

2016 – 2020 Proposed Fair Housing Action Plan (FHAP)

Oregon's 2020 Report



Introduction

Oregon's 2016-2020 Analysis of Impediments to Fair Housing Choice (AI) identifies various impediments and barriers to fair housing choice, and suggested actions to address those impediments. Based on the AI, Oregon developed a 2016-2020 Fair Housing Action Plan (FHAP). The plan details the actions Oregon prepared to focus on over the 2016-2020 Consolidated Plan period.

The following report outlines the research findings and impediments identified in the AI, and the actions Oregon took in 2020 to address them.

Research Finding 1: Persons with disabilities face widespread barriers to housing choice statewide.

Impediments found to contribute to barriers to housing choice for persons with disabilities include:

- ***Impediment 1-1.*** Lack of affordable, accessible housing, including housing available for persons with disabilities who wish to leave nursing homes or other institutional settings.
- ***Impediment 1-2.*** Refusal of some landlords to make reasonable accommodations for persons with disabilities.
- ***Impediment 1-3.*** Persons with disabilities who desire to transition out of institutional settings are limited by the lack of affordable, accessible and supportive services housing, in addition to financial and emotional support to assist them in their transitions.
- ***Impediment 1-4.*** Housing choices for persons with disabilities are severely limited by lack of sidewalks, paved roads and reliable and sufficient public transportation.
- ***Impediment 1-5.*** Local zoning and land use regulations and/or inexact application of state laws may impede the siting and approval of group homes.

Progress towards **Action Items** designed to address identified impediments:

- ***Action items 1-1.***
 - a. ***Determine the specific housing needs for persons with disabilities and develop proactive strategies to address the need.***

Oregon Housing & Community Services (OHCS) continues to provide training and resources to property managers on Fair Housing laws such as reasonable accommodations that would assist property managers in determining the

individualized needs of their clients. In 2020 OHCS provided these trainings online due to the COVID-19 pandemic and to provide a statewide reach.

- b. Determine how to better match persons with disabilities with accessible units, including if person with disabilities have access to unit as they become available.***

OHCS continues to provide training and resources to property managers on Fair Housing laws such as reasonable accommodations and waiting list selection policies that would assist property managers in determining the individualized needs of their clients. More work needs to be done in this area.

- c. Examine how the state can increase the number of accessible units in publicly funded multifamily developments while complying with all relevant regulations and constraints.***

OHCS has done some work in this area including changes to the Project Development Manual (now Core Development Manual) which help provide construction expectations for multifamily developments. However, more can be done.

- d. Support the efforts of Public Housing Authorities to implement adaptive modification programs.***

OHCS has supported PHA's with RAD conversions providing financial assistance as PHA's move from Public Housing units to a different platform. Updating or building new developments will require PHA's to build to the Core Development Manual which provides options for PHA's in this area.

- e. Promote policies that support aging in place and funding for retrofitting of senior housing. Support the continued dissemination of information on how communities can provide opportunities for residents to age in place and how to improve community access for persons with disabilities living in independent settings.***

OHCS encourages aging in place through a number of policy priorities and programs. Preservation legislation and funding, the OHCS rent increase policy and the Housing Choice Landlord Guarantee program are but a few of the policy and program decisions designed to keep households in place, all of which, if not designed specifically for seniors, would also affect senior housing.

- ***Action item 1-2. Identify resources and provide opportunities for education and training on the requirements to provide reasonable accommodations.***

Oregon Housing & Community Services (OHCS) utilizes funding from HUD Consolidated Plan sources to contract with the Fair Housing Council of Oregon to provide training to developers, owners and property managers throughout Oregon. In

2020 five virtual trainings were provided which included two educational trainings specific to Fair Housing Laws and three additional trainings on these specialty topics:

- Fair Housing during COVID-19;
- Source of Income; and
- Domestic Violence.

All trainings included an overview of reasonable accommodations. Though planned, a training going in-depth on reasonable accommodations did not occur in 2020 and is scheduled for 2021.

- **Action item 1-3. Convene service providers and persons with disabilities to prioritize the needs to transition persons with disabilities into the community from medical or other systems of care.**

In 2019 the Oregon legislature provided 54.5 million dollars to be leveraged for additional PSH units in Oregon over the next 5 years. OHCS began implementation of the PSH priority in 2019 by convening a PSH Institute designed to train the first PSH developers, service providers and property managers for successful PILOT projects. By 2020, OHCS had one graduating class from the PHS institute and was in the middle of training a second cohort. The PSH Institutes require PSH development cohorts to include, developers, service providers and funders educating the entire group on all elements of a successful development. These holistic trainings have been very successful in other states and have received enthusiastic reviews from participants. The first PSH development is schedule for completion in the Spring of 2021.

- **Action item 1-4. Prioritize accessibility improvements in publicly funded community development projects, to promote housing choice for persons with disabilities.**

As part of the First Draw requirements, all CDBG grant recipients must look at accessibility improvements to address nondiscrimination issues by completing the Section 504 checklist. This checklist encompasses properties, including parks, owned by the grant recipient where the public may need access to programs, services or facilities. The recipient must either be accompanied by a person with a disability or a person or advocacy group that can represent persons with disabilities. If any accessibility improvements are discovered through the checklist, the recipient must identify what will be done to address the needed improvements. Improvements must be ADA compliant. Finally, the designs of all Community Facilities buildings funded by the program must comply with the UFAS (Uniform Federal Accessibility Standards) for projects containing sidewalks.

