percentage of those units residing within Los Angeles City limits.¹⁷ Within City limits, there are 11,771 units that are at "very high" risk (3,992 within 1 year) or "high" risk (additional 7,779 between 1-5 years) of being converted to market rates over the next five years with expiring HUD Rental Assistance Contracts and Maturing Assisted Mortgages. These properties also contain another 3,388 homes that do not receive rental assistance but often provide housing to low-income households and are also at-risk.¹⁸ These units have been priced at below-market rates for typically 30 to 40 years as a condition of getting financing or permission to build. But with these expiring affordability restrictions, some are deciding to take

¹⁶ Disproportionate Housing Needs Analysis

¹⁷ (California Housing Partnership)

¹⁸ (Department, HCIDLA Report Back: Regarding Preservation of At-Risk Affordable Housing Initiatives)

advantage of the County’s hot housing market.¹⁹ The City is already experiencing a loss of rent-stabilized units; from 2001 to June 2017, the City of Los Angeles has lost 22,131 Rent Control Units from the rental market for permanent removal or demolition.²⁰

In addition, as described above, the City is in the process of significantly revising multiple land-use plans to allow more development. New development in neighborhoods that have under-resourced schools and lack access to adequate jobs and transportation options has the potential to increase access to opportunity for current residents of those neighborhoods—for example, new commercial space can bring new job opportunities to the neighborhood—if those current residents can afford to stay in the neighborhood when investment occurs. On the other hand, if existing affordable homes are demolished to accommodate newly-planned development, reducing the total stock of affordable homes that have the potential to *increase* housing cost burdens. And demolishing existing affordable homes in neighborhoods of high opportunity would reduce the ability for low-income residents to stay in or move to those neighborhoods, thereby reducing access to opportunity.

Strategies

Develop a citywide policy that sets forth a no net loss of affordable housing policy that is included in land-use plans, local laws, community plans, and RFPs for funding for affordable housing

To address the challenges posed by the loss of the existing stock of affordable housing and to preserve as many units as possible, the City is considering including a “no net loss” policy, requiring one-for-one replacement of affordable units (public housing, regulated affordable housing, RSO units, and units in areas deemed low-income per State Density Bonus Law) that are to be demolished, have expired covenants/restrictions, and removed from the rental market. A “no net loss” policy could apply to projects that receive public subsidy, zoning benefits, or use of public land. Given the significant number of land-use plans that are being updated in the near future, it is particularly essential that a “no net loss” policy be applied to any plan-wide upzoning or other increases in density.

The City already requires one-for-one replacement of recently constructed affordable, rent-stabilized housing²¹ for projects that use the density bonus program²² within five years of demolishing the original structure or the Transit Oriented Communities Affordable Housing Incentive program.²³ The TOC program also requires one-for-one replacement of units occupied by lower income households.²⁴ These requirements can be expanded to apply more broadly to all types of affordable housing and in broader geographical areas. To prevent the loss of affordable apartments, the City may also consider limiting condo conversions and demolitions—for example, placing a moratorium on condo conversions when a certain vacancy rate is reached—and explore requiring a building permit to be secured before issuing a demolition permit. HCIDLA and the L.A. Department of City Planning are currently reviewing part of “Ellis Part II.”

¹⁹ Disproportionate Housing Needs Analysis

²⁰ [City of Los Angeles Housing Element](#)

²¹ No net less also applies to RSO properties that were demolished and replaced within five years. <http://www.latimes.com/local/lanow/la-me-ln-housing-ellis-act-20170404-story.html>

²² <http://plan.lamayor.org/portfolio/housing-and-development/>

²³ https://planning.lacity.org/ordinances/docs/TOC/TOC_FAQ.pdf

²⁴ Ibid

In addition to “no net loss” on a parcel-specific basis, the City will begin to examine the feasibility of designating “no net loss” zones on an area-wide basis. These zones could be designated based on the Los Angeles Index of Displacement Pressure for example.²⁵ In these zones, the City may consider tracking RSO units removed and the corresponding rental rate at the time of removal. HCIDLA is currently implementing the pilot phase of the new Rent Registry Program that mandates the collection of rental rates for all units subject to the RSO. This new program will enable the City to respond more swiftly and assist in identifying rental rate trends throughout the City to inform future policies to both help protect and build affordable housing.

Enforcement of these policies will require the City to dedicate the necessary resources to monitor and properly enforce existing and newly adopted ordinances and programs to address the potential loss of existing affordable housing.

Develop and implement an acquisition and rehabilitation loan program for small multi-family properties located in areas experiencing displacement pressures. Naturally Occurring Affordable Housing refers to residential rental properties that lack public subsidy and whose rents are relatively low compared to the regional housing market. Due to City’s existing need for additional affordable housing it cannot afford to lose any of its NOAH stock.

The City is developing a model to proactively incentivize the acquisition and rehabilitation of this specific smaller housing stock. In addition to the development of this new loan program, in Fiscal Year (FY) 2018-19, the City is planning to transition to a two-tiered system for the Systematic Code Enforcement Program (SCEP) program where noncompliant properties will be moved into an every two-years cycle for inspection. This will be a key step to increasing the frequency of inspections of non-compliant properties. This new component of the SCEP program can be used as a tool to assist in identifying older and smaller multi-family properties that may require intervention and potential candidates for the new loan program.

Enhance enforcement of codes and regulations around habitability

One strategy to preserve the existing stock of affordable housing is to ensure those homes remain habitable. The City of Los Angeles has made some notable efforts and improvements in enforcing rules and regulations around habitability. Since 1988, the City has been operating the Rent Escrow Account Program (REAP), which ensures that tenants throughout the City live in safe and habitable units by creating financial disincentives for the delinquent property owners to continue the habitability, health, and safety violations in their multi-family rental properties. By removing the Housing Code violations and maintaining their properties, the property owners restore their rental income, and going forward their rehabilitated properties can benefit from lower maintenance costs and vacancy rates. Consequently, the useful life of rental properties in Los Angeles is extended. The Los Angeles City Council recognized REAP in 2013 for its contributions to the City’s goals of a safe, habitable, and sustainable housing stock.

Also, in response to stakeholder input, starting in FY 2017-18, HCIDLA will implement an Enhanced Repair Program and regular enforcement of lead-safe work practices utilizing containment. In addition, HCIDLA has established a system of pre-inspection conferences and pre-repair conferences with property owners with the objective of achieving quality repairs. In collaboration with other organizations, HCIDLA has improved and shortened the complaint response time.

The City is assessing the enforcement of its program to track abandoned properties. The City is particularly interested in properties that, if brought back into habitable use, could be utilized for affordable housing.

²⁵ <https://www.arcgis.com/home/item.html?id=70ed646893f642ddbca858c381471fa2>

Strengthen and expand education and outreach to tenants and owners of affordable rental housing at risk of conversion to market rents that include options for nonprofits and/or tenants the opportunity to purchase expiring properties

As described above, regulated affordable housing is at risk of being lost to the market as affordability restrictions expire. As the City faces a prolonged affordable housing crisis, the preservation of vulnerable and restricted at-risk housing is critical in preventing the displacement of low income residents. To respond to this issue, HCIDLA early in 2016 established an enhanced preservation program (Program) with the sole purpose of integrating non-financial and policy components with financial initiatives to preserve at-risk restricted affordable housing. The Program staff (Team) consists of two dedicated staff members who leverage HCIDLA resources and work with consultants on an as needed basis. Owners of expiring properties are required to comply with Federal and State noticing requirements. Therefore, occupancy and notification enforcement and tenant outreach initiatives are key strategies to ensuring that properties remain affordable with a minimal risk of tenant displacement. To further the goal of preservation, HCIDLA is working with the City Attorney's Office to build on positive gains to-date.²⁶ The City needs to continue to strengthen its capacity to preserve existing affordable housing by scaling its effort to enforce state notice requirements when owners fail to comply with notice laws, which provide tenants, non-profit housing providers, and local officials the time necessary to develop preservation strategies and acquire necessary and flexible financial resources to incentivize owners of this housing stock. As such, the City Council directed HCIDLA to begin working on a draft local Notice Ordinance to adopt local notification requirements and formally scale the City's enforcement efforts. Meaningful outreach and education to tenants and owners of at-risk subsidized housing typically needs to begin at least three years prior to expiration. To implement these more proactive monitoring activities, the City must add additional dedicated staff and funding to support these efforts.

GOAL 3: PREVENT DISPLACEMENT OF LOW AND MODERATE INCOME RESIDENTS.

