



DeKalb County
G E O R G I A

2019 Analysis of Impediments to Fair Housing Choice

DRAFT
September 2019

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ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

For Program Years 2019 to 2023

DEKALB COUNTY, GEORGIA

Community Development Department

DRAFT –September 2019

Prepared for DeKalb County by
Mosaic Community Planning, LLC



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CHAPTER I.

INTRODUCTION

FAIR HOUSING PLANNING

Equal access to housing choice is crucial to America’s commitment to equality and opportunity for all. Title VIII of the United States Civil Rights Act of 1968, more commonly known as the Fair Housing Act, provides housing opportunity protection by prohibiting discrimination in the sale or rental of housing on the basis of race, color, religion, sex, and national origin. The Act was amended in 1988 to provide stiffer penalties, establish an administrative enforcement mechanism and to expand its coverage to prohibit discrimination on the basis of familial status and disability. The U.S. Department of Housing and Urban Development (HUD), specifically HUD’s Office of Fair Housing and Equal Opportunity (FHEO), is responsible for the administration and enforcement of the Fair Housing Act and other civil rights laws.

Provisions to affirmatively further fair housing (AFFH) are basic long-standing components of HUD’s housing and community development programs. The AFFH requirements are derived from Section 808(e) (5) of the Fair Housing Act which requires the Secretary of HUD to administer the Department’s housing and urban development programs in a manner to affirmatively further fair housing.¹

Local communities, such as DeKalb County, that receive grant funds from HUD through its entitlement process satisfy this obligation by performing an “Analysis of Impediments to Fair Housing Choice” (AI). In an AI, local communities that receive HUD entitlement grant funds evaluate barriers to fair housing choice and develop and implement strategies and actions to overcome any identified impediments based on their individual histories, circumstances, and experiences. Through this process, local entitlement communities promote fair housing choices for all persons, including classes protected under the Fair Housing Act, and provide opportunities for racially and ethnically inclusive patterns of housing occupancy, identify structural and systemic barriers to fair housing choice, and promote housing that is physically accessible and usable by persons with disabilities.

HUD will presume that the grantee is meeting its obligation and certification to affirmatively further fair housing by taking actions that address the impediments, including:

- Analyzing and eliminating housing discrimination within the jurisdiction;
- Promoting fair housing choice for all persons;
- Providing opportunities for racially and ethnically inclusive patterns of housing occupancy;
- Promoting housing that is physically accessible to all persons to include those persons with disabilities; and
- Fostering compliance with the nondiscrimination provisions of the Fair Housing Act.

¹ U.S. Department of Housing and Urban Development Office of Fair Housing and Equal Opportunity. *Fair Housing Planning Guide: Volume 1 (Chapter 1: Fair Housing Planning Historical Overview, Page 13)*. March 1996.

Through its Community Planning and Development (CPD) programs, HUD's goal is to expand mobility and widen a person's freedom of choice. The Department also requires Community Development Block Grant (CDBG) program grantees to document AFFH actions in the annual performance reports that are submitted to HUD.

In 2015, HUD published a final rule on Affirmatively Furthering Fair Housing, which outlined procedures that jurisdictions and public housing authorities who participate in HUD programs must take to promote access to fair housing and equal opportunity. This rule stipulated that grantees and housing authorities take meaningful actions to overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected class characteristics. Under HUD's final rule, grantees must take actions to:

- Address disparities in housing need;
- Replace segregated living patterns with integrated and balanced living patterns;
- Transform racially and ethnically concentrated areas of poverty into areas of opportunity; and
- Foster and maintain compliance with civil rights and fair housing laws.

To assist grantees and housing authorities affirmatively further fair housing, HUD provided publicly-available data, maps, and an assessment tool to use to evaluate the state of fair housing within their communities and set locally-determined priorities and goals. HUD's final rule mandated that most grantees begin submitting to HUD an assessment developed using this tool in 2017; however, a 2018 HUD notice withdrew the requirement to prepare such assessments. A subsequent notice further required that grantees instead prepare and keep on file a current Analysis of Impediments to Fair Housing Choice. HUD's data and maps remain available for grantees to use in preparing their AIs.

This Analysis of Impediments to Fair Housing Choice was developed by DeKalb County with assistance from Mosaic Community Planning and follows the requirements in HUD's *Fair Housing Planning Guide*. Although not required by regulations in place as of the date of this report, several chapters of this AI incorporate maps and data developed by HUD for use by grantees in developing Assessments of Fair Housing under the requirements of the 2015 AFFH Final Rule.

DEFINITIONS

Affirmatively Further Fair Housing – In keeping with the latest proposed guidance from HUD, to Affirmatively Further Fair Housing Choice (AFFH) is to comply with “the 1968 Fair Housing Act’s obligation for state and local governments to improve and achieve more meaningful outcomes from fair housing policies, so that every American has the right to fair housing, regardless of their race, color, national origin, religion, sex, disability or familial status.”²

Fair Housing Choice - This Analysis of Impediments to Fair Housing Choice uses the following definition of “Fair Housing Choice”:

² U.S. Department of Housing and Urban Development. “HUD Publishes New Proposed Rule on Affirmatively Furthering Fair Housing Choice.” Press Release No. 13-110. July 19, 2013.

- The ability of persons of similar income levels to have available to them the same housing choices regardless of race, color, religion, sex, national origin, familial status, or handicap.

Impediments to Fair Housing Choice - As adapted from the HUD *Fair Housing Planning Guide*, impediments to fair housing choice are understood to include:³

- Any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin which restrict housing choices or the availability of housing choices.
- Any actions, omissions, or decisions which have the effect of restricting housing choices or the availability of housing choices on the basis of race, color, religion, sex, disability, familial status, or national origin.

Protected Classes – The following definition of federally protected classes is used in this document:

- Title VIII of the Civil Rights Act of 1968 prohibits housing discrimination based on race, color, national origin or ancestry, sex, or religion. The 1988 Fair Housing Amendments Act added familial status and mental and physical handicap as protected classes.

Affordable – Though local definitions of the term may vary, the definition used throughout this analysis is congruent with HUD’s definition:

- HUD defines as "affordable" housing that costs no more than 30% of a household's total monthly gross income. For rental housing, the 30% amount would be inclusive of any tenant-paid utility costs. For homeowners, the 30% amount would include the mortgage payment, property taxes, homeowners insurance, and any homeowners’ association fees.

DATA SOURCES

Decennial Census Data – Data collected by the Decennial Census for 2010 and 2000 is used in this Assessment (older Census data is only used in conjunction with more recent data in order to illustrate trends). The Decennial Census data is used by the U.S. Census Bureau to create several different datasets:

- 2010 and 2000 Census Summary File 1 (SF 1) – This dataset contains what is known as “100% data,” meaning that it contains the data collected from every household that participated in the Census and is not based on a representative sample of the population. Though this dataset is very broad in terms of coverage of the total population, it is limited in the depth of the information collected. Basic characteristics such as age, sex, and race are collected, but not more detailed information such as disability status, occupation, and income. The statistics are available for a variety of geographic levels with most tables obtainable down to the census tract or block group level.
- 2000 Census Summary File 3 (SF 3) – Containing sample data from approximately one in every six U.S. households, this dataset is compiled from respondents who received the “long form”

³ U.S. Department of Housing and Urban Development Office of Fair Housing and Equal Opportunity. *Fair Housing Planning Guide: Volume 1 (Chapter 2: Preparing for Fair Housing Planning, Page 2-17)*. March 1996.

Census survey. This comprehensive and highly detailed dataset contains information on such topics as ancestry, level of education, occupation, commute time to work, and home value. The SF 3 dataset was discontinued for the 2010 Census, but many of the variables from SF 3 are included in the American Community Survey.

American Community Survey (ACS) – The American Community Survey is an ongoing statistical survey that samples a small percentage of the U.S. population every year, thus providing communities with more current population and housing data throughout the 10 years between censuses. This approach trades the accuracy of the Decennial Census Data for the relative immediacy of continuously polled data from every year. ACS data is compiled from an annual sample of approximately 3 million addresses rather than an actual count (like the Decennial Census’s SF 1 data) and therefore is susceptible to sampling errors. This data is released in two different formats: single-year estimates and multi-year estimates.

- ACS Multi-Year Estimates – More current than Census 2010 data, this dataset is one of the most frequently used. Because sampling error is reduced when estimates are collected over a longer period of time, 5-year estimates will be more accurate (but less recent) than 1-year estimates. The 2013-2017 ACS 5-year estimates are used most often in this assessment.

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool (AFFH-T) – HUD’s AFFH Data and Mapping Tool provides a series of online, interactive maps and data tables to assist grantees in preparing fair housing analyses. Topics covered include demographics and demographic trends; racial and ethnic segregation; housing problems, affordability, and tenure; locations of subsidized housing and Housing Choice Voucher use; and access to educational, employment, and transportation opportunities. This report uses HUD’s latest data and maps, AFFHT0004, which was released in November 2017. HUD’s source data includes the American Community Survey (ACS), Decennial Census / Brown Longitudinal Tract Database (BLTD), Comprehensive Housing Affordability Strategy (CHAS), Longitudinal Employer-Household Dynamics (LEHD), HUD’s Inventory Management System (IMS) / Public and Indian Housing (PIH) Information Center (PIC), and others. For a complete list of data sources, please see HUD’s Affirmatively Furthering Fair Housing Data and Mapping Tool Data Documentation available online at <https://www.hudexchange.info/resources/documents/AFFH-T-Data-Documentation-AFFHT0004-November-2017.pdf>.

CHAPTER 2.

COMMUNITY PARTICIPATION PROCESS

COMMUNITY ENGAGEMENT OVERVIEW

An important component of the research process for this Analysis of Impediments to Fair Housing Choice involved gathering input regarding fair and affordable housing conditions, perceptions, and needs in DeKalb County. The project team used a variety of approaches to achieve meaningful public engagement with residents and other stakeholders, including public meetings, focus groups, interviews, and a communitywide survey.

Public Meetings

A community meeting open to the general public was held to inform residents and other stakeholders and gather information for the Analysis of Impediments to Fair Housing Choice. The meeting began with a short overview of the AI followed by an interactive discussion of fair housing, neighborhood conditions, and community resources in the county. The County also held three other meetings (a symposium on homelessness, a focus group for Continuum of Care members, and a community meeting open to the general public) to discuss local affordable housing and homeless needs. Nineteen (19) members of the public attended the AI-specific meeting and more than 200 people participated in one of the other meetings regarding housing and homelessness. Meeting dates, times, and locations are shown below:

AI Community Meeting

April 11, 2019
6:30 PM
Maloof Auditorium
1300 Commerce Drive, Decatur, GA

Continuum of Care Focus Group

January 16, 2019
10 AM
DeKalb County Department of Watershed
Management

Continuum of Care Homeless Symposium

September 24, 2019
10 AM
Porter Sanford Performing Arts Center
3181 Rainbow Drive, Decatur, GA

Needs Assessment Community Meeting

January 31, 2019
10 AM
Maloof Auditorium
1300 Commerce Drive, Decatur, GA

Stakeholder Interviews

The project team also conducted interviews with several stakeholders with knowledge of fair housing issues in DeKalb County. Stakeholders were identified with assistance from local government staff and represented a variety of viewpoints including fair housing, legal advocacy, affordable housing, advocacy and services for people with disabilities, advocacy and services for recent immigrants and refugees, and others. Eight people participated in an interview.

Participating Organizations

Representatives from 18 organizations participated in an interview or attended the AI community meeting held on April 11, as shown below:

- Atlanta Legal Aid
- Center for Pan Asian Community Services
- City of Tucker
- Decatur Housing Authority
- Diverse DeKalb
- Friends of Disabled Adults and Children
- Georgia Advocacy Office
- Housing Authority of DeKalb County
- Latin American Association
- Metro Fair Housing Services
- NAACP – DeKalb County
- New American Pathways
- Partners in Action for Health Living
- Peachtree Creek Greenway
- Peters Park Community
- Salvation Army
- Tucker Lifelong Community
- Tucker-Northlake CID

Organizations with representatives that participated in a community event related to affordable housing, homelessness, or other community development needs included:

- Action Ministries
- Atlanta Legal Aid
- Atlanta Neighborhood Development Partnership
- Beacon Hill Black Alliance for Human Rights
- Begin Again Ministries
- CaringWorks
- Center for Pan Asian Community Services
- CHRIS 180
- City of Chamblee
- City of Decatur
- City of Tucker
- Coalition for Diverse DeKalb
- Columbia Alliance Sustainable Neighborhood Initiatives
- Community Friendship, Inc.
- Decatur Christian Towers
- Decatur Cooperative Ministry
- DeKalb Community Service Board
- DeKalb County Board of Commissioners, Districts 4 and 7
- DeKalb County Division of Family and Children Services
- DeKalb County Police Department
- Friends of Disabled Adults and Children
- Georgia Advocacy Office
- Georgia Center for Child Advocacy
- Georgia College and State University
- Georgia Department of Behavioral Health and Developmental Disabilities
- Georgia State University
- Goodwill Industries
- HOPE Atlanta
- International Rescue Committee (IRC) Atlanta
- Jerusalem House
- Latin American Association
- Living Room
- Men and Women for Human Excellence
- Men Stopping Violence
- Metro Fair Housing Services
- NAACP – DeKalb County
- New American Pathways
- Nicholas House
- Partnership for Community Action
- Partners in Action for Health Living
- Peachtree Creek Greenway
- Peters Park Community
- Raksha
- Rebecca’s Tent

- Safe Haven Transitional
- Salvation Army
- Scottdale Early Learning Center
- Spring Valley Civic Association
- St. Jude’s Recovery Center
- Step Up on Second
- Tucker Lifelong Community
- Tucker-Northlake CID
- U.S. Department of Veterans Affairs
- United Methodist Children’s Home

Community Survey

The third approach for obtaining community input regarding housing and community needs was a five-question online survey available to the general public, including people living or working in DeKalb County. A total of 100 survey responses were received.

Public Comment Period and Hearing

DeKalb County will hold a public comment period to receive input on the draft Analysis of Impediments in Summer 2019. Further information about the comment period, including any public comments received, will be included here in the final draft of this document.

COMMUNITY ENGAGEMENT RESULTS

Listed below are the summarized comments from interviews, the AI community meeting, and other related community meetings, as well as a summary of survey results. All input was considered in the development of this AI, and no comments or surveys were not accepted. Note that these comments do not necessarily reflect the views of DeKalb County or Mosaic Community Planning.

Stakeholder Interviews

1. What are the greatest fair and affordable housing needs in the community? Are there parts of the county that are particularly affected?
 - The need for affordable housing is there but there doesn’t seem to be a particular area that has a greater need.
 - Affordable housing is a great need and they are seeing a lot of eviction notices.
 - Housing need is very much tied to affordability. The waiting list for subsidized senior housing is very long.
 - Housing for seniors.
 - People who are low income have a problem across the board finding affordable rental housing, but this is exacerbated for people with disabilities. Seniors and people with disabilities struggle to find a place that meets their needs.
 - Affordable rental housing. People with disabilities who receive social security and don’t work need affordable, accessible housing that is transit-oriented.
 - The biggest need is affordable, safe, rental housing with access to public transportation because refugees often don’t have cars or driver’s licenses. Refugees are not eligible for a lot of government subsidized housing when they arrive.

- The system is difficult to navigate if English is not your first language. The processes to apply for disability housing or senior housing are paperwork intensive and difficult to navigate.
 - In Brookhaven, Chamblee, and Doraville areas, apartments are being flipped and people are getting eviction notices. Parents can't afford to stay in school clusters and housing prices increase.
 - Prices are rising quickly.
 - Clarkston housing costs have doubled in last 20 years, while wages increased by \$3 per hour.
 - Properties are frequently sold and management changes suddenly.
 - It costs a lot to move because of the fees being charged up front in addition to security deposit.
 - There is a need for larger units to accommodate large families.
 - Long-term housing for people with disabilities is a need, including wheelchair accessibility.
 - It's hard to live in areas with no sidewalks to get to bus stops.
2. What parts of the county are generally seen as areas of opportunity? What makes them attractive places to live? What barriers might someone face in moving to one of these high opportunity areas?
- Decatur, Brookhaven, and Dunwoody are generally desirable areas. Decatur is popular because of its schools.
 - North DeKalb is an area where people want to move and is generally more affluent.
 - Lack of public transportation is a barrier to living in North DeKalb, which can limit employment opportunities. Accessing resources may be more difficult on the north side of the county.
 - Buford Highway is attracting higher income households but this is pushing out families who built the area. Some people are being priced-out of the area.
 - Atlanta and Stone Mountain are also desirable areas.
 - Many members of the refugee community like living in the Clarkston, Tucker, and Stone Mountain areas because of the services that are available. They may move to other areas (Lilburn, Snellville, north Fulton, Roswell Sandy Springs) after having been in the U.S. for a longer time for homeownership opportunities and schools.
 - People are staying in Clarkston because its more affordable than other areas. It also may be desirable because of its cultural and ethnic diversity and inclusivity.
 - South DeKalb are generally more affordable, although some areas are seeing displacement. There are other barriers to living in South DeKalb such as food deserts, school ratings, foreclosures, transportation, and less investment.
 - People with disabilities are generally a marginalized group and are being priced out due to gentrification and rent increases that make units unaffordable, especially for people on Social Security. The lack of quality accessible and affordable housing is a barrier metro-wide. Public transportation is very important for people with disabilities.
 - Using Small Area Fair Market Rents, voucher holders should be able to move into areas that are higher opportunity and generally cost more, which are usually in North DeKalb. However, getting landlords on the north side of the county to accept vouchers is more difficult because market rate rents are high and demand is strong. People also may not feel comfortable moving into new neighborhoods where their doctors, preferred shopping, etc. are less accessible.

3. Do residents of similar incomes generally have the same range of housing options? Are there any barriers other than income/savings that might impact housing choices? Are you aware of any housing discrimination?
- Testing done around 2010-2012 showed that people were treated differently in the screening process based on race.
 - Landlords cannot openly discriminate based on race, but high rents can have a discriminatory impact by race.
 - Refusal to accept housing choice vouchers disproportionately impacts people of color, but is not illegal in Atlanta or DeKalb County.
 - Screening tenants based on criminal record disproportionately impacts people of color. HUD has said a blanket policy of denying people for an arrest is illegal and that blanket policies denying housing to people with any criminal record or felony is overly broad and have a disparate impact on people of color based on incarceration history throughout the country.
 - People with disabilities often do not have the same access to housing options, regardless of income. Not enough housing is constructed to be accessible and housing that is accessible is often in segregated settings (i.e., properties that are all people with disabilities or all seniors). There are waiting lists for accessible units in mixed-income settings.
 - People with mental health disabilities have different options as well. They often need a support system to find housing and get through application process.
 - Other than lack of income, barriers to housing choice include access to transportation and childcare; these primarily impact lower-income households.
 - Lack of information can be a barrier. For example, not knowing about first-time homebuyer classes or not knowing fair housing or tenant's rights.
 - Immigrants and people with limited English proficiency face additional barriers besides income, such as language barriers, difficulty navigating the rental application process (including processes for applying for housing assistance/affordable housing) and lack of responsiveness to maintenance requests.
 - Two respondents were not aware of housing discrimination.
4. Are people in the area segregated in where they live? What causes this segregation to occur?
- Segregation is still an issue in the Atlanta region.
 - Segregation occurs because of barriers such as lack of income and lack of transportation. People group where they can afford to live; lower income households tend to live in South DeKalb and various organizations provide resources there.
 - When apartments were torn down in Fulton and DeKalb Counties, many residents moved to homes in DeKalb County because they had the most reasonable rents.
 - Housing choice voucher program regulations can limit where people live based on subsidy levels available; Fair Market Rents are set at the 40th percentile rent for the area.
 - There is income-related segregation. Schools are more segregated now than they were in the 60s; this is by income but therefore by race.
 - There is not a lot of areas with a mix of housing prices/rents or a mix of socioeconomic statuses.

- Segregation is not deliberate or illegal but is just how it happens. Buford Highway dissects the city and to the west there are half-million-dollar homes in mostly white neighborhoods and to the east there are apartment complexes in mostly minority neighborhoods.
 - Refugees and immigrants may self-select to living in areas with other recent immigrants.
 - Discrimination and lack of availability of housing to people with low incomes causes and/or perpetuates segregation.
 - The private market impacts where people live. Availability of housing depends on builders, and an area needs businesses, jobs, and investors to support new housing.
 - Income, transportation, schools, and the availability of housing are the foundation of how people select where to live.
 - Educating residents in terms of first-time homeownership and available programs may be one way to reduce segregation.
5. What types of fair housing services (education, complaint investigation, testing, etc.) are offered in the area? How well are they coordinated with the work of other organizations in the community?
- Metro Fair Housing receives HUD funding for fair housing education, outreach, complaint filing, and testing.
 - Atlanta Legal Aid works to enforce the Fair Housing Act, including litigating fair housing claims. Legal Aid is collaborating with Metro Fair Housing on education/outreach, testing, and possible cases based on testing, but the Atlanta area is generally underserved compared to the need that exists.
 - More funding is needed from HUD for testing. Testing is needed to assess and address discrimination based on criminal records.
 - Housing Authority staff participates in fair housing training once per year. The Housing Authority has a process to address complaints. Violations either remove a landlord from the Section 8 program or result in a warning with removal if the violation continues. Most issues they see are reasonable accommodations.
 - The Community Development Department is a resource.
 - Resources are not as coordinated as one would hope, although agencies generally know the fair housing resource organizations in the area.
 - Refer to Metro Fair Housing and Legal Aid, but they are a little overwhelmed at times.
 - Education is needed around what affordable housing means because people seem to run from the term.
 - Three respondents did not know much about fair housing resources, although one of these respondents did have a staff member that worked with Legal Aid to resolve client issues.
6. Are public resources (e.g., parks, schools, roads, police and fire services, etc.) available evenly throughout all neighborhoods?
- No, public resources are not available evenly throughout the county.
 - No, although there have been improvements, in terms of complete availability, there is a difference. There is better access in North DeKalb and people are investing in the area more.
 - There has been steady improvement in schools in the area in past 5-6 years.

- People who live within a city report better police services than in unincorporated DeKalb County.
- No, not all cities in the county have newsletters so information about resources is not evenly available; language barriers exist in access to information about public resources.
- Public resources can depend on how engaged residents are and how well they are able to push for services. In areas with higher shares of residents who speak English as a second language, people may not be as engaged in planning because of language barriers and may have lower access to services or infrastructure as a result.
- Accessibility is always an issue. Many areas have no sidewalks. Bus stops may not be ADA accessible. Nature trails are not accessible because they do not have concrete pathways.

AI Community Meeting

1. What are the greatest fair and affordable housing needs in the community? Are there parts of the county that are particularly affected?
 - People with disabilities face discrimination when they are asked by landlords for a doctor's note stating they can live in the community or are told they need to have a support worker in order to live somewhere.
 - Discrimination based on race, class, and disability status is a concern.
 - People with criminal records can also sometimes face discrimination in access to housing, with disproportionately impacts people of color.
 - There are no vouchers or other assistance set aside for people coming out of institutions such as nursing homes. There is not enough affordable accessible housing.
 - There is an increased need for Section 8 vouchers and for Section 8 landlords. Voucher holders often need extensions in order to find somewhere to use their voucher.
 - There is not enough affordable accessible housing.
2. Are people in the area segregated in where they live? What causes this segregation to occur?
 - Yes, there is segregation. It is separate and unequal.
 - The population with limited English proficiency faces housing and other barriers, including barriers to influencing policies.
 - Information about community resources and activities often does not make it to limited English proficiency communities. Nonprofits often get short notice and have limited time to share information.
 - There is inequality in terms of economic development, jobs, and grocery store access, with lower access in DeKalb County.
3. What types of fair housing services (education, complaint investigation, testing, etc.) are offered in the area? How well are they coordinated with the work of other organizations in the community?
 - Legal Aid is a resource. They get calls related to reasonable accommodations and evictions.
 - More education and information is needed about discrimination against victims of domestic violence and people with criminal histories. People often do not know that those may be fair housing claims.

- Legal Aid and Metro Fair Housing partner on fair housing education and outreach, including working with senior services, churches, neighborhood organizations, and case manager in DeKalb County. They have some connections with organizations that serve residents with limited English proficiency but want to expand these.
 - Metro Fair Housing is a resource and is well-known in the county. They receive calls related to landlord-tenant disputes. Metro Fair Housing serves people regardless of whether they have a social security number or driver's license and have staff who speak Spanish.
 - For some people, including immigrants and people with limited English proficiency, they may not have legal leases or may not have identification which can make it difficult to obtain. Legal Aid is a resource for them.
 - For people who are homeless or others there are classes once a month to assist with documentation / identification.
4. Are public resources (e.g., parks, schools, roads, police and fire services, etc.) available evenly throughout all neighborhoods?
- A study is looking at differences in infrastructure between North and South DeKalb, and may be a resource to review.
 - Parks are not evenly provided between North and South DeKalb and are also generally not accessible to people with disabilities. Some communities do not have access to parks including for youth sport; access is not equal.
 - School ratings vary within the county and that has implications for housing and economic development.
 - Schools in different parts of the county have different needs. Students suffer stress from things such as frequent moves/high turnover and racial discrimination. Programs should be in place to support their social and emotional needs.
 - Schools serving the Buford Highway area were operating at 150% capacity and it took major organization efforts to address that.
 - Homeless services are not evenly provided. There are few homeless services in the Brookhaven area although it is an area of the county that people often want to be in.
 - All affordable housing has a waiting list. DeKalb County needs to think about things like in-law suites and look at way ordinance can be used or changed to build inclusive, mixed-income communities.

Continuum of Care and Needs Assessment Events

Needs identified by community members who participated in the Continuum of Care focus group and the Needs Assessment community meeting are provided below:

Housing Needs

- Affordable housing, including preservation of affordable multifamily developments
- Rental assistance
- Single-family housing rehabilitation and code enforcement
- Small multifamily housing (triplexes, four-plexes)

- Mixed-income, mixed-use developments
- Improvements to rental housing quality/conditions in South DeKalb
- Housing and services for homeless youth (age 18-24) aging out of foster care
- Additional housing and services for veterans
- Housing for domestic violence survivors
- Affordable housing for people with disabilities, including mental disabilities
- Housing that supports aging in place
- Transitional housing and childcare
- Rapid relocation assistance for people displaced due to redevelopment or rent increases
- Funding for housing and legal services (foreclosure prevention, predatory lending, equity theft)

Public Service Needs

- Childcare during non-traditional hours (24 hour weekend care)
- Expanded summer youth voucher age limit
- Mental health services
- Long-term case management
- Health screenings
- GED and employment services for youth (age 16-24)
- Transportation for low-income college students
- Emergency transportation/rideshare assistance
- Grant funding for security (i.e., gas station sliders)
- Domestic violence/crime prevention
- Improved awareness of network of services available

Economic Development

- Economic development in Glenwood Drive / Columbia Drive area
- Job placement for young adults
- Adult literacy and workforce readiness programs
- Youth farm/gardening opportunities and agriculture microenterprises
- Outreach to the Hispanic community
- Increased economic development outreach

Infrastructure and Facilities

- Renovation and improvements at Peachcrest Boys and Girls Club, Tucker Recreation Center, Clarkton Community Center, and Friends of Disabled Adults and Children (FODAC) facility
- International senior center for inclusion of Pan Asian, Latino, and African communities
- Sidewalks, particularly to schools and MARTA bus stops
- ADA accessibility improvements for sidewalks and community buildings
- Pedestrian safety improvements, including lighting, crosswalks, and reduced speed limits
- Alternative transportation through greenways and trails
- Drainage improvements
- Ramp beautification

Blight Concerns

- Goal should be to keep the county clean and improve the image along commercial corridors
- Formalize and promote clean-up initiatives at schools
- Address non-compliant businesses
- Include faith-based groups, community members, stakeholders, businesses, and others
- Do routine pick-ups/clean-ups in the county
- Demolition with replacement requirement

Community Survey

The community survey queried residents and other stakeholders regarding needs related to housing, homelessness, public infrastructure, public facilities, and public services. Top needs identified by survey participants include:

- Homeless outreach and assessment
- Street improvements
- Neighborhood stabilization
- Sidewalks
- Youth centers
- Health facilities
- Services for abused/neglected children
- Substance abuse services
- Homelessness prevention/rapid rehousing
- Employee training services
- Permanent supportive housing
- Fair housing services
- Emergency shelter

Complete results from the survey questions regarding housing and homelessness are provide below.

