

Fair Housing

Affirmatively Furthering Fair Housing

Fair Housing Overview

The City of Morristown is committed to enforcing the federal Fair Housing Act and other civil rights laws with the fundamental goal of making housing opportunities available to all. The City will use programmatic and enforcement tools to help eliminate racial and ethnic segregation, illegal physical and other barriers to persons with disabilities, and other discriminatory practices in housing and housing-related services.

HUD defines Affirmatively Furthering Fair Housing as requiring a grantee to: (1) Conduct an analysis to identify impediments to fair housing choice (the AI) within the jurisdiction; (2) Take appropriate actions to overcome the effects of any impediments identified through the analysis; and (3) Maintain records reflecting the analysis and actions taken in this regard.

An AI is a comprehensive review of a state or entitlement jurisdiction's laws; regulations; and administrative policies, procedures and practices. The AI involves an assessment of how these laws, regulations, policies, and procedures affect the location, availability, and accessibility of housing. It also assesses how conditions, both private and public, affect fair housing choice.

The Analysis of Impediments to Fair Housing study for Morristown was completed in 2013, and was approved by HUD FHEO for the City of Morristown to utilize.

The end result will be improved availability/accessibility of decent low-income housing in Morristown. The City of Morristown continues to take measures to overcome the effects of impediments identified through the analysis. These measures are reported on annually through the Consolidated Annual Performance Evaluation Report.

In addition to the Fair Housing Act, HUD, and therefore Morristown, has enforcement obligations under the Rehabilitation Act of 1973 and the Americans with Disabilities Act (ADA), which provide additional protections to persons with disabilities. Together, these federal laws require housing providers, state and local governments, and all recipients of federal financial assistance to ensure accessibility for persons with disabilities. Public facilities and buildings, as well as all projects receiving federal financial assistance, must be designed, constructed and altered to be fully accessible to people with mobility and sensory impairments.

The Fair Housing Act applies to both public and private housing. Under the Fair Housing Act, new multifamily buildings must be designed and constructed to have fully accessible common areas. These buildings must also incorporate basic adaptive features in ground floor and elevator-accessible dwelling units to allow for use by people with disabilities. In addition to these requirements, when housing is created using federal funding, at least 5% of a project's dwellings

must be fully accessible to people with mobility impairments, and an additional 2% must be accessible to people with vision and hearing impairments.

As a CDBG entitlement, the City of Morristown must ensure full compliance with these federal laws and must also ensure compliance by all sub-recipients to whom funds are distributed. The Uniform Federal Accessibility Standards, the ADA Accessibility Guidelines, and the Fair Housing Act Accessibility Guidelines set forth architectural specifications for features of accessible design, such as ramps, passable doorways, and Braille signage.

The City of Morristown is committed to working with the public, private, and non-profit partners in our community to ensure fair housing choice for all residents. The City currently has a Fair Housing ordinance that addresses the basics of The Fair Housing Act as Amended (Title 8).

There are substantial formal procedures and channels of information concerning fair housing. Still, persons who do not read newspapers, subscribe to cable television, have access to the internet, or belong to civic groups, professional associations or clubs may remain unaware of the formal groups and systems that support fair housing and can investigate and act upon complaints. Such persons will tend to be the poorer and less educated members of the community with the fewest resources and choices.

The City of Morristown will continue its efforts to make sure that fair housing principles are brought to the attention of as many residents as possible and that local businesses involved in housing are following the requirements of the Fair Housing Act.

The City is continually taking steps to affirmatively further fair housing fair housing policies and activities. Most activities involve either monitoring or educating people regarding fair housing practices.

Morristown's overriding goal is to maintain compliance with all fair housing laws and regulations and to see the pattern of openness and fairness in housing and housing choices enhanced and continued. Over the short-term, the City will continue its support of Fair Housing principles and foster educational/training programs for persons and organizations involved in the sale, rental or financing of housing.