OHCS has received Section 811 funding from the Department of Housing & Urban Development (HUD). Section 811 provides funding to develop and subsidize rental housing with the availability of supportive services for very low and extremely low income adults with disabilities. This funding will help develop new units and be used

in current OHCS funded properties to promote housing choice for person with disabilities.

- **Action item 1-5. Review and support best practices to further housing choice for persons with disabilities, including potential modifications to state statutes to further fair housing protections for persons with disabilities residing in group home settings.**

Oregon supported the Fair Housing Council of Oregon's (FHCO) work to develop the Inclusive Communities Tool Kit; a guide intended to serve as an informational and educational tool for land use planners in Oregon's cities and counties. Section two, Fair Housing, Affordable Housing and Housing for People with Disabilities, is an introduction to the two types of housing developments where concerns around fair housing are especially likely to surface.

Oregon continues to support FHCO's work to disseminate the Inclusive Communities Tool Kit. The Tool Kit is available to download on the FHCO website:

<http://fhco.org/index.php/information-for-jurisdictions/affh>

In addition, OHCS contracts with the Fair Housing Council of Oregon to monitor local land use rules and regulations to further fair housing protections for persons with disabilities and other protected classes. Finally, the OHCS Portfolio Administration Section provides oversight services for Community Integration Program (CIP) properties funded using OHCS Elderly Disabled Bonds. CIP properties are group homes with state funding to support ongoing maintenance.

Research Finding #2: Discrimination against protected classes persists statewide.

Impediments found to contribute to housing discrimination include:

- **Impediment 2-1.** Lack of enforcement of fair housing violations persists statewide.
- **Impediment 2-2.** Limited housing options for persons most vulnerable to housing discrimination: non-English speakers, persons of Hispanic descent, Native Americans, African Americans, large families and, as discussed above, persons with disabilities.

Recommended Action Items to address impediments:

- **Action items 2-1.**
 - a. **Continue to fund efforts of Fair Housing Council of Oregon (FHCO) to provide fair housing education and training services. Continue to fund the fair housing complaint line and provide broader assistance with landlord/tenant disputes. Promote increasing the language accessibility of these services.**

Oregon continues to support FHCO's efforts to provide training, education, and outreach activities, while increasing the language accessibility of these services.

Following is a list of FHCO activities Oregon provided funding to support in 2020:

- Complaint intake process, including Housing Choice Voucher Violations.
- Statewide access to fair housing resources, including FHCO's discrimination hotline, to ensure that rural communities have access.
- Education and training services including trainings and outreach activities designed to inform community groups, stakeholders, housing providers and policy making bodies about fair housing and protections from discrimination. Ensure that whenever appropriate outreach and education activities are culturally specific, with a focus on outreach to tribal communities, Spanish speaking communities, new immigrants and persons with limited English proficiency.
- Fair housing education and training sessions for OHCS housing providers, stakeholders, and OHCS staff.
- Establish a local presence in southern and eastern Oregon through partnership with local agencies or organizations, such as community action agencies, etc.
- Implement, and maintain social media and public information outreach efforts to encourage inclusivity, diversity and fair housing in non-entitlement communities.
- Provide culturally specific social media and outreach specifically for tribal communities, Spanish speaking communities, new immigrants, and limited English proficient persons.
- Market FHCO's program and technical assistance services to constituents via digital, direct, social media, and in person meetings.
- Maintain, and develop FHCO blog, for articles and more in-depth posts.
- Staff and manage quarterly Systemic Investigations/AFFH Committee meetings to provide guidance on AFFH education and technical assistance.
- Partner with planning and land use professionals to review Post Acknowledgement Plan Amendments (PAPA) submitted to Department of Land Conservation and Development (DLCD) to identify proposals that may have discriminatory impact.
- Provide technical assistance to federal fund recipients and help federal fund recipients identify and address segregation in communities. Work with small jurisdictions to provide technical assistance on implementation of best practices for creating inclusive communities through local jurisdiction land use plans, development codes, and other policies and procedures based on review of PAPAs project outcomes and coordination with DLCD. Conduct additional outreach to determine non-entitlement jurisdictions interested in receiving additional technical assistance, based on review of PAPAs project outcomes and emerging statewide legislation.

- b. **Strengthen the certification that all publicly funded grantees comply with all federal, state and local nondiscrimination laws. Provide educational materials to ensure grantees understand fair housing obligations.**

Public Housing Authorities (PHA) are required to submit their 5-Year Plans and Annual Plans to HUD along with a certificate of consistency, signed by OHCS, that confirms their plans are consistent with Oregon’s Consolidated Plan. Continuums of Care (COC) are also required to submit certification of consistency when they complete their COC NOFA application. Through this certification process OHCS ensures that Five Year and Annual Plans are consistent with the State’s adopted Consolidated Plan and the associated HUD regulations.