FIGURE 1. HOUSING NEEDS IDENTIFIED IN THE 2019 COMMUNITY SURVEY

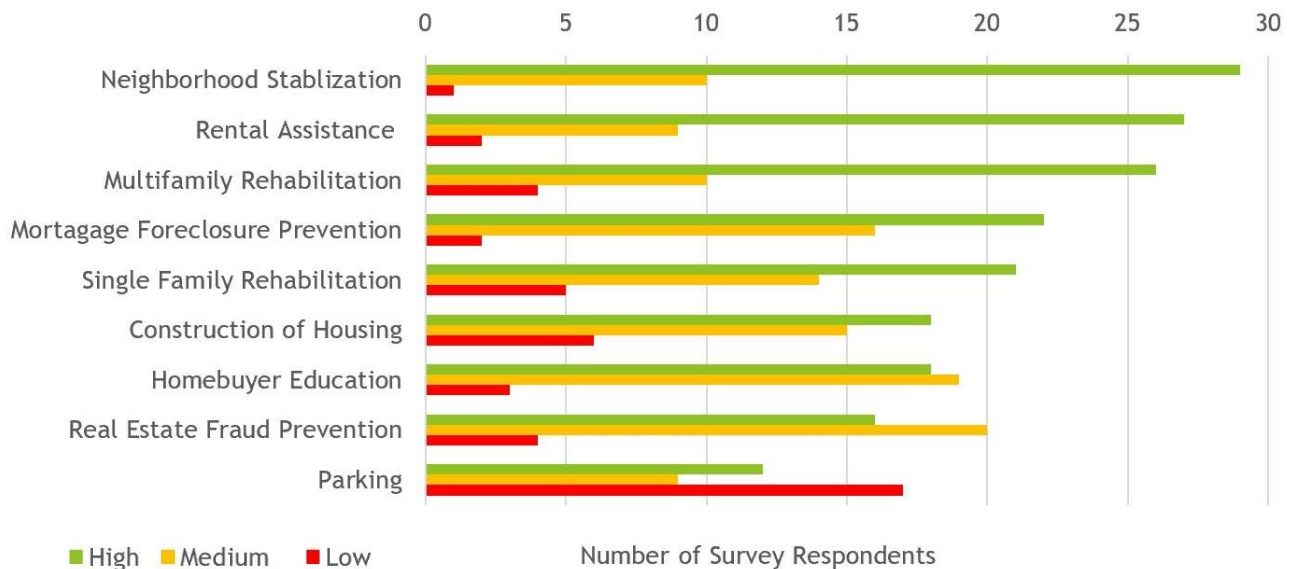
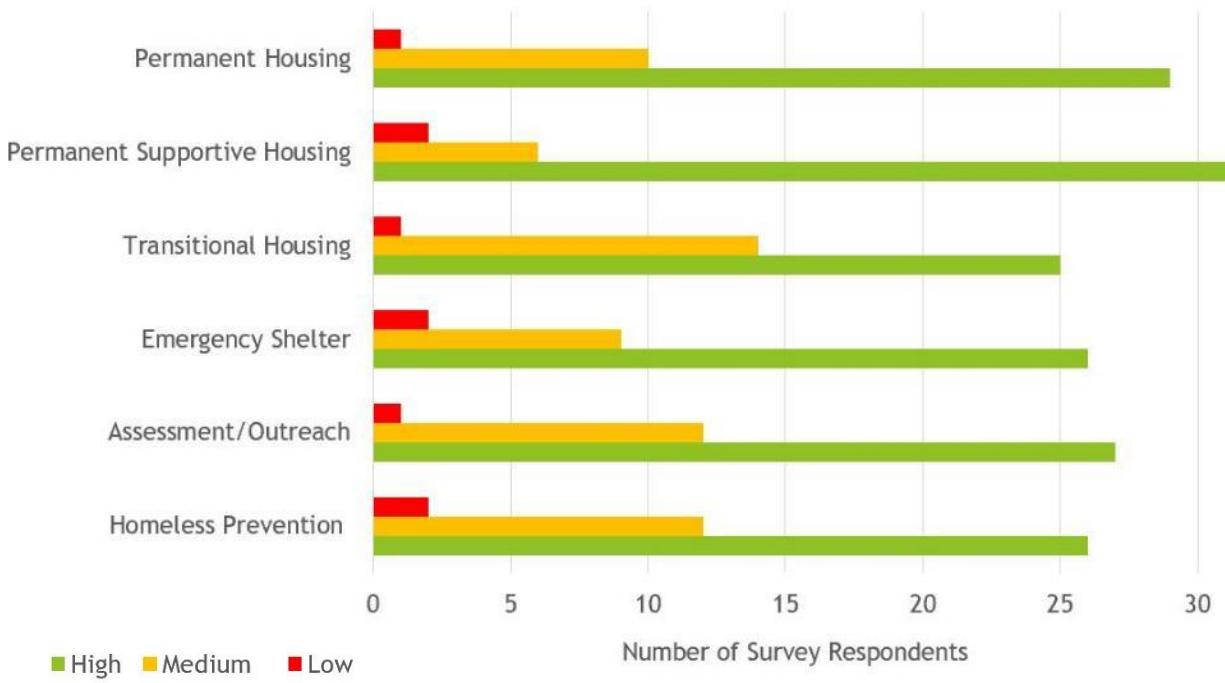


FIGURE 2. HOMELESS NEEDS IDENTIFIED IN THE 2019 COMMUNITY SURVEY



CHAPTER 3.

SOCIOECONOMIC PROFILE

DEMOGRAPHIC PROFILE

DeKalb County's population is estimated at 736,066 according to the 2013-2017 5-Year American Community Survey (ACS), making it the fourth most populated county in Georgia behind Gwinnett, Fulton, and Cobb. DeKalb County's population increased by 11% from 665,865 in 2000 and 34% from 548,227 in 1990. Comparatively, population in the larger Atlanta-Sandy Springs-Roswell Metropolitan Statistical Area (MSA) grew by about 68% since 1990 to reach 5,182,112 residents per the most recent ACS estimate. This section more closely examines population characteristics and trends in DeKalb County using Census and ACS data provided in Tables 1 and 2.

Race and Ethnicity

The Black population accounts for 57.4% of DeKalb County's current population after experiencing a growth rate of 75.6% in absolute numbers and a 15.4 percentage point increase since 1990. The growth of the Black population coincided with a 26.0% decrease in the White population share, widening the population share gap between the County's two largest racial or ethnic groups. The Hispanic population comprises 10.1% of the DeKalb County's current population and surpassed the Asian population as the third largest racial or ethnic group after significant growth between 1990 and 2000. The number of Asian residents doubled since 1990, however, only experienced a 1.8% gain in population share to 4.9% of the current population. The population share of Native American residents remained under 1% since 1990 with the largest population recorded in 2010. Population shares of Hispanic and Asian populations in DeKalb County are similar to the MSA comprising 10.1% and 4.9% of the population, respectively.

Trends in race and ethnicity differ in the MSA (Metropolitan Statistical Area). Approximately half of the population in the Atlanta-Sandy Springs-Roswell MSA are non-Hispanic White (50.8%). Black residents represent the second largest group comprising nearly a third of the population (31.9%). The Hispanic population is the next largest with a population share of the 10.4% while slightly less than 5% of the MSA population is comprised of Asian or Pacific Islander residents. Native American residents account for less than 1% of the MSA population.

National Origin

The foreign-born population in DeKalb County more than tripled since 1990 and experienced a 9.7% increase in population share to account for 16.6% of the current population. The increase in population share since 1990 is similar to changes in the Atlanta-Sandy Spring-Roswell MSA during the same time, however, the growth rate of foreign-born residents is much lower which coincides with the difference in overall growth rate of the total population. DeKalb County's foreign-born population is the largest in size and population share compared to the city of Atlanta and Fulton County. The top three countries of origin among foreign-born residents in DeKalb County are Mexico, Jamaica, and Ethiopia. Over a fifth of the

foreign-born population originate from Mexico while nearly one-tenth are from Jamaica. DeKalb County is also home to a large Ethiopian population that represents 6.2% of the foreign-born population. Other significant countries of origin include Guatemala, India, Vietnam, China, Burma, Korea, and Guyana.

LEP

The demographics of the population with limited English proficiency (LEP) typically resembles the patterns of the foreign-born population in most communities. The LEP population comprises nearly one-tenth of DeKalb County's population after keeping pace with the growth of the foreign-born population and tripling in absolute numbers since 1990. However, in contrast with the steady growth of the foreign-born population, the LEP population in DeKalb County experienced minor fluctuations in numbers and population share after significant growth in 2000. The top languages spoken by the LEP population in DeKalb County are Spanish, African languages, and Chinese. Spanish-speaking LEP residents comprise 55.9% of the LEP population. Eleven percent (11.3%) of LEP residents speak African languages while all other languages each account for less than 6% of the LEP population.

Disability

The population with disabilities in DeKalb County accounts for 9.8% of the total population, which is nearly identical to the population share found in the Atlanta-Sandy Springs-Roswell MSA. The distribution patterns by disability type in DeKalb County are also similar to what is found among the population in the MSA. The most common disability type in DeKalb County is difficulty with ambulatory movement: 5.7% of county residents have an ambulatory difficulty, as do 5.5% of residents in the MSA. Cognitive and independent living difficulties are the next most common types of disabilities, each impacting around 4% of residents in the county. People experiencing difficulties with self-care and sensory disabilities (hearing and vision) each comprise around 2% of the total population.

Age

Age distribution of DeKalb County residents closely resembles the Atlanta-Sandy Springs-Roswell MSA. Currently, the population between the ages of 18 and 64 comprise the majority (67.2%) of DeKalb County's population with minimal change in population share since 1990. Nearly a quarter of the current population is under the age of 18 and a significantly smaller percentage of the population is 65 and over (8.7%). Although change in population share for all age groups have been minor since 1990, age distribution in DeKalb County has followed the same trend of decline in the adult population and growth in youth and senior populations found in the MSA.

Sex

Gender distribution has remained static in DeKalb County since 1990 and is slightly skewed with a female majority of 52.2% and a male population share of 47.8%. The gender distribution of the population residing in the Atlanta-Sandy Springs-Roswell MSA is slightly more balanced with around a 1% difference in population shares compared to DeKalb County.

Family Type

Families with children account for 47.4% of all families that reside in DeKalb County. The number of families with children increased by 15.6% since 1990, however, there was a slight drop in proportion compared to the peak of 50.3% in 2000. The change in DeKalb County since 1990 mirrors the trend found in the Atlanta-Sandy Springs-Roswell MSA of an increase in the number of families with children, but a decrease in proportion of all families.

DRAFT

TABLE 1. DEMOGRAPHIC OVERVIEW FOR DEKALB COUNTY AND THE ATLANTA-SANDY SPRINGS-ROSWELL MSA

Demographic Indicator	DeKalb County		Atlanta-Sandy Springs-Roswell MSA			
	#	%	#	%		
Race/Ethnicity						
Non-Hispanic						
White	156,651	25.6%	2,684,570	50.8%		
Black	351,616	57.4%	1,684,178	31.8%		
Asian or Pacific Islander	29,664	4.9%	254,691	4.8%		
Native American	1,093	0.2%	10,779	0.2%		
Two or More Races	10,004	1.6%	90,866	1.7%		
Other	1,458	0.2%	13,749	0.3%		
Hispanic	61,632	10.0%	547,894	10.4%		
National Origin						
#1 country of origin	Mexico	21,527	3.7%	Mexico	174,014	3.5%
#2 country of origin	Jamaica	9,222	1.6%	India	50,770	1.0%
#3 country of origin	Ethiopia	6,289	1.1%	Korea	34,848	0.7%
#4 country of origin	Guatemala	4,781	0.8%	Jamaica	34,108	0.7%
#5 country of origin	India	4,086	0.7%	Vietnam	28,037	0.6%
#6 country of origin	Vietnam	3,319	0.6%	China excl. Hong Kong & Taiwan	21,114	0.4%
#7 country of origin	China excl. Hong Kong & Taiwan	3,217	0.6%	El Salvador	19,166	0.4%
#8 country of origin	Burma	2,328	0.4%	Guatemala	18,337	0.4%
#9 country of origin	Korea	2,238	0.4%	Colombia	16,109	0.3%
#10 country of origin	Guyana	2,112	0.4%	Nigeria	15,061	0.3%
Limited English Proficiency (LEP)						
#1 LEP Language	Spanish	30,912	5.4%	Spanish	224,781	4.5%
#2 LEP Language	African	6,287	1.1%	Korean	21,996	0.4%
#3 LEP Language	Chinese	3,118	0.5%	Vietnamese	21,665	0.4%

Note: All % represent a share of the total population within the jurisdiction or region. The most populous places of birth and languages at the city and regional levels may not be the same, and are thus labeled separately.

Data Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

TABLE 1. DEMOGRAPHIC OVERVIEW FOR DeKALB COUNTY AND THE ATLANTA-SANDY SPRINGS-ROSWELL MSA (CONTINUED)

Demographic Indicator	DeKalb County		Atlanta-Sandy Springs-Roswell MSA			
	#	%	#	%		
Limited English Proficiency (continued)						
#4 LEP Language	Other Indic Language	2,772	0.5%	Chinese	17,726	0.4%
#5 LEP Language	Vietnamese	2,536	0.4%	African	11,988	0.2%
#6 LEP Language	Other Asian Language	2,138	0.4%	Other Indic Language	6,935	0.1%
#7 LEP Language	Korean	1,461	0.3%	Other Asian Language	6,903	0.1%
#8 LEP Language	French	910	0.2%	French	6,038	0.1%
#9 LEP Language	Hindi	654	0.1%	French Creole	5,082	0.1%
#10 LEP Language	Arabic	606	0.1%	Russian	5,051	0.1%
Disability Type						
Hearing difficulty		11,800	2.1%		124,237	2.5%
Vision difficulty		12,557	2.2%		96,741	2.0%
Cognitive difficulty		23,851	4.2%		195,085	3.9%
Ambulatory difficulty		32,350	5.7%		273,305	5.5%
Self-care difficulty		12,259	2.2%		101,952	2.1%
Independent living difficulty		23,598	4.2%		185,645	3.8%
Sex						
Male		292,728	47.8%		2,572,523	48.7%
Female		319,392	52.2%		2,714,205	51.3%
Age						
Under 18		147,849	24.2%		1,400,791	26.5%
18-64		411,059	67.2%		3,411,410	64.5%
65+		53,211	8.7%		474,527	9.0%
Family Type						
Families with children		67,430	47.4%		662,976	50.0%

Note: All % represent a share of the total population within the jurisdiction or region, except family type, which is out of total families. The most populous places of birth and languages at the city and regional levels may not be the same, and are thus labeled separately.

Data Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

TABLE 2. DEMOGRAPHIC TRENDS FOR DEKALB COUNTY AND THE ATLANTA-SANDY SPRINGS-ROSWELL MSA

Demographic Indicator	DeKalb County							
	1990		2000		2010		Current	
	#	%	#	%	#	%	#	%
Race/Ethnicity								
White, Non-Hispanic	245,630	51.6%	173,726	29.4%	156,651	25.6%	156,651	25.6%
Black, Non-Hispanic	200,231	42.0%	339,434	57.5%	358,218	58.5%	351,616	57.4%
Hispanic	14,416	3.0%	47,819	8.1%	61,632	10.1%	61,632	10.1%
Asian or Pacific Islander, Non-Hispanic	14,583	3.1%	25,310	4.2%	32,180	5.3%	29,664	4.9%
Native American, Non-Hispanic	748	0.2%	1,596	0.3%	1,866	0.3%	1,093	0.2%
National Origin								
Foreign-born	33,033	6.9%	92,006	15.6%	101,109	16.5%	101,479	16.6%
LEP								
Limited English proficiency	17,445	3.7%	56,708	9.6%	54,059	8.8%	55,334	9.1%
Sex								
Male	227,480	47.8%	285,360	48.3%	292,728	47.8%	292,728	47.8%
Female	248,841	52.2%	305,485	51.7%	319,392	52.2%	319,392	52.2%
Age								
Under 18	113,620	23.9%	152,714	25.9%	147,849	24.2%	147,849	24.2%
18-64	322,846	67.8%	392,239	66.4%	411,059	67.2%	411,059	67.2%
65+	39,855	8.4%	45,892	7.8%	53,211	8.7%	53,211	8.7%
Family Type								
Families with children	58,296	48.0%	48,466	50.3%	67,430	47.4%	67,430	47.4%

Note: All % represent a share of the total population within the jurisdiction or region for that year, except family type, which is out of total families.

Data Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

TABLE 2. DEMOGRAPHIC TRENDS FOR DEKALB COUNTY AND THE ATLANTA-SANDY SPRINGS-ROSWELL MSA (CONTINUED)

Demographic Indicator	Atlanta-Sandy Springs- Roswell MSA							
	1990		2000		2010		Current	
	#	%	#	%	#	%	#	%
Race/Ethnicity								
White, Non-Hispanic	2,190,381	71.1%	2,575,783	60.4%	2,684,571	50.8%	2,684,570	50.8%
Black, Non-Hispanic	774,022	25.1%	1,234,307	29.0%	1,737,348	32.9%	1,684,178	31.9%
Hispanic	58,434	1.9%	270,338	6.3%	547,894	10.4%	547,894	10.4%
Asian or Pacific Islander, Non-Hispanic	50,607	1.6%	148,647	3.5%	278,025	5.3%	254,691	4.8%
Native American, Non-Hispanic	5,236	0.2%	17,724	0.4%	23,199	0.4%	10,779	0.2%
National Origin								
Foreign-born	117,366	3.8%	424,683	10.0%	689,787	13.1%	720,964	13.6%
LEP								
Limited English proficiency	64,104	2.1%	259,330	6.1%	365,963	6.9%	372,588	7.1%
Sex								
Male	1,498,953	48.6%	2,102,082	49.3%	2,572,523	48.7%	2,572,523	48.7%
Female	1,583,361	51.4%	2,161,363	50.7%	2,714,205	51.3%	2,714,205	51.3%
Age								
Under 18	803,108	26.1%	1,163,223	27.3%	1,400,791	26.5%	1,400,791	26.5%
18-64	2,025,561	65.8%	2,770,277	65.0%	3,411,410	64.5%	3,411,410	64.5%
65+	251,559	8.2%	329,945	7.7%	474,527	9.0%	474,527	9.0%
Family Type								
Families with children	415,234	50.8%	363,160	50.9%	662,976	50.0%	662,976	50.0%

Note: All % represent a share of the total population within the jurisdiction or region for that year, except family type, which is out of total families.

Data Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

RACE, ETHNICITY, NATIONAL ORIGIN, AND POVERTY

This study uses a methodology developed by HUD that combines demographic and economic indicators to identify racially or ethnically concentrated areas of poverty (RECAPs). These areas are defined as census tracts that have an individual poverty rate of 40% or more (or an individual poverty rate that is at least 3 times that of the tract average for the metropolitan area, whichever is lower) and a non-white population of 50% or more. Using a metric that combines demographic and economic indicators helps to identify a jurisdiction's most vulnerable communities.

Nationally, the racial and ethnic composition of neighborhoods with concentrations of poverty is disproportionate relative to the U.S. population overall. According to the U.S. Department of Health and Human Services, Black and Hispanic populations comprise nearly 80% of the population living in areas of concentrated poverty in metropolitan areas, but only account for 42.6% of the total poverty population in the U.S.⁴ Overrepresentation of these groups in areas of concentrated poverty can exacerbate disparities related to safety, employment, access to jobs and quality education, and conditions that lead to poor health.

Identification of RECAPs is significant in determining priority areas for reinvestment and services to ameliorate conditions that negatively impact RECAP residents and the larger region. Since 2000, the prevalence of concentrated poverty in the U.S. has expanded by nearly 75% in both population and number of neighborhoods. The majority of concentration of poverty is within the largest metro areas, but suburban regions have experienced the fastest growth rate.⁵

There are currently 8 census tracts that are designated as RECAP in DeKalb County, a significant increase from two in 1990 and 2000. RECAP census tracts are clustered in and around the cities of Clarkston and the Scottdale neighborhood along Interstate 285. Another cluster of RECAP census tracts are located further south between Interstate 285 and Memorial Drive. There are two RECAP census tracts that are isolated from the other concentrations in the city of Chamblee and in the Candler-McAfee area of DeKalb County.

31,373 residents or approximately 5% of DeKalb County's total population reside in RECAP census tracts. Black residents comprise 68.5% of the RECAP population which is significantly larger than the population shares of the Black population in the county and the Atlanta-Sandy Springs-Roswell MSA. Similarly, Asian and Hispanic populations are disproportionately represented in RECAP census tracts with larger population shares of 9.4% and 8.8%, respectively.

The foreign-born population by country of origin provides more detail to explain the high proportions of Asian and Hispanic populations in RECAP communities. Residents origination from Burma and other south-central Asian countries account for 86.4% of the Asian population residing in RECAP census tracts. Over

⁴ United States, Department of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation. "Overview of Community Characteristics in Areas With Concentrated Poverty." ASPE Issue Brief, May 2014, https://aspe.hhs.gov/system/files/pdf/40651/rb_concentratedpoverty.pdf.

⁵ ³ Kneebone, Elizabeth. "The Growth and Spread of Concentrated Poverty, 2000 to 2008-2012." *The Brookings Institution*, 29 July 2016, www.brookings.edu/interactives/the-growth-and-spread-of-concentrated-poverty-2000-to-2008-2012/.

half of the Hispanic population is comprised of residents originating from Mexico. Ethiopian residents are the fourth largest foreign-born population in comprising 3.0% of the RECAP population in DeKalb County.

Looking at familial status, over half (52.1%) of the families residing in RECAP census tracts have children. Compared to overall county figures, the share of families with children is about five percentage points higher in RECAP communities.

TABLE 3. DEMOGRAPHIC PROFILE OF DEKALB COUNTY RECAP CENSUS TRACTS

Demographic Indicator	DeKalb County	
	#	%
Race/Ethnicity		
Total Tract Population	31,373	-
White, Non-Hispanic	3,452	11.0%
Black, Non-Hispanic	21,503	68.5%
Hispanic	2,749	8.8%
Asian or Pacific Islander, Non-Hispanic	2,956	9.4%
Native American, Non-Hispanic	44	0.1%
Other, Non-Hispanic	78	0.3%
National Origin		
Total Tract Population	31,373	-
#1 country of origin	Burma	1,449 4.6%
#2 country of origin	Mexico	1,417 4.5%
#3 country of origin	Other South Central Asia	1,105 3.5%
#4 country of origin	Ethiopia	937 3.0%
#5 country of origin	Other Eastern Africa	644 2.1%
#6 country of origin	Vietnam	518 1.7%
#7 country of origin	Nepal	381 1.2%
#8 country of origin	Other Western Africa	368 1.2%
#9 country of origin	Thailand	268 0.9%
	India	258 0.8%
Family Type		
Total Families in Tract	6,254	-
Families with Children	3,261	52.1%

Note: All % represent a share of the total population within the tract, except family type, which is out of total families.