Goal	Strategy	Fair Housing Issues	Contributing Factors	Metrics, Milestones, Timeframe for Achievement	Responsible Program Participant(s)
3.1	Expand and strengthen support against unjust evictions, including just cause evictions, rent control policies	Segregation/Integration, R/ECAPs, Disparities in Access to Opportunity, Disproportionate Housing Needs	Location and Type of Affordable Housing; Displacement of Residents Due to Economic Pressures	Introduction (1-4 years) and passage (5-10 years) of proposed ordinance, number of enforcement actions taken to implement new ordinance	HCIDLA, City Council, Mayor

²⁶ (Department, HCIDLA Report Back: Regarding Preservation of At-Risk Affordable Housing Initiatives)

Goal	Strategy	Fair Housing Issues	Contributing Factors	Metrics, Milestones, Timeframe for Achievement	Responsible Program Participant(s)
3.2	Establish a working group comprised of tenants, landlords, attorneys and judges to explore the creation of a housing court	Disparities in Access to Opportunity, Disproportionate Housing Needs	Displacement of Residents Due to Economic Pressures	Production of a report detailing the findings and recommendations of the working group, 1-2 Years	HCIDLA, Mayor, City Council and key City Departments and stakeholder groups
3.3	Protect tenants' legal rights through a "Right to Counsel" Ordinance	Disparities in Access to Opportunities, Disproportionate Housing Need	Private discrimination; Displacement of Residents due to Economic Pressures; Lack of affordable, accessible housing in a range of unit sizes; Protection for Victims of Domestic Violence; Lack of meaningful language access for individuals with Limited English Proficiency; Impediments to mobility; Access to affordable housing information programs	Draft Right to Counsel Ordinance and forward to Mayor and City Council for consideration, 1-2 Years	HCIDLA, HACLA, City Council, tenants' rights organizations, fair housing agencies, legal services organizations
3.4	Strengthen comprehensive tenant outreach and education on tenants' rights, obligations, and resources in multiple languages; prioritize resources in areas most likely to experience displacement	Segregation/Integration, R/ECAPs, Disparities in Access to Opportunity, Disproportionate Housing Needs	Private discrimination; Displacement of Residents due to Economic Pressures; Lack of affordable, accessible housing in a range of unit sizes; Protection for Victims of Domestic Violence; Lack	Number of events held and publications created, number of attendees at events, number of copies of publications distributed, geographic location of in-person events, 1-5 Years	HCIDLA, HACLA, City Council, tenants' rights organizations, fair housing agencies, legal services organizations

Goal	Strategy	Fair Housing Issues	Contributing Factors	Metrics, Milestones, Timeframe for Achievement	Responsible Program Participant(s)
			of meaningful language access for individuals with Limited English Proficiency; Impediments to mobility; Access to affordable housing information programs		

Goal	Strategy	Fair Housing Issues	Contributing Factors	Metrics, Milestones, Timeframe for Achievement	Responsible Program Participant(s)
3.5	HCIDLA to collaborate with HACLA to examine the feasibility of achieving consistency between standards (HQS violations and LA Municipal Code standards) for privately owned housing to reduce displacement	Segregation/Integration, R/ECAPs, Disparities in Access to Opportunity, Disproportionate Housing Needs	Public and Private Discrimination; Displacement of Residents Due to Economic Pressures; Availability of Affordable Units in a Range of Sizes; Location and Type of Affordable Housing	Reduction in the number of individuals and families displaced, 1-5 Years	HACLA, HCIDLA
3.6	Study the feasibility of a flexible subsidy program to stabilize low-income renters and homeowners and/or elderly residents	Segregation/Integration, Disparities in Access to Opportunity, Disproportionate Housing Needs	Displacement of Residents Due to Economic Pressures	Publish feasibility report, 1-3 Years	HCIDLA
3.7	Use best practice models for meaningful community engagement in planning and development decisions	Segregation/Integration, R/ECAPs, Disparities in Access to Opportunity, Disproportionate Housing Needs	Displacement of Residents Due to Economic Pressures; Availability of Affordable Units in a Range of Sizes; Location and Type of Affordable Housing; Community Opposition	Adoption of changes to Community Participation Plan, 1-5 Years	HCIDLA, HACLA, DCP

Goal	Strategy	Fair Housing Issues	Contributing Factors	Metrics, Milestones, Timeframe for Achievement	Responsible Program Participant(s)
3.8	Provide LAPD ongoing training in Fair Housing Laws and protections for all members of protected classes under Federal, State and Local laws (including basic landlord/tenant laws and resources)	Disparities in Access to Opportunity, R/ECAPs, Segregation/Integration	Public and Private Discrimination; Displacement of Residents Due to Economic Pressures	Percentage of LAPD who have received training, 1-5 Years	HCIDLA, LAPD, DWP
3.9	Develop mechanisms to encourage landlords to accept third party checks from tenants (e.g., domestic violence victims) to reduce payment discrimination through the creation of a task force	Disparities in Access to Opportunity, R/ECAPs, Segregation/Integration, Disproportionate Housing Needs	Private Discrimination, Displacement of Residents Due to Economic Pressures, Protection for Victims of Domestic Violence	Develop task force group to explore City policy changes, convene landlord discussions, domestic violence shelter providers, and hold tenant/targeted group meetings to develop strategies, 1 – 3 years	HCIDLA, HACLA, and FamilySource Centers

Discussion

Background

Displacement of residents due to economic pressures, is a significant contributing factor if not the largest contributing factor, to disproportionate housing needs in the City of Los Angeles and the broader region. Over the last decade, the City has faced a serious affordable housing crisis that was, in part, caused by decades of insufficient housing production, particularly in predominantly non-Hispanic White, high opportunity areas, coupled with growing gentrification in more diverse neighborhoods.²⁷ Mayor Garcetti has made housing production and affordability a key part of his “pLAn” for the City, including developing 100,000 new housing units as well as preserving and building 15,000 affordable units by 2021. However,²⁸ some observers believe that the 100,000 planned units may not be enough to

²⁷ <http://www.abundanthousingla.org/2017/01/03/dont-call-it-a-boom-la-housing-growth/>

²⁸ <http://plan.lamayor.org/portfolio/housing-and-development/>

meet the demand and slow rent increases. Also, many landlords offer affordable units only because they are obligated to under the contracts they sign with the City when new projects are being developed. When those contracts expire, landlords are able to turn affordable units into more profitable, market-rate housing. As a result, the worst-case scenario is that as many as 15,000 affordable units will be converted to market rate by 2021, although it is expected that a significant percentage of these units will receive annual renewals.²⁹

Also, unless steps are taken to mitigate the effects of development on low-income renters of color, the City's development strategy could have unintended consequences. For example, a disproportionate share of the City's new permitting has been concentrated in areas near Downtown and in transit corridors, areas that have limited though increasing overlap with high opportunity areas.³⁰ Although the expansion of public transportation into West LA and the Valley through the Expo Line and the Red Line has increased new construction in high opportunity areas, if new development is going to further the goals of fair housing and desegregation, measures must be taken to ensure that new development is both available to members of protected class and spread widely across the city, including in West LA and Valley neighborhoods not served by new transit lines.

When investments are made in majority-minority areas, the City must ensure that they do not displace current residents. For example, a University of California Los Angeles (UCLA) study shows that non-Hispanic White, college educated populations tend to move into areas with newly developed public transportation.³¹ While this may result in economic development and higher property values for homeowners in previously under-invested neighborhoods, in order for integration to be stable, the relocation of non-Hispanic White households to neighborhoods with concentrations of Black and Hispanic renters must not result in the wholesale displacement of people of color from those communities. Los Angeles has the highest rentership rate of any metropolitan area in the country.³² Demographically, people of color and low-income tenants make up a disproportionately large share of the renter-population and therefore are most likely to be vulnerable to displacement.³³ In Echo Park, many Hispanic families that have been living there for decades have been displaced due to increasing demand to move into the neighborhood.³⁴ Similar trends are displacing residents across the city in neighborhoods like Koreatown, Mid-City, Westlake, and more.³⁵ Consequently, displaced low-income people of color are forced into an ever-decreasing stock of affordable housing, much of which is in relatively high poverty areas, allowing R/ECAPs to emerge and perpetuating segregation.

Strategies

Expand and strengthen support against unjust evictions, including just cause evictions, rent control policies

The City of Los Angeles has a Rent Stabilization Ordinance (RSO) and requires "just cause" before tenants in rent-controlled buildings can be evicted. The City also has adopted numerous ordinances to strengthen its RSO in the past year and a half, including: Tenant Buy-out Notification Program, 14 RSO Technical

²⁹ <http://www.scpr.org/news/2015/08/03/53498/affordable-housing-disappearing-as-contracts-expir/>

³⁰ <http://www.abundanthousingla.org/2017/01/03/dont-call-it-a-boom-la-housing-growth/>

³¹ <http://www.urbandisplacement.org/case-studies/ucla>

³² Harvard Joint Center for Housing, America's Rental Evolution -- Evolving Markets and Needs

³³ Id.

³⁴ <http://www.latimes.com/local/california/la-me-0315-lopez-echo-20150313-column.html>

³⁵ <https://la.curbed.com/2016/8/30/12712942/gentrification-map-los-angeles-county>

Amendments, and RSO Ellis Amendments. The L.A. Rent Registry Ordinance went into effect in October 2016, began implementation in 2017, with tenant notifications scheduled to go out in 2018. The City is also reviewing additional motions and recommendations to expand protections against unjust evictions.