In 2020, the following PHAs and COCs submitted requests to OHCS for Certificates of Consistency:

- Coos / Curry Housing Authority
- Douglas County
- Housing Authority of the County of Umatilla
- Housing Works
- Jackson County
- Josephine Housing & Community Development Council
- Klamath County
- Lincoln County
- Malheur and Harney County
- Marion County Housing Authority
- Mid-Columbia Housing Authority
- North Bend City
- Northeast Oregon Housing Authority
- Northwest Oregon Housing Authority
- Rural Oregon Continuum of Care
- West Valley Housing Authority
- Yamhill County

■ **Action item 2-2.**

- a. **Continue to fund and expand fair housing audit testing to inform educational, outreach and enforcement efforts. Incorporate retesting and verification in efforts.**

In 2017, The Fair Housing Council of Oregon was awarded a testing contract based on a number of criteria including; audit testing methodology, and experience in audit testing to identify potential illegal discrimination. This award was issued when Oregon held an open competitive Request for Application process to retain a contractor that would provide audit testing for OHCS affordable funded projects. The goal of this continued effort is to identify potential illegal discrimination in OHCS properties on the basis of federal, state, city, and county laws, and to help ensure OHCS projects are in compliance with federal and state fair housing laws. The contract began in July 2017 and has been extended through June of 2021.

- b. **Promote housing alternatives for persons reentering community from**

incarceration and persons surviving domestic violence.

There are a number of initiatives to increase access to housing opportunities in Oregon, including the Governor’s Reentry Council. The Reentry Council is an interagency effort to address barriers faced by formerly incarcerated population. Though this group did not meet in 2020 due to the COVID pandemic, it is still an active entity.

Identifying a gap in housing alternatives for those who cycle in and out of institutions such as jails, prisons, group homes, the Oregon State Hospital, and hospitals, the Oregon Legislature passed the Improving People’s Access to Community-based Treatment (IMPACTS) in 2019 that will pilot supportive housing as a community-based treatment in competitive grants. In 2020, 6 award totaling approximately 7.7 million dollars was awarded to County Governments in the State of Oregon. 5 awards totaling approximately 2 million dollars was awarded to Tribal Governments.

The Governor’s Housing Advisory is also taking steps to create a Domestic Violence Taskforce to create more awareness, improve coordination, and identify policy challenges to ensuring the safety of those who have experienced domestic violence.

SB-519 introduced in 2021 would study housing barriers for persons surviving domestic violence.

c. Provide stakeholder education and training on fair housing laws and requirements.

Oregon Housing & Community Services contracts with the Fair Housing Council of Oregon to provide annual Fair Housing trainings to partners and staff. In most years Legal Aid of Oregon or the Oregon Law Center is subcontracted to provide education and information on State Landlord Tenant law. In 2020 due to the COVID-19 pandemic, all classes were held virtually and five trainings were provided. Trainings averaged near 100 participants.

d. Fund complaint intake process at FHCO as well as technical assistance for federal funding recipients.

In 2020 Oregon continued to provide funding to support the work of FHCO through a grant that has been made to the organization for several years. The grant allows funding for FHCO to:

- Continue complaint intake process which includes Housing Choice Voucher Violations; and
- Provide statewide access to fair housing resources which includes various training, resources, and FHCO’s discrimination hotline.

e. Fund pilot program to review Post Acknowledgement Plan Amendments

submitted to DLCD to identify land use proposals with a potentially discriminatory impact.

As stated in the January 23, 2019 Affirmatively Furthering Fair Housing and Comprehensive Plan Amendment Process: 2018 Year-end report prepared by EnviroIssues for the Fair Housing Council of Oregon: “Oregon’s statewide land use goals are achieved through local comprehensive plans. State law requires each city and county to have a plan, along with zoning and land-division ordinances that put the plan into effect. All comprehensive plans must align with the statewide planning goals. The Department of Land Conservation and Development (DLCD) is charged with reviewing all plans and any revisions or updates to the plans to make sure they align with the goals.

According to state law, jurisdictions are required to provide DLCD a 35-day notice prior to the first evidentiary hearing when proposing a change to their comprehensive plan and/or their development code. DLCD uses the term post-acknowledgment plan amendment, or PAPA, for any comprehensive plan change reported to DLCD.

To ensure inclusive communities statewide, the [Fair Housing Council of Oregon](#) (FHCO) partners with [Housing Land Advocates](#) (HLA) and contracts with EnviroIssues (EI) to review all plan amendment proposals with fair housing and/or statewide planning Goal 10 (Housing) implications submitted to DLCD. This partnership began in mid-July of 2015 through funding by federal and state grants from the U.S. Department of Housing and Urban Development (HUD), Oregon Housing Community Services (OHCS) and Oregon Business Development Department (OBDD) and is coined as the PAPA project.”

The end of 2020 marks the fifth year of the PAPA project.

Comprehensive Plan Change Activity 2015 through 2020			
Year	Total PAPAs Tracked	Total Staff Reports Reviewed	Total formal Comment Submissions
2015*	270	22	22
2016	555	121	40
2017	615	158	59
2018**	753	209	55
2019	634	184	47
2020***	773	249	102

Totals	3600	943	325
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**PAPA project began July 2015.*

***PAPA project was on hold from October to mid-December due to lack of funding; project was reinstated Dec. 12, 2018*

****PAPA project reports were modified as cities began requesting assistance from the project and most feedback was done communicatively or in some instances even requested. Formal numbers changed to communications.*

f. Continue to staff the Housing Choice Advisory Committee and monitor implementation of HB 2639 (2013).

As an organization, OHCS is continually improving strategies to support our commitment to fair housing. We have focused efforts and fiscal investment to expand awareness, through an additional resource commitment to secure technical assistance to focus on building competency, raise awareness and continue to take action on furthering our efforts to ensure individuals are aware of their rights.