Data Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

FIGURE 3. DEKALB COUNTY RECAP CENSUS TRACTS, 2010

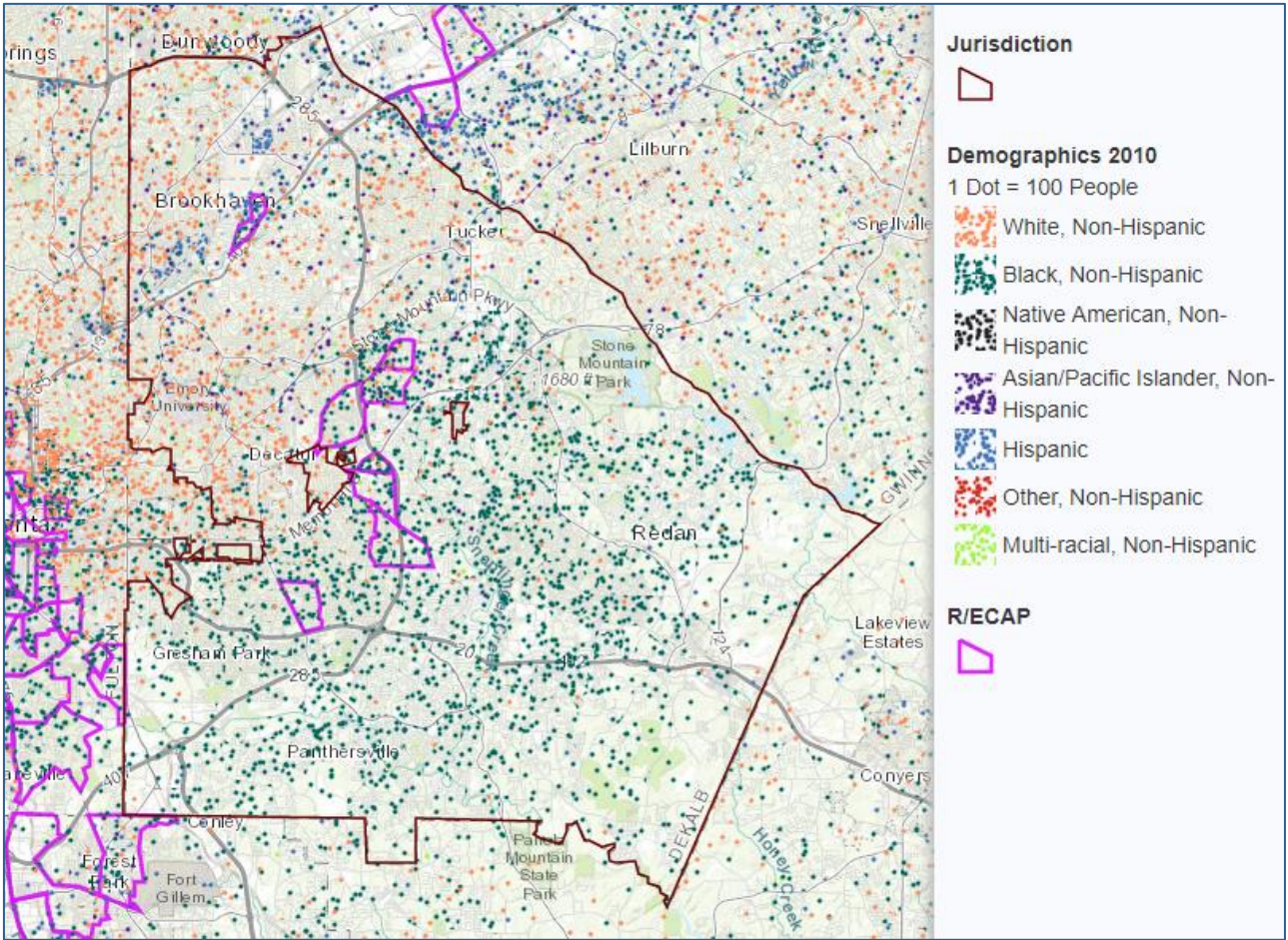


FIGURE 4. DEKALB COUNTY RECAP CENSUS TRACTS, 2000

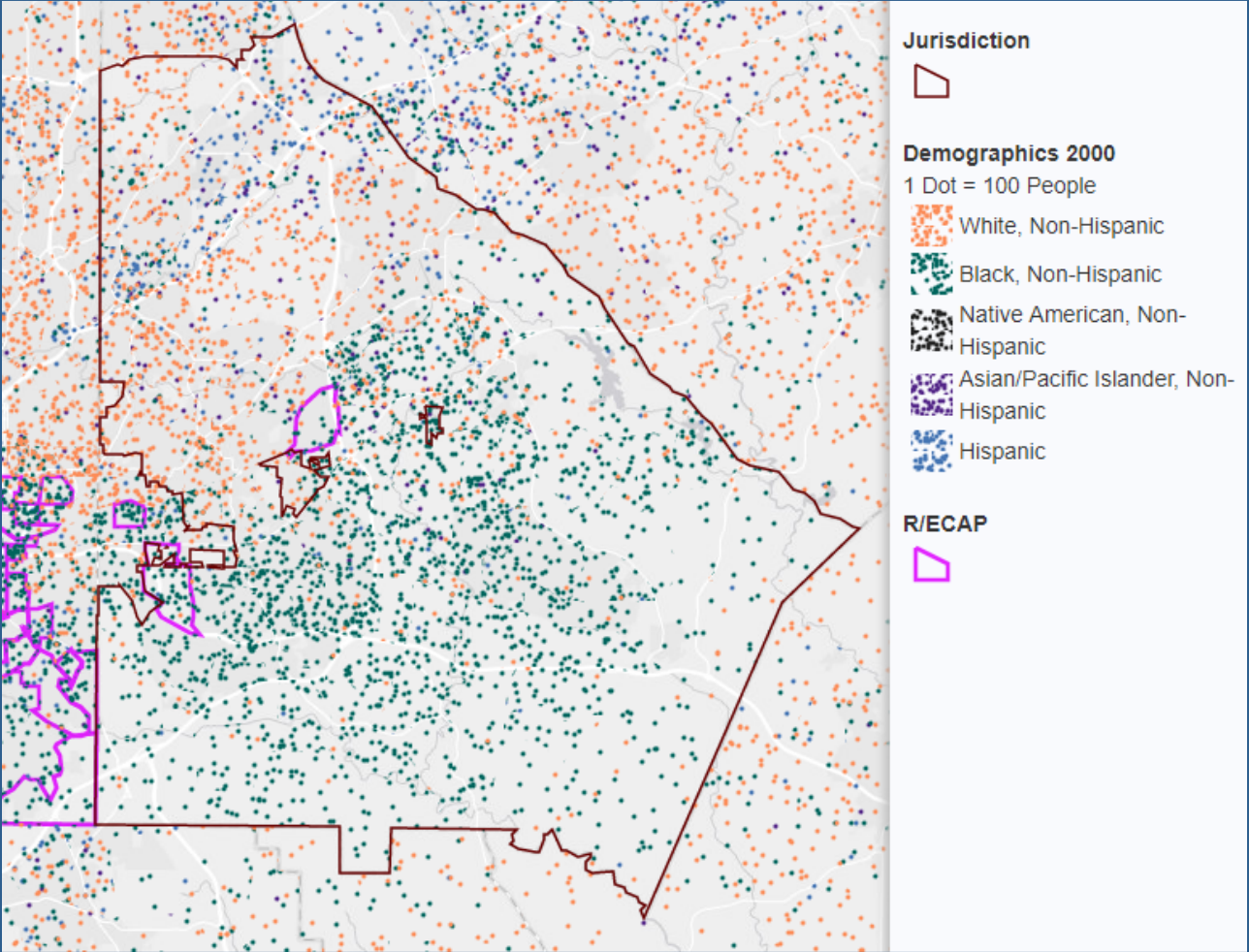
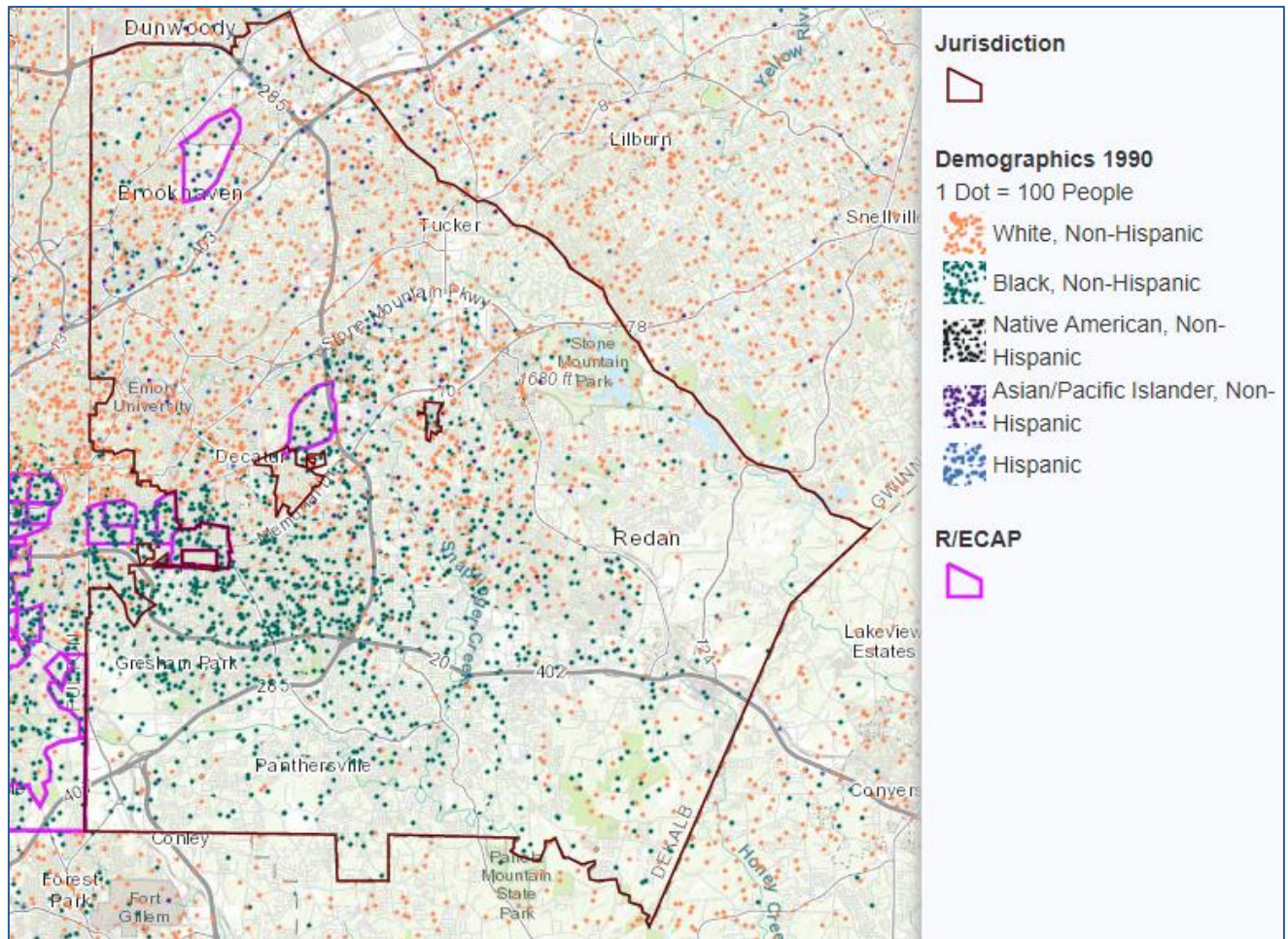


FIGURE 5. DEKALB COUNTY RECAP CENSUS TRACTS, 2010



CHAPTER 4.

SEGREGATION AND INTEGRATION

Communities experience varying levels of segregation between different racial, ethnic, and socioeconomic groups. High levels of residential segregation often lead to conditions that exacerbate inequalities among population groups within a community. Increased concentrations of poverty and unequal access to jobs, education, and other services are some of the consequences of high residential segregation.⁶

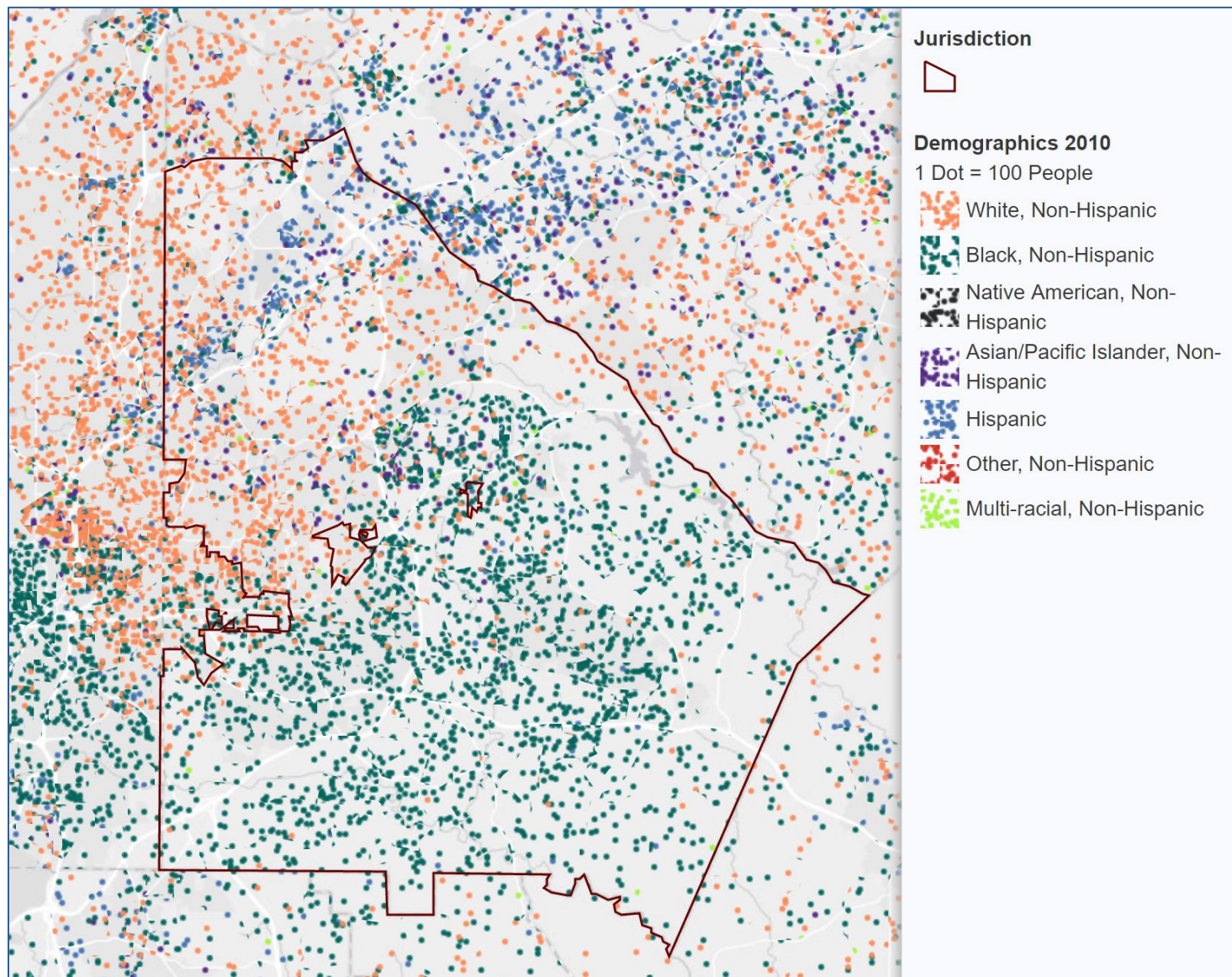
Federal housing policies and discriminatory mortgage lending practices prior to the Fair Housing Act of 1968 not only encouraged segregation, but mandated restrictions based on race in specific neighborhoods. The Fair Housing Act of 1968 outlawed discriminatory housing practices, but did little to address the existing segregation and inequalities. Other federal housing policies and programs, like Section 8 and HOPE VI, have been implemented in an effort to ameliorate the negative effects of residential segregation and reduce concentrations of poverty. Despite these efforts, the repercussions of the discriminatory policies and practices continue to have a significant impact on residential patterns today.

RACE AND ETHNICITY

According to Figure 4, the population in DeKalb County is distributed relatively evenly throughout the entire county with no significant residential concentrations or high-density neighborhoods. However, there are strong patterns that suggest high levels of segregation among racial and ethnic groups. The racial composition of the northern and southern halves of DeKalb County are generally homogeneous with populations that are predominantly white or Black. In general, the population has become more diverse since 1990 with an influx of Hispanic residents concentrated in neighborhoods along Buford Highway and a growing Asian population in the Clarkston area. Upon closer examination, there are spatial patterns that suggest increasing levels of segregation caused by an exodus of white residents from neighborhoods in the southern half of the county leading to an increasingly more racially homogeneous population of Black residents. Even in the northern half of the county, the residential patterns of the growing Hispanic population are becoming more concentrated in specific neighborhoods.

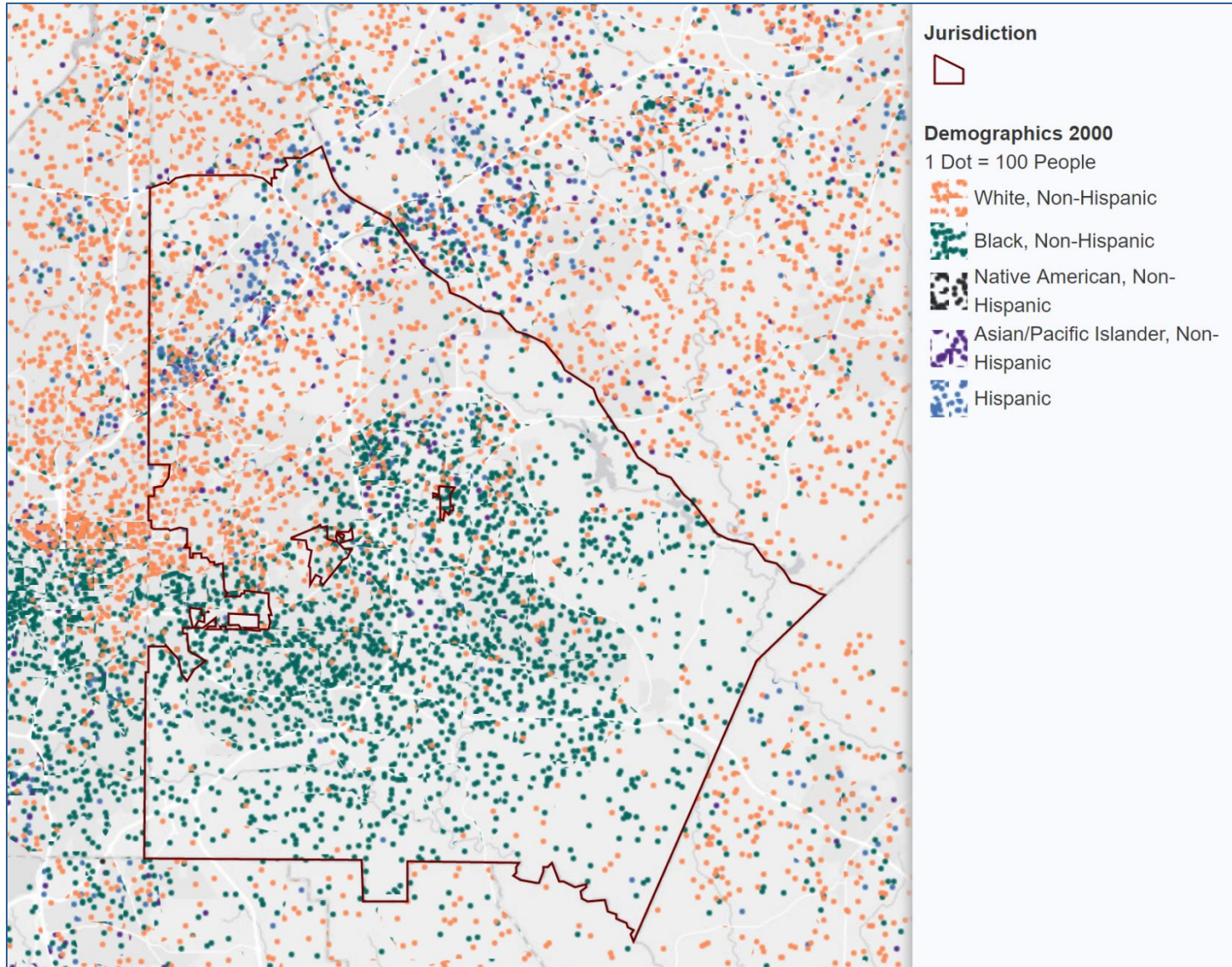
⁶ Massey, D. (1990). American Apartheid: Segregation and the Making of the Underclass. *American Journal of Sociology*, 96(2), 329-357. Retrieved from <http://www.jstor.org/stable/2781105>

FIGURE 6. POPULATION BY RACE AND ETHNICITY IN DEKALB COUNTY, 2010



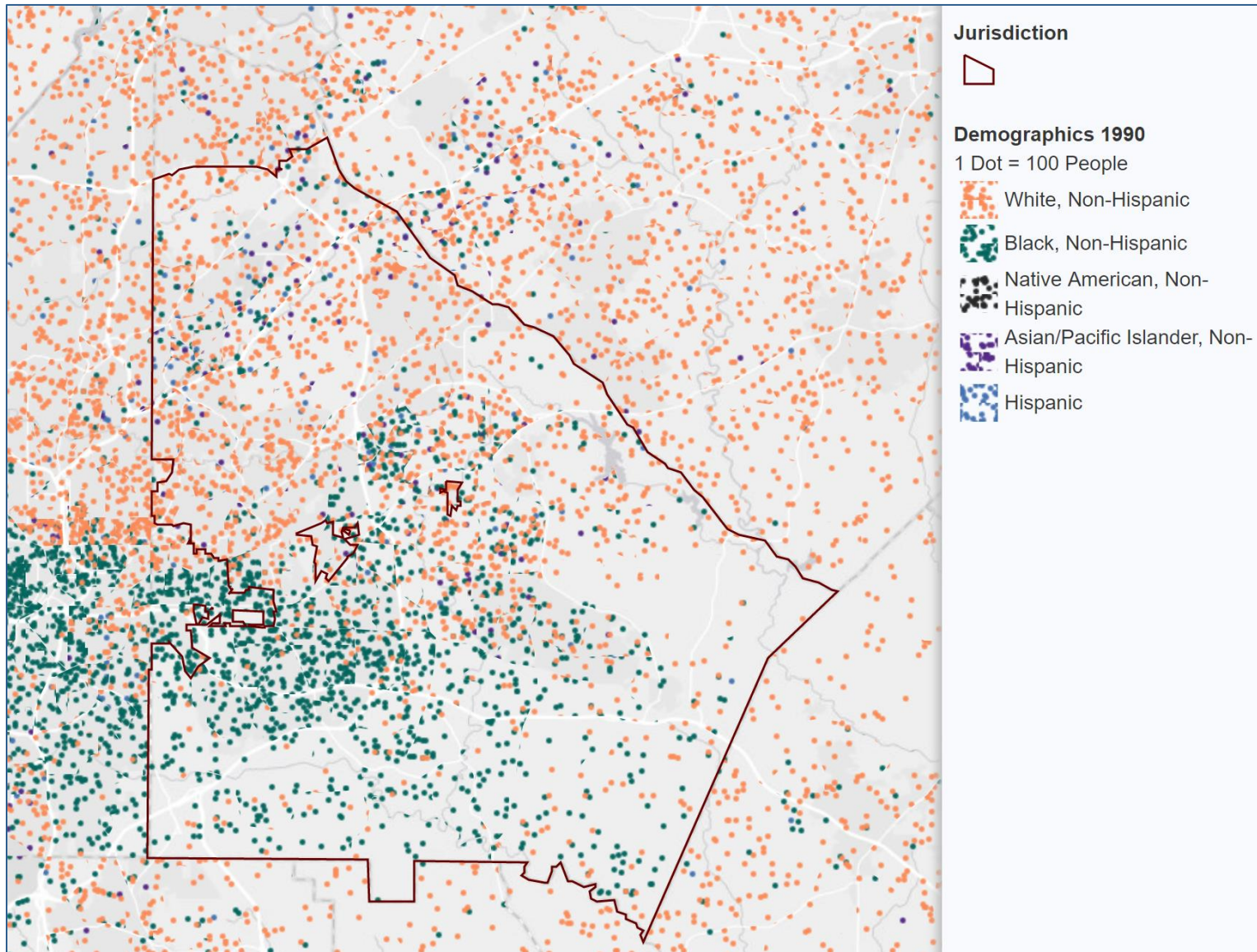
Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

FIGURE 7. POPULATION BY RACE AND ETHNICITY IN DEKALB COUNTY, 2000



Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

FIGURE 8. POPULATION BY RACE AND ETHNICITY IN DEKALB COUNTY, 1990



Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

SEGREGATION LEVELS

In addition to visualizing racial and ethnic compositions of DeKalb County with the preceding maps, this study also uses a statistical analysis – referred to as dissimilarity – to evaluate how residential patterns vary by race and ethnicity, and how these patterns have changed since 1990. The Dissimilarity Index (DI) indicates the degree to which a minority group is segregated from a majority group residing in the same area because the two groups are not evenly distributed geographically. The DI methodology uses a pairwise calculation between the racial and ethnic groups in the region. Evenness, and the DI, are maximized and segregation minimized when all small areas have the same proportion of minority and majority members as the larger area in which they live. Evenness is not measured in an absolute sense, but is scaled relative to the other group. The DI ranges from 0 (complete integration) to 100 (complete segregation). HUD identifies a DI value below 40 as low segregation, a value between 40 and 54 as moderate segregation, and a value of 55 or higher as high segregation.

The proportion of the minority population group can be small and still not segregated if evenly spread among tracts or block groups. Segregation is maximized when no minority and majority members occupy a common area. When calculated from population data broken down by race or ethnicity, the DI represents the proportion of minority members that would have to change their area of residence to match the distribution of the majority, or vice versa.

The table on the following page shares the dissimilarity indices for four pairings in DeKalb County and the region. This table presents values for 1990, 2000, and 2010, all calculated using census tracts as the area of measurement. The “current” figure is calculated using block groups. Because block groups are typically smaller geographies, they measure segregation at a finer grain than analyses that use census tracts and, as a result, often indicate slightly higher levels of segregation than tract-level calculations.⁷ This assessment begins with a discussion of segregation at the tract-level from 1990 through 2010, and then examines the “current” figures calculated using block groups.

DI calculations in DeKalb County in 2010 indicate high levels of segregation for two pairings: Black/white and Hispanic/white. The Black/white pairing saw a significant increase of 13.9 points to a DI value of 73.6 from 1990 to 2010 indicating even higher levels of segregation. The DI value for the Hispanic/white pairing also increased dramatically jumping from low segregation (34.0) to high segregation (58.2) The Asian or Pacific Islander/white pairing also experienced an increase in DI value, but remained at low levels of segregation.

The “current” figures for dissimilarity indices show slightly higher levels of segregation for all pairings. DeKalb County experiences high levels of segregation for Black and white residents, with a “current”

⁷ Iceland, John and Erika Steinmetz. 2003. *The Effects of Using Block Groups Instead of Census Tracts When Examining Residential Housing Patterns*. U.S. Census Bureau, Washington DC: US. Accessed via https://www.census.gov/hhes/www/housing/resseg/pdf/unit_of_analysis.pdf.

This study of the effect of using census block groups instead of tracts to examine housing pattern in 331 metropolitan areas throughout the U.S. indicated that index scores were modestly higher when using block groups, by an average of 3.3 points for all metro area dissimilarity scores.

according to “current” DI figures, with a DI value of 74.5 for the Black/white pairing. The DI Hispanic/white and Asian or Pacific Islander/white pairings indicate high and moderate levels of segregation, respectively.

TABLE 4. DISSIMILARITY INDICES FOR DEKALB COUNTY AND THE ATLANTA-SANDY SPRINGS-ROSWELL MSA

Race/Ethnicity	Trends			Current (2010)
	1990	2000	2010	
DeKalb County				
Non-White/White	53.8	59.3	63.6	66.3
Black/White	59.7	68.6	73.6	74.5
Hispanic/White	34.0	54.3	58.2	63.4
Asian or Pacific Islander/White	31.3	37.2	37.5	44.4
Atlanta-Sandy Springs-Roswell MSA				
Non-White/White	60.0	56.1	50.5	53.8
Black/White	66.1	63.8	58.3	61.4
Hispanic/White	35.5	51.6	49.5	52.6
Asian or Pacific Islander/White	42.9	45.5	46.4	51.4

Data Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

NATIONAL ORIGIN AND LIMITED ENGLISH PROFICIENCY POPULATION

Settlement patterns of immigrants significantly impact the composition and landscape of communities across the United States. Large central cities have the largest population of foreign-born residents, but suburban areas are experiencing rapid growth of foreign-born populations recently.⁸ Clusters of immigrants of the same ethnicity form for a variety of reasons. Social capital in the form of kinship ties, social network connections, and shared cultural experiences often draw new immigrants to existing communities. Settling in neighborhoods with an abundance of social capital is less financially burdensome for immigrants and provides opportunities to accumulate financial capital through employment and other resources that would otherwise be unattainable.⁹

Populations with limited English proficiency (LEP) are typically composed of foreign-born residents that originate from countries where English is not the primary language, however, a substantial portion (19%) of the national LEP population is born in the United States. Nationally, the LEP population has lower levels of education and is more likely to live in poverty compared to the English proficient population.¹⁰ Recent

⁸ James, F., Romine, J., & Zwanzig, P. (1998). The Effects of Immigration on Urban Communities. *Cityscape*, 3(3), 171-192.

⁹ Massey, D. (1999). Why Does Immigration Occur?: A Theoretical Synthesis. In Hirschman C., Kasinitz P., & DeWind J. (Eds.), *Handbook of International Migration, The: The American Experience* (pp. 34-52). Russell Sage Foundation.

¹⁰ Zong, J. & Batalova, J. (2015). “The Limited English Proficient Population in the United States” *Migration Information Source*. Retrieved: <http://www.migrationpolicy.org/article/limited-english-proficient-population-united-states>

studies have also found that areas with high concentrations of LEP residents have lower rates of homeownership.¹¹

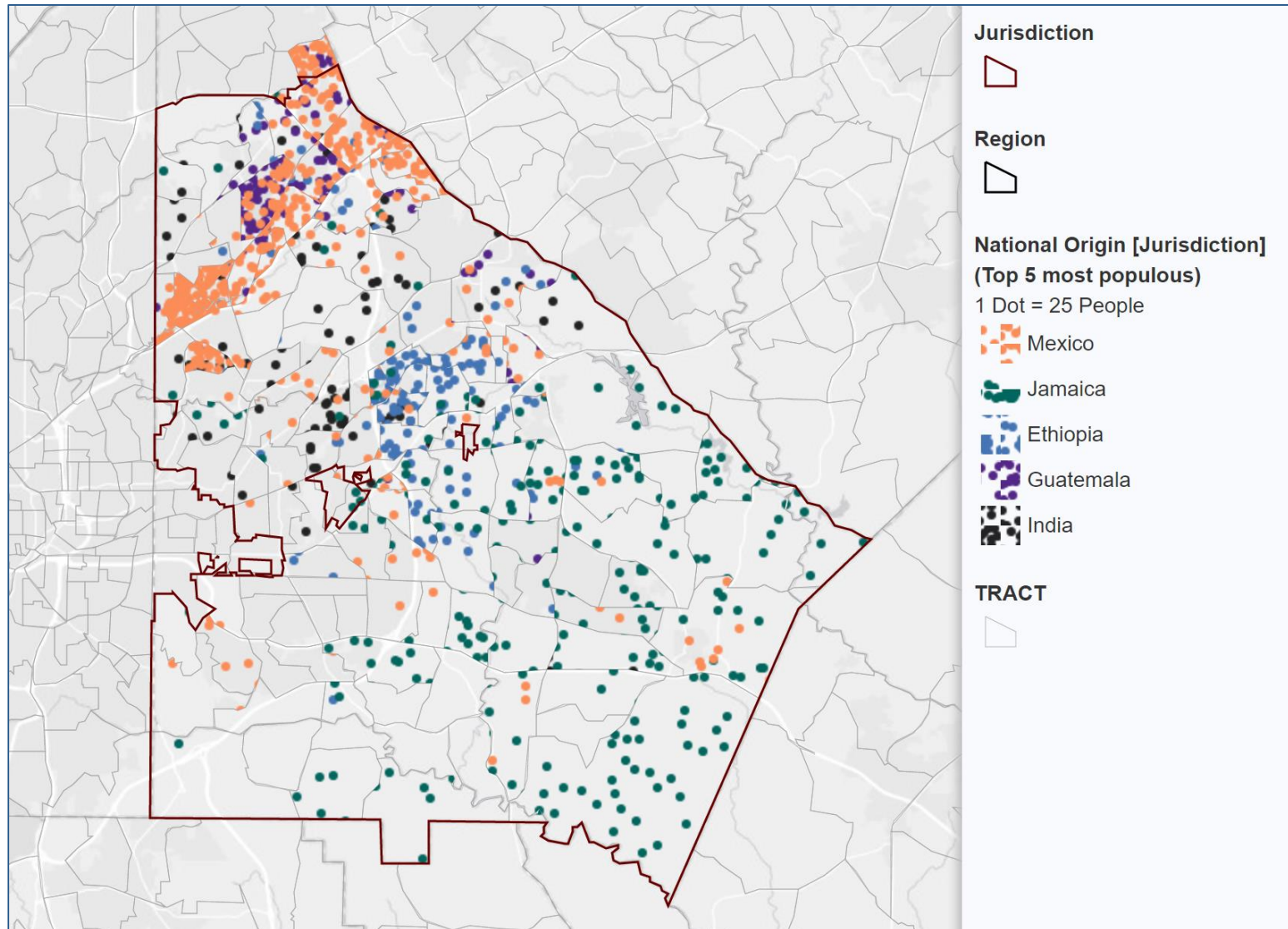
Communities of people sharing the same ethnicity and informal networks are able to provide some resources and opportunities, but numerous barriers and limited financial capital influence residential patterns of foreign-born and LEP populations.

According to Figure 9, there are relatively strong residential patterns among foreign-born residents in DeKalb County. Residents from Mexico comprise the largest foreign-born population and mostly reside in neighborhoods along Buford Highway in the cities of Brookhaven, Chamblee, and Doraville. There is also a cluster of residents from Guatemala in Chamblee and Doraville. Residents from Jamaica make up the second largest foreign-born group and reside loosely concentrated in Stone Mountain, Redan, and Lithonia in the southeast region DeKalb County. Ethiopian residents also comprise a significant portion of the foreign-born population in DeKalb County and reside mostly in Clarkston, Scottdale, Avondale, and Stone Mountain. The Indian population is the fifth-largest subgroup of the foreign-born population and predominantly reside in the northern half of the county.