Over the long-term, Morristown will continue to encourage local developers to construct low and moderate income housing within the county and to conduct activities that relieve segregation in the county. Many individuals that want to purchase a home cannot afford to purchase the existing homes that are available for sale or the new houses being constructed

Morristown will utilize funds from the general fund, or where feasible, funds from federal or state sources to support its local fair housing program. Morristown has and will continue to utilize a portion of the administration budget of each CDBG award that it receives to fund fair housing activities.

The AI has become a part of the planning documents for the City. The local action plan will be administered by the City Community Development office. Elections will not have a bearing on the plans implementation. The Community Development and Planning Departments will work with the City Mayor to insure continuity.

Morristown has demonstrated its commitment to fair, open, and equal access to housing. This commitment will be continually demonstrated in all programs or activities undertaken within the jurisdiction. The City of Morristown also has a policy of nondiscrimination and has demonstrated a commitment to fair housing goals by their participation and contributions to the current AI..

Below is a list of specific activities addressing impediments identified in the newly updated AI.

Impediments Found

Based upon the current data available, surveys, focus group and interviews, the following are the impediments that have been identified for the City of Morristown, TN. The City will document and report its actions to HUD on the actions taken toward removal of impediments through Annual Reports which are a part of the Consolidated Plan Process.

1. Lack of Information/Awareness regarding Fair Housing

There has conventionally been a lack of knowledge among protected classes regarding resources, services, and programs for lower income families, minorities and persons with special needs. This lack of knowledge has occurred among renters, property owners, property managers, builders, service providers and local advocates. Education is needed to foster an informed community regarding what constitutes a violation of fair housing laws, how and to whom reports can be made. Public education regarding the rights and responsibilities afforded by fair housing laws is a critical element towards the promotion of fair housing opportunities and enforcement.

2. Failure to Report Discrimination

Protected class families and individuals often fail to report discrimination or do not follow through with discrimination complaints. According to Testers, this is especially true of the Hispanic and elderly populations of Morristown. Among the many reasons that people fail to report housing discrimination, a sense of disempowerment is prominent in low-income, elderly and minority populations. This often results from a lack of education regarding housing rights and a lack of affordable housing options. Illegal immigrants may be unaware that immigration status does not affect fair housing rights and responsibilities. Discrimination is illegal regardless of immigration status. The Hispanic population, whether legal or illegal, is extremely leery of reporting unfair treatment and may not be aware of the rights of renters.

3. Affect and effect of patterns and practices of housing practitioners'

It is important for lenders, housing providers and their agents to know their responsibilities and when they may be violating fair housing laws. Subtle discrimination and discriminatory attitudes continue to be evident in housing markets. This lack of knowledge and sense of disempowerment among minority and low-income renters may foster adverse and differential treatment by landlords or property managers. Subtle forms of discrimination are another way of denying or discouraging an individual's right to choice. Unequal access to housing can result in unequal access to better education, public transportation and more employment opportunities, thereby, continuing to marginalize minority groups.

4. Lack of accessible and affordable housing

Approximately one-fourth of fair housing complaints were associated with a lack of accessibility and affordable housing in the City.

5. Lack of rental property association

Because of the number of low volume property owners/managers in the city, dissemination of current information and updated regulations is difficult.

6. Lack of land/property

Even under the best of economic circumstances, it is difficult to offer incentives to developers if land and infrastructure costs are too high or, in the obvious case, if land is simply not available. Organizations that build low-income housing, like Habitat for Humanity, report a shortage of affordable land within the city and lack of funds for infrastructure development. These factors decrease the ability to build affordable housing for low-income families within the city limits

Actions to Address Impediments

Three key housing related groups in the City, the Department of Community Development, the non-profit assistance and development sector and Morristown Housing Authority, as the provider of public housing, must all work continually with the private sector to promote and explain the requirements of the Fair Housing Act. Local housing providers and Legal Aid of TN. do receive calls when an alleged violation occurs, and provide information on the Act, and provide guidance on how to lodge a formal complaint. Complaints relative to projects funded with federal dollars are directed to HUD and all other situations are investigated by the TN. Human Rights Commission as an equivalent agency to HUD as described in the Introduction. Throughout the year, the City and local housing providers must work together to promote fair

housing, hold conferences, distribute materials, educate both tenants and landlords, and continually strive to limit the local violations of the Fair Housing Act.