Through our fiscal investments as well as a called out priority of addressing Equity, Diversity, and Inclusion within our Statewide Housing Plan, over the next two years our goals are to:

- Engage in community dialogue about the issues tied to housing choices, including schools, healthy communities, residential displacement and economic opportunity.
- Support local efforts to take action to expand protections based on sexual orientation and gender identity.
- Increase shelter capacity through our funding with opportunities that anti-discriminatory policies and practices at the federal level.

g. Continue efforts to expand housing choices in rural areas.

Oregon Housing and Community Services (OHCS) is placing a greater emphasis on strategic planning and the way we invest our resources. In early 2019 OHCS released *Breaking New Ground: Oregon’s Statewide Housing Plan*.

Breaking New Ground: Oregon’s Statewide Housing Plan identified six priority areas the agency will focus on over the next 5 years. These six priorities include Equity and Racial Justice, Homelessness, Permanent Supportive Housing, Affordable Rental Housing, Homeownership, and Rural Communities.

The Rural Communities priority will not only encourage resource allocation equity but calls for deliberate focus on the unique and specific needs of each rural community as these resources are allocated. The Rural Community priority calls for additional technical assistance, unique program approach and an additional lens towards resource distribution.

The Rural Peer Network is an example of this prioritization. Primarily focused on efforts to provide Permanent Supportive Housing, the Rural Peer Network is a capacity building process designed to educate interested parties on how to successfully implement PSH in rural areas. Combining in person and on-line training activities as well as resources by a grant from the Department of Housing & Urban Development, OHCS hopes that the Rural Peer Network is one of many efforts that will result in prioritizing the expansion of housing options in rural Oregon.

In 2019 OHCS hired Capacity Building staff focusing on providing technical assistance to partner agencies. This increase in OHCS capacity will be of particular significance to rural partners as OHCS is better able to assess and provide training for needs specific to these communities.

OHCS is a funding partner in the launch of Enterprise Community Partner's 2021 Pacific Northwest Rural Preservation Academy. Focusing on establishing a robust knowledge base to preserve RD, HUD and OHCS funded properties throughout rural Oregon. Additionally, this cohort and training series will serve as a means to connect rural affordable housing partners with conventional market rate owners seeking to sell their properties or portfolios. A benefit to funding the academy is the matching resources Enterprise is making available to rural housing partners in the form of technical assistance.

OHCS is regularly attending and soliciting feedback from Housing Oregon's Rural Policy Council. OHCS, in response to the impacts of COVID-19 on the operations of small, rural, and culturally specific housing partners, released an RFA awarding grants of up to \$20k to provide assistance in transitioning to remote work.

OHCS has hosted virtual fair housing trainings ranging from general information sessions to specific deep dive trainings. The benefit of hosting these virtually is being able to target housing partners in our rural communities. The cumulative impact of these investments and work is the broad expansion of housing choice for those who most need in our rural communities.

The 2020 Wildfires devastated several rural communities destroying multiple Manufactured Home parks during these fire events. OHCS has worked with FEMA, OEM and a myriad of other agencies to respond to this crisis.

- h. Promote access to mediation services for neighbor on neighbor harassment in manufactured home parks. These services are also available for landlord tenant disputes.**

Oregon Housing and Community Services' Manufactured Communities Resource Center (MCRC) staff is trained in mediation techniques. Staff advises landlords and

tenants on ways to communicate when disputes arise, assist with ongoing disputes, and make referrals to Community Dispute Resolution Centers (CDRCs).

In 2019, Manufactured Home Community Resource Center has been renamed Marinas, Manufacture Home Community Resource Center. This section has joined the OHCS Homeownership division

- i. **Promote tools and education for housing providers to understand fair housing requirements—e.g., working with apartment associations to distribute model lease agreements in English and Spanish and reasonable accommodations policies.**

Oregon provided funding for the development of an FHCO model application and lease agreement, and reasonable accommodations policies. Model application and lease agreements, and reasonable accommodation policies are currently offered in English, Russian, and Spanish. Translation services are available in Arabic, Burmese, French, Karen, Korean, Lao, Russian, Somali, Spanish, Ukrainian and Vietnamese. In 2020, Oregon continued to support FHCO’s training, outreach, and dissemination of these agreements and policies.

- j. **Continue to fund advocacy services to persons living with HIV/AIDS through locally based housing case managers.**

Fair Housing Council of Oregon formal trainings:

In 2016 and 2020, housing case managers in the State program, Oregon Housing Opportunities in Partnership (OHOP), attended Fair Housing Council trainings. OHOP is a State program providing rental subsidies and related supportive services to people living with HIV and their families. OHOP is available throughout the 31 Oregon counties outside of the Portland metropolitan statistical area.

In July of 2017, FHCO provided a customized fair housing training for the HIV Alliance. Another training was scheduled for 2020, but was been delayed due to the COVID-19 pandemic. The HIV Alliance is an AIDS Service Organization providing HIV Case Management and Supportive Services to people living with HIV in the following 13 Oregon counties: Benton, Clatsop, Coos, Curry, Douglas, Jackson, Josephine, Klamath, Lake, Lane, Lincoln, Linn, and Marion.

Fair Housing Council of Oregon and Oregon Legal Services ad hoc technical assistance and consultation: FHCO and Oregon Legal Services continue to provide legal and Fair Housing assistance to the resident of Oregon. This happens in many forms including educational information, group trainings, individual consultation and advocacy.