The geographic distribution of residents with limited English proficiency (LEP) coincide with the locations of the foreign-born population in all three jurisdictions. The residential patterns of the Spanish-speaking LEP populations closely mirror that of foreign-born residents originating from Mexico and Guatemala. The lack of an LEP population that coincides with the concentrations of foreign-born residents from India and Jamaica is an indication of the population's proficiency with the English language.

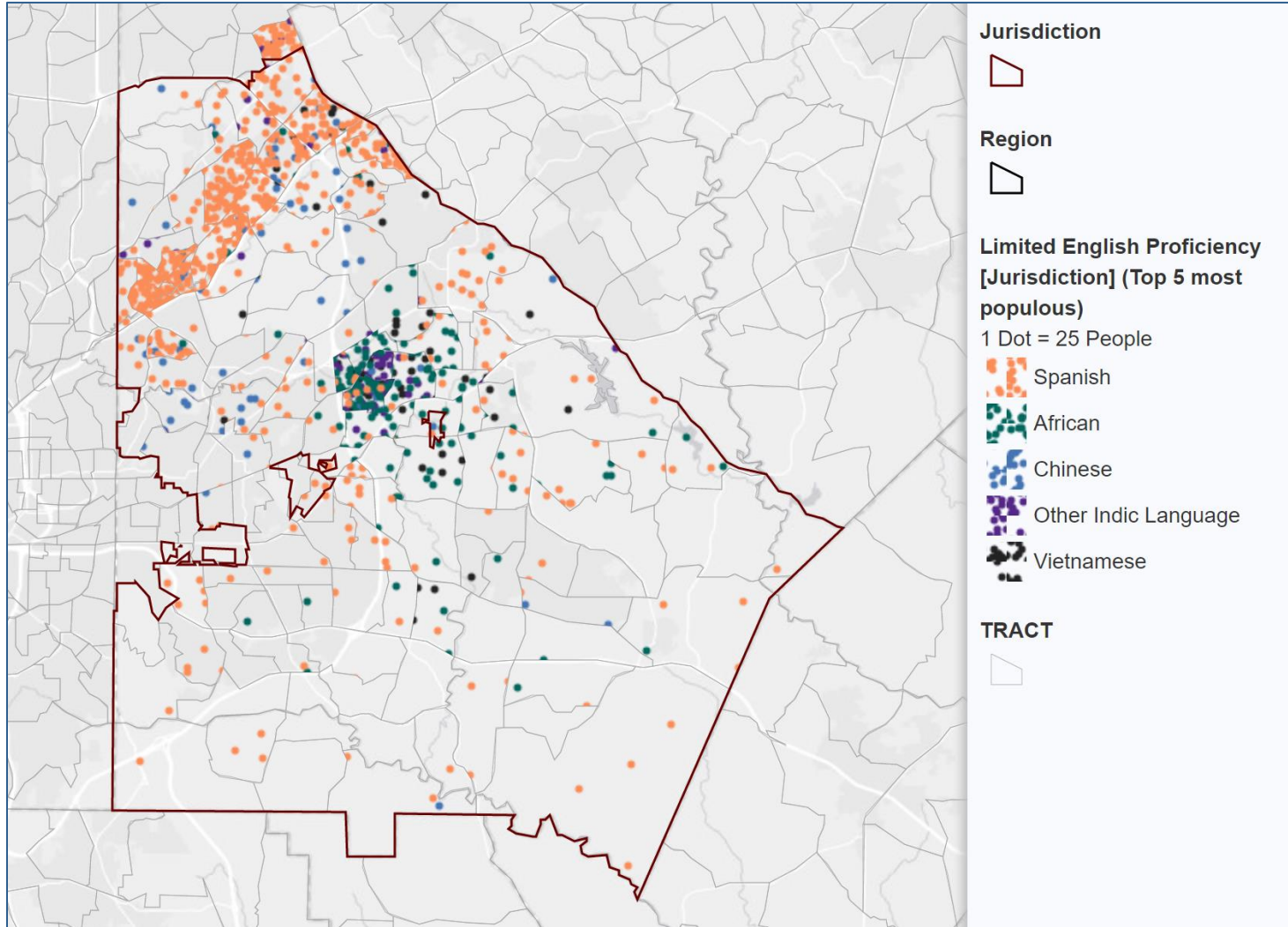
¹¹ Golding, E., Goodman, L., & Strohack, S. (2018). "Is Limited English Proficiency a Barrier to Homeownership." Urban Institute. Retrieved: <https://www.urban.org/research/publication/limited-english-proficiency-barrier-homeownership>

FIGURE 9. FOREIGN-BORN POPULATION BY NATIONALITY IN DEKALB COUNTY



Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

FIGURE 10. POPULATION WITH LIMITED ENGLISH PROFICIENCY IN DEKALB COUNTY



Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

CHAPTER 5.

ACCESS TO OPPORTUNITY

Housing discrimination and residential segregation have limited access to opportunity for specific population groups and communities. It is important to understand opportunity, as used in this context, as a subjective quality. Typically, it refers to access to resources like employment, quality education, healthcare, childcare, and other services that allow individuals and communities to achieve a high quality of life. However, researchers who interviewed residents of Baltimore, Maryland on this subject found perceptions of opportunity follow similar themes but are prioritized differently by different groups. Racial and ethnic minorities, low-income groups, and residents of distressed neighborhoods identified job access, employment, and training as important opportunities while white residents, higher income groups, and residents of wealthier neighborhoods more often identified sense of community, social connections among neighbors, freedom of choice, education, and retirement savings.¹²

Proximity is often used to indicate levels of access to opportunity; however, it would be remiss to consider proximity as the only factor in determining level of access. Access to opportunity is also influenced by social, economic, and cultural factors, thus making it difficult to accurately identify and measure. HUD conducted research regarding Moving to Opportunity for Fair Housing (MTO) to understand the impact of increased access to opportunity. Researchers found residents who moved to lower-poverty neighborhoods experienced safer neighborhoods and better health outcomes, but there was no significant change in educational outcomes, employment, or income.¹³ However, recent studies show the long-term effects of MTO on the educational attainment of children who were under the age of 13 are overwhelmingly positive with improved college attendance rates and higher incomes. On the other hand, children who were over the age of 13 show negative long-term impacts from MTO.¹⁴

The strategy to improve access to opportunities has been two-pronged with different housing and community development programs. Tenant-based housing vouchers allow mobility of recipients to locate in lower-poverty areas while programs like the Community Development Block Grant and Choice Neighborhoods Initiative provide funds to increase opportunities in disadvantaged neighborhoods.

¹² Lung-Amam, Willow S., et al. "Opportunity for Whom? The Diverse Definitions of Neighborhood Opportunity in Baltimore." *City and Community*, vol. 17, no. 3, 27 Sept. 2018, pp. 636-657, doi:10.1111/cico.12318.

¹³ *Moving to Opportunity for Fair Housing Demonstration Program: Final Impacts Evaluation*. U.S. Department of Housing and Urban Development, Office of Policy Development and Research, www.huduser.gov/portal/publications/pdf/MTOFHD_fullreport_v2.pdf.

¹⁴ Chetty, Raj, Nathaniel Hendren, and Lawrence F. Katz. 2016. "The Effects of Exposure to Better Neighborhoods on Children: New Evidence from the Moving to Opportunity Experiment." *American Economic Review*, 106 (4): 855-902. https://scholar.harvard.edu/files/hendren/files/mto_paper.pdf

OVERVIEW OF HUD-DEFINED OPPORTUNITY FACTORS

Among the many factors that drive housing choice for individuals and families are neighborhood factors including access to quality schools, jobs, and transit. To measure economic and educational conditions at a neighborhood level, HUD developed a methodology to quantify the degree to which a neighborhood provides such opportunities. For each block group in the U.S., HUD provides a score on several “opportunity dimensions,” including school proficiency, poverty, labor market engagement, jobs proximity, transportation costs, transit trips, and environmental health. For each block group, a value is calculated for each index and results are then standardized on a scale of 0 to 100 based on relative ranking within the metro area, state, or nation. For each opportunity dimension, a higher index score indicates more favorable neighborhood characteristics.

Average index values by race and ethnicity for DeKalb County and the MSA are provided in Table 5 for the total population and the population living below the federal poverty line. These values can be used to assess whether some population subgroups tend to live in higher opportunity areas than others and will be discussed in more detail by opportunity dimension throughout the remainder of this chapter. The Opportunity Index Disparity measures the difference between the scores for the white non-Hispanic group and other groups. A positive score indicates that the particular subgroup has a lower score on that dimension than the white non-Hispanic group. A negative score indicates that the subgroup has a higher score than the white non-Hispanic Group.

Figures 11-17 map each of the opportunity dimensions along with demographic information such as race and ethnicity.

TABLE 5. DISPARITY IN ACCESS TO NEIGHBORHOOD OPPORTUNITY IN DEKALB COUNTY AND THE ATLANTA-SANDY SPRINGS-ROSWELL MSA

Opportunity Dimension	Race / Ethnicity					Opportunity Index Disparity between White Non-Hispanic Population and Other Groups			
	Non-Hispanic				Hispanic	Black	Asian	Native American	Hispanic
	White	Black	Asian or Pacific Islander	Native American					
DeKalb County – Total Population									
School Proficiency Index	50.0	18.2	39.1	28.3	30.7	31.8	10.9	21.6	19.3
Jobs Proximity Index	54.5	37.6	57.0	44.7	53.7	16.9	-2.5	9.8	0.9
Labor Market Index	76.6	35.3	59.8	49.8	59.2	41.3	16.8	26.7	17.4
Transit Index	80.7	74.6	81.8	77.9	83.8	6.1	-1.1	2.8	-3.1
Low Transportation Cost Index	58.9	46.3	61.7	52.9	65.5	12.6	-2.8	5.9	-6.6
Low Poverty Index	53.6	35.5	38.2	38.5	25.5	18.0	15.4	15.1	28.0
Environmental Health Index	18.2	21.7	18.0	20.0	16.4	-3.5	0.2	-1.8	1.8
DeKalb County – Population below the Poverty Line									
School Proficiency Index	43.4	18.2	39.8	36.2	28.8	25.2	3.6	7.2	14.6
Jobs Proximity Index	56.1	37.9	58.0	66.5	54.9	18.2	-1.9	-10.4	1.2
Labor Market Index	68.2	31.2	52.0	64.1	56.6	37.0	16.2	4.1	11.7
Transit Index	80.9	76.9	83.4	86.4	85.9	4.0	-2.5	-5.5	-5.0
Low Transportation Cost Index	59.8	50.4	64.8	65.7	69.0	9.4	-5.0	-5.9	-9.3
Low Poverty Index	46.0	28.2	35.2	34.6	17.6	17.7	10.8	11.3	28.3
Environmental Health Index	18.1	20.8	17.5	14.2	15.4	-2.7	0.6	4.0	2.8

Data Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

TABLE 5. DISPARITY IN ACCESS TO NEIGHBORHOOD OPPORTUNITY IN DEKALB COUNTY AND THE ATLANTA-SANDY SPRINGS-ROSWELL MSA (CONTINUED)

Opportunity Dimension	Race / Ethnicity					Opportunity Index Disparity between White Non-Hispanic Population and Other Groups			
	Non-Hispanic				Hispanic	Black	Asian	Native American	Hispanic
	White	Black	Asian or Pacific Islander	Native American					
Atlanta-Sandy Springs-Roswell MSA – Total Population									
School Proficiency Index	66.6	37.6	66.9	54.8	54.4	29.1	-0.3	11.8	12.3
Jobs Proximity Index	50.0	46.0	54.7	50.2	52.3	4.1	-4.6	-0.2	-2.2
Labor Market Index	61.5	41.6	66.7	52.0	51.5	19.9	-5.2	9.5	10.0
Transit Index	58.3	68.3	71.1	61.8	70.8	-10.0	-12.8	-3.5	-12.5
Low Transportation Cost Index	34.9	43.7	45.3	39.0	48.3	-8.8	-10.5	-4.2	-13.4
Low Poverty Index	59.3	38.4	57.6	48.5	38.9	20.9	1.8	10.8	20.5
Environmental Health Index	36.2	25.3	27.8	32.0	27.3	10.9	8.4	4.2	8.9
Atlanta-Sandy Springs-Roswell MSA – Population below the Poverty Line									
School Proficiency Index	59.6	31.9	58.7	50.6	49.5	27.7	0.9	9.0	10.1
Jobs Proximity Index	50.5	47.6	56.8	54.2	53.2	2.9	-6.4	-3.7	-2.7
Labor Market Index	49.8	33.3	59.5	43.3	45.6	16.6	-9.7	6.6	4.3
Transit Index	57.2	71.4	74.5	63.5	73.8	-14.3	-17.4	-6.3	-16.6
Low Transportation Cost Index	36.9	48.9	52.7	42.3	52.5	-12.0	-15.8	-5.5	-15.6
Low Poverty Index	47.5	27.6	48.4	37.8	28.1	19.8	-0.9	9.7	19.3
Environmental Health Index	36.3	23.2	23.9	29.3	25.0	13.1	12.4	7.0	11.3

Data Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

EDUCATION

School proficiency is an indication of the quality of education that is available to residents of an area. High quality education is a vital community resource that can lead to more opportunities and improve quality of life. HUD's school proficiency index is calculated based on the performance of 4th grade students on state reading and math exams. For each block group, the index is calculated using test results in up to the three closest schools within 1.5 miles. Results are then standardized on a scale of 0 to 100 based on relative ranking within the state. A higher index score indicates greater access to high-performing elementary schools.¹⁵

**SCHOOL PROFICIENCY INDEX:
BASED ON 4TH GRADE STUDENTS'
PERFORMANCE ON STATE
READING AND MATH TESTS AT
ELEMENTARY SCHOOLS IN OR
NEAR EACH BLOCK GROUP**

The map on the following page shows HUD-provided opportunity scores related to education for block groups within DeKalb County, along with the demographic indicators of race and ethnicity. In each map, lighter shading indicates areas of lower opportunity and darker shading indicates higher opportunity.

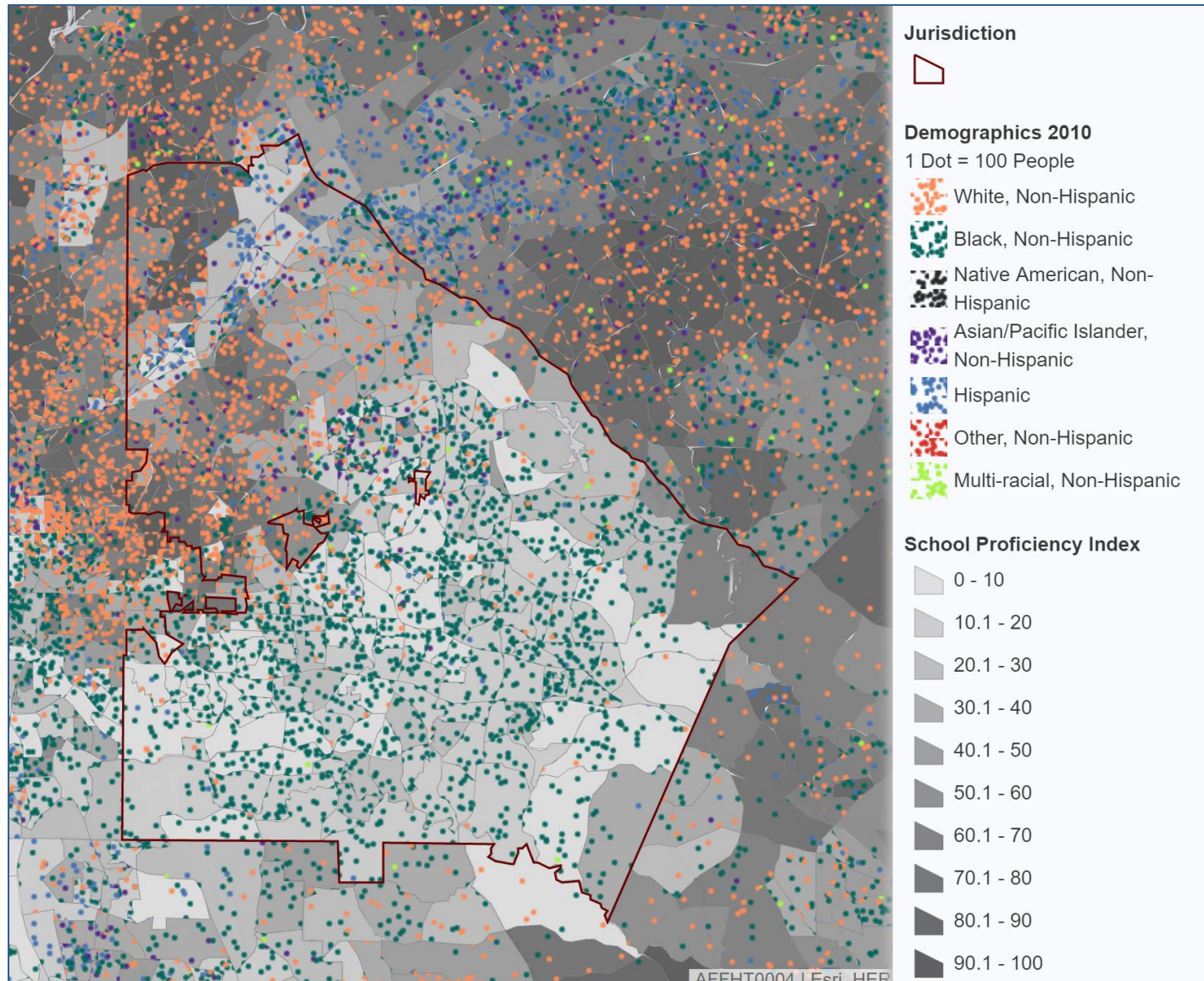
The lowest scoring block groups in DeKalb County are located in the southern half of the county where there is a more prominent population of Black/ African American residents. Most of the highest scoring block groups are located in the northern half of the county and have populations that are predominantly white. Residential distribution patterns and school proficiency index scores by block group shown in Figure 11 indicate disparities among racial and ethnic groups in DeKalb County.

The opportunity index scores in Table 5 indicate lower levels of access to proficient schools for non-white racial and ethnic groups in DeKalb County. The 31.8-point difference between white and Black populations is about 1.5 times the disparity between white and Native American populations, the second lowest scoring group. Asian or Pacific Islander populations have the best access to proficient schools among the non-white groups, both for the total population and the population below the poverty line. The disparities among racial and ethnic groups below the poverty line are less significant compared to those in the total population.

Considering the wider Atlanta region as a whole, school proficiency index scores for all population groups are generally less unequal than in DeKalb County. White and Asian residents have significantly better access than other racial and ethnic groups. Black/African American populations below the poverty line are the lowest-scoring group in the MSA.

¹⁵ HUD's data sources for its school proficiency index include attendance area zones from School Attendance Boundary Information System (SABINS) and Maponics, school proficiency data from Great Schools, and school addresses and attendance from Common Core of Data. For a more detailed description of HUD's methodology and data sources, please see HUD's Affirmatively Furthering Fair Housing Data and Mapping Tool Data Documentation appended to this report.

FIGURE 11: SCHOOL PROFICIENCY INDEX IN DEKALB COUNTY



Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

EMPLOYMENT

Neighborhoods with jobs in close proximity are often assumed to have good access to jobs. However, distance alone does not capture any other factor such as transportation options, the type of jobs available in the area, or the education and training necessary to obtain them. There may be concentrations of jobs and low-income neighborhoods in urban centers, but many of the jobs are unattainable for residents of low-income neighborhoods. Therefore, this section analyzes both the labor market engagement and jobs proximity indices which, when considered together, offer a better indication of how accessible jobs are for residents of a specific area.

JOBS PROXIMITY INDEX: BASED ON DISTANCE TO REGIONAL EMPLOYMENT CENTERS AND THE LABOR SUPPLY SERVING THOSE CENTERS

The Jobs Proximity Index measures the physical distance between place of residence and job locations, with employment centers weighted more heavily. It also takes into account the local labor supply (i.e., competition for jobs) near such employment centers. Block group results are then standardized on a scale of 0 to 100 based on relative ranking within the metro area. A higher index score indicates greater access to job locations.¹⁶

The Jobs Proximity Index scores of block groups in DeKalb County are mapped in Figure 12 along with the population distribution by race and ethnicity. Job proximity is highest in the northern portion of the county, with high scores also occurring in its western portion.

The Labor Market Engagement Index is based on unemployment rate, labor force participation rate, and the percent of the population age 25 and over with a bachelor's degree or higher. Block group results are standardized on a scale of 0 to 100 based on relative ranking nationally. A higher index score indicates greater labor market engagement.¹⁷ Figure 13 maps Labor Market Engagement Index scores for block groups in DeKalb County. Again, lighter shading indicates areas of lower opportunity and darker shading indicates higher opportunity. The spatial distribution of labor market engagement in the county shows a noticeable pattern or correlation between race, ethnicity, and labor market engagement.

LABOR MARKET ENGAGEMENT INDEX: BASED ON EMPLOYMENT LEVELS, LABOR FORCE PARTICIPATION RATES, AND EDUCATIONAL ATTAINMENT

Jobs Proximity Index scores in DeKalb County reveal disparities similar to those in the City of Atlanta. Asian and white populations experience greater access to jobs compared to Black, Native American, and Hispanic populations. Notably, Native American populations below the poverty line have increased access

¹⁶ HUD's data source for its jobs proximity index includes the Longitudinal Employer-Household Dynamics (LEHD) database. For a more detailed description of HUD's methodology and data sources, please see HUD's Affirmatively Furthering Fair Housing Data and Mapping Tool Data Documentation appended to this report.

¹⁷ HUD's data source for its labor market engagement index is the American Community Survey. For a more detailed description of HUD's methodology and data sources, please see HUD's Affirmatively Furthering Fair Housing Data and Mapping Tool Data Documentation appended to this report.

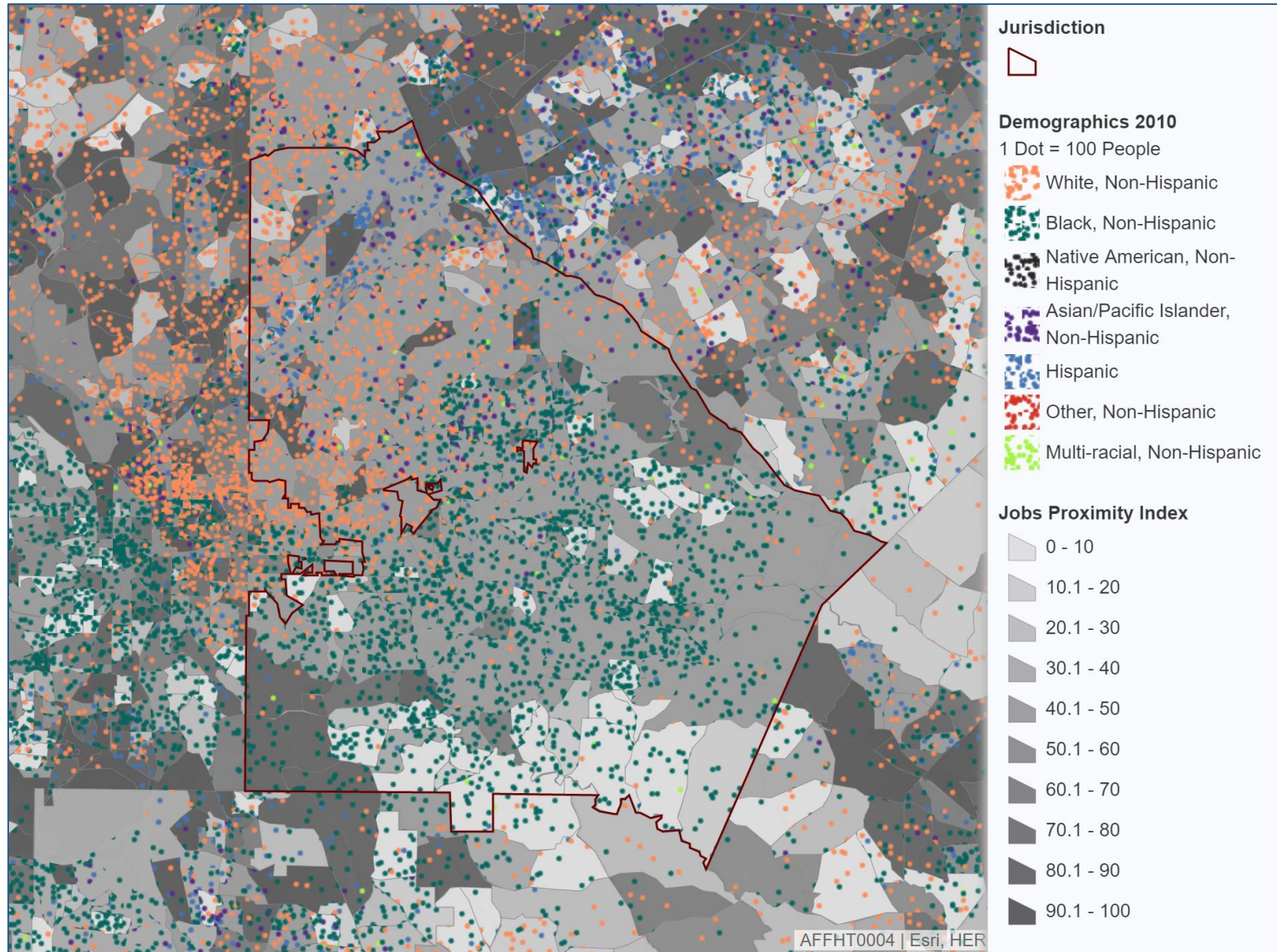
to jobs relative to the total Native American population, as well as to all other ethnic groups below the poverty line.

Labor Market Engagement Index scores indicate high levels of disparity in DeKalb County. There is an over 41-point difference in labor market engagement between white and Black/African American populations, the highest and lowest scoring populations for labor market engagement. The white population in DeKalb County scores higher than all other populations for labor market engagement by a significant margin, although disparities are slightly lower for populations below the poverty line.

The Atlanta MSA has overall lower disparities in access to jobs among racial and ethnic groups for both total population and the population below the poverty line. With the exception of the Asian population below the poverty line, Jobs Proximity Index scores of all groups are within a 5-point range. The Asian population below the poverty line has the best access to jobs while the Black/African American population has the lowest levels of access to jobs. Labor market engagement is also generally more even in the region compared to DeKalb County.

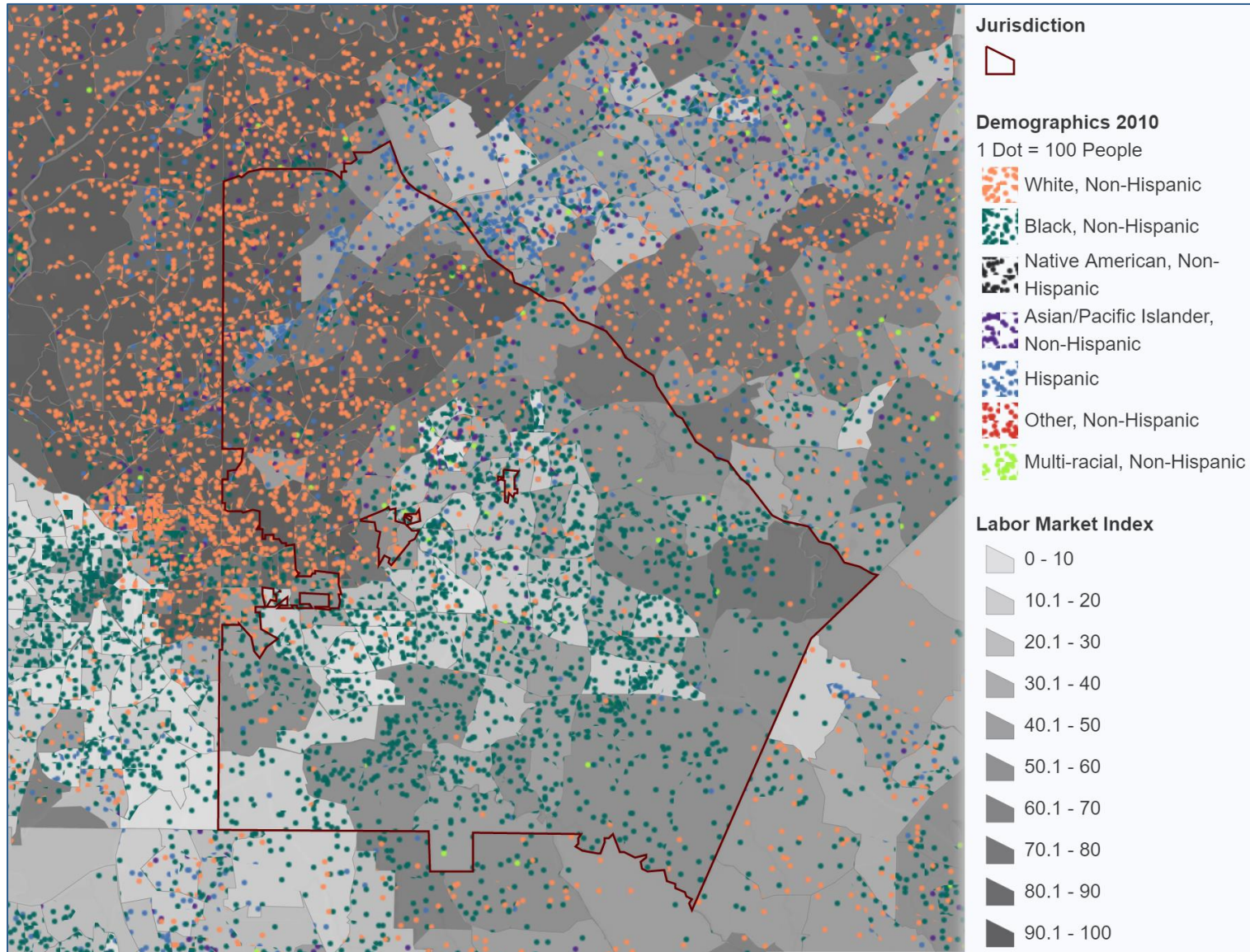
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FIGURE 12. JOBS PROXIMITY INDEX IN DEKALB COUNTY



Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

FIGURE 13. LABOR MARKET INDEX IN DEKALB COUNTY



Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

TRANSPORTATION

The Transit Trip Index measures how often low-income renter families in a neighborhood use public transit. Values are then standardized on a scale of 0 to 100 based on relative ranking nationally. The higher the index value, the more likely residents in that neighborhood use public transit. The index controls for income such that a higher index value will often reflect better access to public transit.