These protections preserve and create more affordable housing and make it harder to displace, otherwise compliant, low-income tenants. The City is exploring expansion of the “just cause” eviction policy beyond just RSO units. Given the correlation between race and income in the City, this often means people of color being pushed out and White people moving in. Additionally, voucher holders with disabilities are being evicted before they can find alternate housing, effectively forcing tenants to move outside of LA City or LA County and, thereby increasing lengths of commutes and travel costs, and potentially rendering some of the City’s most vulnerable residents homeless. If people cannot afford to live close to their employment it makes LA less competitive as it becomes increasingly difficult for corporations to attract talent due to the lack of affordability. The City is advocating for state repeal of the Costa-Hawkins Act, and continues to pursue ways to strengthen its RSO should such state action occur the City will consider applying the RSO to new rental properties, including single-family homes.

Establish a working group comprised of tenants, landlords, attorneys and judges to explore the creation of a housing court

Housing Courts have proven to be an effective tool to reduce evictions by providing alternative resolutions. The first step toward creating a Housing Court in LA would be to establish a working group comprised of tenants, landlords, attorneys and judges to assess its feasibility and applicability. The goal of the Housing Court would be to reduce the number of evictions by:

1. Increasing renters’ access to information, legal advice, and representation through a Right to Counsel Ordinance;
2. Providing one-time emergency assistance to low-income tenants to stop evictions from proceeding;
3. Encouraging fair out-of-court resolutions through negotiation and mediation;
4. Reducing legal fees for landlords associated with evictions by simplifying the eviction process;
5. Explore the establishment of escrow accounts for conditions that constitute a threat to life, health, or safety when the landlord fails to repair serious or dangerous defects in a rental unit.

Partners to support a venture like a Housing Court in Los Angeles may include the State Bar Association similar to the District of Columbia Bar Association’s support of counsel for tenants of subsidized housing. Additional partners may include local law schools.

Protect tenants’ legal rights through a “Right to Counsel” Ordinance

Thousands of residents are displaced annually due to evictions. According to the LA Superior Court, 55,160 eviction actions were filed in LA County in 2016. In past years, that figure has surpassed 72,000. These numbers do not account for tenants that have other types of problems including illegal lock outs, illegal utility terminations, notices to quit, severe breaches of warranty of habitability leading to “slum” conditions, and discrimination cases.

Per tenants’ rights advocates, many evictions occur because tenants do not understand their rights and/or their obligations and because they lack representation even though California’s Sargent Shriver Civil Counsel Act provides low-income tenants free legal representation in all eviction matters, including nonpayment of rent. In 2016, existing services met just under 13% of the needs of tenants facing eviction, leaving an “access to justice” gap of 87%. This is a marked

improvement from 2002 when 72,000 evictions were filed and 1,300 households were represented, leaving an access justice gap of more than 98%. This decrease in the number of filings is likely the result of increased representation; New York City had a similar experience as representation increased.

The Inner City Law Center estimates that 98% of tenants who go to court without representation lose, even when they have a viable defense. On the other hand, studies have found that evictions decrease by 77% when tenants have access to a lawyer.³⁶ The Inner City Law Center reports that, of the clients it represents, 42% defeat eviction and 58% negotiate a “soft landing” where clients settle with a transition plan to ensure stability. Eviction Defense Network (EDN) also reports that, while in previous years 96-99% of its clients settled with a transition plan that ensured stability to the household, in the first quarter of 2017, 87% of the EDN caseload was waiting for a trial assignment rather than settling. This dramatic shift is the result of acutely escalating rents in the last quarter of 2016 which is forcing tenants to fight to remain in their units.

Although the Sargent Shriver Civil Counsel Act expanded resources for eviction defense in Los Angeles, the level of state funding provided is not sufficient to ensure that representation is a right that can be fulfilled on demand. Legal services providers in Los Angeles do not currently have the resources to guarantee representation to every income-eligible tenant involved in an eviction proceeding. Measure H funding for homelessness prevention can be used for outreach, education, and tenant legal representation in eviction proceedings.

Strengthen comprehensive tenant outreach and education on tenants’ rights, obligations, and resources in multiple languages; prioritize resources in areas most likely to experience displacement

When investments are made in majority-minority areas, the City must ensure that they do not displace current residents. For example, a University of California Los Angeles (UCLA) study shows that non-Hispanic White, college educated populations tend to move into areas with newly developed public transportation.³⁷ While this may result in economic development and higher property values for homeowners in previously under-invested neighborhoods, in order for integration to be stable, the relocation of non-Hispanic White households to neighborhoods with concentrations of Black and Hispanic renters must not result in the wholesale displacement of people of color from those communities. Demographically, people of color and low-income tenants make up a disproportionately large share of the renter-population and therefore are most likely to be vulnerable to displacement.³⁸ In Echo Park, many Hispanic families that have been living there for decades have been displaced due to increasing demand to move into the neighborhood.³⁹ Similar trends are displacing residents across the city in neighborhoods like Koreatown, Mid-City, Westlake, and more.⁴⁰ Consequently, displaced low-income people of color are forced into an ever-decreasing stock of affordable housing, much of which is in relatively high poverty areas, allowing R/ECAPs to emerge and perpetuating segregation.

HCIDLA to collaborate with HACLA to examine the feasibility of achieving consistency between standards (HQS violations and LA Municipal Code standards) for privately owned housing to reduce displacement

The Housing Authority conducts Housing Quality Standards (HQS) inspections of program participant units to ensure that the units are in decent, safe and sanitary condition. When deficiencies are cited, the landlord is required to repair them or face termination of the rental assistance contract/subsidy. To reduce the number of instances where contracts are terminated, the Housing Authority will coordinate with HCIDLA on exchanging information that would enable HCIDLA to notify

³⁶ http://www2.nycbar.org/pdf/report/uploads/SRR_Report_Financial_Cost_and_Benefits_of_Establishing_a_Right_to_Counsel_in_Eviction_Proceedings.pdf

³⁷ <http://www.urbandisplacement.org/case-studies/ucla>

³⁸ Id.

³⁹ <http://www.latimes.com/local/california/la-me-0315-lopez-echo-20150313-column.html>

⁴⁰ <https://la.curbed.com/2016/8/30/12712942/gentrification-map-los-angeles-county>

landlords when HACLA HQS deficiencies/violations are also SCEP (Systematic Code Enforcement Program) violations that need to be corrected to avoid penalties and gain better compliance for both programs.

Study the feasibility of a flexible subsidy program to stabilize low-income renters and homeowners and/or elderly residents

Studies have demonstrated the success of shallow rent subsidy programs with services coordination support for very low income renters and homeowners who are already stably housed. The philosophy of the program is to prevent homelessness before it starts.⁴¹

Use best practice models for meaningful community engagement in planning and development decisions

Community opposition is a significant contributing factor to segregation in the City of Los Angeles and the broader region. In recent years, community opposition has played a role in hindering the development of high-density or affordable housing, both of which are disproportionately occupied by people of color. Examples of Not in My Backyard (NIMBY) activism include community opposition against a new zoning plan for Hollywood that would have allowed for the construction of buildings with greater density and height, especially around transit areas. Best Practices models for community engagement have proven to be effective in combating NIMBY efforts.

Provide LAPD ongoing training in Fair Housing Laws and protections for all members of protected classes under Federal, State and Local laws (including basic landlord/tenant laws and resources)

LAPD is often called to respond to onsite landlord tenant disputes and if they are better informed of Federal, State and Local Fair Housing Laws they might be able to help prevent displacement or continued illegal harassment of the tenant by the landlord.

Develop mechanisms to encourage landlords to accept third party checks from tenants (e.g., domestic violence victims) to reduce payment discrimination

An issue exists with some landlords refusing to accept third party checks from tenants. For example, survivors of domestic violence experience difficulty from some landlords who do not want to accept rental payment from a service provider. This results in survivors considering unsafe living arrangements or being exposed to a threatening living environment due to a landlord's refusal to accept third party checks.

GOAL 4: ENSURE EQUAL ACCESS TO HOUSING FOR PERSONS WITH PROTECTED CHARACTERISTICS, LOWER-INCOME, AND HOMELESS RESIDENTS.