Discussions are and should continue to be held with the Chamber of Commerce, government officials, Realtors and individuals regarding discriminatory practices and complaints lodged and resolved successfully through mediation. The more widely distributed resolved complaints are the higher the educational value to the community. The City joins with Realtors to disseminate current information on fair housing as training tools for housing industry professionals. The Lakeway Area Realtor Association in the home sales portion of the business does utilize the Equal Opportunity logo effectively in either print or electronic media.

Home Mortgage Disclosure Act (HMDA) data suggests the lending practices of major lending institutions in the City do not indicate disparities in accessibility to home mortgage financing by race, income and geographic concentration. The City encourages lenders to participate in educational workshops on Fair Housing/Equal Opportunity.




One frequent threat to Fair Housing is the development of housing options for special needs populations. In some instances, residents place significant pressure on local elected officials and zoning officers to deny variances, permits, etc. As housing markets expand and become more competitive in the City, instances of NIMBYism, or “not in my backyard”, may become more common. Whether it is neighborhood opposition to density, low-income housing or housing for special population groups, obtaining a site and approval by communities is difficult. In many cases, the process leads to greater costs, making it difficult to maintain affordability for those who need them. In an effort to open the doors wider to fair housing options for all individuals, the City works closely with local public housing providers, landlords, non-profits government, service providers, and funding institutions to assess the housing needs and promote an organized mechanism for addressing these needs.

At the same time, discussion about limiting sprawl, improving social service delivery centers, and placing special need populations back in the community will continue. This discussion will result in continued conflicts between identifying appropriate housing for those who need the most assistance and finding a place for them to live. Therefore, it will be important to continue to provide community education to ensure the ability of the community to develop affordable housing. Community education should also take into account: economic and health issues that are directly related the problems of deteriorated housing (including the presence of lead based paint); and economic literacy as it relates to employment and access to credit.

Implementation of activities this year included:

- ✚ Development/dissemination of fair housing brochures and flyers with special consideration to the readability level and level of English proficiency of target populations. These included information on what constitutes fair housing discrimination, how to report and to whom to report suspected discrimination. All fair housing informational materials are now available in Spanish. All public notices*

regarding community meetings are published in Spanish as well as English. In an effort to solicit greater participation from the protected classes' personal visits to local non-profit agencies that serve this population were made. Agency Directors and Social Workers were met with to discuss the City's efforts to Affirmatively Further Fair Housing and to increase the knowledge of the protected classes regarding their housing rights. The Fair Housing documents mentioned above were left at each agency to allow greater access to the information in both English and Spanish. The agencies mentioned above included Morristown Hamblen Central Services, Douglas Cherokee Economic Authority (Volunteer Housing), the Morristown Housing Authority, and the Lakeway Area Habitat for Humanity. The Chamber of Commerce, Morristown-Hamblen Public Library, Mondo Hispano, and Morristown Utilities System are also used as distribution points for the English/Spanish documents. In further effort to reach the LEP population, all City CDBG related documents are made available in English as well as Spanish and a translator is always available as necessary.

-  *Developers planning to rehab existing rental housing or construct new rental housing are personally informed of the Fair Housing Act and HUD's commitment to the protected classes. All documents mentioned above are made available to them.*
-  *Three large LIHTC affordable housing projects were completed by developers this year with the assistance of THDA and the City.*
-  *Review proposed policies in the City land use plans, codes, and zoning. During the past few years there has been a growing awareness of the shortage of affordable workforce housing, and of its impact on families and communities across America. Workforce housing refers to housing that is affordable to working households that do not qualify for publicly subsidized housing, yet cannot afford appropriate market-rate housing in their community. Cities of all sizes are finding that teachers, police officers, firefighters, emergency workers, nurses, service industry workers and others who are essential to community life and commerce are financially unable to live in the localities where they work.*

To address this issue locally, the City of Morristown is continuing a multi-year, phased program titled the Morristown Affordable Housing Initiative (MAHI). The objective of MAHI is to identify and alleviate local regulatory barriers that increase the cost of housing and to increase the supply of affordable housing in the in the city.