The Low Transportation Cost Index is based on estimates of transportation costs as a percentage of income for low-income renter families in a given neighborhood. Results are standardized on a scale of 0 to 100 based on relative ranking nationally. The higher the Low Transportation Cost Index, the lower the cost of transportation in that neighborhood.¹⁸ Figures 14 and 15 map Transit Trip and Low Transportation Cost Index values for DeKalb County. Lighter shading indicates areas of lower opportunity (i.e., less transit use and higher transportation costs) and darker shading indicates higher opportunity (i.e., higher transit use and lower transportation costs).

Transit Trip Index scores for population groups in DeKalb County indicate similar levels of transit usage across racial and ethnic groups, with slightly lower usage by Black households and higher usage by Hispanic households. The population below the poverty line also has similar usage across racial and ethnic groups, with slightly higher usage by Native American and Hispanic households and lower usage by Black households.

Low Transportation Cost Index scores for population groups in DeKalb County indicate that across the total population, Hispanic and Asian households have the greatest access to low-cost transportation, while Black and Native American households have the lowest levels of access. For the population living below the poverty line, Hispanic, Native American, and Asian households have the greatest access to low-cost transportation, while Black households have the lowest levels of access.

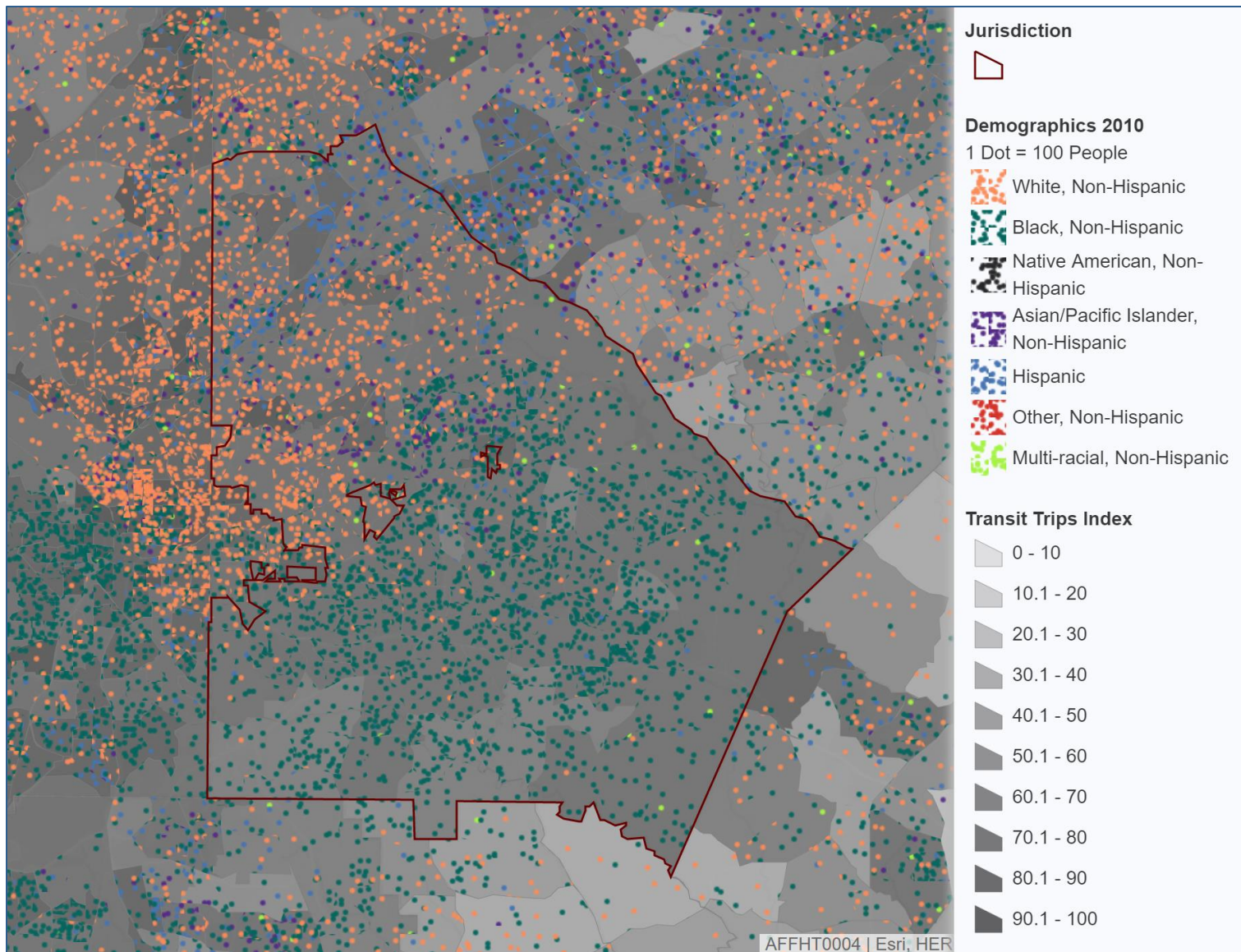
Across the Atlanta-Sandy Springs-Roswell metro area, white households use transit at lower rates than households of other racial and ethnic groups. Hispanic and Asian households use transit at the highest rates. Transit usage is higher for households living below the poverty line for all racial and ethnic groups with the exception of white households. In the metro as a whole, Asian, Hispanic, and Black households below the poverty line use transit at the highest levels.

TRANSIT TRIP INDEX: BASED ON ESTIMATED NUMBER OF TRANSIT TRIPS TAKEN BY FAMILIES WITH INCOMES AT 50% OF MEDIAN INCOME FOR RENTERS IN THE REGION

LOW TRANSPORTATION COST INDEX: BASED ON TRANSPORTATION COSTS AS A SHARE OF INCOME FOR FAMILIES WITH INCOMES AT 50% OF MEDIAN INCOME FOR RETNERS IN THE REGION

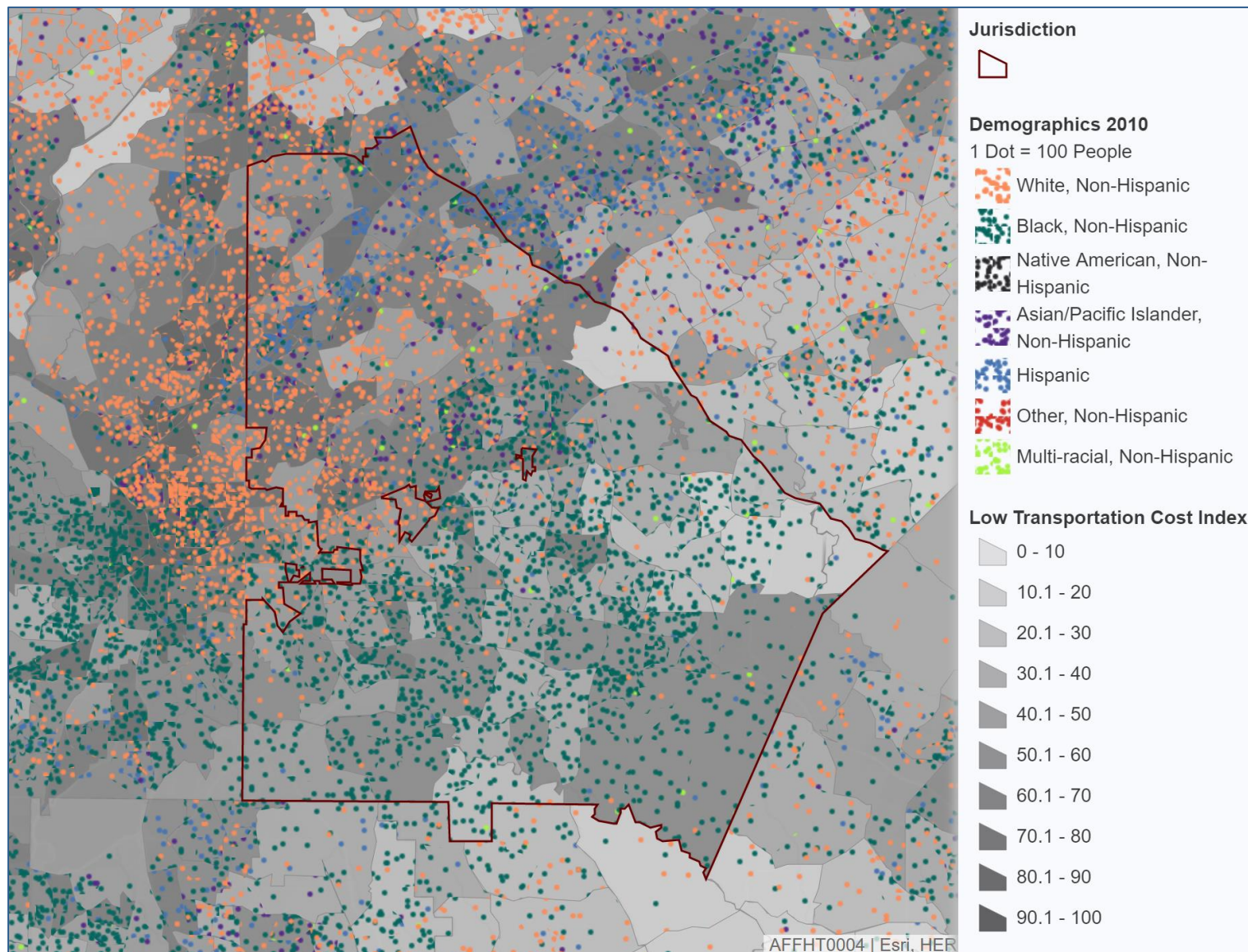
¹⁸ HUD's data source for its transit trip and low transportation costs indices is Location Affordability Index (LAI) data. For a more detailed description of HUD's methodology and data sources, please see HUD's Affirmatively Furthering Fair Housing Data and Mapping Tool Data Documentation appended to this report.

FIGURE 14. TRANSIT TRIPS INDEX IN DEKALB COUNTY



Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

FIGURE 15. LOW TRANSPORTATION COST INDEX IN DEKALB COUNTY



Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

POVERTY

Residents in high poverty areas tend to have lower levels of access to opportunity due to the absence of critical resources and disinvestment in their communities. As poverty increases, disparities in access to opportunities often increase among population groups and disadvantaged communities become even more isolated. HUD's Low Poverty Index uses family poverty rates (based on the federal poverty line) to measure exposure to poverty by neighborhood. Values are standardized based on national ranking to produce scores ranging from 0 to 100 where a higher score indicates less exposure to poverty.¹⁹ Figure 16 maps Low Poverty Index scores for DeKalb County. Lighter shading indicates areas of higher poverty and darker shading indicates lower levels of poverty.

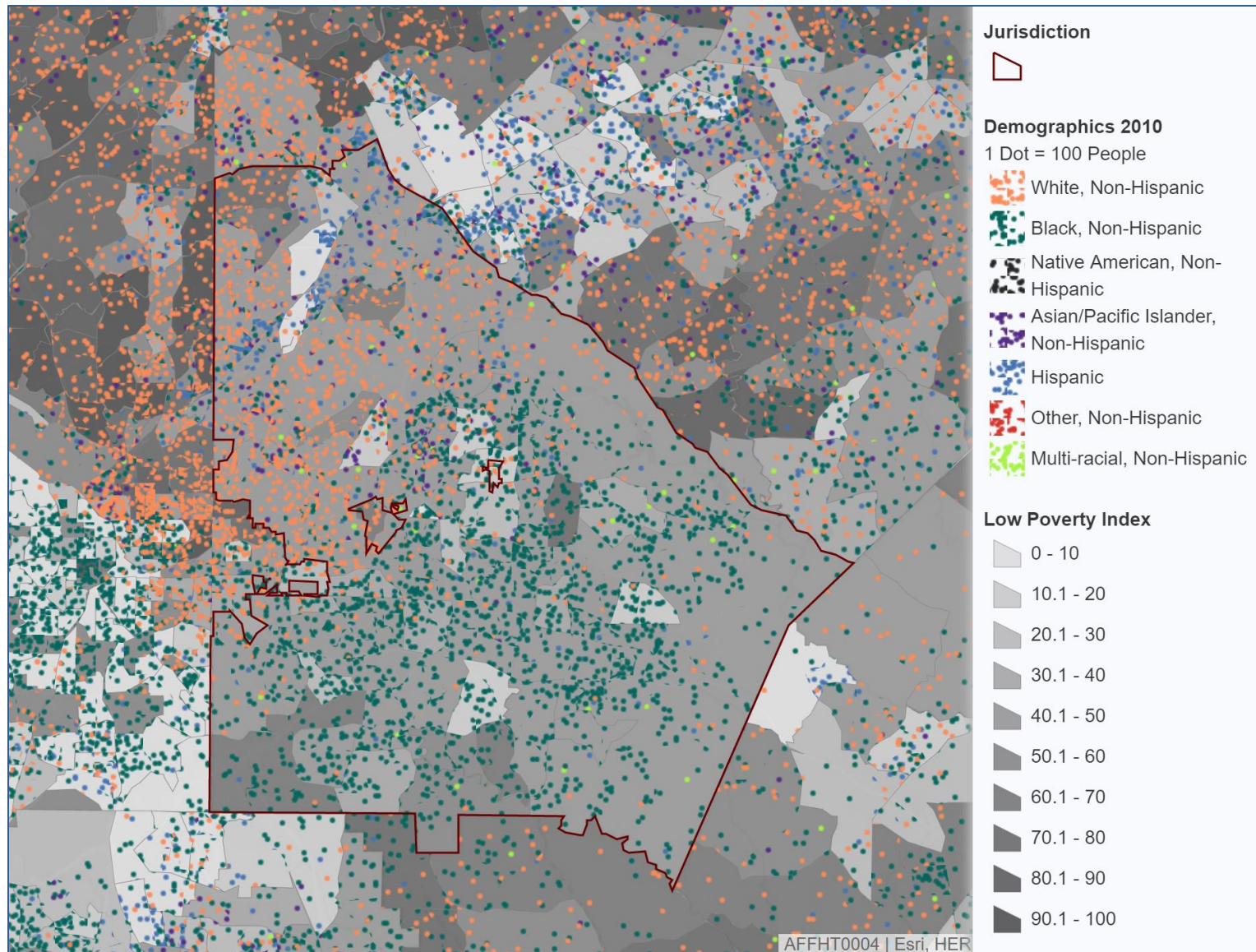
LOW POVERTY INDEX: BASED ON NEIGHBORHOOD POVERTY RATES

People of color in DeKalb County have greater exposure to poverty than the white population, with Hispanic residents experiencing high exposure to poverty. White residents in DeKalb County have the lowest levels of exposure to poverty. The disparity in exposure to poverty between white households, the racial/ethnic group with the lowest exposure to poverty, and Hispanic households, the group with the highest exposure, is 28 points.

Low Poverty Index scores calculated for the Atlanta-Sandy Springs-Roswell MSA indicate smaller disparities among racial and ethnic population groups throughout the region relative to the county. The white population is the least exposed to poverty in the MSA. Black and Hispanic populations experience the highest levels of exposure to poverty. The discrepancy in scores between the white and Black populations in the region is 20.9 points.

¹⁹ HUD's data source for its low poverty index is the American Community Survey. For a more detailed description of HUD's methodology and data sources, please see HUD's Affirmatively Furthering Fair Housing Data and Mapping Tool Data Documentation appended to this report.

FIGURE 16. LOW POVERTY INDEX IN DEKALB COUNTY




Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

ENVIRONMENTAL HEALTH

HUD's Environmental Health Index measures exposure based on EPA estimates of air quality (considering carcinogenic, respiratory, and neurological toxins) by neighborhood. The index only measures issues related to air quality and not other factors impacting environmental health. Values are standardized based on national ranking to produce scores ranging from 0 to 100 where a higher score indicates less exposure to environmental hazards.²⁰ Figure 17 maps Environmental Health Index scores for DeKalb County. Lighter shading indicates areas of higher potential exposure to hazards, and darker shading indicates lower levels of environmental hazards.

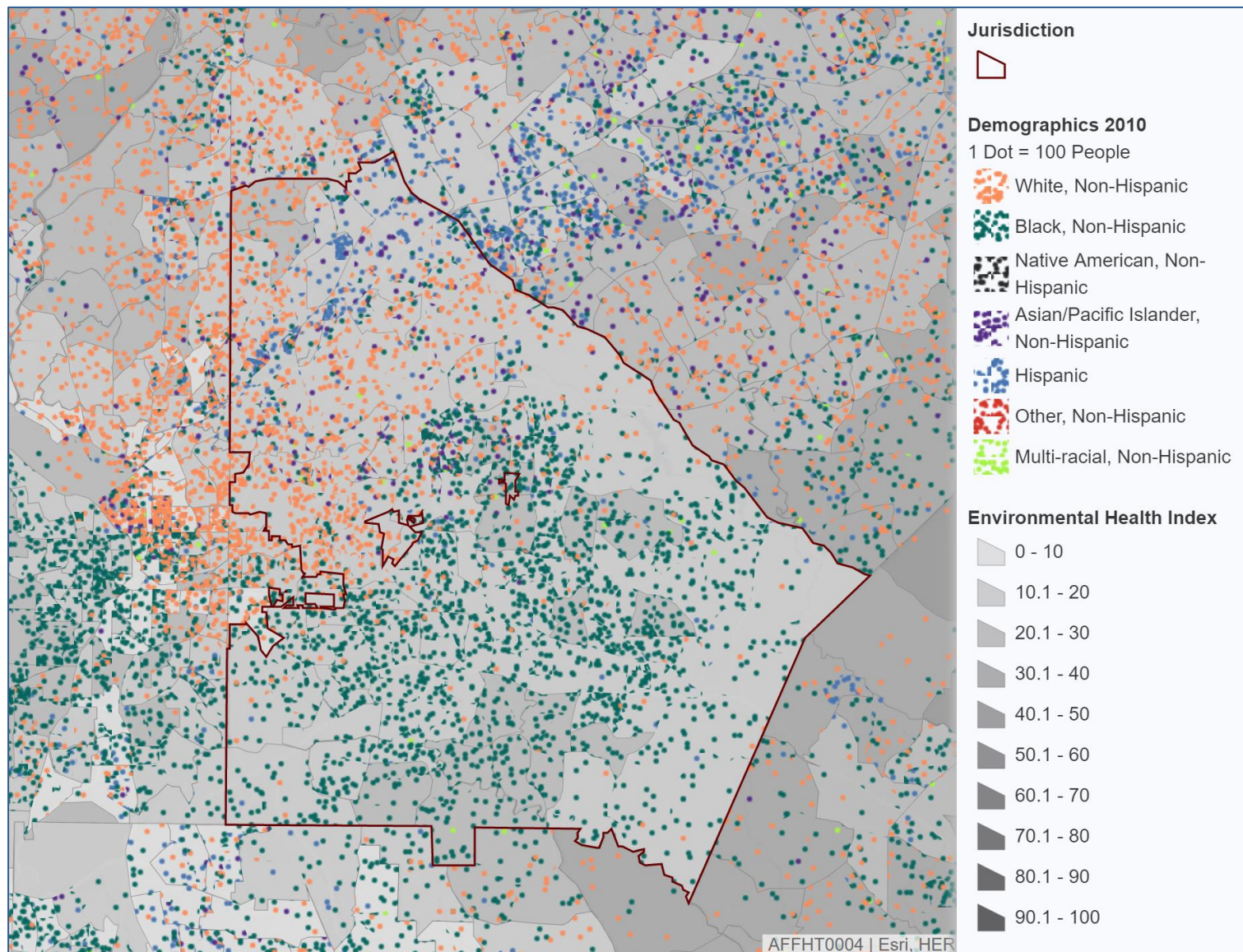
DeKalb County has a disproportionate number of block groups with lower air quality compared to the rest of the Atlanta region. While the air quality in DeKalb County is below the regional average, there are only minor disparities among population groups. The Black population both above and below the poverty line are exposed to marginally higher quality air compared to other population groups.



ENVIRONMENTAL HEALTH INDEX: BASED ON STANDARDIZED EPA ESTIMATES OF AIR QUALITY HAZARDS

²⁰ HUD's data source for its environmental health index is the EPA's National Air Toxins Assessment (NATA) data. For a more detailed description of HUD's methodology and data sources, please see HUD's Affirmatively Furthering Fair Housing Data and Mapping Tool Data Documentation appended to this report.

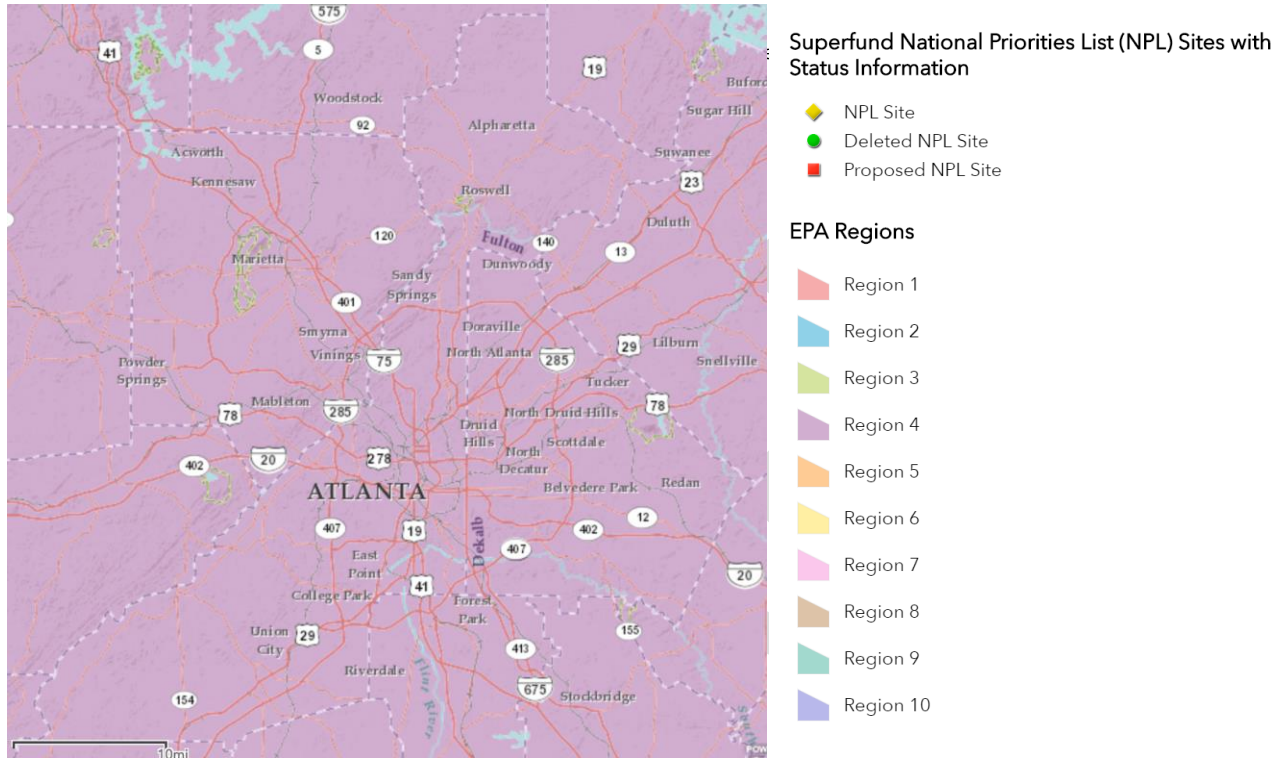
FIGURE 17. ENVIRONMENTAL HEALTH INDEX IN DEKALB COUNTY



Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

A Superfund site is any land in the United States that has been contaminated by hazardous waste and identified by the EPA as a candidate for cleanup because it poses a risk to human health and/or the environment. These sites are placed on the National Priorities List (NPL). There are currently no Superfund sites in DeKalb County.

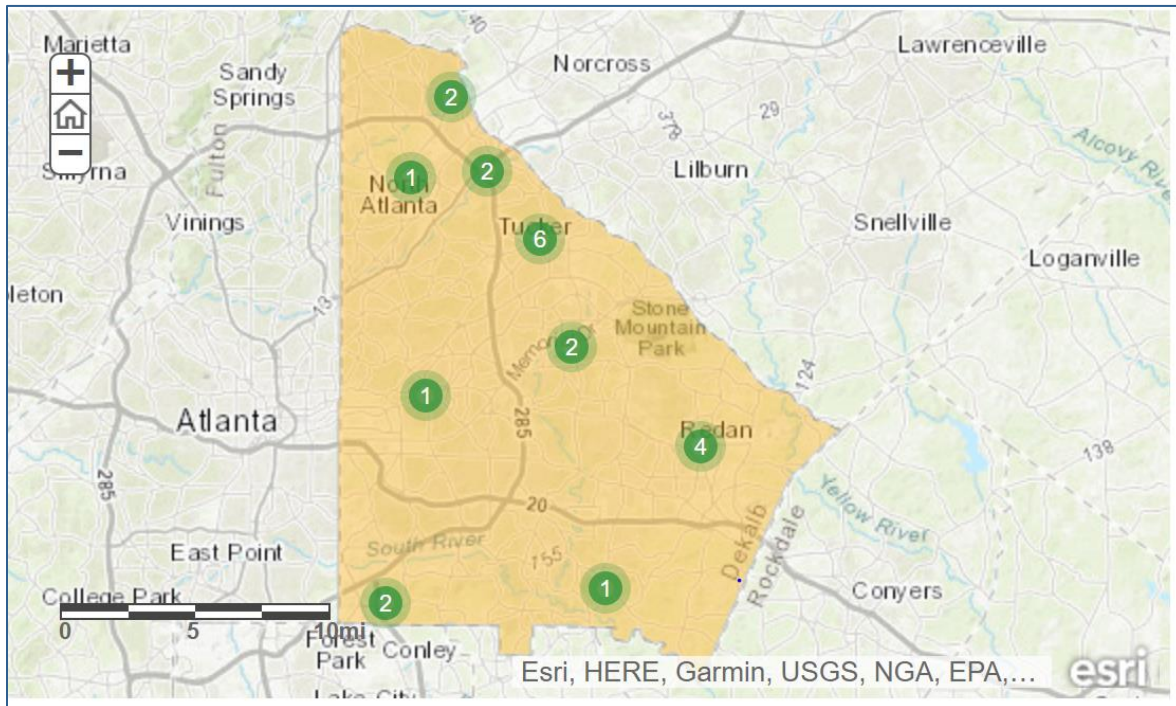
FIGURE 18. SUPERFUND NATIONAL PRIORITIES LIST (NPL) SITES IN DEKALB COUNTY



DRAFT

The Toxics Release Inventory (TRI) tracks the management of certain toxic chemicals that may pose a threat to human health and the environment. Certain industrial facilities in the U.S. must report annually how much of each chemical is recycled, combusted for energy recovery, treated for destruction, and disposed of or otherwise released on- and off-site. This information is collectively referred to as production-related waste managed. There are several sites within DeKalb County, as shown on the map below.

FIGURE 19. TOXIC RELEASE INVENTORY (TRI) IN DEKALB COUNTY



Map Source: Environmental Protection Agency GIS Data, Retrieved from: <https://iaspub.epa.gov/triexplorer/>

SUMMARY

Levels of access to schools, employment, jobs transit, and environmental health were compared among different racial and ethnic populations in DeKalb County. Spatial distribution patterns of racial composition and index scores indicate disproportionate representation of people of color residing in block groups that have low school proficiency index scores in the county and MSA, with the exception of Asian residents at the MSA level.