Goal	Strategy	Fair Housing Issues	Contributing Factors	Metrics, Milestones, Timeframe for Achievement	Responsible Program Participant(s)
4.1	Study the feasibility to develop a pilot City-funded Rental Assistance Program	Segregation/Integration, Disparities in Access to Opportunities, Disproportionate Housing Needs	Displacement of Residents due to Economic Pressures; Lack of affordable, accessible housing in a range of unit sizes; Community opposition; Impediments to mobility; Lack of access to opportunity due to high housing costs	Create an ad hoc committee of landlords, landlord industry groups, property management companies, government agencies, tenants and tenant advocates to study and design a pilot City-funded Rental Assistance Program, Year 1; Send request for proposed pilot for Elected Officials for consideration and approval of pilot and identification of funding, Year 2	HCIDLA, HACLA, Los Angeles County

4.2	Expand source of income protections to include Housing Choice Vouchers	Segregation/Integration, Disparities in Access to Opportunities, Disproportionate Housing Needs	Displacement of Residents due to Economic Pressures; Lack of affordable, accessible housing in a range of unit sizes; Community opposition; Impediments to mobility; Lack of access to opportunity due to high housing costs	Introduction and passage of proposed ordinance, reduction in number of facially discriminatory housing advertisements; 3-5 Years	HCIDLA, HACLA, City Council
Goal	Strategy	Fair Housing Issues	Contributing Factors	Metrics, Milestones, Timeframe for Achievement	Responsible Program Participant(s)
4.3	Establish a working group consisting of stakeholders to study the feasibility of implementing an anti-tenant harassment ordinance	Segregation/Integration, R/ECAPs, Disparities in Access to Opportunity, Disproportionate Housing Needs	Displacement of Residents due to Economic Pressures; Lack of affordable, accessible housing in a range of unit sizes; Community opposition; Impediments to mobility; Displacement of and/or lack of housing support for victims of domestic violence, dating violence, sexual assault, and stalking	Develop feasibility report for adoption of a Tenant Harassment Ordinance with recommended model based on analysis of similar ordinance, Year 1	HCIDLA, HACLA, City Council
4.4	Ensure Housing Authority policies and practices advance equal access to housing (reasonable accommodation, eligibility discretion, partnership with law	Segregation/Integration, R/ECAPs, Disparities in Access to Opportunity, Disproportionate Housing Needs	Public and Private Discrimination; Displacement of Residents Due to Economic Pressures; Availability of Affordable Units in a	Incorporation of changes into Annual Plan, ACOP, and Section 8 Administrative Plan, 1-5 Years	HACLA

	enforcement in evictions, use of arrest records)		Range of Sizes; Location and Type of Affordable Housing; Displacement of and/or lack of housing support for victims of domestic violence		
Goal	Strategy	Fair Housing Issues	Contributing Factors	Metrics, Milestones, Timeframe for Achievement	Responsible Program Participant(s)
4.5	Enforce fair housing protections for transgender, gender non-conforming and non-binary persons	Disparities in Access to Opportunity	Lack of Local Public Fair Housing Enforcement; Lack of Local Private Fair Housing Enforcement, Private Discrimination	Number of complaints filed with DFEH by Housing Rights Center (HRC), 1-5 Years	HCIDLA, HACLA, Mayor, City Council
4.6	Strengthen fair housing protections for immigrants that prevents disclosing or threatening to disclose tenants' immigration or citizenship status to Federal authorities or other parties as part of a pattern of potential harassment, retaliation, or discrimination based on immigration or citizenship status, whether it is real or perceived	Disparities in Access to Opportunity	Lack of Local Public Fair Housing Enforcement; Lack of Local Private Fair Housing Enforcement, Private Discrimination	Introduction and passage of proposed ordinance, number of complaints filed, 1-5 Years	HCIDLA, HACLA, Mayor, City Council

Discussion

Background

The entire City is experiencing unprecedented housing burdens. Residents in the City of Los Angeles tend to have higher rent burdens as compared to residents of the region at large. Within the City of Los Angeles, the areas with the greatest housing burdens are in the San Fernando Valley, the Eastside, including Boyle Heights, and South LA. These areas have higher minority populations, are more segregated, and have higher concentrations of R/ECAPs. In general, the City's segregated, heavily non-Hispanic White areas have relatively low levels of housing burden. Also, although Asian and Pacific Islander residents have a relatively low rent burden overall, Koreatown, Chinatown, and Little Tokyo all have concentrations of foreign-born residents in areas of high housing burden.

Within both the City of Los Angeles and the broader region, most racial or ethnic minority groups experience higher rates of housing problems, including but not limited to severe housing cost burden, than do non-Hispanic White households. The only exception to this is the Asian Pacific Islander population, which experiences higher rates of housing problems than non-Hispanic White households but lower rates of severe housing cost burden. Among all racial or ethnic groups, Hispanic households are most likely to experience severe housing problems and Black households are most likely to experience severe housing cost burden. Families with five or more members experience housing problems at the highest rate, followed by non-family households. Small families with four or fewer members experience housing problems at the lowest rate of any household type. Disparities between small and large families are less pronounced for severe cost burden than they are for other types of housing problems. The total percentage of households with housing problems and severe housing problems is greater in the City than in the region.

Although the experience of homelessness is not reflected in HUD-provided data regarding the prevalence of housing problems, the homelessness problem in LA is arguably one of the most pressing housing problems in Los Angeles and provides a stark illustration of the disproportionate housing needs of protected classes in the area. The 2017 Greater Los Angeles Homeless Count revealed that the number of homeless people grew by 20% in the City and 23% countywide in just one year. Mayor Eric Garcetti and other City officials have cited many of the factors that contribute to disproportionate housing needs, like increasing rent burdens, stagnant wages, and lack of affordable housing, as drivers to the rapid increases in homelessness in the City.⁴² Of the around 34,000 people who are experiencing homelessness in Los Angeles, only one in four is sheltered – either in long-term transitional housing or temporary emergency shelter.⁴³ The vast majority of LA's homeless population is living on the streets.

Homelessness, like other issues of displacement and housing burdens, particularly impacts protected classes. People of color are heavily overrepresented in the area's homeless population, specifically Black and Hispanic individuals. Although just under 10% of the City's population identifies as Black, Black individuals and families represent 44% of the City's homeless population.⁴⁴ Together, Black and Hispanic individuals make up almost 75% of the City's homeless population.⁴⁵ The Hispanic population is also the fastest growing demographic newly experiencing homelessness.⁴⁶

⁴² <http://www.latimes.com/local/lanow/la-me-ln-homeless-count-20170530-story.html>

⁴³ 2017 Greater Los Angeles Homeless Count - Data Summary - City of Los Angeles

⁴⁴ *Id*

⁴⁵ *Id* 2017 Greater Los Angeles Homeless Count - Data Summary - City of Los Angeles

⁴⁶ *Id*

A significant and growing portion of the homeless population also reports one or more serious disability. From 2016 to 2017, the homeless population reporting a developmental disability and HIV/AIDS grew by 90% and 86% respectively.⁴⁷ Those that report a disability are also less likely to be sheltered than their non-disabled counterparts.⁴⁸ Other groups that have experienced marked increases in homelessness are unaccompanied minors, veterans, and those who are homeless as a result of domestic violence, increasing by 152%, 137%, and 128% respectively between 2016 and 2017.⁴⁹

Strategies

Study the feasibility to develop a pilot City-funded Rental Assistance Program

During the community engagement process, landlords cited the administrative burden of the federally funded, locally administered Housing Choice Voucher Program (HCVP) that helps low-income families, the elderly and the disabled afford decent, safe housing in the private market as a deterrent to participating in the program. Together, landlords, landlord industry groups, government agencies, tenants, tenant advocates and the City can design a more flexible and practical locally funded Rental Assistance Program as a pilot program approach to address current administrative barriers.

Expand source of income protections to include Housing Choice Vouchers

To allow more low-income residents who hold Housing Choice Vouchers (HCV) more equal access to housing opportunities, the City acknowledges the value in expansion of source-of-income protections to include Housing Choice Vouchers. Consequently, the City will continue to advocate for State-level legislation providing this protection. Source-of-income protections would greatly increase Los Angeles' HCV success rate from the current 67%, helping 13,000 or more Angelenos with vouchers obtain affordable homes in higher-opportunity areas. This protection would also address pretextual discrimination. Elsewhere in California, Santa Clara County has banned HCV discrimination in its unincorporated areas, Santa Monica has passed a law prohibiting the practice in City limits, and San Jose is considering a similar measure.⁵⁰ The City is researching the lessons learned from the development, implementation, and enforcement of these measures and apply them to its approach.

Establish a working group consisting of stakeholders to study the feasibility of implementing an anti-tenant harassment ordinance

There are two proposed City ordinances aimed at addressing gaps in tenant protections against landlord harassment based on national origin. CF # 17-0461 asks the City to mirror and expand protections cited in state bill AB 291, a bill which the City supports. CF #14-0268-S13 asks the City to, based upon a review of other California cities' ordinances, protect tenants from harassment that forces them to "voluntarily move out" rather than being evicted. The City is evaluating the potential of combining both motions. The City adopted the Tenant Buyout Program aka Cash for Keys on January 25, 2017. Through its third week of September 2017, the Program has received just under 700 filings from its adoption; 142 RSO tenant complaints have been filed during this period for alleged Tenant Buyout Program violations (i.e., tenant wants to cancel buyout, owner failed to give disclosure notice, landlord verbally offers money in exchange to move out).

