

Boston Housing Authority - Progress on Goals and Actions for Affirmatively Furthering Fair Housing

Updated October 20, 2022

Goal 2.4 Continue homelessness priority for BHA public and leased housing.

A homelessness priority for BHA public and leased housing has assured that those most at need are able to access housing in a more timely manner. This policy should be maintained.

Relevant Department: Leased Housing

BHA has kept its homelessness priority for both public and leased housing, so that the vast majority of preferred families are experiencing homelessness. It is worth noting that BHA has a broader definition of homelessness than HUD, as it includes those in transient housing or those experiencing displacement.

Goal 4.1: Expand the ECHO mobility program to educate and assist families and BHA housing choice voucher holders in identifying and relocating to housing in areas with increased opportunity, including opportunity areas within Boston.

The BHA's Expanding Choice in Housing Opportunities (ECHO) program provides the necessary pre-search, housing search and post-search services to enable participating voucher holders to identify the communities that best fit their needs. 24 voucher holders are provided information about the quality of public schools, the location of medical facilities, and other kinds of resources so they can make an informed decision as to where they want to live while maintaining familial or former community ties that may be advantageous. Voucher holders will also be provided with family self-sufficiency supports, such as financial literacy and information.

Relevant Department: Leased Housing

BHA is continuing to work on the ECHO program. It currently has 4 staff members who work on ECHO. The program has recently been relaunched to accept new applicants (including current BHA voucher holders who are looking to move) via a link on the BHA website. New applications are screened and those who are eligible (i.e. those interested in Expanded Choice Communities or who have children in the household) are forwarded to a staff member for intake.

There are regular ECHO briefings, and these have a more standardized schedule of every 2 weeks. BHA has also enacted a new participation agreement between the ECHO team and families for increased autonomy and responsibility. The team is also works with placed families and offers counseling. There are two surveys to collect data - a baseline survey, and a post-move survey that asks questions related to families' involvement in their new community and whether they have experienced discrimination.

As of August 2022, there have been 182 applicants to ECHO.

Goal 4.2: Work closely with the new Housing Choice Initiative communities to identify housing for Section 8/Housing Choice Voucher holders.

BHA, through its new ECHO program has already made plans to reach out to housing providers throughout Metropolitan Boston and in particular those cities and towns that have expressed interest in and support for the Housing Choice Initiative. By doing so the BHA hopes to cultivate additional housing units in the private market that will be accessible to its Section 8 voucher holders.

Relevant Department: Leased Housing

Members of the ECHO project team have so far held multiple workshops to educate new landlords on the voucher program and working with BHA. The workshop also introduces the ECHO program, and it presents opportunities to get landlords leased with voucher holders. As of August 2022, 11 total applicants have leased in Expanded Choice Communities (ECC), which are similar to Housing Choice Initiative communities.

Goal 4.3: Establish a BHA working group to explore revisions to existing admissions and continued occupancy policies, and examine effectiveness of marketing and outreach to ensure equal access to housing resources.

The demographics of BHA publicly supported housing are substantially determined by the income of its applicants and composition of its wait lists. The mix of protected classes is influenced by the various priorities and preferences based on the urgency of need for housing, but is tempered by individual choice. The final determination of housing selection is driven by an applicant's indicated choice of location. While this may contribute to the varied demographics in BHA developments and buildings it is essential that the BHA also ensure equal access to available housing resources. This working group should collect and examine data on the impact of its policies on the demographics of tenants who successfully obtain public or project-based housing units or mobile subsidies, and those who tend to have extended time on waiting lists. The BHA will establish a working group of BHA staff and residents to monitor all of its commitments under this Assessment of Fair Housing, including but not limited to, its admissions and continued occupancy policy, affirmative marketing plans, additions to the Annual Plan, research on communities not highly represented in the BHA resident population, the impact of setting aside many resources for simultaneous relocation/redevelopment of many sites, and other policies.

BHA Department: Leased Housing/Admissions

Over past several years, the BHA has streamlined its admissions process by implementing online systems that allow applicants to apply more easily with less data and reducing paperwork, while providing increased support for those with less technical literacy.