The Jobs Proximity Index scores of block groups indicates minor disparities among most racial and ethnic groups in DeKalb County. In contrast, Labor Market Engagement Index scores by population group indicate significant disparities among racial and ethnic groups. There are greater levels of engagement in the northern portion of the county, which has a higher proportion of white households.

There are minor disparities in usage of public transportation among population groups. Low Transportation Cost scores vary somewhat across racial and ethnic groups.

Block groups that are exposed to more poverty have a higher percentage of people of color, while block groups with low levels of poverty appear to be predominantly white. DeKalb County has higher exposure to poverty compared to the region as a whole. Non-white populations are exposed to significantly more poverty than the white population.

DeKalb County has low scores on the environmental health opportunity dimension, although scores across racial and ethnic groups are relatively even.

DRAFT

CHAPTER 6.

HOUSING PROFILE

The availability of quality affordable housing plays a vital role in ensuring housing opportunities are fairly accessible to all residents. On the surface, high housing costs in certain areas are exclusionary based solely on income. But the disproportionate representation of several protected class groups in low and middle income levels can lead to unequal access to housing options and neighborhood opportunity in high-cost housing markets. Black and Hispanic residents, immigrants, people with disabilities, and seniors often experience additional fair housing barriers when affordable housing is scarce.

Beyond providing fair housing options, the social, economic, and health benefits of providing quality affordable housing are well-documented. National studies have shown affordable housing encourages diverse, mixed-income communities, which result in many social benefits. Affordable housing also increases job accessibility for low and middle income populations and attracts a diverse labor force critical for industries that provide basic services for the community. Affordable housing is also linked to improvements in mental health, reduction of stress, and decreased cases of illnesses caused by poor-quality housing.²¹ Developing affordable housing is also a strategy used to prevent displacement of existing residents when housing costs increase due to economic or migratory shifts.

Conversely, a lack of affordable housing eliminates many of these benefits and increases socioeconomic segregation. High housing costs are linked to displacement of low-income households and an increased risk of homelessness.²² Often lacking the capital to relocate to better neighborhoods, displaced residents tend to move to socioeconomically disadvantaged neighborhoods where housing costs are most affordable.²³

This section discusses the existing supply of housing in DeKalb County and the region. It also reviews housing costs, including affordability and other housing needs by householder income.

HOUSING SUPPLY SUMMARY

According to the 2013-2017 American Community Survey, there are a total of 307,776 housing units in DeKalb County, up by 17.8% since 2000. The vacancy rate is 11.1%, up 6.5 percentage points from 2000. The vacancy rate, calculated from ACS data, includes housing that is available for sale or rent, housing that has been rented or sold but not yet occupied, seasonal housing, and other vacant units. Thus, the actual

²¹ Maqbool, Nabihah, et al. "The Impacts of Affordable Housing on Health: A Research Summary." *Insights from Housing Policy Research*, Center for Housing Policy, www.rupco.org/wp-content/uploads/pdfs/The-Impacts-of-Affordable-Housing-on-Health-CenterforHousingPolicy-Maqbool.etal.pdf.

²² "State of the Nation's Housing 2015." Joint Center for Housing Studies of Harvard University, <http://www.jchs.harvard.edu/sites/default/files/jchs-sonhr-2015-full.pdf>

²³ Deirdre Oakley & Keri Burchfield (2009) Out of the Projects, Still in the Hood: The Spatial Constraints on Public-Housing Residents' Relocation in Chicago." *Journal of Urban Affairs*, 31:5, 589-614.

number of rental and for-sale units that are available for occupancy are likely lower than these figures indicate.

TABLE 6. HOUSING UNITS BY OCCUPANCY STATUS IN DEKALB COUNTY AND ATLANTA-SANDY SPRINGS-ROSWELL MSA

	2000	2010	2013-2017	2000-2017 Change
DeKalb County				
Total Housing Units	186,925	224,573	235,900	26.2%
Occupied Housing Units	168,147	185,142	192,929	14.7%
Vacant Housing Units	18,778	39,431	42,971	128.8%
Vacancy Rate	10%	17.6%	18.2%	+8.2% points
Atlanta-Sandy Springs-Roswell MSA				
Total Housing Units	N/A	N/A	2,244,683	N/A
Occupied Housing Units	N/A	N/A	2,029,045	N/A
Vacant Housing Units	N/A	N/A	215,638	N/A
Vacancy Rate	N/A	N/A	9.6%	N/A

Data Sources: U.S. Census 2000 SF1 Table H003 and 2010 SF1 Table H3 and 2013-2017 5-Year American Community Survey Table B25002

Variety in terms of housing structure type is important in providing housing options suitable to meet the needs of all residents, including different members of protected classes. Multifamily housing, including rental apartments, are often more affordable than single-family homes for low- and moderate-income households, who are disproportionately likely to be households of color. Multifamily units may also be the preference of some elderly and disabled householders who are unable or do not desire to maintain a single-family home.

The table that follows shows housing units by structure type in DeKalb County. Single-family detached homes make up the largest share of units at 56.4%. Duplex, triplex, and quadraplex properties make up a relatively small shares (5.4%) and small multifamily properties with 5 to 15 units per structure make up 18.4%, compared to 12% of units in the region. Larger multifamily properties with 50 or more units make up only 6.9% of total units in DeKalb County, about the same as their share in the region (5.0%). Mobile homes and other housing make up very small shares of housing.

TABLE 7. HOUSING UNITS BY STRUCTURE TYPE IN DEKALB COUNTY AND ATLANTA-SANDY SPRINGS-ROSWELL MSA

Units in Structure	DeKalb County		Atlanta-Sandy Springs-Roswell MSA	
	#	%	#	%
1, detached	173,465	56.4%	1,506,655	67.1%
1, attached	20,500	6.7%	115,085	5.1%
2-4	16,583	5.4%	87,330	3.9%
5-19	56,654	18.4%	272,957	12.2%
20-49	17,751	5.8%	81,649	3.6%
50 or more	21,260	6.9%	113,134	5.0%
Mobile home	1,512	0.5%	66,760	3.0%
Other (RV, boat, van, etc.)	51	0.0%	1,113	0.0%
Total	307,776	100.0%	2,244,683	100.0%

Note: All % represent a share of the total housing units within the jurisdiction or region.

Data Source: 2013-2017 5-Year American Community Survey Table B25024

Availability of housing in a variety of sizes is important to meet the needs of different demographic groups. Neighborhoods with multi-bedroom detached, single-family homes will typically attract larger families, whereas dense residential developments with smaller unit sizes and fewer bedrooms often accommodate single-person households or small families. But market forces and affordability impact housing choice and the ability to obtain housing of a suitable size, and markets that do not offer a variety of housing sizes at different price points can lead to barriers for some groups. Rising housing costs can, for example, lead to overcrowding as large households with lower incomes are unable to afford pricier, larger homes and are forced to reside in smaller units. On the other hand, people with disabilities or seniors with fixed incomes may not require large units but can be limited by higher housing costs in densely populated areas where most studio or one-bedroom units are located.

TABLE 8. HOUSING UNITS BY NUMBER OF BEDROOMS IN DEKALB COUNTY AND ATLANTA-SANDY SPRINGS-ROSWELL MSA

Number of Bedrooms	DeKalb County		Atlanta-Sandy Springs-Roswell MSA	
	#	%	#	%
Studio or one	44,430	14.4%	226,445	10.1%
Two	79,775	25.9%	465,029	20.7%
Three	107,148	34.8%	851,083	37.9%
Four or more	76,423	24.8%	702,126	31.3%
Total	307,776	100.0%	2,244,683	100.0%

Note: All % represent a share of the total housing units within the jurisdiction or region.

Data Source: 2013-2017 5-Year American Community Survey Table B25041

As the table above shows, three-bedroom units make up the largest share of housing in DeKalb County and the region (34.8% and 37.9%, respectively). DeKalb County and the region have relatively low shares of studio/one bedroom housing at 14.4% and 10.1%, respectively.

Table 9 provides information for households living in publicly supported housing, including unit size and presence of children by housing program type. Assuming households with children would need two-bedroom or larger units, comparing the number of two- and three-plus bedroom units with the number of households with children does not immediately indicate overcrowding in assisted housing. For example, the 186 households with children who live in public housing in DeKalb County could theoretically be housed in the 255 units with two or more bedrooms.

However, because data about households with children by household size is not available, precise conclusions regarding the suitability of the existing publicly supported housing stock cannot be drawn. There may be a mismatch between large family households and the availability of three bedroom or larger units, but such a situation is not discernible without information about household size. Additionally, smaller households may reside in units with more bedrooms (a 2-person household without children living in a 2-bedroom unit, for example), reducing the availability of larger units for households with children.

TABLE 9. PUBLICLY SUPPORTED HOUSING BY PROGRAM CATEGORY: UNITS BY NUMBER OF BEDROOMS AND PRESENCE OF CHILDREN IN DEKALB COUNTY

Housing Type	Households in 0-1 Bedroom Units		Households in 2 Bedroom Units		Households in 3+ Unit Bedrooms		Households with Children	
	#	%	#	%	#	%	#	%
Public Housing	126	32.6%	124	32.0%	131	33.8%	186	48.1%
Project-Based Section 8	1,019	62.9%	481	29.7%	114	7.0%	451	27.8%
Other Multifamily	352	95.4%	4	1.1%	0	0.0%	1	0.3%
HCV Program	1,276	17.8%	2,477	34.6%	3,311	46.2%	3,472	48.5%

Note: All % represent a share of the total households living in publicly supported housing units by program category within the jurisdiction.

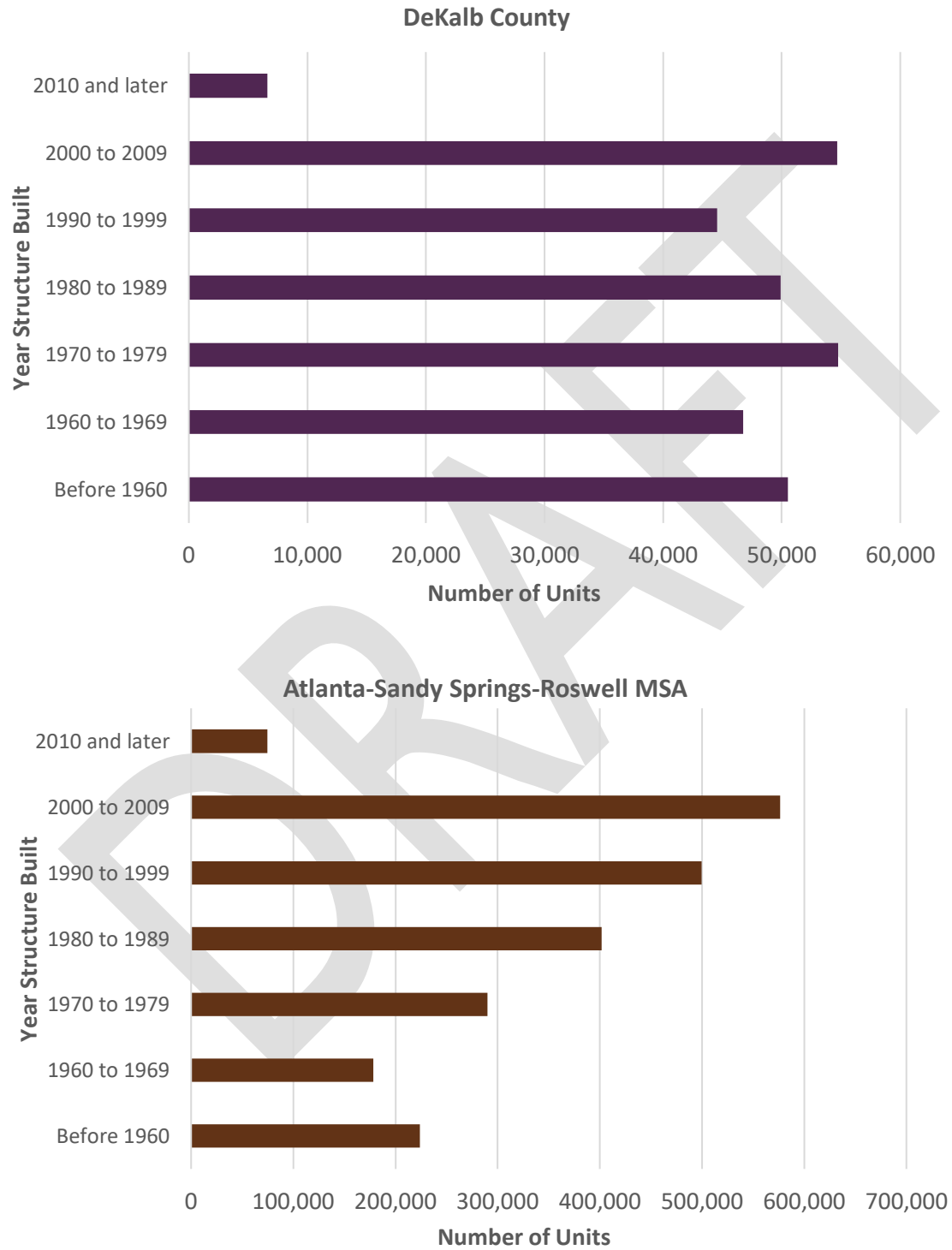
Data Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

Assessing housing conditions in an area can provide a basis for developing policies and programs to maintain and preserve the quality of the housing stock. The age of an area’s housing can have substantial impact on housing conditions and costs. As housing ages, maintenance costs rise, which can present significant affordability issues for low- and moderate-income homeowners. Aging rental stock can lead to rental rate increases to address physical issues or deteriorating conditions if building owners defer or ignore maintenance needs. Deteriorating housing can also depress neighboring property values, discourage reinvestment, and eventually impact the quality of life in a neighborhood. Additionally, homes built prior to 1978 present the potential for lead exposure risk due to lead-based paint.

Age of housing in DeKalb County and the region are shown on the next pages. In DeKalb County, construction of housing is somewhat even across decades, with the largest share of housing constructed from 2000 to 2009 and from 1970 to 1979. In the region, the number of housing units has grown every

decade since 1960, with the largest share of units constructed between 2000 and 2009. Compared to previous decades, much fewer units have been constructed since 2010.

FIGURE 20. AGE OF HOUSING IN DEKALB COUNTY

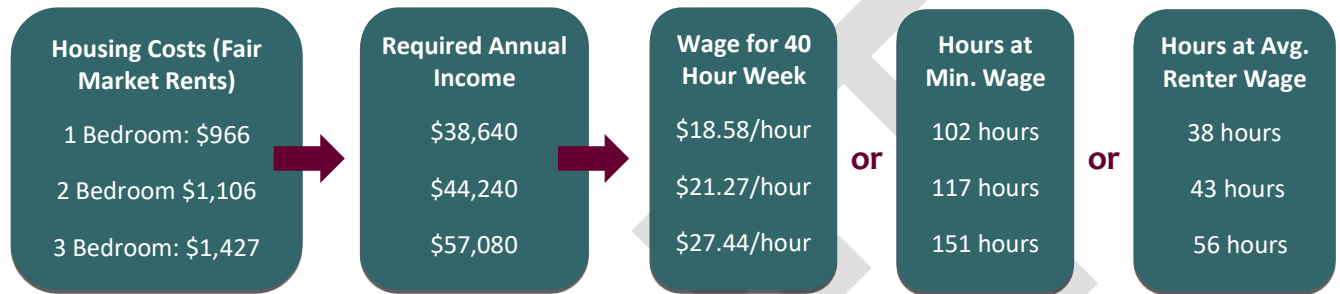


Data Source: 2013-2017 5-Year American Community Survey Table B25034

HOUSING COSTS AND AFFORDABILITY

The availability of housing that is both affordable and in good condition was a common need identified by stakeholders, particularly for low- and moderate-income households. The National Low Income Housing Coalition’s annual *Out of Reach* report examines rental housing rates relative to income levels for counties throughout the U.S. The figure below shows annual household income and hourly wages needed to afford Fair Market Rents in DeKalb County.

FIGURE 21. REQUIRED INCOME, WAGES, AND HOURS TO AFFORD FAIR MARKET RENTS IN DEKALB COUNTY, 2018



Note: Required income is the annual income needed to afford Fair Market Rents without spending more than 30% of household income on rent. Minimum wage in DeKalb County is \$7.25 and average renter wage is \$19.76. Average renter wages are derived by the National Low Income Housing Coalition from Bureau of Labor Statistics’ Quarterly Census of Employment and Wages.

Source: National Low Income Housing Coalition *Out of Reach* 2018, Accessed from <http://nlihc.org/orr/>

Fair Market Rent (FMR) is a standard set by HUD at the county or regional level for use in administering its Section 8 rental voucher program. FMRs are typically the 40th percentile gross rent (i.e., rent plus utility costs) for typical, non-standard rental units in the local housing market.

To afford a one-bedroom rental unit at the FMR of \$966 without being cost burdened (i.e., spending more than 30% of income on housing) would require an annual income of at least \$38,640. This amount translates to a 40-hour work week at an hourly wage of \$18.58. It would take a 102-hour work week at the minimum wage of \$7.25 to afford the unit or a 38-hour work week at the average renter wage of \$19.76. Note that average renter wage was derived by the National Low Income Housing Coalition from the Bureau of Labor Statistics’ Quarterly Census of Employment and Wages data for the purpose of evaluating local housing affordability.

A household could afford the 2-bedroom FMR of \$1,106 with an annual income of \$44,240 or higher, or a 40-hour work week at an hourly wage of \$21.27. A minimum wage employee would need to work 117 hours per week to afford the unit. Someone earning the average renter wage would have to work 43 hours per week to afford the unit.

Overall, this data indicates that low incomes make housing at fair market rents unaffordable to individuals earning the minimum wage in DeKalb County. Individuals earning average renter wages and working a 40-hour work week can afford one-bedroom housing at FMR, but would not be able to afford larger units. While FMRs are set at the metropolitan level, there is variation in housing costs across the region. The next section looks in more detail at housing needs in DeKalb County.

HOUSING NEEDS

Housing cost and condition are key components to housing choice. Housing barriers may exist in a jurisdiction when some protected class groups have greater difficulty accessing housing in good condition and that they can afford. To assess affordability and other types of housing needs, HUD defines four housing problems:

1. A household is *cost burdened* if monthly housing costs (including mortgage payments, property taxes, insurance, and utilities for owners and rent and utilities for renters) exceed 30% of monthly income.
2. A household is *overcrowded* if there is more than 1.0 people per room, not including kitchen or bathrooms.
3. A housing unit *lacks complete kitchen facilities* if it lacks one or more of the following: cooking facilities, a refrigerator, or a sink with piped water.
4. A housing unit *lacks complete plumbing facilities* if it lacks one or more of the following: hot and cold piped water, a flush toilet, or a bathtub or shower.

HUD also defines four severe housing problems, including a severe cost burden (more than 50% of monthly housing income is spent on housing costs), severe overcrowding (more than 1.5 people per room, not including kitchens or bathrooms), lack of complete kitchen facilities (as described above), and lack of complete plumbing facilities (also as described above).

To assess housing need, HUD receives a special tabulation of data from the U. S. Census Bureau's American Community Survey that is largely not available through standard Census products. This data, known as Comprehensive Housing Affordability Strategy (CHAS) data, counts the number of households that fit certain combination of HUD-specified criteria, such as housing needs by race and ethnicity. CHAS data for DeKalb County and the region is provided in the tables that follow.

In DeKalb County, 42.5% of all households have a housing need, and 22.6% have a severe housing need. Disproportionate needs occur in DeKalb County. All five racial and ethnic groups have disproportionate rates of housing needs (Hispanic households at 59.6%, Native American households at 48.3%, Black households at 48%, Other households at 46.8%, and Asian or Pacific Islander households at 46.3%) relative to white households (22.7% with a housing need). For severe housing needs, Black, Asian or Pacific Islander, and Hispanic households face disproportionate rates. 25.1% of Black households, 31.5% of Asian or Pacific Islander households, and 37% of Hispanic households experience any of the four severe housing problems, compared to 14.1% of white households.

At the regional level, 36.8% of the households have a housing problem and 19% have a severe housing problem.

Tables 10 also compares housing need rates for households by size and familial status. Housing need rates are lowest for small family households (i.e., those with fewer than five people) at 37.1%, compared to 58.1% for large families and 45.7% for non-family households.

Tables 11 examines only one dimension of housing need – severe cost burdens (defined as spending more than 50% of income on housing). In DeKalb County, two groups are disproportionately impacted – 23.8%

of Asian or Pacific Islander households and 24.2% of Hispanic households have a severe cost burden compared to 13.3% of white households. Small family households have the lowest rates of severe cost burdens (16.8%). Nonfamily households have the highest rates of severe cost burdens (23.5%).

Figure 22 maps the prevalence of housing needs by census tract, along with population by race and ethnicity. Tracts with the highest rate of housing problems are located in central DeKalb County. Tracts with the highest housing need rates generally have lower white population shares than the city overall. These patterns echo the findings in the data tables which show that households of color, particularly Black and Hispanic households, are more likely to face housing needs.

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TABLE 10. DEMOGRAPHICS OF HOUSEHOLDS WITH HOUSING NEEDS IN DEKALB AND ATLANTA-SANDY SPRINGS-ROSWELL MSA

Disproportionate Housing Needs	DeKalb County			Atlanta-Sandy Springs-Roswell MSA		
Households Experiencing any of the Four Housing Problems†	# with problems	# of households	% with problems	# with Problems	# of households	% with problems
Race/Ethnicity						
White, Non-Hispanic	21,373	74,431	28.7%	295,526	1,060,274	27.9%
Black, Non-Hispanic	61,019	127,094	48.0%	290,077	610,123	47.5%
Hispanic	9,143	15,336	59.6%	76,061	135,669	56.1%
Asian or Pacific Islander, Non-Hispanic	4,556	9,829	46.3%	31,618	81,647	38.7%
Native American, Non-Hispanic	333	689	48.3%	1,863	4,442	41.9%
Other, Non-Hispanic	1,668	3,568	46.8%	10,668	25,383	42.0%
Total	98,105	230,970	42.5%	705,860	1,917,580	36.8%
Household Type and Size						
Family households, <5 People	43,205	116,544	37.1%	348,585	1,105,657	31.5%
Family households, 5+ People	12,394	21,322	58.1%	93,825	200,309	46.8%
Non-family households	42,495	93,068	45.7%	263,395	611,579	43.1%
Households Experiencing any of the Four Severe Housing Problems†	# with problems	# of households	% with Problems	# with Problems	# of households	% with Problems
Race/Ethnicity						
White, Non-Hispanic	10,487	74,431	14.1%	137,309	1,060,274	12.9%
Black, Non-Hispanic	31,901	127,094	25.1%	155,374	610,123	25.5%
Hispanic	5,674	15,336	37.0%	47,671	135,669	35.1%
Asian or Pacific Islander, Non-Hispanic	3,094	9,829	31.5%	17,382	81,647	21.3%
Native American, Non-Hispanic	155	689	22.5%	724	4,442	16.3%
Other, Non-Hispanic	854	3,568	23.9%	5,767	25,383	22.7%
Total	52,160	230,970	22.6%	364,295	1,917,580	19.0%

Note: All % represent a share of households with housing problems by race, ethnicity, or household type.

Data Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

†The four Housing Problems and Severe Housing Problems are defined on p. 67.

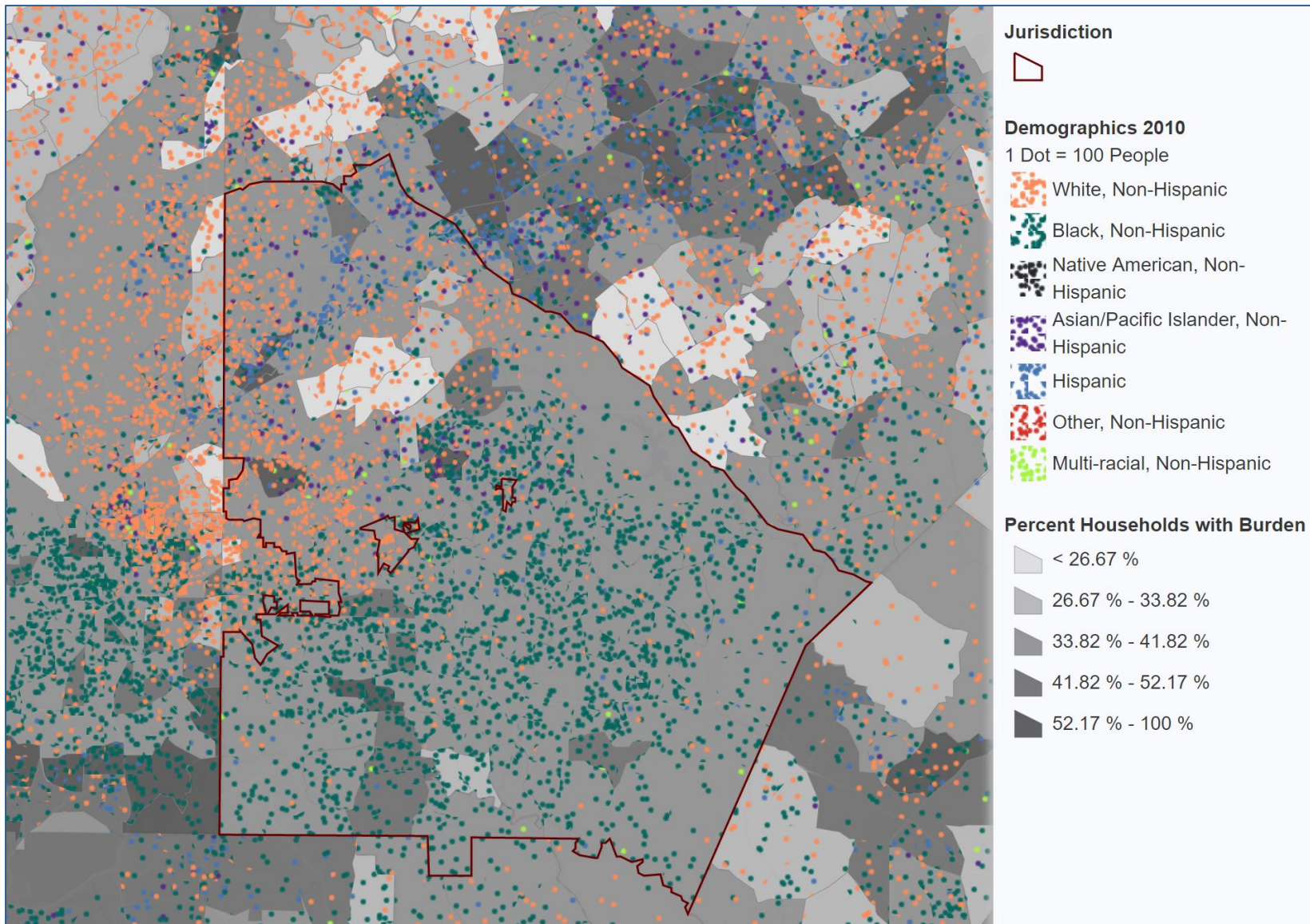
TABLE 11. DEMOGRAPHICS OF HOUSEHOLDS WITH SEVERE HOUSING COST BURDENS IN DEKALB AND ATLANTA-SANDY SPRINGS-ROSWELL MSA

Households with Severe Cost Burdens	DeKalb County			Atlanta-Sandy Springs-Roswell MSA		
	# with problems	# of households	% with Problems	# with problems	# of households	% with problems
Race/Ethnicity						
White, Non-Hispanic	9,864	74,431	13.3%	125,145	1,060,274	11.8%
Black, Non-Hispanic	28,954	127,094	22.8%	139,938	610,123	22.9%
Hispanic	3,707	15,336	24.2%	33,513	135,669	24.7%
Asian or Pacific Islander, Non-Hispanic	2,339	9,829	23.8%	14,136	81,647	17.3%
Native American, Non-Hispanic	120	689	17.4%	644	4,442	14.5%
Other, Non-Hispanic	817	3,568	22.9%	5,162	25,383	20.3%
Total	45,801	230,970	19.8%	318,538	1,917,580	16.6%
Household Type and Size						
Family households, <5 People	19,613	116,544	16.8%	154,875	1,105,657	14.0%
Family households, 5+ People	4,225	21,322	19.8%	30,682	200,309	15.3%
Non-family households	21,878	93,068	23.5%	133,040	611,579	21.8%

Note: All % represent a share of households with severe housing cost burdens by race, ethnicity, or household type.