Ensure Housing Authority policies and practices advance equal access to housing (reasonable accommodation, eligibility discretion, partnership with law enforcement in evictions, use of arrest records)

⁴⁷ Id

⁴⁸ Id

⁴⁹ Id

⁵⁰ Disability and Access Analysis

The Americans with Disabilities Act and Section 504 of the Rehabilitation Act require that federally-assisted programs like the Housing Authority provide reasonable accommodations for persons with disabilities. HACLA has a policy and mechanism in place to grant reasonable accommodations when clients request them. While the policy indicates that “it is the responsibility of the Client to identify the type of accommodation best suited to their disability needs,” the policy also states that “HACLA will seek to identify and eliminate conditions that create barriers to equal opportunity and, whenever possible, will make physical and procedural changes in order to reasonably accommodate people with disabilities.”⁵¹ The latter part of their responsibility suggests HACLA also take a proactive approach in identifying issues that might require reasonable accommodation.

HACLA is interested in working with disability advocates to minimize termination of tenancy, when avoidable, for disabled residents/participants.

This is especially critical for participants with disabilities that inhibit their ability to complete their housing search before their voucher expires and for participants who require additional time to complete renewal paperwork because of their disabilities.

As part of the 2018 Agency Plan process, the Housing Authority is proposing to amend the criminal background screening for HCV admissions. If approved by HUD, prior drug-related and violent criminal activity will not be grounds for denial of admission.

The HACLA does not utilize arrest records by themselves in determining eligibility for admission or continued participation in any of its housing programs. HACLA’s policies has been, even prior to the HUD November 2015 notice, an attempt to “achieve a sensible and effective balance between allowing individuals with a criminal record to access HUD-subsidized housing and ensuring the safety of all residents of such housing.” HACLA does not have a “one-strike” policy regarding criminal records and admission, except for those federally mandated items regarding life-time sex-offender registrars and past eviction from federally assisted housing due to production of methamphetamines and drug related activity.

In accordance with the PIH Notice, it has always been HACLA’s policy and practice to “consider all of the circumstances relevant to the particular admission or eviction decision, including but not limited to: the seriousness of the offending action; the effect that eviction of the entire household would have on family members not involved in the criminal activity; and the extent to which the leaseholder has taken all reasonable steps to prevent or mitigate the criminal activity.”

HACLA will annually analyze its denial, termination, and eviction statistics to ensure that there is no systemic or unattended pattern of denial towards any protected class due to its policies.

To address the comments received during the 2018 Agency Plan process that “HACLA could help house approximately 1,000 homeless individuals each year” by removing eligibility barriers that stand in the way of the City’s Comprehensive Homeless Strategy, HACLA has agreed to eliminate its ban for violent and drug related criminal activity for applicants. HACLA is concerned about applicants remaining successfully housed over time, however, and to address that issue is asking the advocate community to assist in identifying and/or providing supportive services to those clients from programs that do not receive that assistance. It is also worth noting that HACLA has also implemented a Re-entry Demonstration Program to reunify formerly incarcerated persons with their families receiving Section 8 assistance.

⁵¹ Nondiscrimination on the basis of disability and reasonable accommodation policy. (2013) <http://www.hacla.org/Portals/0/Attachments/Residents/MPP%20125%20-%201-11-2013%20FINAL.pdf>

The HACLA is reducing barriers to admission to its programs for previous behavior while balancing the needs to maintain program integrity through enforcement of program rules with adequate due process safeguards.

Enforce fair housing protections for transgender, gender non-conforming and non-binary persons

Transgender, gender non-conforming and non-binary persons, particularly African American and Latina transgender, gender non-conforming and non-binary persons, face additional barriers to accessing affordable housing. As noted above, the discrimination that many within this group have faced have led transgender, gender non-conforming and non-binary persons to turn to illegal ways to earn income. This criminal activity, consequently, may reduce their chances at accessing publicly-supported housing that requires a criminal background check. The City of Los Angeles is interested in partnering with advocates of transgender, gender non-conforming and non-binary persons to review and, potentially, revise policies that disproportionately impact their ability to access, safe, decent, and affordable housing.

The Urban Institute study demonstrates that gay men and transgender, gender non-conforming and non-binary persons are disproportionately discriminated against in access to housing compared to cisgender⁵² and straight men. The City must better enforce fair housing laws and regulations with respect to this protected class.

Strengthen fair housing protections for immigrants that prevents disclosing or threatening to disclose tenants' immigration or citizenship status to Federal authorities or other parties as part of a pattern of potential harassment, retaliation, or discrimination based on immigration or citizenship status, whether it is real or perceived

The City supports the passage of Assembly Bill 291⁵³ to strengthen legal protections for immigrants. This bill would:

- Prohibit landlords from threatening to report tenants to immigration authorities, either in retaliation for asserting their rights or to evict them.
- Bar landlords from disclosing a tenant's immigration status.
- Allow tenants to sue landlords who disclose their immigration status to law enforcement.
- Prohibit questions about a tenant's immigration status during a trial.
- Prohibit attorneys from reporting or threatening to report the immigration status of people involved in housing cases.

The City is also supporting AB-686 Housing discrimination: affirmatively further fair housing

https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB686

AB-686 would require public agencies to administer housing and community development programs and activities in a manner to affirmatively further fair housing, and to not take any action that is inconsistent with this obligation. Failure to meet this standard would be a discriminatory act under the California Fair Employment and Housing Act. The bill would define the term "public agency" to mean any state or local agency, regional transportation agency, or council of governments.

⁵² Denoting or relating to a person whose sense of personal identity and gender corresponds with their birth sex

⁵³ https://leginfo.legislature.ca.gov/faces/billTextClient.xhtml?bill_id=201720180AB291

GOAL 5: EXPAND ACCESS TO OPPORTUNITY FOR PROTECTED CLASSES

Goal	Strategy	Fair Housing Issues	Contributing Factors	Metrics, Milestones, Timeframe for Achievement	Responsible Program Participant(s)
5.1	Partner with LAUSD to explore ways to expand access to proficient schools through housing and community development programs and activities	Disparities in Access to Opportunity; R/ECAPs; Segregation	Location and Type of Affordable Housing; Access to Affordable Housing Information Programs; Source of Income Discrimination	Convene appropriate parties from HCIDLA and LAUSD to identify at least one LAUSD owned property near a proficient elementary school eligible for potential development of affordable housing, 1-2 Years	LAUSD, City
5.2	Increase developer incentives to promote increased local hiring preferences on all housing projects	Disparities in Access to Opportunity	Location and Type of Affordable Housing; Location of Employers	Adoption of local hiring policies for specific types of projects beyond residential projects requiring a zoning change or an amendment to the City's General Plan, number of low-income residents hired, 1-5 Years	HCIDLA, Economic Development Department (EWDD)

Goal	Strategy	Fair Housing Issues	Contributing Factors	Metrics, Milestones, Timeframe for Achievement	Responsible Program Participant(s)
5.3	Targeted workforce development resources in R/ECAPs to improve economic mobility	Disparities in Access to Opportunity; R/ECAPs	Lack of private investment in specific neighborhoods; Lack of public investment in specific neighborhoods, including services or amenities; Location of employers; Lack of job skills; The availability, type, frequency, and reliability of public transportation	Coordinate with the Workforce Innovation and Opportunity Act Board to target workforce development resources, 1-3 Years	EWDD, HCIDLA
5.4	Explore the feasibility of additional educational resources for public housing residents to improve educational outcomes including Saturday and Summer programs	Disparities in Access to Opportunity	Lack of public investment in specific neighborhoods, including services or amenities	Launch Saturday and Summer Educational Enhancement Programs, Year 1; Improved educational outcomes of public housing residents, 1-5 Years	CITY, HACLA, LAUSD
5.5	Implement Equitable Transit-Oriented Development utilizing Measure JJJ and TOC	Disparities in Access to Opportunity	Location and Type of Affordable Housing;	Increase percentage of units within TOD projects that are affordable, increase depth of affordability of affordable TOD units, 1-5 Years	HCIDLA, DCP

Goal	Strategy	Fair Housing Issues	Contributing Factors	Metrics, Milestones, Timeframe for Achievement	Responsible Program Participant(s)
5.6	Maximize and secure fair share of funding from the State of California's Cap & Trade Program (Greenhouse Gas Reduction Fund (GGRF), to improve housing opportunities, economic investments and address environmental factors in disadvantaged communities	Disparities in Access to Opportunity; R/ECAPs; Segregation	Location and Type of Affordable Housing; Location of Environmental Health Hazards; Access to Affordable Housing Information Programs; Source of Income Discrimination, Displacement factors	Number of applications submitted for funding for the Affordable Housing & Sustainable Communities (AHSC) program, annually, 1-5 Years; Inclusion of affordable housing, anti-displacement and sustainable components in City submitted Transformative Climate Communities (TCC) funding program.	HCIDLA, DOT, LA METRO, BOE, DCP and other key City Departments, Mayor, City Council, Environmental Justice organizations
5.7	Enhance partnerships that improve environmental and health outcomes for low-income and public housing residents	Disparities in Access to Opportunity; R/ECAPs; Segregation	Location and Type of Affordable Housing; Location of Environmental Health Hazards; Lack of Federal resources	Decrease factors associated with childhood asthma, Year 1; Evaluate the impact of redevelopment at Jordan Downs on its residents, Years 1-10	HCIDLA, HACLA, and County Health Depts. Work with Healthy Homes Collaborative – includes L.A. basin organizations
5.8	Encourage mobility among residents living in subsidized housing in areas of poverty, particularly in R/ECAPs	Disparities in Access to Opportunity; R/ECAPs; Segregation	Location and Type of Affordable Housing;	Incorporate mobility counseling into annual recertification for all participants in HACLA's housing programs and City funded subsidized housing programs, Year 1; Evaluate housing	HACLA and LAHSA