The admissions working group has explored how the system can be further streamlined – mostly by narrowing possible choices and therefore increasing efficiency. The group is also discussing the best way to make choosing sites more meaningful or user friendly, possibly by opening and closing waiting lists based on wait time.

The group has evaluated application systems from other public housing authorities, and it has held meetings with the Chicago and Seattle Housing Authorities. In these meetings, the BHA has learned about the successes and challenges of the other systems, as well as strategies for developing an intuitive application. The group is now preparing to reach out to organizations who frequently use the current system for their feedback.

Goal 4.4: Advocate with the State to adopt Small Area Fair Market Rents for Housing Choice Create landlord incentives to take voucher holders

The BHA has adopted Small Area Fair Market Rents to increase mobility for Section 8 voucher holders. The City and the BHA should continue to reach out to the state and other housing authority Section 8 providers to ensure geographic consistency in FMRs/payment standard levels.

Relevant Department: Leased Housing

The BHA has advocated with the state for the adoption of SAFMR. Having already conducted a study earlier this year, the Leased Housing department is not planning on doing another study in 2022. In the summer of 2023, the BHA will be following up with the state Department of Housing and Community Development to test their interest in adoption.

Goal 4.5 Increase availability and outreach of programs that reduce the financial barriers to the supply of housing available to voucher holders.

A series of programs can reduce the barriers to housing availability for voucher holders, mostly by increasing the landlord incentives, but also by assisting renters, through the following activities:

Physical Improvements: The BHA will conduct workshops for landlords to encourage them to participate in the Section 8 Voucher Program and make them aware of resources for lead paint removal, energy-efficiency and accessibility, utilizing local and state funds. The City should continue to provide gap financing to qualified landlords, including owner-occupant owners of 1-4 family properties, to obtain funding needed to make modifications to their own unit and/or to one or more rental units in their property to expand the inventory of accessible rental units for persons with disabilities, and to de-lead the unit.

Upfront Tenant Costs: The BHA should establish a fund that will help voucher holders with upfront security deposit costs, application fees, and similar charges that may be a barrier to voucher holders obtaining housing. Such fees have been used by landlords or their marketing agent to discourage applications by subsidy recipients.

Relevant Department: Leased Housing

BHA has been working on ways to address upfront costs. Its main method of providing assistance is to ask landlords to waive security deposits (as BHA does not currently have the funds to pay these). BHA has also leveraged partnerships with non-profits to cover security deposits and move-in costs for new applicants.

All families in the voucher program are encouraged to sign-up with FSS, which provides them with financial training as well as education about broker's fees and other charges.

Goal 4.6: Conduct a survey of BHA residents every two years to assess the concerns and needs of tenants in publicly-supported housing.

The BHA will conduct a survey of public housing residents every two years that gathers demographic/ household data and assesses resident concerns about housing, employment, schools, and their neighborhoods. The survey conducted in 2017 can be a basis for a more refined and targeted future survey, which should include questions about discrimination in the application and housing search process, their experiences as tenants, and issues and concerns about their buildings. The BHA will share the survey results with residents and use the results to help drive their efforts to improve the tenant experience.

Relevant Department: Civil Rights / Legal

The last survey in 2017 was similar to a questionnaire and distributed to everyone. There is also an annual end of the year survey for public housing residents. BHA has determined that the next survey should be more structured and more targeted toward specific purposes.

BHA has also decided that ahead of a new survey, there should be a comprehensive snapshot of demographic patterns in BHA communities to inform the questions asked in survey, especially to seek understanding of the differences in demographic patterns between BHA sites.

Goal 4.7: Educate voucher holders on how to recognize and report housing discrimination.

As part of their pre-search educational workshops and in conjunctions with the leasing process, the BHA and Metro Housing|Boston will provide information to voucher holders and tenants about their rights under federal, state and local housing discrimination laws. Voucher holders will be encouraged to report discrimination on the basis of receipt of rental assistance or on their membership in any other protected class. Voucher holders would be informed of policies that provide for an extension of search time where the voucher holder files a complaint with the Massachusetts Commission Against Discrimination (MCAD) or the Office of Fair Housing and Equity (OFHE).

Relevant Department: Civil Rights

The Office of Civil Rights (OCR) has developed a protocol for the Office of Fair Housing and Equity (OFHE) and the Fair Housing Commission (FHC). In this protocol, reports are sent to OCR, who passes them to FHC to pursue the complaint. This process is monitored by OCR via intake forms. Fair housing information is also being incorporated into the briefings.