Data Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

FIGURE 22. HOUSING PROBLEMS AND RACE AND ETHNICITY IN DEKALB COUNTY



Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

HOMEOWNERSHIP

Homeownership is vital to a community's economic well-being. It allows the opportunity to build wealth, is generally associated with higher levels of civic engagement,²⁴ and is correlated with positive cognitive and behavioral outcomes among children.²⁵

Federal housing policies and discriminatory mortgage lending practices prior to the Fair Housing Act of 1968, along with continuing impediments to access, have had significant impacts on the homeownership rates of racial and ethnic minorities, particularly Black and Hispanic populations. The gap between the White and Black homeownership rate is the largest among racial and ethnic groups. In 2017, the U.S. Census Bureau reported a 21.6 percentage point gap in homeownership rate between White and Black households; just a 2.9 percentage point decrease since 1997.²⁶

Homeownership trends have changed in recent years because of significant events in the housing market and labor force. The homeownership rate for Millennials (the generation born between 1981 and 1997) is 8 percentage points lower than the two previous generations, controlling for age. This discrepancy can be attributed to a multitude of factors ranging from preference to urban areas, cost of education and associated debt, changes in marriage and childbearing patterns, rising housing costs, and the current supply of affordable houses.²⁷

The table that follows shows the number of owner and renter households, as well as the homeownership rate, by race and ethnicity for DeKalb County. Overall, tenure data indicates that households of color are less likely to be homeowners than white households. Nearly 70% of white households in the county own their homes, compared to 54% for African Americans and 40% for Asian. Hispanic households are least likely to own homes, with a homeownership rate of only 24%, roughly one-third of the rate for white households.

²⁴ Manturuk K, Lindblad M, Quercia R. "Homeownership and civic engagement in low-income urban neighborhoods: a longitudinal analysis." *Urban Affairs Review*. 2012;48(5):731–60.

²⁵ Haurin, Donald R. et al. "The Impact of Homeownership on Child Outcomes." *Low-Income Homeownership Working Paper Series*. Joint Center for Housing Studies of Harvard University. October 2001, <http://www.jchs.harvard.edu/sites/default/files/liho01-14.pdf>.

²⁶ U.S. Census Bureau. Homeownership Rates by Race and Ethnicity of Householder: 1994 to 2017.

²⁷ Choi, Jung et al. "Millennial Homeownership: Why Is It So Low, and How Can We Increase It?" The Urban Institute. February 2000. https://www.urban.org/sites/default/files/publication/98729/millennial_homeownership_0.pdf

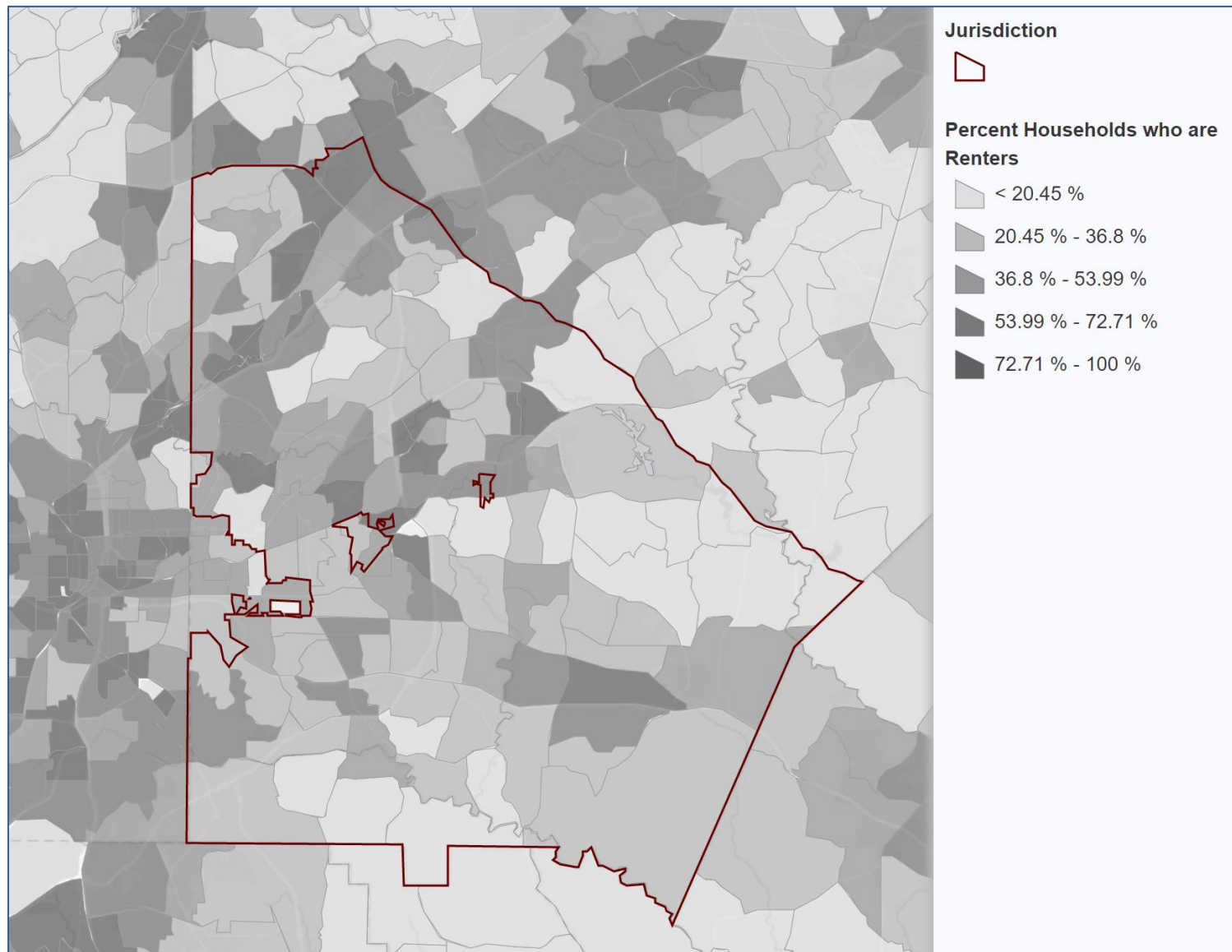
TABLE 12. HOMEOWNERSHIP AND RENTAL RATES BY RACE AND ETHNICITY IN DEKALB COUNTY AND ATLANTA-SANDY SPRINGS-ROSWELL MSA

Race/Ethnicity	Owners		Renters		Homeownership Rate
	#	%	#	%	
DeKalb County					
White, Non-Hispanic	51,585	39.7%	22,870	22.7%	69.3%
Black, Non-Hispanic	68,630	52.8%	58,450	57.9%	54.0%
Hispanic	3,674	2.8%	11,635	11.5%	24.0%
Asian or Pacific Islander, Non-Hispanic	3,969	3.0%	5,875	5.8%	40.3%
Native American, Non-Hispanic	210	0.2%	489	0.5%	30.0%
Other, Non-Hispanic	1,995	1.5%	1,575	1.6%	55.9%
Total	130,055	100%	100,915	100%	56.3%
Atlanta-Sandy Springs-Roswell MSA					
White, Non-Hispanic	821,800	65.3%	238,545	36.1%	77.5%
Black, Non-Hispanic	308,060	24.5%	302,019	45.8%	50.5%
Hispanic	58,475	4.7%	77,169	11.7%	43.1%
Asian or Pacific Islander, Non-Hispanic	51,456	4.1%	30,187	4.6%	63.0%
Native American, Non-Hispanic	2,844	0.2%	1,584	0.2%	64.2%
Other, Non-Hispanic	14,939	1.2%	10,449	1.6%	58.8%
Total	1,257,610	100%	659,970	100%	65.6%

Note: Data presented are number of households, not individuals.

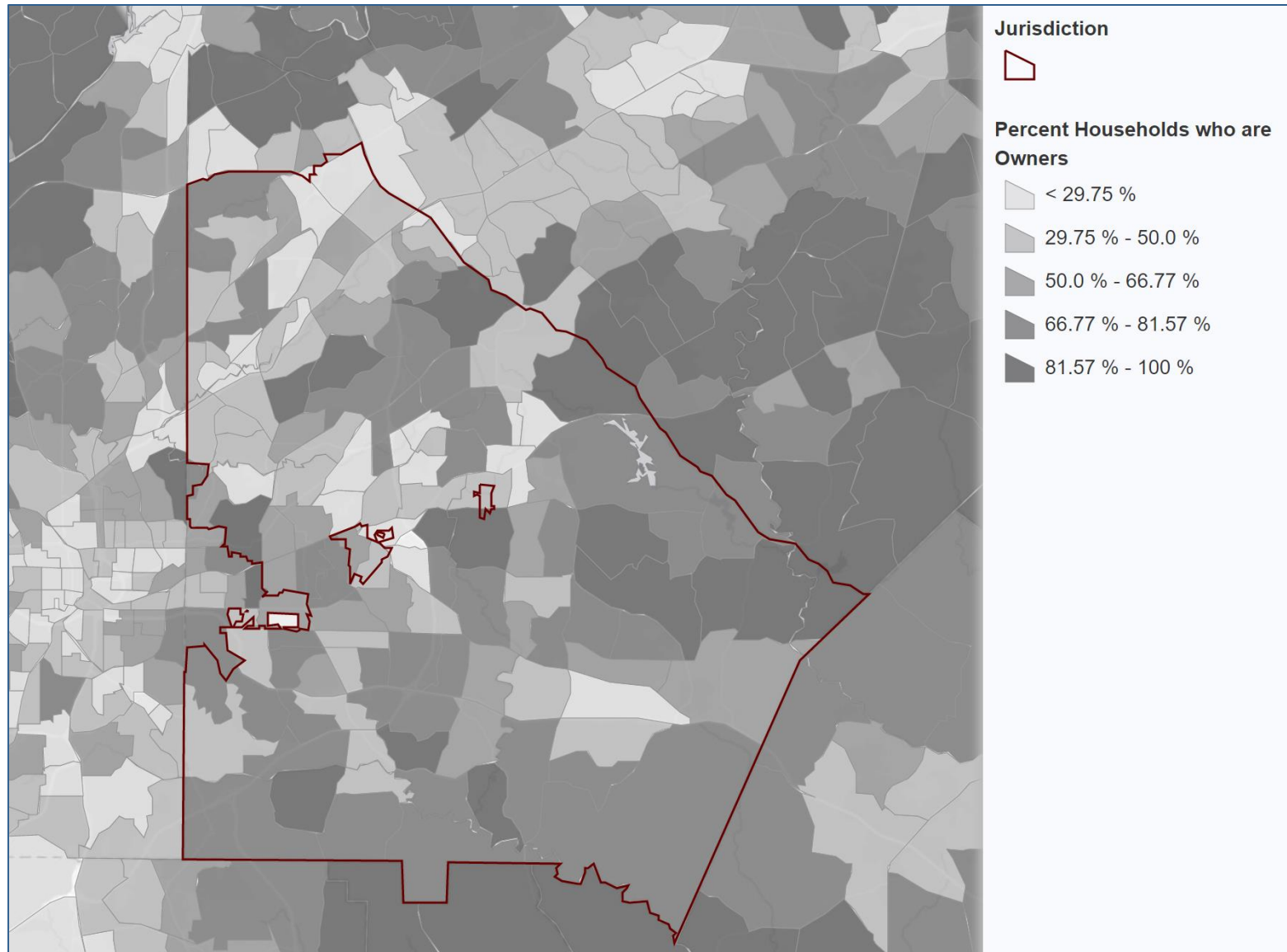
Data Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

FIGURE 23. SHARE OF HOUSEHOLDS THAT ARE RENTERS IN DEKALB COUNTY



Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

FIGURE 24. SHARE OF HOUSEHOLDS THAT ARE OWNERS IN DEKALB COUNTY



Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

ZONING, AFFORDABILITY, AND HOUSING CHOICE

Comprehensive land use planning is a critical process by which communities address a myriad of public policy issues such as housing, transportation, health, recreation, environmental protection, commercial and retail services, and land values, and address how the interconnection and complexity of these issues can ultimately impact an entire jurisdiction. “The land use decisions made by a community shape its very character – what it’s like to walk through, what it’s like to drive through, who lives in it, what kinds of jobs and businesses exist in it, how well the natural environment survives, and whether the community is an attractive one or an ugly one.”²⁸ Likewise, decisions regarding land use and zoning have a direct and profound impact on affordable housing and fair housing choice, shaping a community or region’s potential diversity, growth, and opportunity for all. Zoning determines where housing can be built, the type of housing that is allowed, and the amount and density of housing that can be provided. Zoning also can directly or indirectly affect the cost of developing housing, making it harder or easier to accommodate affordable housing.

The following sections will explore (I) how Georgia state law impacts local land use and zoning authority and decision-making and (II) how DeKalb County’s zoning and land use codes impact housing affordability and fair housing choice.

From a regulatory standpoint, local government measures to control land use typically rely upon zoning codes, subdivision codes, and housing and building codes, in conjunction with comprehensive plans. Courts have long recognized the power of local governments to control land use, and the Georgia Constitution authorizes all counties and local municipalities to regulate land use and zoning within their respective jurisdictions. This general grant of home-rule authority is limited by four state statutes governing land use and development in Georgia. The Zoning Procedures Law (O.C.G.A. § 36-66-1 *et seq.*) contains the minimum due process procedures and standards—mostly related to notice, advertisement, and a meaningful opportunity to be heard at a public hearing—that a local zoning authority must follow when regulating the uses of property (specifically re-zonings, text amendments, adoption of zoning ordinances, special use permits, and annexations) within its jurisdiction. If the municipality fails to follow the technical standards, the zoning decision could be invalidated.

Secondly, the Steinberg Act (O.C.G.A. § 36-67-1 *et seq.*) requires jurisdictions that meet a certain population threshold (counties with a population of least 625,000 and municipalities within those counties with a population of 100,000 or more according to U.S. Census data) to consider six criteria in the exercise of zoning power:

1. whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;
2. whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;

²⁸ John M. Levy. *Contemporary Urban Planning, Eighth Edition*. Upper Saddle River, NJ: Pearson Prentice Hall, 2009.

3. whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;
4. whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;
5. whether the zoning proposal is in conformity with the policy and intent of the adopted land use plan, if any; and
6. whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

DeKalb County meets the population thresholds necessary to make these standards a mandatory part of zoning decisions. The County has incorporated these six standards into its zoning codes, requiring their consideration in reviewing all proposed amendments to the official zoning code or zoning maps or rezoning requests. (See Zoning Ordinance of DeKalb County, Sec. 7.3.5 et seq.)

The Georgia Planning Act of 1989 (O.C.G.A. § 36-70-1 *et seq.*) is an attempt by the state to coordinate planning at the local, regional, and state levels. The Georgia Planning Act (“GPA”) authorizes, but does not mandate, local governments to develop and implement their own long-range comprehensive plan to guide growth and development within the jurisdiction, to develop and implement land use regulations consistent with the comprehensive plan, and to establish a capital improvements plan consistent with the comprehensive plan. A local government must maintain classification as a “Qualified Local Government” in order to be eligible for certain state funding and permitting programs. Under authority granted by the GPA, the Department of Community Affairs (“DCA”) has established the “minimum planning standards” that must be included in a local comprehensive plan to maintain QLG status. The policy guide found in DeKalb County’s 2035 Comprehensive Plan preserves its status as a Qualified Local Government.²⁹ Although comprehensive plans do not have binding legal effect, the housing elements should influence the local zoning authority’s decision-making as to whether to grant or deny a zoning proposal.

In DeKalb County, the Planning Division makes recommendations for special land use permits, property rezonings, text amendments to the text of the zoning ordinance, variances, plat reviews and historic preservation designations. They facilitate public hearings of the Board of Commissioners, Planning Commission, Zoning Board of Appeals and Historic Preservation Commission.

Intersection of Local Zoning with Federal and State Fair Housing Laws

One goal of zoning is to balance individual property rights with the power of government to promote and protect the health, safety, and general welfare of the overall community. Zoning codes regulate how a parcel of land in a community may be used and the density of development. Local governments may divide their jurisdiction into zoning districts by adopting a zoning map consistent with the comprehensive plan; define categories of permitted and special/conditional uses for those districts; and establish design or performance standards for those uses. Zoning may regulate the height, shape, and placement of structures and lot sizes or shapes. Jurisdictions also can expressly prohibit certain types of uses within

²⁹ DeKalb County 2035 Comprehensive Plan, available at: <https://www.DeKalbcountyga.gov/planning-and-sustainability/comprehensive-plan>.

zoning districts.³⁰ In this way, local ordinances may define the type and density of housing resources available to residents, developers, and other organizations within certain areas, and as a result influence the availability and affordability of housing.

While local governments have the power to enact zoning and land use regulations, that power is limited by state and federal fair housing laws (e.g., the Georgia Fair Housing Act (GFHA), the federal FHAA, the Americans with Disabilities Act, constitutional due process and equal protection). The FHAA prohibits both private individuals and government authorities from denying a member of a protected class equal access to housing, including through the enforcement of a local zoning ordinance that disproportionately limits housing choice for protected persons. In *Texas Department of Community Affairs v. The Inclusive Communities Project*, a 2015 landmark disparate impact case under the FHA, the Supreme Court affirmed that part of the FHA's central purpose is to eradicate discriminatory housing practices, including specifically unlawful zoning laws and other housing restrictions.

Besides intentional discrimination and disparate impact, discrimination on the basis of disability also includes:

[A] refusal to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford such person equal opportunity to use and enjoy a dwelling. FHA § 804(f)(3)(b).

This provision has been held to apply to zoning and land use decisions by local governments.

The Georgia Fair Housing Act permits political subdivisions to adopt local ordinances against discriminatory housing practices, but despite Georgia state law generally leaving zoning and land use regulations to local decision-making, O.C.G.A. § 8-3-220 explicitly precludes the expansion (or limitation) of fair housing rights by local jurisdictions beyond what is provided for in the state law. DeKalb County has not expanded on the rights and obligations guaranteed by the state law.

DeKalb County Zoning Ordinance Review

Although comprehensive plans and zoning and land use codes play an important role in regulating the health and safety of the structural environment, overly restrictive codes can negatively impact housing affordability and fair housing choice within a jurisdiction. Examples of zoning provisions that most commonly result in barriers to fair housing choice include:

- Restrictive forms of land use that exclude any specific form of housing, particularly multi-family housing, or that require large lot sizes or low-density that deter affordable housing development by limiting its economic feasibility;
- Restrictive definitions of family that impede unrelated individuals from sharing a dwelling unit;
- Placing administrative and siting constraints on group homes for persons with disabilities;

³⁰ Local government power to regulate land use derives from the State's expressly delegated police power, first to municipal governments and then to counties, as found in the various enabling statutes of the state constitution and Official Code of Georgia Annotated. See O.C.G.A. § 36-66-1 *et seq.* (zoning authority cities); State law grants local municipalities authority to adopt and enact local comprehensive plans, but such plans are not intended to limit or compromise the right of the governing body of any county or municipality to exercise the power of zoning. See O.C.G.A § 36-70-5.

- Restrictions making it difficult for residents with disabilities to locate housing in certain neighborhoods or to modify their housing;
- Restrictions on occupancy of alternative sources of affordable housing such as accessory dwellings, mobile homes, and mixed-use structures.

DeKalb County’s treatment of these types of issues, mainly through its Zoning Ordinance, are explored and evaluated in the tables and narrative below.

Because zoning codes present a crucial area of analysis for a study of impediments to fair housing choice, the latest available zoning and land use ordinances of DeKalb were reviewed and evaluated against a list of ten common fair housing issues. Taken together, these issues give a picture of (1) the degree to which exclusionary zoning provisions may impact affordable housing opportunities within those jurisdictions and (2) the degree to which the zoning code may impact housing opportunities for persons with disabilities. The zoning ordinance was assigned a risk score of either 1, 2, or 3 for each of the ten issues and was then given an aggregate score calculated by averaging the individual scores, with the possible scores defined as follows:

1 = low risk – the provision poses little risk for discrimination or limitation of fair housing choice, or is an affirmative action that intentionally promotes and/or protects affordable housing and fair housing choice;

2 = medium risk – the provision is neither among the most permissive nor most restrictive; while it could complicate fair housing choice, its effect is not likely to be widespread;

3 = high risk – the provision causes or has potential to result in systematic and widespread housing discrimination or the limitation of fair housing choice, or is an issue where the jurisdiction could take affirmative action to further affordable housing or fair housing choice but has not.

The following chart lists the ten issues reviewed and the scores for each issue for each jurisdiction. Complete reports including citations to relevant statutes, code sections, and explanatory comments, are included as an appendix to this document.

TABLE 13. ZONING ASSESSMENT FOR DEKALB COUNTY

Issue	Risk Score
1a. Does the jurisdiction’s definition of “family” have the effect of preventing unrelated individuals from sharing the same residence? Is the definition unreasonably restrictive? 1b. Does the definition of “family” discriminate against or treat differently unrelated individuals with disabilities (or members of any other protected class)?	2
2a. Does the zoning code treat housing for individuals with disabilities (e.g. group homes, congregate living homes, supportive services housing, personal care homes, etc.) differently from other single family residential and multifamily residential uses? For example, is such housing only allowed in certain residential districts, must a special or conditional use permit be granted before siting such housing in certain residential districts, etc.?	1

TABLE 13. ZONING ASSESSMENT FOR DEKALB COUNTY (CONTINUED)

Issue	Risk Score
2b. Does the zoning ordinance unreasonably restrict housing opportunities for individuals with disabilities who require onsite supportive services? Or is housing for individuals with disabilities allowed in the same manner as other housing in residential districts?	
3a. Do the jurisdiction’s policies, regulations, and/or zoning ordinances provide a process for persons with disabilities to seek reasonable modifications or reasonable accommodations to zoning, land use, or other regulatory requirements?	2
3b. Does the jurisdiction require a public hearing to obtain public input for specific exceptions to zoning and land-use rules for applicants with disabilities? If so, is the public hearing process only required for applicants seeking housing for persons with disabilities or required for all applicants?	
4. Does the ordinance impose spacing or dispersion requirements on certain protected housing types?	1
5. Does the jurisdiction restrict any inherently residential uses protected by fair housing laws (such as residential substance abuse treatment facilities) only to non-residential zones?	2
6. Does the jurisdiction’s zoning and land use rules constitute exclusionary zoning that precludes development of affordable or low-income housing by imposing unreasonable residential design regulations (such as high minimum lot sizes, wide street frontages, large setbacks, low FARs, large minimum building square footage or large livable floor areas, restrictions on number of bedrooms per unit, and/or low maximum building heights)?	2
7. Does the zoning ordinance fail to provide residential districts where multi-family housing is permitted as of right? Are multifamily dwellings excluded from all single family dwelling districts? 7b. Do multi-family districts restrict development only to low-density housing types?	1
8. Are unreasonable restrictions placed on the construction, rental, or occupancy of alternative types of affordable or low-income housing (for example, accessory dwellings or mobile/manufactured homes)?	1
9a. Are the jurisdiction’s design and construction requirements (as contained in the zoning ordinance or building code) congruent with the Fair Housing Amendments Act’s accessibility standards for design and construction? 9b. Is there any provision for monitoring compliance?	1
10. Does the zoning ordinance include an inclusionary zoning provision or provide any incentives for the development of affordable housing or housing for protected classes?	1
Average Risk Score	1.4

DeKalb County’s total average risk score (calculated by taking the average of the 10 individual issue scores) is 1.4, indicating that overall there is low risk of the zoning regulations contributing to discriminatory housing treatment or impeding fair housing choice on most issues. Remarkably, DeKalb did not receive a

“3/high risk” score on any of the issues reviewed. In many cases, the zoning and other land use code sections are reasonably permissive and allow for flexibility as to the most common fair housing issues. However, in 4 out of 10 of the issues reviewed, DeKalb received a “2/medium risk” score, indicating that the Zoning Ordinance has the potential to negatively impact fair and affordable housing. These medium-risk scores could indicate that though the regulations may be facially neutral, the County may be vulnerable to fair housing complaints where the ordinance is applied in a way that disproportionately impacts a protected class of persons. In such cases, improvements to the regulations and policies could be made to more fully protect the fair housing rights of all the County’s residents and to better fulfill the mandate to affirmatively further fair housing.

Our research has shown that restricting housing choice for certain historically/socio-economically disadvantaged groups and protected classes can happen in any number of ways and should be viewed on a continuum. The zoning analysis matrix developed for this report and the narrative below are not designed to assert whether the jurisdictions’ codes create a per se violation of the Fair Housing Act or HUD regulations, but are meant as a tool to highlight significant areas where zoning and land use ordinances may otherwise jeopardize the spirit and intent of fair housing protections and HUD’s AFFH standards for its entitlement communities.

The issues chosen for discussion show where zoning ordinances and policies could go further to protect fair housing choice for protected and disadvantaged classes, and yet still fulfill the zoning objective of protecting the public’s health, safety, and general welfare. Specifically, the issues highlighted by the review inform, first, the degree to which the zoning ordinance may be overly restrictive and exclusionary to the point of artificially limiting the affordable housing inventory and directly contributing to higher housing and rental costs. And secondly, the review helps inform the impact the local regulations may have on housing opportunities for persons with disabilities, a protected class under state and federal fair housing law.

Impact of Zoning Provisions on Affordable Housing

Academic and market research have proven what also is intuitive: land use regulations can directly limit the supply of housing units within a given jurisdiction, and thus contribute to making housing more expensive, i.e. less affordable.³¹ Exclusionary zoning is understood to mean zoning regulations which impose unreasonable residential design regulations that are not congruent with the actual standards necessary to protect the health and safety of current average household sizes and prevent overcrowding. Zoning policies that impose barriers to housing development by making developable land and construction costlier than they are inherently can take different forms and may include: high minimum lot sizes, low density allowances, wide street frontages, large setbacks, low floor area ratios, large minimum building square footage or large livable floor areas, restrictions on number of bedrooms per

³¹ See Gyourko, Joseph, Albert Saiz, and Anita A. Summers, A New Measure of the Local Regulatory Environment for Housing Markets: The Wharton Residential Land Use Regulatory Index (2007), available at real.wharton.upenn.edu; Randal O’Toole, The Planning Penalty: How Smart Growth Makes Housing Unaffordable (2006), available at independent.org/pdf/policy_reports/2006-04-03-housing.pdf; Edward L. Glaeser and Joseph Gyourko, The Impact of Zoning on Housing Affordability (2002), available at law.yale.edu/system/files/documents/pdf/hier1948.pdf; The White House’s Housing Development Toolkit, 2016, available at whitehouse.gov/sites/whitehouse.gov/files/images/Housing_Development_Toolkit%20f.2.pdf.

unit, low maximum building heights, restrictions against infill development, restrictions on the types of housing that may be constructed in certain residential zones, arbitrary or antiquated historic preservation standards, minimum off-street parking requirements, restrictions against residential conversions to multi-unit buildings, lengthy permitting processes, development impact fees, and/or restrictions on accessory dwelling units.

Although these land use regulations may not be in direct violation of fair housing laws, or facially discriminatory, they may have the effect of artificially limiting the supply of housing units in a given area and disproportionately reducing housing choice for moderate to low-income families, people of color, persons with disabilities on fixed incomes, families with children, and other protected classes by making the development of affordable housing cost prohibitive. Legitimate public objectives, such as maintaining the residential character of established neighborhoods, environmental protection, or public health, must be balanced with housing needs and availability.

DeKalb County recently went through a zoning code rewrite and update, and in 2015 adopted a new zoning and land development code. The amended ordinance was meant as an intentional shift towards higher-density development. There is more variety in housing type and density ranges than the previous code, and the updated code includes development incentives allowing for increased density for subdivisions that include and protect housing for mixed-income and mixed-age populations.

DeKalb's zoning ordinance contemplates a variety of housing types in its mixed residential districts: single-family detached, single-family attached (duplex), cottage dwellings, townhouses, urban single-family, two-family, three-family, live/work units, multifamily, and high rise multifamily. The zoning code also maintains single-family only, low-density districts, where minimum lot sizes range from 1 acre in the RE district, 20,000 sq. ft. in RLG, 15,000 sq. ft. in R-100, 12,000 sq. ft. in R-85, 10,000 sq. ft. in R-75, 6,000 sq. ft. (3,500 sq. ft. for cottage units) in R-60, and 6,000 sq. ft. in the RNC district. The code imposes minimum floor areas, which may protect the existing character of the neighborhoods but also increases arbitrarily the cost of developing new moderate- or lower income housing. Minimum floor areas for dwellings in the low-density residential districts range from 2,000 sq. ft. in RE, RLG, and R-100 districts; to 1,800 sq. ft. in R-85; 1,600 sq. ft. in R-75; and 1,200 sq. ft. (800 sq. ft. for cottage units) in R-60. The medium and high-density mixed-residential zoning districts allow, in addition to single-family detached units, also permit cottage housing units, single-family attached, two- and three- family dwellings, townhouses, urban single-family, multi-family and mixed residential developments at maximum densities ranging from 8 units per acre (u/a) in RSM, 12 u/a in MR-1, 24 u/a in MR-2, 40 u/a in HR-1, 60 u/a in HR-2, and 120 u/a in HR-3.