Goal	Strategy	Fair Housing Issues	Contributing Factors	Metrics, Milestones, Timeframe for Achievement	Responsible Program Participant(s)
				mobility counseling program annually, Years 1-5	
5.9	Enhance the City's partnership with LA METRO and furthering the implementation of the City's MOU with LA METRO to expand the development and preservation of affordable housing and related programs as prioritized by the LA METRO Board	Disparities in Access to Opportunity; R/ECAPs; Segregation	Location and Type of Affordable Housing; Access to Affordable Housing Information Programs; Source of Income Discrimination	Convene appropriate parties from HCIDLA and LA METRO to identify at least one LA Metro-owned property eligible for potential development of affordable housing, 1-2 years	LA METRO, City
5.10	Partner with Los Angeles County (LA County) to further explore ways to expand access to quality affordable housing through housing and community development programs and activities	Disparities in Access to Opportunity; R/ECAPs; Segregation	Location and Type of Affordable Housing; Access to Affordable Housing Information Programs; Source of Income Discrimination	Convene appropriate parties from HCIDLA and LA County to identify at least one LA County owned property for potential development of affordable housing, 1-2 years	LA County, City
5.11	Adopt the Clean Up Green Up (CUGU) ordinance's regulations on new or expanding industrial operations and other increased land use protections to diminish the public health threats of subject uses in close proximity to publicly habitable space	Disparities in Access to Opportunity; R/ECAPs; Segregation	Location and Type of Affordable Housing; Location of Environmental Health Hazards; Access to Affordable Housing Information Programs, and Displacement factors	Adoption of ordinance, thereafter implement the provisions therein three pilot "green zones" in Pacoima, Wilmington, and Boyle Heights, 1 -5 years	City

Discussion

Background

Education

Using HUD provided data through the AFFH tool, it is evident that children residing in large portions of the City of Los Angeles have low access to proficient schools. Values in the HUD School Proficiency Index below are ranked from 0 to 100 with higher scores indicating higher quality schools in a neighborhood. Census tracts near and around R/ECAPs have particularly low access to proficient schools. Neighborhoods in East LA, Central LA, and South LA have the least access to proficient schools. Moving further south into the Harbor section of the City, levels of access begin to improve. However, the Valley area of the City encompassing North, South and West Valley, in particular, has the greatest access to proficient schools. This signals a correlation between patterns of segregation and integration and access to quality schools.

Overlaying racial and ethnic demographics over school proficiency levels further demonstrates disparities in accessing proficient schools based on residency patterns and proximity to proficient schools.

Employment

Using HUD provided data through the AFFH tool, the Labor Market Index analyzes the extent of engagement in the labor market and overall human capital in a neighborhood.⁵⁴ The Labor Market Index examines the level of employment, participation in the labor force, and educational attainment in a census tract, evaluating the unemployment rate and percent of adults age 25 or older with a bachelor's degree or higher. The values range from 0 – 100 and the higher the score, the higher the labor force participation and human capital in a neighborhood.

Within the region, the City of Los Angeles has the lowest neighborhood-level scores for labor market participation and human capital. Parts of the San Fernando Valley and West LA boast higher scores in the Labor Market Index. Further examination of the distribution of race and ethnicity and national origin demographics shows that areas with low labor market access also have a high concentration of racial and ethnic minority groups. Examining unemployment for the region using labor statistics, the City has a slightly higher unemployment rate of 4.4% compared to the region unemployment.

Environment

The majority of the City of Los Angeles has poor quality environmental health access, with the exception of West LA and portions of the Valley area where scores are moderate rather than low. The HUD-provided data shows that areas within R/ECAPs have some of the worst Environmental Health Index scores. HUD's Environmental Health Index measures exposure based on the Environmental Protection Agency's (EPA) estimates of air quality and carcinogenic, respiratory, and neurological toxins by neighborhood. The Index measures risk across broad geographic areas with values ranging from 0 – 100. Higher index values are associated with less exposure to toxins and reflect better environmental quality in neighborhoods. Residents of the R/ECAPs within the Harbor area of the City along with R/ECAPs in Southeast LA have some of the lowest access to environmentally healthy neighborhoods.

⁵⁴ Human Capital: "the skills the labor force possesses and is regarded as a resource or asset".

Handbook on Cliometrics: Human Capital, February 2014 http://scholar.harvard.edu/files/goldin/files/human_capital_handbook_of_cliometrics_0.pdf.

Low Poverty Neighborhoods

Access to low poverty neighborhoods is an integral aspect of opportunity. Studies have demonstrated the link between living in (or moving to) low-poverty neighborhoods and higher earnings as an adult, higher college attendance, and reduced out-of-wedlock births.⁵⁵ Likewise, living in areas with high concentrations of poverty can contribute to the “perpetuation of poverty and the production of neighborhoods with high levels of crime and violence and low levels of high-school completion, marriage, and labor force attachment.”⁵⁶

Visualized through the HUD data, the Low Poverty Index (the Index), measures the poverty rate in each neighborhood.⁵⁷ A higher value on the Index is associated with a higher probability that a household is likely to live in a low poverty neighborhood. The core area of the City that encompasses Central, South and East Los Angeles score low on the Index and show high poverty neighborhoods. Often, these same areas within the City including, West Adams, Mid-City, Westlake, Pico Union, Boyle Heights, Lincoln Heights, South Central, Vernon, and Watts, have a higher proportion of Hispanics and Blacks compared to other parts of the City. This same area also has a higher proportion of individuals with physical, auditory and cognitive disability. Most of the city’s R/ECAPs are in areas that perform poorly on the Index.

Transportation

Using HUD provided data and specifically looking at demographics and transit trips, it is apparent that Downtown LA and the southern part of Central LA boast the City’s highest Transit Trips Index scores with access to public transportation, including access to Metro stations, multiple rail lines, and stops for both bus and Bus Rapid Transit (BRT) lines. There are up to 20 R/ECAPs concentrated in this same area. This network of public transportation offers critical connections between East and Central LA and the Valley and Harbor areas. Additionally, the Metro Expo line also provides connections to West LA. The Transit Trips Index reflects estimates from the Location Affordability Index of transit trips by a three-person single parent family with income at 50% median income for renters for the region. Values in the Transit Trip Index are ranked with values ranging from 0 – 100 and the higher value is associated with residents within a census tract that utilize public transportation and have better access to transit.

During the Transportation and Jobs Focus Group Meeting, stakeholders provided feedback on several issues pertaining to transportation. The first issue raised was the hours of operation for public transit and the lack of available public transportation to serve individuals working graveyard shifts. Without access to reliable transportation during shift hours early in the morning or late at night, it is difficult to secure employment that requires commuting. The lack of available transportation disparately limits access to employment for all protected classes who are disproportionately reliant on the public transportation system in L.A. Specifically, this limits access to employment centers and other community amenities outside of the central core of the city. South and East LA also have high concentrations of publicly supported housing, which has a high representation of racial and ethnic minorities.

⁵⁵ The Effects of Neighborhoods on Intergenerational Mobility I: Childhood Exposure Effects

(with Nathaniel Hendren), National Bureau of Economic Research Working Paper No. 23001, Revised Version (May 2017)

⁵⁶ Jargowsky, Paul. “Concentration of Poverty in the New Millennium: Changes in Prevalence, Composition, and Location of High Poverty Neighborhoods.” (2013). The Century Foundation and Rutgers Center for Urban Research. Referencing William Julius Wilson’s findings from “The Truly Disadvantaged” (1987).

⁵⁷ Specifically, the uses both family poverty rates and public assistance receipt, in the form of cash-welfare, such as Temporary Assistance for Needy Families (TANF).
<https://data.world/hud/low-poverty-index>

The distribution of individuals with disabilities by age indicates significant concentrations of persons with disabilities in areas with concentrations of R/ECAPs in South LA, East LA and further north in the San Fernando Valley area. For individuals with disabilities, using public transportation can involve a time-consuming network of lines and transfers that is challenging to navigate and especially burdensome for individuals with mobility limitations. With multiple transfer points, it is critical that the transit user is on time, and missing one bus can easily result in a significant delay. Bus Rapid Transit such as the Orange Line in the San Fernando Valley can be transformative for transit dependent individuals. The Orange Line has arrival times that are accurate to within two to three minutes and operates on a dedicated busway with limited competing traffic, thus allowing commuters to consistently plan travel times. According to a study completed by Southern California Public Radio, KPCC, the Orange Line arrived late at stops just 5.4% of the time, unlike the majority of the bus lines in the system.