Goal 4.8: Develop a protocol for joint reporting, investigation, and taking enforcement actions against participants in the Housing Choice Voucher Program.

Discrimination in Boston and the region against participants in the Housing Choice Voucher Program continues, as can be seen from both housing complaint data and from the BHA survey results. Individual households must initiate discrimination complaints on their own, but systems can be put into place that make this process easier, and procedures for reporting, responding to, and investigating incidents of discrimination can be developed. The BHA, Metro Housing|Boston, the Office of Fair Housing and Equity, and the Massachusetts Commission Against Discrimination would collaborate on a series of activities including:

- *Creation and distribution of marketing materials that inform both tenants and landlords of fair housing law, as it related to receipt of public assistance/vouchers.*
- *Assure that the OFHE has capacity for data collection and reporting on discrimination complaints.*
- *Creating a set of policies, procedures, and forms that simplify reporting and investigation of discrimination claims. The Fair Housing Commission will take the lead on bringing enforcement actions for violations of the fair housing laws.*

Relevant Department: Civil Rights

See 4.7. OCR has developed a protocol for the Office of Fair Housing and Equity: OFHE will pursue the complaints, which are monitored by OCR via intake forms.

Goal 4.9 Bring enforcement actions against landlords that refuse to take voucher holders.

Whether identified through voucher holder complaints or through discrimination testing efforts, the Office of Fair Housing and Equity, in cooperation with MCAD, should create a protocol to investigate and prosecute incidents of discrimination against vouchers holders and take enforcement actions against landlords discriminating against voucher holders. The OFHE has contracted with Suffolk University to complete testing of voucher holder discrimination that builds on the findings of the 2020 Suffolk University study of such discrimination.

Relevant Department: Leased Housing

BHA is currently speaking with Suffolk University to potentially create a partnership to examine our methods, look into testing training with voucher holders, and help create a new testing/enforcement program. BHA is also exploring potential options for contributing funding, resources, or support to the Fair Housing Commission for their testing plan with Suffolk.

Goal 5.1 Continue the redevelopment and preservation of existing public housing by attracting public and private investment in public housing communities, with careful attention to avoiding displacement or other negative impacts on existing residents in the development and surrounding community.

Federal resources for maintenance and capital improvements to public housing have been chronically insufficient. The BHA has been successful in securing funding through the HUD HOPE VI program, and its successor, the Choice Neighborhoods program, to address its most distressed public housing projects through public/private partnerships. The BHA has also been aggressive at utilizing the Rental Assistance Demonstration (RAD) and Project-based Section 8 programs to upgrade its Elderly/disabled sites. The Authority has built a track record of working with tenants to assure that their needs and rights are protected, there is one-for-one replacement of income restricted units, and that strong policies and practices are in place to guarantee tenants that have to temporarily relocate a right to return to the new housing. The BHA has adopted a long-range plan to replace 4,000 deeply subsidized rental units and to add 4,500 moderate and market units at a total cost of over \$3 billion over the next 10-15 years.

BHA should continue to utilize its current strategy to leverage the wealth represented by public housing-owned land to link developers with requirements to also assist with replacement and renovation of existing units, assure affordability for residents, and turn vacant land into opportunities to create additional low-income housing. For example, the South Boston NDC is building a 47 unit building for seniors on a vacant parcel at the Mary Ellen McCormack development in South Boston. In pursuing this public/private strategy, residents should not be displaced or believe that they will be displaced, and the redevelopment should be implemented in a balanced approach regarding mobility and community revitalization. Mixed-income buildings should be truly integrated.

Relevant Department: Planning and Real Estate Development

BHA is continuing to adhere to its strategy of leveraging private developers to improve its units and ensure housing affordability. Upcoming conversions – such as Doris Bunte, Patricia White, and Monsignor Powers – are also being designed for accessibility in compliance with Massachusetts state

law. The AFFH Working Group is currently discussing strategies to collect data regarding displacement in order to understand current resident and community feelings.

Goal 5.2 Prioritize the use of City funds for the preservation of income restricted housing, especially "13A" developments, assuring that by 2030, 97 percent of all income restricted housing has been preserved.