Already, the City has examined some of its development regulations to identify possible barriers to affordable and fair housing. In the past year the City loosened some local zoning and subdivision regulations regarding mandatory installation of sidewalks and underground utilities in newly constructed residential subdivisions. Continued evaluation of such barriers will progress in the coming year as such requirements were determined to further drive up the cost

of new housing development. The City of Morristown plans to join other communities across the country in the U.S. Department of Housing and Urban Development's National Call to Action for Affordable Housing through Regulatory Reform. Future endeavors of the process will involve continued evaluations of development standards and codes, and providing financial incentives to developers that build affordable housing neighborhoods.

Another step in the MAHI process includes improving the development permitting process. The City is now on-line with permit and project tracking software. This data management process monitors the resolution of housing code violations, eliminates the need for several meetings, improves scheduling between developers and inspectors, provides for a one-time, one-stop application for a building permit, and ultimately save developers' time and money...money that can be applied toward affordable housing. *This review of regulations and policies, including zoning and land development, will allow for a greater diversity of housing types and locations*

- + Continued searching for successful models for new low- and moderate-income housing development by other communities and private developers to review and learn from. Volunteer Housing, the housing department of Douglas Cherokee Economic Authority, has several such models. These will be reviewed to help identify areas where the City can improve in relation to Affirmatively Furthering Fair Housing.*
- + Continued attempts to foster the Development of a Rental Property Association. These efforts will continue as more rental property owners are educated about the Fair Housing Act and the protected classes.*
- + A renters rights work shop for non-English speaking renters, the elderly population, and other minorities is being discussed with Legal Aid of East Tennessee and the Lakeway Area Realtors Association. Cost of this workshop will be paid for by the City's CDBG program.*
- + A review of City property owned for back taxes and foreclosed properties that could be re-purposed through donation to low income housing developers been completed. The City will work to donate useable properties to Habitat over the coming year. Twelve properties were condemned, the structures demolished and the property cleared. These sites are being marketed toward local affordable housing developers, including Habitat.*
- + This year accomplishment data for appropriate activities/persons assisted includes race, ethnicity, income level, family type, etc. This specific information is reported in IDIS under the Accomplishment Data section of each completed activity for the 2015 Action Plan.*

✚ *The City now has representation in many organizations that promote Fair Housing. These organizations include; the TN Affordable Housing Coalition, the TN Association of Housing and Redevelopment Authorities, the National Association of Housing and Redevelopment Officials, the National Community Development Association, the TN Valley Coalition for the Homeless, the Knoxville Community Action Center, and the Lakeway Area Realtors Association. Several FHEO trainings and conferences were attended by City staff this year including training on Low Income Housing Tax Credits, The Fair Housing Act, Renters Rights, and Affirmatively Furthering Fair Housing.*

Although not considered Fair Housing activities, many of the Community Development Department's daily activities also address issues related to housing discrimination. The City works with a variety of public, private, non-profit, and faith based organizations that work to provide housing and economic opportunities to the community. Community Development also uses HUD funding to support projects and activities that are intended to improve lower income neighborhoods and empower the residents who are often at risk of discrimination. There are many obstacles in meeting the underserved housing, community development, and economic development needs in Morristown. The lack of sufficient financial resources, wide variety of needs (particularly in the inner city neighborhoods), and difficulty in coordinating public, private, and nonprofit efforts make service provision and revitalization efforts a challenge for all involved.

Finally, the City guides the work of fair housing enforcement and outreach strategies by approaching the issue of fair housing in a comprehensive way. The City identifies the most effective means to achieving compliance and enforcement through outreach, advocacy, and testing. All of these efforts contribute to a more educated population relative to increased public awareness and understanding of the issue of fair housing and of the appropriated corrective resources available to residents of the City. While the City's efforts to affirmatively further fair housing made progress this year, there is still much to be done. The efforts to address the impediments identified in the Morristown AI will be redoubled in the coming year and reported on annually in the City's CAPER.