Strategies

Partner with LAUSD to explore ways to expand access to proficient schools through housing and community development programs and activities

By partnering with LAUSD, HCIDLA and HACLA can help address challenges outside school such as housing instability and access to high performing schools. HCIDLA and HACLA, in their roles as developers and landlords, creates opportunities to connect housing and education. LAUSD owned property near high performing schools can be an opportunity to develop affordable housing that increases access to opportunity, stabilizes families and helps ensure greater academic success for children that leads to economic success thereby increasing those students' likelihood of exiting the cycle of poverty.

Increase developer incentives to promote increased local hiring preferences on all housing projects

Local hire policies can be effective strategies to expose disadvantaged communities to good paying jobs, but the programs need to target those with the greatest need. Consistent with much of the rest of the United States, the benefits of economic investment in Los Angeles rarely find its way to those that need it most. Lack of economic benefit combined with increasing housing cost burden exacerbates inequality. As more private and public investment finds its way into Los Angeles, the City is committed to promoting local hiring preferences.⁵⁸

Targeted workforce development resources in R/ECAPs to improve economic mobility

Explore the feasibility of additional educational resources for public housing residents to improve educational outcomes including Saturday and Summer programs

Schools often struggle to better meet the needs of low-income students and to connect them to resources that can stabilize their lives and strengthen their academic competencies. By partnering with schools and school districts, housing providers can help address challenges outside school that can become barriers to learning. Their roles as developers and landlords create opportunities to connect housing and education. As developers, housing authorities can build or repurpose facilities and bring education supports closer to assisted housing developments.⁵⁹

Remove barriers to employment in low-income neighborhoods

⁵⁸ Making a Success of Local Hire, <https://shelterforce.org/2016/10/21/making-a-success-of-local-hire-work/>

⁵⁹ Developing Housing and Education Partnerships, <https://www.urban.org/sites/default/files/publication/49021/2000181-Developing-Housing-and-Education-Partnerships.pdf>

One strategy to prevent displacement of existing low-income residents when new investment is directed to their neighborhoods is to use the new development as an opportunity for residents to gain employment and therefore improve their ability to afford housing. The City has already adopted Measure JJJ which sets affordable housing mandates and hiring restrictions favoring local laborers working on residential projects requiring a zoning change or an amendment to the City's General Plan. This approach can be expanded to pursue local hiring policies for all new development projects (i.e. commercial) along with investment in local workforce development programs to ensure a pipeline of skilled workers for the newly-created jobs.

Develop and Implement Equitable Transit Oriented Development Plans

Transit Oriented Development is happening in Los Angeles. The City seeks to ensure that any plans that are developed and implemented also focus on equitability. In addition to Measure JJJ's Transit Oriented Communities Affordable Housing Overlay noted above, the City is seeking to apply similar affordability requirements to Transit Neighborhood Plans. The Mayor's Sustainable City pLAn calls for 275,000 new homes by 2035, with 65% of them (178,750) within 1,500 feet of transit. Applying the Measure JJJ TOC Overlay affordable housing ratios more broadly could create up to 44,688 affordable homes.

With the passage of Measure M, the sales tax increase to expand transit in LA, it is critical to ensure that housing is at the center of the planning process for expansion project. Considerations for affordable housing preservation and developing additional affordable units near transit will help ensure that low income households currently living near transit stations are not displaced. Early data analysis demonstrates that recent changes to public transportation routes and schedules reduced efficiency of some of the primary bus lines servicing major corridors. Bus ridership declined by 8.9% while subway and light rail increased by 4.4%; which is largely attributed to the Gold Line and Expo Line extensions.

Maximize and secure a fair share of funding from the State of California's Cap & Trade Program (Greenhouse Gas Reduction Fund (GGRF)), to improve housing opportunities, economic investments and address environmental factors in disadvantaged communities

The California Greenhouse Gas Reduction Fund (GGRF) contributes funding for place-based strategies to improve the environmental health, access to affordable housing in location efficient areas, and economic investment in disadvantaged communities. However, the program is nascent and overall results on the impact of these funds disadvantaged areas is incomplete. Billions in loan and grants funding will be made available to the State's Disadvantaged Communities through the various GGRF Funding programs including the Affordable Housing and Sustainable Communities (AHSC) and the Transformative Climate Communities (TCC) programs over the next 14 years. The City will enhance its current work on these two funding programs and improve its coordination work in maximizing and leveraging other Cap and Trade funds to ensure a fair share of funds for the City of Los Angeles. This is particularly important as the City has over 60% of the total Disadvantaged Communities (DACs) census tracts in the LA County Region and the State legislature overwhelmingly supported the extension of this program through 2030 in July 2017.

Enhance partnerships that improve environmental and health outcomes for low-income and public housing residents

The California Climate Investments Fund may contribute to a place-based strategy to improve the environmental health of disadvantaged communities. However, the program is nascent, so no results have been produced. As the program progresses, the City will monitor and evaluate it to determine whether the hoped-for improvements in environmental health are occurring or not; and if not, why not.

Encourage mobility among residents living in subsidized housing in areas of poverty, particularly in R/ECAPs

Even after obtaining a HCV, many people throughout the City are unable to find housing because landlords choose not to participate in the HCV program. This reality, in combination with time limits imposed on voucher holders for finding and securing housing, may result in the return of the housing voucher despite the voucher holder's need for affordable housing. Regions across the country are adopting the use of housing mobility counselors to assist people-- especially seniors and people with disabilities-- in locating units for which their vouchers will be accepted, and in advising them about the mobility benefits of obtaining housing in a higher opportunity neighborhoods.⁶⁰ First-time voucher holders and tenants looking to move or "port" their vouchers benefit from housing mobility counseling. Through the Affordable Housing Trust Fund the City may be able to prioritize HCV holders in project wait lists.

Enhance the City's partnership with LA METRO and furthering the implementation of the City's MOU with LA METRO to expand the development and preservation of affordable housing and related programs as prioritized by the LA METRO Board

The HCIDLA successfully executed the County's first Joint Development Agreement MOU between Metro and the City of Los Angeles in 2016. The MOU outlines the coordination, negotiation, and collective responsibilities between the two agencies to preserve and create covenant-controlled income-restricted, subsidized housing for residents earning at or below 60% of the area median income within a half mile of a fixed guideway bus or rail station. Enhancing and furthering the implementation of the MOU between the City and LA METRO will continue to create opportunities to connect housing to other opportunities including transportation, employment and education. LA Metro-owned properties present the opportunity to develop affordable housing to help stabilize families and increase their access to opportunity.

Partner with Los Angeles County (LA County) to further explore ways to expand access to quality affordable housing through housing and community development programs and activities

By partnering with L.A. County, HCIDLA and HACLA can help address challenges such as housing instability. HCIDLA and HACLA, in their roles as either developers (HCIDLA) and landlords (HACLA), creates opportunities to connect housing to other opportunity including transportation, employment and education. LA County owns property that can be an opportunity to develop affordable housing that stabilizes families and increases their access to opportunity.

GOAL 6: INCREASE COMMUNITY INTEGRATION FOR PERSONS WITH DISABILITIES.

Goal	Strategy	Fair Housing Issues	Contributing Factors	Metrics, Milestones, Timeframe for Achievement	Responsible Program Participant(s)
6.1	Require at least 10% of total units in all multifamily developments receiving public funds or funded with	Segregation/Integration, Disparities in Access to Opportunity	Lack of affordable, integrated housing for individuals with mobility and/or hearing/vision disabilities who need supportive services. Lack	At least 10% of total new construction units for persons with mobility disabilities and at least	HCIDLA, HACLA

⁶⁰ <http://www.housingmobility.org/>

Goal	Strategy	Fair Housing Issues	Contributing Factors	Metrics, Milestones, Timeframe for Achievement	Responsible Program Participant(s)
	multifamily mortgage revenue bonds to be accessible to persons with mobility disabilities and at least 4% of total units to be accessible for persons with hearing and/or vision disabilities, up to a maximum of 20% of total units		of knowledge of the requirements State and Federal fair housing laws and how these apply to housing developments including residential apartments, family homes, supportive housing or shared housing.	4% of total units for persons with hearing/vision disabilities by development	
6.2	Require at least 10% and no more than 25% of units in all special needs developments or permanent supportive housing developments receiving public funds to be set aside for persons with disabilities, including individuals transitioning from institutional settings and individuals who are at risk of institutionalization	Segregation/Integration	Lack of affordable, integrated housing for individuals with mobility and/or hearing/vision disabilities who need supportive services. Lack of knowledge of the requirements State and Federal fair housing laws and how these apply to housing developments including residential apartments, family homes, supportive housing or shared housing.	Number of accessible mobility and hearing/vision units up to a total of 20% in each housing development, 1-2 Years.	HCIDLA, HACLA
6.3	Increase access to integrated employment for persons with intellectual and developmental disabilities by partnering with the regional centers to connect individuals to job opportunities with public entities	Segregation/Integration, Disparities in Access to Opportunity	Inaccessible government facilities or services	Formalization of partnerships between City, such as EWDD and HACLA and the regional centers, establishment of hiring goals for public agencies; 1-3 Years	City of Los Angeles Personnel Department, HACLA, EWDD, Workforce Development Board