The City of Boston is committed to preserving existing income restricted housing, and a range of resources are being used to preserve both public housing and privately owned income restricted housing, such as the 13A developments. Since 2014, the City has funded this priority from a range of sources including operating funds, Neighborhood Housing Trust (Linkage) funds, Inclusionary Development Policy resources (both funds and off-site units), as well as traditional federal sources. Of the 1008 former "13A" units, 557 have now been preserved in perpetuity. MOH is working with the owners of two developments to preserve another 195 units. Where 13A owners have not been willing to preserve affordability, the City has been working with the BHA and state agencies to protect existing tenants, and to provide new affordable housing opportunities.

Relevant Department: Planning and Real Estate

BHA has used city funds to preserve Babcock Towers, a formerly state-subsidized property.

Goal 6.1 Use housing development and preservation as an economic tool to increase employment for residents and provide contracts and subcontracts to local and minority-owned businesses.

Patterns related to the issuance of contracts should be reviewed yearly and the City will review strategies and obstacles, such as bonding capacity or lack of technical assistance, to significantly increase both those who are certified as a Minority Business Enterprise (MBE) or as a Women Business Enterprise (WBE), and the number of contracts to MBEs and WBEs. The City will revisit and strengthen the Equity and Inclusion agenda of the Office of Economic Development, and revisit strategies and lessons learned from the 1994 to 2004 Demonstration Disposition Program which rehabilitated almost 2,000 housing units, kept them affordable and used construction and labor costs to increase opportunities for local and minority-owned businesses. The BHA currently engages in such activity, and its Office of Civil Rights has mechanisms in place to monitor, track, and report on all BHA contracts.

Relevant Department: Civil Rights / Procurement

The Office of Civil Rights monitors contractors' compliance with BHA's Minority and Women's Participation Provision (MWPP). The MWPP is currently undergoing a complete update, reviewing forms and policy language. In completing the update, OCR and its collaborators considered the findings of the 2020 Disparity Study. Update to the MWPP also raised review of data collection and tracking of MWBE subcontractor payments. OCR and Procurement will collaborate to implement the changes to the MWPP adequately.

OCR has increased outreach efforts to MWBEs by creating a Directory of SDO-certified MWBEs. OCR created the Directory to facilitate general contractors' exercise of good faith effort to work with MWBEs. OCR has also begun creating community partnerships with stakeholders in the supplier diversity community to share best practices in outreaching out to MWBEs, resources to assist MWBEs, and contact information of MWBEs. These partnerships also create the opportunity for OCR to share information regarding Section 3 Business Concern in hopes of identifying new businesses.

Goal 6.2 Expand the BHA HUD Section 3 program.

HUD's "Section 3" has proven to be an effective tool in revitalization efforts as well as generating employment for public housing residents and workers in low-income communities. Boston should aggressively pursue the possibility of using Section 3 to expand economic opportunities, including hiring youth so as to reduce high unemployment levels among Black and Latinx people. A working group will be established to review strategies for expansion of, and outreach and education about, the Section 3 Program, with a focus on community organizations, local businesses and community development entities. The Working Group should establish clear and measurable Section 3 tracking protocols, and goals to assess the impact of this federal regulation.

Relevant Department: Civil Rights

The Office of Civil Rights successfully reached out to approximately 12,000 residents under the age of 55 in BHA's public housing and leased housing programs. The mass mailing about the tenant coordinator position and safety officer position yielded a significant response. After an initial vetting, OCR had a final composite list of 199 residents willing and able to work as Section 3 or Targeted Section 3 workers. With an increased pool of residents, OCR promotes the Tenant Coordinator program and ensures that general contractors comply with HUD's Section 3 regulation. OCR has also shared the program's success with other Housing Authorities, such as Cambridge Housing Authority, who have or are looking to establish a similar version as BHA.

In addition to resident outreach, OCR conducted targeted outreach to Section 3 Businesses that have previously worked with BHA or identified through a partnership. The outreach encouraged business owners to re-register on HUD's new Opportunity Portal under the new definition. However, the remaining challenge is identifying new businesses that may qualify under the new definition. OCR is working to collaborate with organizations that directly interact with or assist small or disadvantaged businesses to increase our targeted outreach. It also plans to develop methods for tracking the effectiveness of the Section 3 program.