- k. **Promote housing alternatives for persons surviving domestic violence.**
In 2019 the State of Oregon passed SB-608 which did a number of things to expand and protect the rights of renters. Among those was the removal of the ability for property owners to initiate “no cause” evictions in most rental circumstances. Further, some Public Housing Authorities have established preference policies for persons surviving domestic violence. Finally, the Oregon Legislature continues to grapple with this issue. In 2021 SB-519 calls for a study to be initiated exploring the issues survivors of domestic violence face in housing alternatives.

Research Finding #3. Residents lack knowledge of their fair housing rights, are not empowered to take action and have very limited fair housing resources locally.

- **Impediment 3-1.** Local fair housing resources statewide are limited. This is particularly true in rural communities.

Recommended **Action Items** to address impediment:

- **Action items 3-1.**
 - a. **Ensure that fair housing resources are provided statewide. Ensure that rural communities are able to effectively access services and resources. To the extent possible, prioritize long-term support for fair housing activities.**
Fair Housing Council of Oregon is contractually obligated to provide Fair housing Services to the entire state of Oregon. However, being located out of Portland, OHCS and FHCO is well aware of the challenges and intentionality necessary to provide services to the entire state. FHCO has established satellite offices in strategic portions of the state and these seem to be going well. FHCO and OHCS are continuing to look at other ways to serve the entire state including using technology to hold trainings and to record information for long term reference.
 - b. **Provide culturally specific fair housing education and outreach for tribal communities, Spanish speaking communities, new immigrants and persons with limited English proficiency.**

In 2020, Oregon continued to support FHCO's efforts to:

- Provide education and training services including trainings and outreach activities designed to inform community groups, stakeholders, housing providers and policy making bodies about fair housing and protections from discrimination. Ensuring that outreach and education activities are culturally specific, with focus on outreach to tribal communities, Spanish speaking communities, new immigrants and persons with limited English proficiency.

- Provide culturally specific social media and outreach specifically for tribal communities, Spanish speaking communities, new immigrants, and limited English proficient persons.
- c. **Ensure persons living with HIV/AIDS have access to Fair Housing information and resources.**

Throughout 2019 and 2020, housing case managers in the State program, Oregon Housing Opportunities in Partnership (OHOP), regularly called or emailed FHO and OLS for consultation on client issues. Issues include: eviction without proper notice; eviction on “hear say”; eviction after remediation; unfair fees, discrimination and ADA accessibility. OHOP is a State program providing rental subsidies and related supportive services to people living with HIV and their families. OHOP is available throughout the 31 Oregon counties outside of the Portland metropolitan statistical area.

HIV Alliance trains all new housing staff at the time of hire on fair housing law, information and resources. Staff are also referred to trainings led by Homes for Good and the Fair Housing Council. The HIV Alliance is an AIDS Service Organization providing HIV Case Management and Supportive Services to people living with HIV in the following 13 Oregon counties: Benton, Clatsop, Coos, Curry, Douglas, Jackson, Josephine, Klamath, Lake, Lane, Lincoln, Linn, and Marion.

Research Finding #4. In many rural areas, credit is limited for residents who want to buy homes and developers who want to build multifamily housing.

Impediments and barriers related to this finding include:

- **Impediment 4-1.** Limited credit alternatives for households in rural areas who seek homeownership.
- **Impediment 4-2.** Discriminatory lending practices persist for person of color.
- **Barrier 4-2.** Lack of capital to develop multifamily housing in rural areas.

Recommended **Action Items** to address impediments and barriers:

- **Action items 4-1.**
 - a. **Explore enhancements to the single family bond program.**
Oregon has fourteen approved lenders for its Residential Loan Program: also known as the Oregon Bond Residential Loan Program. This program provides competitive interest rates, which help eligible families, increase their home purchasing power and keep their monthly house payments affordable. OHCS has been providing in person or electronic training and technical assistance to all approved lenders. OHCS continues to provide daily assistance to approved loan officers.

OHCS provided the lowest Rate Advantage rate to potential homebuyers in 2020.

b. Continue to provide down payment assistance for low income homebuyers; provide focus on home buyers of color.

The down payment assistance and closing cost programs are administered by participating organizations for low- and - moderate income families and individuals, with particular focus on underserved populations. The program is funded through the state's document recording fee. The program gives qualified buyers and Veterans who complete homebuyer education up to \$15,000 for a down payment and/or closing costs. The Construction Excise Tax, which is collected by local jurisdictions, is partnered with the Document Recording fee to allow an additional \$15,000 per-buyer. These funds are dedicated to assisting families below 100% of the area median income (AMI). In June 2020, OHCS awarded nineteen organizations down payment assistance funding for \$8 million. In 2018, the Legislature established the Task force for Addressing Racial Disparities in Homeownership. This task force met throughout 2019 to understand the disparities and to make recommendations to the 2020 legislative session. Due to the walk out in the 2020 legislative session the recommendations from the task force did not move forward. In review of our current programs, we have incorporated recommendations from task force in our programs and will look at future opportunities to add recommendations.

c. Continue to support funding homebuyer education and counseling, and financial education and counseling for low income homebuyers.

Oregon supports home ownership by allocating funds to Homeownership Centers throughout the state. The Program helps low- and moderate- income families with pre-purchase homebuyer education, financial coaching, and pre-purchase homebuyer counseling and financial literacy education. Oregon currently has 16 Homeownership Centers; providing coverage in all of Oregon's 36 counties. In 2021, OHCS will release an RFA for organizations to apply to be one of our Homeownership Centers. This solicitation is open to new and existing homeownership centers throughout the state.

d. Partner with banking and mortgage industry and existing community development financial institutions to increase lending opportunities in rural communities.