Goal	Strategy	Fair Housing Issues	Contributing Factors	Metrics, Milestones, Timeframe for Achievement	Responsible Program Participant(s)
6.4	Provide training to service providers on adapting their models to meet the needs of individuals with disabilities in scattered sites	Segregation/Integration	Lack of affordable in-home or community based services	Number of trainings conducted, number of service providers supporting individuals in integrated settings, 1-3 Years	Department on Disability, HCIDLA, other Departments as applicable and ILC's.
6.5	Provide accessibility design training for housing developers, architects, and contractors as well as fair housing training for housing developers and property managers who receive public funds	Disparities in Access to Opportunity, Segregation/Integration, Disproportionate Housing Needs	Lack of affordable, accessible housing in a range of unit sizes	Increased compliance by housing developers, architects, property managers and contractors with ADA and Fair Housing Act (reasonable accommodations and modifications) requirements, 1-2 years	HCIDLA

Discussion

Background

On January 13, 2012, the Independent Living Center of Southern California (ILCSC), Fair Housing Council of San Fernando Valley (FHCSFV), and Communities Actively Living Independent and Free (CALIF) filed a lawsuit against the City alleging that the City and the Community Redevelopment Agency of Los Angeles (CRA/LA) failed to ensure that housing developments funded, developed, or significantly assisted by the City or the CRA/LA had the required number of Accessible Units for people with Mobility and Hearing/Vision disabilities and were made available to people with disabilities, and further failed to operate other aspects of the City's housing program in compliance with Section 504 of the Rehabilitation Act, the Americans with Disabilities Act, the Fair Housing Act, and California state law. See *Independent Living Center of Southern California, et al. vs. City of Los Angeles*, Case No. 2:12-cv-00551-SJO (PJW) (C.D. Cal.). On August 30, 2016, the Los Angeles City Council agreed to settle litigation, and the settlement was approved by the court on or about September 5, 2016. The settlement provides that, over the next 10 years, the City will ensure that at least 4,000 of its affordable housing units meet architectural accessibility standards under Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act, and California Government Code Section 11135.

To implement the Agreement, the City will also:

- Ensure that all future construction of multi-family housing units overseen by the City fully comply with Section 504 of the Rehabilitation Act, the ADA, the federal Fair Housing Amendments Act, and the California Building Code, and when those requirements conflict, comply with those requirements that provide the greatest accessibility;
- Ensure that non-discriminatory rental occupancy policies are adopted and implemented by Owners and Property Management Agents for covered housing developments;
- Redesign the City's rental housing website, www.housing.lacity.org, to provide an Accessible Housing Registry that lists all accessible units and their features and allows individuals with disabilities the opportunity to be notified of vacant units and apply for the units online or through a call center;
- Provide effective communications for applicants, tenants, and the public that includes large print and Braille documents, auxiliary aids and services, hearing devices, and other services to ensure that communications with applicants and tenants with disabilities are as effective as communications with people without disabilities;
- Train City staff, owners, and their property managers on federal and state laws relating to nondiscrimination in regards to people with disabilities;
- Respond to concerns and resolve grievances by people with disabilities in a timely manner; and
- Provide detailed semi-annual reports to the Plaintiffs and City management regarding all of the activities undertaken to carry out these requirements.

Strategies

Require at least 10% of total units in all multifamily developments receiving public funds or funded with multifamily mortgage revenue bonds to be accessible to persons with mobility disabilities and at least 4% of total units to be accessible for persons with hearing and/or vision disabilities, up to a maximum of 20% of total units.

There is a significant need for additional affordable housing that is accessible to persons with disabilities in LA. 206,091 city residents have ambulatory or mobility disabilities while 88,327 have hearing disabilities and 74,408 have vision disabilities. These categories are not mutually exclusive, and some persons with disabilities have multiple disabilities. Although not all persons with disabilities in LA are low-income, a disproportionate percentage are low-income and in need of affordable housing. In the City of LA, there are roughly 90,000 units, many of them not affordable that are subject to the Fair Housing Act's design and construction standards as well as about 40,000 publicly supported units. Under Section 504 of the Rehabilitation Act, 5% of units in publicly supported developments must be accessible to persons with mobility disabilities, and 2% must be accessible to persons with hearing and vision disabilities. This strategy proposes to expand upon the base provided by Section 504 to strengthen accessibility requirements, both with regard to the percentage of accessible units required and the range of funding streams to which accessibility requirements apply. There is a compelling need to take this step in light of the significant gap between the number of persons with disabilities who need affordable accessible units and the actual supply. The City is also required to take the steps contemplated by this strategy as a result of the settlement agreement in *Independent Living Center of Southern California, et al. vs. City of Los Angeles*.

Require at least 10% and no more than 25% of units in all special needs developments or permanent supportive housing developments receiving public funds to be set aside for persons with disabilities, including individuals transitioning from institutional settings and individuals who are at risk of institutionalization.

Although the City of Los Angeles and the State of California have made great strides in reducing the number of persons with disabilities who reside in segregated settings, the shift away from large institutional settings like Developmental Centers and State Hospitals has not resulted in full community integration in all cases.

All too often, persons with disabilities who are at the greatest risk of institutionalization, including persons with psychiatric disabilities and persons with intellectual and developmental disabilities, have been subject to homelessness or residence in segregated congregate settings like nursing homes, intermediate care facilities, board and care homes, and large group homes. Where there has been the development of permanent supportive housing, some of those buildings consist entirely of special needs units rather than containing a mix of units for individuals with and without disabilities. There has been a national shift in the dominant approach to providing permanent supportive housing that is best captured by the changes that Congress made to the Section 811 program when it passed the Frank Melville Supportive Housing Investment Act in 2010. That statute prohibits developments that receive Section 811 Project Rental Assistance funds from setting aside more than 25% of units for persons with disabilities. By not allowing a higher set-aside, the program increases the likelihood that residents with disabilities will have opportunities for meaningful interactions with people without disabilities. Setting the low end of the set-aside range at 10% effectively balances the need to ensure community integration and prevent segregation with the need to ensure that development activity results in the production of a significant number of units.

Increase access to integrated employment for persons with intellectual and developmental disabilities by partnering with the regional centers to connect individuals to job opportunities with public entities.

Data from the regional centers paints a stark picture of the extremely limited access that persons with intellectual and developmental disabilities have to employment, in general, and to jobs paying above minimum wage, in particular, in LA. The American Community Survey confirms that labor force participation is low and unemployment is high among persons with disabilities, regardless of the type of disability. City entities such as the Economic & Workforce Development Department, the Personnel Department, and the Workforce Development Board, along with HACLA, can play a role in increasing access to employment for persons with disabilities by collaborating with the regional centers on the placement of individuals with intellectual and developmental disabilities in jobs that they can perform with the appropriate services and supports, which may be funded by Medi-Cal. Over the longer term, agencies should set hiring goals for the employment of persons with intellectual and developmental disabilities. If the City and HACLA are active partners in increasing paid employment for persons with disabilities, in addition to reducing disparities in access to opportunity, they may be able to realize greater cost efficiencies in the provision of publicly supported housing for persons with disabilities. With increasing income levels, the tenant's share of rent for Housing Choice Voucher holders and others with deep subsidies will increase, thus allowing more households to benefit from publicly supported housing.

Provide training to service providers on adapting their models to meet the needs of individuals with disabilities in scattered sites.

As the City and HACLA prioritize the development of publicly supported housing that is available to persons with disabilities in scattered sites where no more than 25% of units are set aside for persons with disabilities, Medi-Cal-funded services providers that are accustomed to serving individuals in group homes or in 100% special needs multi-family properties will need to adapt their delivery models. Challenges such as increased travel times between consumers and ensuring safety without a 24-hour live-in aide are real, but they are also obstacles that forward thinking service providers across the country have effectively surmounted through the innovative use of technology and other changes. Some of the service providers that specialize in serving individuals with disabilities, including persons with intensive and complex needs, in integrated, scattered site settings also offer technical assistance and training. By contracting with an experienced service provider that has successfully overcome the barriers that local service providers are likely to face to provide training, the City and HACLA can ensure that the process of transitioning to a more integrated model of permanent supportive housing is as smooth as possible.

Provide accessibility design training for housing developers, architects, and contractors as well as fair housing training for housing developers and property managers who receive public funds.

In order to ensure the success of efforts to increase the supply of affordable, accessible housing through the implementation of the settlement agreement in *Independent Living Center of Southern California, et al. vs. City of Los Angeles*, it is necessary to provide training and education for the wide range of stakeholders who are involved in the production and ongoing maintenance of properties that are subject to the agreement. As discussed above, there is a glaring shortfall of affordable, accessible units in LA. It will always be more efficient to invest in ensuring accessibility before there is the potential for noncompliance instead of waiting until after a property is constructed when the retrofit process is much more costly.