Goal 8.4 Expand the Family Self-Sufficiency program with a specific emphasis on homeownership.

Family self-sufficiency and homeownership are critical to reducing poverty and helping families from being displaced due to gentrification in Boston. The HUD Family Self-Sufficiency (FSS) program was created to help families with Housing Choice (Section 8) vouchers overcome barriers to increasing their income and independence. The program provides for an escrow/savings account and case management services. Each household, in conjunction with a case manager, creates a five-year program to achieve their goals. The escrow account grows along with increases in income, and the family can use it to further their education, start a business, or buy a home after five years.

Both the BHA and Metro Housing | Boston administers Housing Choice Vouchers and both work with Compass Working Capital, a non-profit leader in financial empowerment programs. Expanding the program, setting numerical goals, and addressing obstacles to participation will help more families move out of poverty and become homeowners, where they can further build their wealth.

Relevant Department: Leased Housing

BHA has a robust Family Self-Sufficiency program, and it anticipates being the largest in the country. BHA has utilized philanthropic dollars with partnership with Compass Working Capital to supplement HUD funding and expand participant capacity.

There are currently 1500 families enrolled in the five-year program, and 92 have graduated. BHA's current goal is to enroll 2000 families. To assist with this goal, BHA has submitted a letter in support of Compass's request to HUD for an opt-out FSS program that would automatically enroll voucher holders. The demographic breakdown of current FSS clients shows that two-thirds identify as Black and less than one-third are White. 25% identify as Hispanic or Latino. About 3% of participants are elderly, and about 18% have disabilities. Most (91%) speak and read English. About 4% indicated that they have a spouse, and 73% indicated that they have minors in their household.

Goal 9.2 Ensure that City departments are collecting data necessary to evaluate their work through a racial equity/social justice lens.

Departments should ensure they collect data necessary to understand how programs support or undermine equity, and to make decisions on changing policies to ensure equity. There should be opportunities for public input on data to be collected and proposed uses of the data. Data analyses should be publicly shared and available in a timely fashion, through the use of citywide racial equity/social justice matrix. In particular, MOH and BPDA, in cooperation with the Affirmative Marketing Program, should gather and assess demographic data on applicants and successful renters and buyers of income restricted units.

Relevant Department: Management Information Systems (MIS)

The AFFH Working Group is discussing strategies for increased centralization of data to assist with this step. It is also factoring demographic data – particularly data related to race and ethnicity – into its approach to each AFH goal and action step.

Goal 9.5 Encourage BHA and property managers of income restricted housing to pursue greater communication and collaboration with the Boston Public Schools and local community health centers (and nonprofits) to assist in understanding the health and housing-education needs of children.

The BHA has long-established relationships with the Boston Public Schools and neighborhood health centers, and their Community Services Department intends to continue and expand such relationships whenever possible. The 2012 report Boston Housing Authority and Boston Public Schools: Exploring Academic Collaboration provides brief descriptions of past collaboration as well as recommendations for expanding communication and potential actions to strengthen and expand collaboration, with one goal being the development of pedagogical innovations regarding after-school time.

Relevant Department: AFFH Working Group

BHA is currently seeking an expansion of its partnership with Boston Public Schools (BPS), in order to better assess the needs of children who are residents of BHA and attend BPS. It anticipates making progress on that expansion soon.

Goal 10.9 The City will improve compliance with the Boston Language and Communications Access Ordinance by providing additional translated materials and in-person interpretation.

As noted in the data section of this report there are a significant number of persons in Boston who do not speak a language other than English and have low proficiency in English (“LEP”). Not providing translated materials and interpretation can result in the denial of fair housing for such persons, and could violate Title VI of the Civil Rights Act of 1964 prohibition of discrimination based on national origin discrimination.⁴⁵ Both DND and the BPDA will implement new language access plans to assure that translations of important public notices or announcements and key housing applications and program material are available to address the language needs of persons with Limited English Proficiency. In addition, both agencies will assure that translation services are available for LEP persons to participate in public meetings or to get program information and assistance. The BHA has an operational language access plan that they will continue to adhere to and revise, as appropriate.