OHCS continues to provide training in reference to the Oregon Bond Residential Loan Program to participating lenders, realtors, and our homeownership centers. OHCS is working on our new lending products program. Due to the pandemic in 2020, OHCS was not able to collaborate with National Association of Real Estate Brokers for a community event with our culturally specific partners. We are however looking to the future to collaborate on an event when we can safely join. Work also

continues with cross sectional departments to look for ways to collaborate on programs and potential new funding allocations.

e. **Continue the Oregon Individual Development Account (IDA) Initiative to increase opportunities for low income Oregonians to access home ownership.**

For over 21 years, the Oregon Individual Development Account (IDA) Initiative brings state agencies, private non-profit and tribal partners, and private contributors together to create economic opportunity in Oregon. IDA's success is measured by the program's ability to yield positive outcomes for IDA participants, as illustrated in the [2020 Impact Evaluation Report](#), a data driven qualitative and quantitative assessment of the IDA Initiative. IDA has had a deep impact in the lives of Oregonians.

2020 Program Overview

- More than 15,000 Oregon residents have saved in IDAs
- IDAs have been opened in 35 of Oregon's 36 counties
- Collectively, IDA participants have saved more than \$28 million
- All participants are provided financial education and support to build their financial capability and successfully reach their goals
- \$47 million in matching funds have been distributed to approximately 9,000 savers for asset investments
- More than 3,500 people are currently saving

Program Highlights from 2019-20

- 29% of IDAs were opened by households in Oregon's rural communities and IDAs were opened by residents in 32 of Oregon's 36 counties over the last three years.
- Oregon's communities of color participate in the IDA program with 53% representation based on the following demographics: 6% Asian or Pacific Islander, 13% Black/African American, 25% Hispanic/Latinx, and 9% Native American.
- The top three IDA savings goals were 34% home purchase, 29% education, and 20% to start a small business. Other significant savings goals went toward vehicle purchase or repair, assistive technology, home repair, rental assistance, and retirement savings.
- Most savers are living on extremely low or very low household incomes with 26% extremely low, 26% very low, 40% low, and 8% moderate. Most households earned less than 50% area median income.

IDA Infrastructure of Public-Private Partnership

The IDA Initiative is a collaborative effort. It is funded with contributions by individuals and businesses which qualify for the Oregon IDA Tax Credit. OHCS

provides oversight and leadership capacity to support the Initiative in its entirety in collaboration with the Oregon Department of Revenue.

Neighborhood Partnerships (NP), a statewide nonprofit, serves as OHCS's Contract Administrator for the IDA Initiative. NP provides many services to support IDA. These include marketing and selling IDA tax credits, overseeing fiduciary organizations, completing performance and fiscal reviews, and managing IDA funds to include distribution and investment. NP also provides technical assistance to fiduciary organizations and collaborates with them, throughout the year, to advance work on key projects to support the program.

Fiduciary organizations are direct service providers. FOs provide IDA savers with financial education, coaching, and other support services until they achieve their savings goals. IDA savers participate in financial education and receive support in making informed decisions related to their asset purchase. Once the participant's savings goal is reached and all benchmarks of the asset plan are met, IDA funds saved by the participant and put towards an asset purchase are matched by the Initiative.

IDA Funding Authority

OHCS authorizes Neighborhood Partnerships (NP) to sell \$7.5M in Oregon IDA tax credits on an annual basis. Revenue generated from credits sold fund the IDA Initiative. OHCS provides funding authority to NP and approves the allocation of IDA funds as grants to 10 fiduciary organizations (FOs). There are two FO networks that further allocate funds to 65+ sub-grantees. NP maintains all IDA funds accounts and disburses funds to FOs to support program and administrative costs and for the disbursement of IDA match funds to IDA savers who successfully complete the program.

f. **Convene lenders to better understand the challenges—and solutions—to addressing limited capital in rural areas.**

OHCS leadership and staff continue stakeholder outreach meetings with the banking and leading industry to gain better communication and collaboration on deals, as well as forging a relationship to begin candid conversations about underwriting guidelines and market conditions.

■ **Action items 4-2.**

a. **Continue discussions with the Oregon Affordable Housing Tax Credit workgroup and partners regarding the Tax Credit, and how this program can be used to provide additional opportunities in rural communities.**

The Oregon Affordable Housing Tax Credit (OAHTC) provides a state tax credit to lenders to reduce the interest rates on loans used for the development or

rehabilitation of affordable housing. Affordable housing developers receive a reduced mortgage interest rate, and in return they are required to pass through that savings to their tenants in the form of reduced rent. Affordable housing projects benefiting from the OAHTC must demonstrate a dollar for dollar “pass-through” to tenants. OHCS monitors the long-term compliance of each OAHTC property on an annual basis.

As identified in the Oregon Statewide Housing Plan, rural communities will be a major focus for OHCS over the next 5 years. OHCS will explore utilization of all OHCS development tools, including OAHTC, as we work toward meeting the specific local housing needs in all of our Oregon Communities. Capacity building and innovation will be the key to this effort and OAHTC is an important tool to achieve housing opportunities for all Oregonians.

- b. **Partner with banking and mortgage industry and existing community development financial institutions to increase lending opportunities in rural communities.**

OHCS has provided training in reference to the Oregon Bond Residential Loan Program to participating lenders, realtors and our homeownership centers.