Relevant Department: Civil Rights

BHA's Language Access Division assisted clients in 18 languages last year. It has been working with all direct service departments since 2010 to assess language needs and provide language services.

Staff members' work, from the Language Access Service Implementation Policy and Procedures, includes: offering interpretation for clients, translating important documents based on the Safe Harbor rule, hiring bilingual employees as necessary, the Volunteer Interpreters Program, contracting local agencies for interpretation/translation services, update LASIPP with employee guidelines, providing staff training, adding language questions to applications and forms, and adding resources for staff on the BHA website.

Goal 11.3 Conduct assessments to assure that City resources are distributed in an equitable manner based on need in order to address significant disparities in housing needs and in access to opportunity, foster truly integrated and balanced patterns, transform racially and ethnically concentrated areas of poverty into areas of opportunity, and avoid disparate impacts on protected classes.

As the data section revealed, a majority of Black, Latinx, and Asian households are low- and very-low-income (incomes of less than \$50,000), and a majority of White households have incomes over \$100,000. As a result, well over a majority of Black, Latinx, and Asian households are housing cost burdened, compared to 36 percent of White households, and there are also significant disparities in homeownership rates. In order to address these economic and housing disparities, the city must assess how housing resources are distributed, by income. Such a review should take a comprehensive approach, with an understanding of the broad range of housing supports, the fair housing and equity considerations, addressing those who are most at need, as well as desires to assure that Boston is an economically diverse city. While the income limits of programs will be the primary focus of such a review, other factors, such as how programs are marketed, are also important. In doing so, the review would include BHA, MOH, and BPDA programs, including the Inclusionary Development Policy. Such a review will take place in concert with a review of the IDP, likely in late 2021.

Relevant Department: AFFH Working Group

The AFFH Working Group is discussing strategies for increased centralization of data – particularly data related to race and ethnicity – to assist with this step.

Goal 13.6 Incorporate understandings of the linkages between policing and the courts and income, housing, and health disparities into designing future fair housing efforts.

Segregation has contributed to the disparate provision of policing resources and enforcement of the law. While addressing crime “hot spots” is intended to make communities safer, the increased police presence has also been associated with widespread use of “stop-and-frisk” policies, which results in a significantly higher number of citations and arrests of Black people. As a result of both racism and poverty, these citations and arrests also lead to higher levels of fines, pre-trial detentions, and incarcerations. The costs of court fees and fines, the stress, and the loss of employability that can result further contribute to Black families’ inability to move out of poverty or build wealth. Jeffrey Fagan and Elliott Ash, in their study of Ferguson, Missouri, and New York City summarize the problem succinctly, “When police routinely and promiscuously intervene in the everyday lives of citizens, they impose interaction costs that inevitably deter residents from moving freely. And when these police actions produce legal and economic consequences for those already in disadvantaged social positions, those consequences effectively lock them in already disadvantaged places by constraining choices of neighborhood selection.” and, “Because police deployments and actions are racialized and focused in poor and segregated places, police in effect reproduce inequality, racial stratification, and segregation through criminal legal enforcement actions that can constrain mobility.”

Traditionally a HUD required Analysis of Impediments to Fair Housing would look at the high levels of crime as an impediment to feeling safe in one’s neighborhood and therefore an impediment to fair housing. This measurement is important, but by focusing only on crime rates, it leaves the door open to responding by increasing the level of policing, while not taking into account that policing, itself, can reduce people of color’s, and specifically Black people’s feeling of safety, increase stress, and reduce economic mobility. For this reason, future assessments and plans to Affirmatively Further Fair Housing should also take into account how policing both feeds on, and maintains segregation.

Relevant Department: Civil Rights

BHA is in the process of working with Boston Police Department to develop accurate crime statistics relative to public housing sites.

Goal 14.2 Improve data collection on sexual orientation & gender identify so as to identify disparities.

Most programs traditionally have not collected data on sexual orientation and gender identity. As a result, disparities linked to these aspects of one’s life are not always apparent, and therefore are not addressed adequately in formulating policy.

Relevant Department: MIS

The AFFH Working Group is discussing strategies for incorporating information surrounding sexual orientation and gender identity into BHA’s current data collection processes.