Research Finding #5. Condition of affordable housing is generally poor in rural areas.

In addition to the actions outlined in 2.1 the state **should consider** the following:

Action items 5.

- a. **Consider ways to partner with local jurisdictions to improve housing code enforcement.**

Oregon supported the Fair Housing Council of Oregon’s (FHCO) work to develop the Inclusive Communities Tool Kit. The Tool Kit includes the Guide for Examining Local Land Use with a Fair Housing Lens. The guide provides an evaluation tool for planners, policy makers, and other practitioners, including a checklist titled “How Fair Housing Friendly are Your Plans, Codes, and Practices?”, and serves as an informational and education tool for land use planners in Oregon’s cities and counties. Tool Kit: <http://www.fhco.org/index.php/information-for-jurisdictions/affh>

In addition, OHCS partners with the Fair Housing Council of Oregon to review Post-Acknowledgment Plan Amendments (PAPA’s) to review changes in land use practices on a local level. During this review, jurisdictions receive feedback on their housing planning goal findings with emphasis on utilization of their Housing Needs Analysis (HNA) and Buildable Lands Inventory (BLI). This ensures that jurisdictions are reviewing their mandated commitment to provide an adequate number of needed housing units (at both the needed

housing type and affordability level), and that these housing units will be supported by the residential land supply after enactment of the proposed change. Feedback can come in a variety of forms including, but not limited to technical assistance or feedback letters depending upon the circumstances of each case.

- b. **Require that all grantees/developers of funded rental housing projects that have high risk of compliance violations, or are poor performing, will annually inspect the condition and habitability of the units funded.**

Since 2017 OHCS implemented and continues to operate a risk-based performance monitoring system for the multifamily housing programs; meaning if a project is performing at an acceptable level and meeting expectations, it will be monitored to the program minimums. However, should a project be found as high risk, it will be monitored more frequently depending on risk factor; this could be on a semi-annual basis, for example. The owner/agent is required to inspect their units, at a minimum, once a year; however, may be required to perform more frequent inspections if property is high risk or poorly performing. OHCS reviews program compliance policies regularly to ensure inspection requirements are up to date and remain effective.

Research Finding #6. Oregon's state laws may limit the ability of cities and counties to employ programs that are known to create a significant amount of affordable units in many other jurisdictions.

- **Barrier 6-1.** The state's ban on the use of inclusionary zoning limits municipalities' ability to employ flexible tools and incentives to increase the number of affordable units built. (This was lifted in 2016).
- **Impediment 6-2.** The lack of affordable units significantly limits housing choice for persons of color and low income persons.

Action items 6– PAPAs, tech assistance for areas without planners.

- a. **Work with Department of Land Conservation and Development (DLCD) to examine Oregon's land use laws and planning and zoning systems and seek ways to help local jurisdictions meet their statutory housing obligations.**

OHCS supports FHCO's partnership with planning and land use professionals to review Post Acknowledgement Plan Amendments (PAPA) submitted to Department of Land Conservation and Development (DLCD) to identify proposals that may have discriminatory impact. Conducting deeper research into how Oregon's current land use system could accommodate creation of integrated neighborhoods and increased inventory of affordable units.

HB 4006 was passed in 2018 identifying severely rent burdened communities in

Oregon, and targeting technical assistance resources to local governments to update Housing Needs Analysis and update land use codes. These plans are now completed and will be moving forward with implementation at the local level.

OHCS participated in the Technical Advisory and Rulemaking Advisory Committees for Housing Production Strategies that came out of the HB 2003 (2019) legislation. Housing Production Strategies (HPS) are a new legislatively required follow-up to a local housing needs analysis. A HPS details how a local jurisdiction plans to meet its housing need. In this process OHCS helped DLCD determine criteria for reviewing and identifying cities that have not met their housing obligations. The first cities are currently developing their Housing Production Strategies.

We support the proposed changes to Goal 10, the State's housing goal within the land use system, that DLCD writes up in their final RHNA report to the legislature. The suggested review of Goal 10 and resultant changes seek to further eliminate existing barriers to helping local jurisdictions meet their housing obligations.

Follow through with the plan to host a joint Housing Stability Council – Land Conservation and Development Commission meeting after the 2021 legislative session concludes to explore the intersection of the agencies' work, new legislation around land use and housing, and how we might collaborate going forward.

b. Conduct deeper research into how Oregon's current land use system could accommodate creation of integrated neighborhoods and increased inventory of affordable units.

OHCS Housing Integrators have been working with the Governor's Regional Solutions teams, which include DLCD staff, to help communities improve their housing planning efforts. In addition, Housing Integrators have been working with League of Oregon Cities and Association of Oregon Counties to explore partnerships with local governments in advancing housing opportunities.

In 2019 the Oregon Legislature passed HB 2003. This law requires OHCS to work with DLCD and the Oregon Department of Administrative Services to develop methodology to conduct regional housing needs analysis and, for certain cities and Metro, to estimate existing housing stock, to establish housing shortage analysis and to estimate needed housing units for next 20 years.

This work involved input from a broad base of stakeholders including local jurisdictions, AOC, LOC, FHCO, other fair housing advocates. Our final report to the legislature submitted March 1, 2021 recommends: (1) To move forward with the RHNA, including OHCS's addition of analysis describing the inequities in housing outcomes that are included to support local planning efforts; (2) To continue joint agency work (perhaps through a Task Force) on the remaining research questions

about the larger implementation framework that is needed around the RHNA in order to use the RHNA to achieve better fair housing outcomes, and what legislation would be needed to institute such an implementation framework. We hope the legislature will take action based on these recommendations to improve upon a housing planning system that is grossly out of pace with the current housing needs and is also divorced from fair housing efforts.

c. **Strengthen technical planning assistance for cities around creating housing choice.**

In addition to HB 2003 and the hiring of capacity building staff at OHCS, both previously discussed, in December of 2018 HB 4006 was passed in the Oregon Legislature. HB 4006 required OHCS to annually provide to each Oregon city with a population greater than 10,000 people, data that would indicate the percentage of renter households in each city that are severely rent burdened. Cities that meet a certain threshold, more than 25% of renter households that are severely rent burdened, are then required to submit a local survey and conduct a public meeting to discuss the issue. These three actions will likely intersect and have placed a focus on technical support and planning.

We assume that an outcome of our second recommendation mentioned above – to continue joint agency work to arrive at recommendations for changes to legislation -- would also result in a request for increased technical assistance to local jurisdictions for support in this work.

d. **Encourage use of local incentives to encourage affordable housing development.**

OHCS has provided a number of presentations to local governments about tools and methods to achieve greater housing supply. Construction Excise Tax, Inclusionary Zoning and waiving of System Development Charges are all examples of local incentives used to encourage affordable housing development in Oregon.

Research Finding #7. State laws and local practices, coupled with lack of housing in rural areas; create impediments to housing choice for persons with criminal backgrounds.

- **Impediment 7.1.** To the extent that certain residents are disproportionately likely to be incarcerated, the residency requirement may disproportionately impact housing choice for protected classes. Persons with criminal backgrounds have few, if any housing options.

Action items 7.

a. **Reduce barriers for persons under post-prison supervision and probation to find and maintain affordable housing.**

In 2019 the Oregon legislature provided 54.5 million dollars to be leveraged for additional PSH units in Oregon over the next 5 years. OHCS began implementation

of the PSH priority in 2019 by convening a PSH Institute designed to train the first PSH developers, service providers and property managers for successful PILOT projects. By 2020, OHCS had one graduating class from the PHS institute and was in the middle of training a second cohort.

b. Consider funding second chance tenant training programs and landlord guarantee programs (e.g., similar to the Housing Choice Landlord Guarantee program).

As an organization, OHCS is continually improving strategies to support our commitment to fair housing. We have focused efforts and fiscal investment to expand awareness, through an additional resource commitment to secure technical assistance to focus on building competency, raise awareness and continue to take action on furthering our efforts to ensure individuals are aware of their rights.

Through our fiscal investments as well as a called out priority of addressing Equity, Diversity, and Inclusion within our Statewide Housing Plan, our goals are to:

- Engage in community dialogue about the issues tied to housing choices, including schools, healthy communities, residential displacement and economic opportunity.
- Support local efforts to take action to expand protections based on sexual orientation and gender identity.
- Increase shelter capacity through our funding with opportunities that anti-discriminatory policies and practices at the federal level.

c. Examine the effectiveness of reentry programs in housing environment and support best practices.

OHCS is working with a variety of communities across the state to promote adoption of best practices with housing providers and corrections partners. For example, there are Frequent Users Systems Engagement (FUSE) projects in Multnomah County, Deschutes County and Marion County that target housing and services to the “frequent users” of corrections systems, health systems and homelessness systems that provide valuable insight about how to co-invest resources toward improving outcomes for these individuals.

Permanent Supportive Housing would be identified as a best practice for this population. In 2019 the Oregon legislature provided 54.5 million dollars to be leveraged for additional PSH units in Oregon over the next 5 years. OHCS began implementation of the PSH priority in 2019 by convening a PSH Institute designed to train the first PSH developers, service providers and property managers for successful PILOT projects. By 2020, OHCS had one graduating class from the PHS institute and was in the middle of training a second cohort.

In addition to State funding to support Permanent Supportive Housing, OHCS also utilizes Section 811 funding and in 2021 will utilize Federal Housing Trust Funds to supplement PSH efforts.

d. **Provide funding opportunities for programs focused on reentry and supportive housing.**

Oregon Housing and Community Services (OHCS) is placing a greater emphasis on strategic planning and the way we invest our resources. In 2019 OHCS released *Breaking New Ground: Oregon's Statewide Housing Plan*. This 5 year plan identifies six priority areas the agency will focus on over the next 5 years. These six priorities include Equity and Racial Justice, Homelessness, Permanent Supportive Housing (PSH), Affordable Rental Housing, Homeownership, and Rural Communities.

In 2019, supporting the OHCS statewide housing plan, the Oregon Legislature authorized 54.5 million dollars towards the development of PSH housing. OHCS has established agreements with OHA and DHS to assure the development dollars will be tied to both supportive services and rent assistance dollars. To receive development dollars, project teams have been selected and received intensive training through an institute cohort. PSH participants will be selected through local coordinated entry systems.

The Rural Peer Network is another example of this prioritization. Focused on efforts to provide Permanent Supportive Housing, the Rural Peer Network is a capacity building process designed to educate interested parties on how to successfully implement PSH in rural areas. Combining in person and on-line training and utilizing funded by a grant from the Department of Housing & Urban Development, OHCs hopes that the Rural Peer Network is one of many efforts that will result in prioritizing Permanent Supportive Housing in Oregon.