The minimum lot size for single-family detached in the RSM, MR-1, and MR-2 districts is 5,000 sq. ft. and 2,000 sq. ft. for cottage units. The minimum lot size for a single-family attached unit is 1,000 sq. ft. in the medium and high-density mixed-residential districts, although the minimum heated floor area size (unit size) is 1,200 sq. ft. in the RSM and MR-1 districts and 1,000 sq. ft. in the MR-2 and HR-1 districts. The minimum unit size for a single-family detached unit is 1,200 sq. ft. in the RSM and MR-1 districts and 1,000 sq. ft. in the MR-2 district. The minimum unit size for a cottage dwelling unit is 800 sq. ft. in these districts. For an "Urban Single-family detached unit," the minimum unit size is 1,100 sq. ft. and for two- or three-family units in the RSM, MR-1, MR-2, and HR-1 districts, the minimum unit size is 1,000 sq. ft.

The housing-type diversity and density allowances in the medium and high-density districts should not unreasonably affect the feasibility of developing affordable and low-income housing in many mixed-residential districts. However, some single-family districts may be exclusionary, and overall, the minimum unit size requirements in all these districts increases the cost of development and may create an artificial barrier to developing affordable housing.

Multifamily and mixed-use developments are permitted by right in the MR-1 district at 8-12 u/a; MR-2 district at 12-24 u/a; HR-1 district at 24-40 u/a; HR-2 district at 40-60 u/a; and HR-3 district at 60-120 u/a. Multifamily and mixed-use developments also are permitted in the OI, MU-1 through MU-5 districts, and as a special use in the M and M-2 districts. Although, height is limited to 4-6 stories in many of the multifamily districts, high rise apartment developments are permitted in the HR-1, HR-2, HR-3, MU-3, MU-4, and MU-5 districts and as a special use in the OI district. The minimum heated living area (unit size) for multifamily units is 650 sq. ft. per unit. Overall, the zoning code provides for reasonable development of multifamily units, although this zoning review does not ultimately assess whether the land zoned for multifamily is already built out to capacity or still has developable areas available to meet future needs and demand. On the other hand, however, the code's regulation of the minimum unit size of multifamily dwellings (rather than leaving unit size to market demand or as a matter of safety regulated by the building codes) adds to the cost of development and thus higher rental and ownership costs. (If the goal is to provide for adequate unit sizes for larger families with children, the design requirement could be amended to require that, in a percentage of multifamily units, a certain number of bedrooms be constructed rather than a certain total unit size).

Exclusionary zoning can happen on a continuum and there is more the County could do to use zoning and land use policies to further remove artificial barriers to development of and access to affordable housing across all residential zones. For example, the County could consider repealing the minimum unit size requirements (and instead leave these standards as a matter of safety governed by the applicable building codes); decreasing minimum lot size requirements in the single-family districts and allowing for subdivision of large lots in the low density districts into smaller infill lots; and providing for cluster developments, density blending, and transfer of development rights in appropriate locations. Permitting or incentivizing conversion of large single-family dwellings in high opportunity neighborhoods to 2-family, 3-family, or multifamily dwellings on large lots also is a strategic way to address the need for more density and infill development in established neighborhoods. The County scored a "2" (medium risk) on issue 6 and a "1" (low risk) on issue 7 regarding exclusionary zoning and restrictive development standards.

For Issue 8 regarding alternative affordable housing types, DeKalb score a "1" (low risk). DeKalb County's zoning code permits by right detached and attached accessory dwelling units on all parcels zoned for residential single-family dwellings as a principal use with a minimum lot size of 10,000 sq. ft. The property owner must occupy either the principal or accessory dwelling and the accessory dwelling must not exceed 900 sq. ft. of heated floor area. There are some design requirements to protect the residential character and neighboring property owners, but the ADU ordinance is quite generous when compared to other jurisdictions and offers an alternative and low-impact form of affordable housing. The County's zoning ordinance and map also designate a Mobile Home Park district where the minimum parcel size of the parks is 20 acres and individual lots must be a minimum of 4,000 sq. ft.

As for Issue 10, DeKalb's zoning ordinance does include inclusionary zoning incentives for the development of affordable housing and housing for older persons. For subdivisions, not individual infill lots, in the RSM, MU-1, HR-1, HR-2, HR-3, MR-1, and MR-2 districts, mixed-income or mixed-age developments may receive a density bonus up to 50% greater than the base density where a 30-year enforceable commitment (approved by the county attorney and recorded on the deed records) reserves occupancy as follows: 10% by very low income households, or 20% by low income households, or 25% for senior citizens. Other development incentives that could be considered in exchange for an increase in affordable units could include reduced off-street parking requirements, reduced or waiver of development impact fees, and expedited permitting for the development of affordable or low-income housing or housing for protected classes.

All together, these zoning tools could potentially allow for more supply of housing, which helps put downward pressure on rental and sale prices, so that moderate and low-income families have access to higher opportunity areas and all the congruent benefits that come with living in those zones such as access to better jobs, schools, public transportation, and cultural amenities and public accommodations.

DRAFT

CHAPTER 7.

PUBLICLY SUPPORTED HOUSING

Publicly supported housing encompasses several strategies and programs developed since the 1930s by the federal government to ameliorate housing hardships that exist in neighborhoods throughout the country. The introduction and mass implementation of slum clearance to construct public housing projects during the mid-1900s signified the beginning of publicly supported housing programs. Government-owned and managed public housing was an attempt to alleviate problems found in low-income neighborhoods such as overcrowding, substandard housing, and unsanitary conditions. Once thought of as a solution, the intense concentration of poverty in public housing projects often exacerbated negative conditions that would have lasting and profound impact on their communities.

Improving on public housing's model of high-density, fixed-site dwellings for very low-income households, publicly supported housing programs have since evolved into a more multi-faceted approach overseen by local housing agencies. The Housing and Community Development Act of 1974 created Section 8 rental assistance programs. Section 8, also referred to as the Housing Choice Voucher (HCV) program, provides two types of housing vouchers to subsidize rent for low-income households: project-based and tenant-based. Project-based vouchers can be applied to fixed housing units in scattered site locations while tenant-based vouchers allow recipients the opportunity to find and help pay for available rental housing on the private market.

The Tax Reform Act of 1986 created the Low-Income Housing Tax Credit (LIHTC) program to incentivize development of affordable, rental-housing development. Funds are distributed to state housing finance agencies that award tax credits to qualified projects to subsidize development costs. Other HUD Programs including Section 811 and Section 202 also provide funding to develop multifamily rental housing specifically for disabled and elderly populations.

The now-defunct HOPE VI program was introduced in the early 1990s to revitalize and rebuild dilapidated public housing projects and create mixed-income communities. Although HOPE VI achieved some important successes, the Choice Neighborhoods Initiative program was developed to improve on the lessons learned from HOPE VI. The scope of Choice Neighborhoods spans beyond housing and addresses employment access, education quality, public safety, health, and recreation.³²

Current publicly supported housing programs signify a general shift in ideology toward more comprehensive community investment and de-concentration of poverty. However, studies have shown a tendency for subsidized low-income housing developments and residents utilizing housing vouchers to continue to cluster in disadvantaged, low-income neighborhoods. Programmatic rules and the point allocation systems for LIHTC are thought to play a role in this clustering and recent years have seen many states revising their allocation formulas to discourage this pattern in new developments.³³ The reasons for clustering of HCVs is more complicated since factors in decision-making vary greatly by individual

³² Department of Housing and Urban Development. *Evidence Matters: Transforming Knowledge Into Housing and Community Development Policy*. 2011. www.huduser.gov/portal/periodicals/em/EM-newsletter_FNL_web.pdf.

³³ Dawkins, Casey J. *Exploring the Spatial Distribution of Low Income Housing Tax Credit Properties*. US Department of Housing and Urban Development, www.huduser.gov/publications/pdf/dawkins_exploringliht_assistedhousingcr04.pdf.

household. However, there are indications that proximity to social networks, difficulties searching for housing, and perceived or actual discrimination contribute to clustering.³⁴ This section will review the current supply and occupancy characteristics of publicly supported housing types and its geographic distribution within DeKalb County.

SUPPLY AND OCCUPANCY

DeKalb County residents are served by three housing authorities: the Housing Authority of DeKalb County, the Housing Authority of the City of Decatur, and the Housing Authority of the City of Lithonia. Between public housing, Housing Choice Vouchers, project-based vouchers, and units under the Section 202 and Section 811 programs, HUD PIC data reports that a total of over 9,400 subsidized units are available in the county, housing nearly 25,000 individual residents. Voucher programs are the primary source of these subsidized housing units representing 8,227 (88%) of these subsidized units (6,133 Housing Choice Vouchers and 2,094 Project-Based Vouchers). There are 814 units of conventional public housing in DeKalb County and another 382 “other multifamily” units designated for elderly and/or disabled households through the Section 202 and 811 programs.

Due to voucher portability and other intricacies of these housing systems, there may be fewer units in an area than are provided by its respective housing authorities, which is reflected in the figures in the table below. Some differences may also be attributed to variations in datasets (the above figures from the HUD Picture of Subsidized Households and the figures below from HUD’s AFFH Tool). In any case, the publicly supported housing units in DeKalb County, taken together, account for only about 3% of the county’s housing units. However, because the programs are all rent-based, the share of rental units in the county supported in some form by a public subsidy is higher, about 8%.

TABLE 14. HOUSING UNITS SUPPORTED THROUGH HUD FUNDING BY PROGRAM CATEGORY IN DEKALB COUNTY

Housing Units	#	%
Total housing units	266,126	-
Public housing	394	0.2%
Project-based Section 8	1,653	0.6%
Other multifamily	385	0.1%
HCV program	5,595	2.1%

Note: Data presented are number of housing units or vouchers. All % represent housing units within each housing program as a share of total housing units within that jurisdiction.

Data Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

³⁴ Galvez, Martha M. *What Do We Know About Housing Choice Voucher Program Location Outcomes? A Review of Recent Literature*. What Works Collaborative, 2010. www.urban.org/sites/default/files/publication/29176/412218-What-Do-We-Know-About-Housing-Choice-Voucher-Program-Location-Outcomes-.PDF.

Based on the demographic data presented in the following table, 55.0% of DeKalb County’s households identify as Black. Of the county’s low-income (0-50% AMI) population, Black households make up a 61.6% share. Given these figures, Black households are overrepresented in all forms of publicly supported housing in the county, making up 96.0% of public housing tenants, 94.0% of voucher holders, 76.1% of the residents of “other multifamily” units, and 69.6% of project-based Section 8 residents. Asian households (4.1% of the county’s population) make up 13.8% of the county’s “other multifamily” residents, but are underrepresented in all other subsidized housing types. Hispanic households (6.6% of the county’s total and 10.8% of the county’s low-income population) are vastly underrepresented in all categories of publicly supported housing, making up no more than 3.7% of any one type. While white households are also underrepresented in subsidized housing relative to their proportion of the general population, white households are also a smaller share of the county’s low-income population (16.3%) and, on that basis, are overrepresented in project-based Section 8 units, where they comprise 25.4% of the county’s total.

TABLE 15. RESIDENTS BY RACE AND ETHNICITY FOR HOUSING UNITS SUPPORTED THROUGH HUD FUNDING IN DEKALB COUNTY AND ATLANTA-SANDY SPRINGS-ROSWELL MSA

Housing Type	Race/Ethnicity							
	White		Black		Hispanic		Asian or Pacific Islander	
	#	%	#	%	#	%	#	%
DeKalb County								
Public Housing	10	2.7%	361	96.0%	1	0.3%	4	1.1%
Project-Based Section 8	406	25.4%	1,114	69.6%	59	3.7%	17	1.1%
Other Multifamily	34	9.8%	264	76.1%	1	0.3%	48	13.8%
HCV Program	156	2.2%	6,653	94.0%	61	0.9%	198	2.8%
0-30% AMI	6,557	18.7%	21,887	62.3%	3,437	9.8%	2,368	6.7%
0-50% AMI	10,229	16.3%	38,604	61.6%	6,788	10.8%	3,865	6.2%
0-80% AMI	18,071	17.6%	65,594	63.7%	10,119	9.8%	5,337	5.2%
Total Households	74,431	32.2%	127,094	55.0%	15,336	6.6%	9,829	4.3%
Atlanta-Sandy Springs-Roswell MSA								
Public Housing	520	9.6%	4,634	85.9%	88	1.6%	149	2.8%
Project-Based Section 8	2,175	22.0%	7,377	74.4%	179	1.8%	168	1.7%
Other Multifamily	344	25.0%	869	63.2%	18	1.3%	145	10.5%
HCV Program	1,394	3.9%	34,075	94.2%	429	1.2%	246	0.7%
0-30% AMI	84,438	35.9%	111,346	47.4%	25,839	11.0%	9,222	3.9%
0-50% AMI	135,378	30.8%	192,122	43.7%	53,459	12.1%	17,910	4.1%
0-80% AMI	274,738	37.0%	310,128	41.7%	83,585	11.2%	28,926	3.9%
Total Households	1,060,274	55.3%	610,123	31.8%	135,669	7.1%	81,647	4.3%

Note: Data presented are number of households, not individuals. All % represent the share of households in each racial and ethnic group by housing program or income group.

Data Sources: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>; HUD’s A Picture of Subsidized Households, <https://www.huduser.gov/portal/datasets/assthg.html>

The racial and ethnic makeup within individual publicly supported housing developments frequently reflects the overall patterns of overrepresentation of Black households while other demographic groups are generally underrepresented. However, there is wide variation in some specific developments. Among the project-based Section 8 units in the county, the 212-unit Lenox Summit in Brookhaven stands out for having a resident composition that is 61% white and only 30% Black. At the other end of the spectrum, all 250 units in the Highland at East Atlanta apartments are occupied by Black households. Hispanic households make up 22% of the residents at Briarcliff Oaks near Clairmont and I-85, but no more than 8% of the households at any other project-based Section 8 property. Similar variations are also found in the Section 202 and 811 “other multifamily” developments in the county. The Ahepa Apartments near Northlake have a household composition that is 72% Asian, 22% white, and 4% Black; there are no Hispanic households reported in the 68-unit complex. The residents of Alice Williams Towers in Stonecrest are 97% Black and only 3% white while at Lane Manor in Stone Mountain, the racial composition is 66% Black and 34% white. The only “other multifamily” development reporting any Hispanic households is Allegre Point, where Hispanic households make up 2% of the residents; the remainder are Black and there are no white households.

The above examples all demonstrate patterns of racial and ethnic composition that vary significantly from the overall demographics of the county as a whole. Of course, within individual communities and neighborhoods in the county, there are clusters of certain racial and ethnic groups and it is reasonable that rental units within those areas may reflect the demographics of their neighborhoods more closely than those of the county in general. However, it is possible that subtle factors, such as the racial makeup of the client-facing front office staff, presence of nearby retail establishments serving specific ethnic preferences, and general community norms can lead to an initial racial imbalance forming. Once a rental community establishes an inclination toward white, Black, Hispanic, or Asian residents, future residents may be guided – persuaded or dissuaded – from a particular property based on its racial makeup.

TABLE 16. DEMOGRAPHICS OF PROPERTIES WITH HUD FUNDING BY PROGRAM CATEGORY IN DEKALB COUNTY

Development Name	# Units	% White	% Black	% Hispanic	% Asian	% Households with Children
Public Housing						
Columbia Village	30	0%	100%	0%	N/A	68%
Allen Wilson Terrace	98	2%	96%	1%	1%	62%
Allen Wilson Apartments	40	7%	85%	3%	5%	63%
Oliver House	80	3%	94%	0%	3%	N/A
Allen Wilson Phase III	71	4%	94%	1%	N/A	60%
Project Unnamed	75	5%	92%	1%	1%	56%
Project-Based Section 8						
Highland at East Atlanta	250	0%	100%	0%	N/A	68%
North Hairston Apartments	170	3%	92%	2%	2%	N/A
Oak Forest Apartments	150	1%	98%	1%	N/A	84%
Paradise East Apartments	160	1%	98%	1%	N/A	73%
Park Trace Apartments	169	12%	86%	1%	1%	2%
Philips Towers, Decatur, Inc	136	53%	43%	3%	1%	N/A
Pleasantdale Crossing	42	13%	79%	8%	N/A	53%
Trinity Walk I	69	7%	93%	0%	N/A	44%
Briarcliff Oaks Apartments	125	58%	14%	22%	5%	N/A
Clairmont Oaks	127	59%	33%	5%	2%	N/A
Decatur Christian Towers	43	56%	37%	7%	N/A	N/A
Lenox Summit	212	61%	30%	5%	2%	N/A
Other Multifamily						
DeKalb Mr Home I and II	8	N/A	N/A	N/A	N/A	N/A
Travis House	6	N/A	N/A	N/A	N/A	N/A
AHEPA Apartments	68	22%	4%	0%	72%	N/A
Alice Williams Tower I	44	2%	98%	0%	N/A	N/A
Alice Williams Towers II	54	4%	96%	0%	N/A	N/A
Independent Communities	14	15%	85%	0%	N/A	N/A
Psalm 23 Project	36	0%	100%	0%	N/A	N/A
Promise Project	36	6%	94%	0%	N/A	3%
Allegre Point Senior Resident	66	0%	98%	2%	N/A	N/A
Lane Manor	53	34%	66%	0%	N/A	N/A

Data Sources: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>; HUD’s A Picture of Subsidized Households, <https://www.huduser.gov/portal/datasets/asstshg.html>

Note: Percentages represent the share of households in each racial and ethnic group and the share of households with children by property. Percentages may not add to 100 due to rounding error.

GEORGRAPHY OF SUPPORTED HOUSING

In the map that follows, the locations of publicly supported housing developments are represented along with levels of Housing Choice Voucher use, which is indicated by gray shading. Superimposed over the map are also dots representing racial/ethnic demographics. The blue markers on the maps indicate the locations of public housing. Because the county's housing authority no longer operates any public housing, these are limited to just a few sites where other public housing authorities serving the county have developments: DHA's Allen Wilson developments in Decatur, the Lithonia Housing Authority's property in Lithonia, and a few Atlanta Housing Authority properties, primarily in East Lake.

The orange markers on the maps indicate that the locations of Project Based Section 8 units. Nearly all the project-based Section 8 developments are in the northern half of the county, with a majority clustered roughly along the Memorial Drive corridor. The virtual absence of project-based Section 8 developments in the southern portion of the county where the Black population is more prominent comports with the above analysis finding that Black families are least likely to live in this type of housing while it is the type most likely to contain white households. The project-based Section 8 developments may simply be reflecting the racial and ethnic composition of the majority-white portions of the county where they are sited, but this raises a question as to why there are so few project-based Section 8 properties in areas of the county with more significant Black populations. Northern DeKalb County contains communities with good access to many types of opportunity, as illustrated in the analysis in Chapter 5, however, it is possible to find areas of high opportunity in South DeKalb as well (e.g. good jobs proximity in Stonecrest, high rates of labor market engagement near Arabia Mountain, or low transportation costs in Redan). Siting new project-based Section 8 developments in high opportunity communities in southern DeKalb County with majority Black populations could help better balance the racial demographics of this publicly supported housing type.

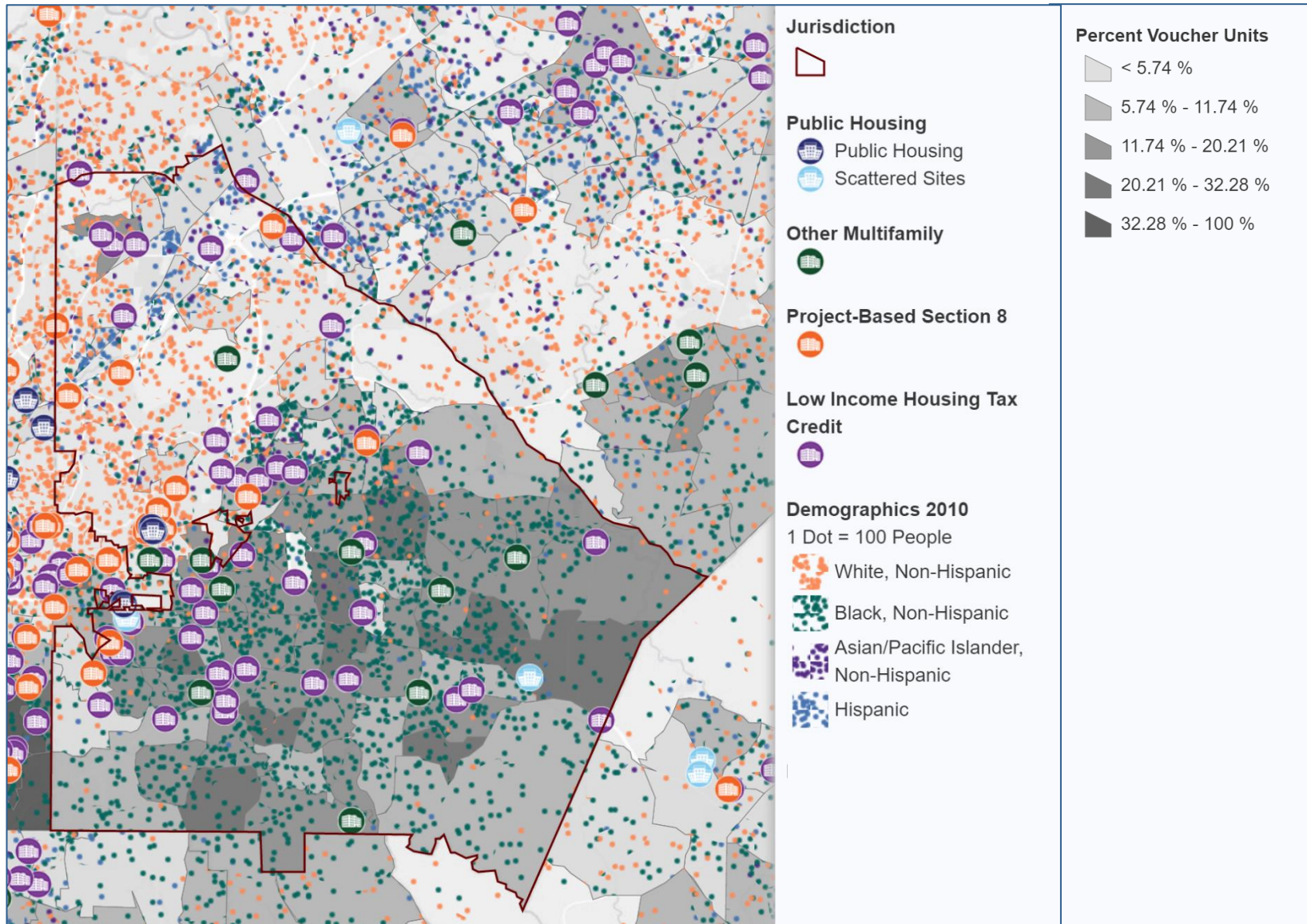
Finally, the map also depicts the locations of Low Income Housing Tax Credit developments with purple markers. The Low Income Housing Tax Credit (LIHTC) program is the primary source of subsidy for development of affordable housing by the private market. Created by the Federal Tax Reform Act of 1986, the LIHTC program makes available an indirect federal subsidy for investors in affordable rental housing. The value of the tax credits awarded to a project may be syndicated by the recipient to generate equity investment, offsetting a portion of the development cost. As a condition of the LIHTC subsidy received, the resulting housing must meet certain affordability conditions. LIHTC developments achieve a relatively even distribution throughout DeKalb County, located in neighborhoods of varied demographics. While there are several LIHTC developments along the I-20 corridor, there are none south of it, however, there are many LIHTC properties in other South DeKalb locations.

The rates at which Housing Choice Vouchers (HCVs) are used are represented by the shading on the maps. HCVs are issued to households and may be used at a rental unit of the tenant's choosing to reduce the tenant's share of rent payments to an affordable level. Therefore, unlike the publicly supported developments marked on the map, HCVs are portable and their distribution throughout the county is subject to fluctuate based on location preferences of individual voucher households and the participation of landlords in the HCV program. There are very few vouchers in use in the northern part of the county, with the exception of a small area of concentration in Dunwoody. Otherwise, HCVs are predominantly

used along and south of the Memorial Drive corridor. Given the intent of the voucher program to enable mobility of low-income families to access areas of opportunity, the lack of vouchers used in the northern half of the county suggests a possible shortcoming in the program's implementation. Some voucher families may be deliberately choosing rental units in South DeKalb for various opportunity factors that are available there, however, some factors such as school proficiency are markedly improved in the northern portion of the county. Resources to encourage North DeKalb landlords to participate in the program as well as assistance to voucher recipients in locating housing in areas outside South DeKalb (for those who would so choose) should be considered as ways to improve and balance the distribution of HCVs within the county.

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FIGURE 25. PUBLICLY SUPPORTED HOUSING AND RACE AND ETHNICITY IN DEKALB COUNTY



Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

POLICY REVIEW

DeKalb County residents are served by three housing authorities: the Housing Authority of DeKalb County, the Housing Authority of the City of Decatur, and the Housing Authority of the City of Lithonia. The Housing Authority of DeKalb County (HADC) no longer owns or operates any public housing, having converted or redeveloped all its public housing to create more flexible affordable housing opportunities, including 4,383 Housing Choice Vouchers. The City of Decatur Housing Authority (DHA) reports that it has undertaken the revitalization of all 312 of its assisted housing units (public housing and Section 8 PBRA) in the past few years. DHA also has completed the redevelopment of Trinity Walk in two phases resulting in a total of 121 affordable units using Project Based Rental Assistance (PBRA). This is a nine unit increase over the previous unit totals of 112 units (88 at Gateway and 24 at Oakview). Additionally, the Atlanta Housing Authority operates four public housing developments within DeKalb County. Atlanta's public housing is not included in this analysis and the Housing Authority of the City of Lithonia did not respond to requests for relevant PHA plans and policies for review.

As required by HUD, the HADC and DHA maintain comprehensive Five-Year PHA Plans, with annual plan updates, as well as other program-specific policies. The most pertinent of these policies for review in this analysis are the Administrative Plans concerning their respective Housing Choice Voucher programs and the DHA's "Admissions and Continued Occupancy Policy", or ACOP concerning its public housing units. These documents set policy for who may be housed by the housing authorities and how those tenant households are selected. Three different aspects of the ACOP and/or Administrative Plan are examined here: tenant selection, local preference, and tenant screening. These three policy types all allow some degree of local determination by HADC and DHA and are among the most central to matters of fair housing choice.

Public housing, and particularly HCV assistance, is competitive and housing authorities often maintain lengthy waiting lists of potential tenants. The process by which applicants are ranked on and selected from a waiting list is guided by a tenant selection policy. For its voucher programs, HADC selects tenant applicants from its waiting list based first on the targeted funding programs or selection preferences for which they qualify, followed by the date and time of the application. The DHA uses the same tenant selection process for its public housing units, but for HCV applicants, the selection process is slightly different in that, after selecting applicants from the waiting list based on targeted funding or selection preferences, the DHA uses a randomized selection procedure rather than a "date and time" standard. Selection preferences are further described below, but targeted funding programs refers to specific streams of voucher funding tied to a specialized population. For example, HADC has a special allocation of vouchers under the HUD-Veterans Affairs Supportive Housing (HUD-VASH) Program and a veteran household applicant that qualifies for a HUD-VASH voucher could be housed before other households on the waiting list if a HUD-VASH voucher becomes available.

When HCV waiting lists are opened to new applicants, the window is often quite limited and large numbers of applications are made within a relatively short period of time. In this context, a "date and time" standard for waiting list selection, which HADC uses as a tiebreaker within preference categories, can be somewhat problematic for disadvantaging applicants who have inflexible, hourly work schedules or transportation and childcare challenges. When the waiting list is opened, families with these

constraints may be less able to quickly access the application, gather documents necessary to complete it, and submit it once finished. By randomizing applications for selection, DHA provides its waiting list families a more even footing and there is no advantage to a household that is able to access, complete, and submit an application more quickly than another.

HUD allows public housing authorities to, within narrow bounds, set local preferences for the applicants who will be selected from their waiting lists. Local preferences must be constructed carefully to avoid discrimination against protected classes but can be helpful tools to strategically adapt public housing programs to local housing needs and priorities as determined through data-driven planning processes. The HADC and the DHA both establish sets of local preferences for their respective housing programs, however, each housing program has a different set of preference criteria. For its HCV applicants, the HADC gives top preference to residents of DeKalb County, followed by applicants who are participating in designated programs related to youth aging out of foster care, homelessness, or developmental disabilities. The DHA's preference criteria for HCV applicants include, in order of priority, families whose HCV's were previously terminated due to insufficient program funding, DHA residents involuntarily displaced due to factors such as building renovations or RAD conversions, and non-elderly disabled residents of DeKalb County. In its public housing program, the DHA applies a different set of preference criteria, beginning with applicants who are involuntarily relocating for reasons of personal safety, followed by working families, families whose head of household is disabled, households engaged in training necessary to enter the workforce, and finally, DeKalb County residents in general.

One commonality among the three sets of preference criteria reviewed is the DeKalb County residency preference. This criterion ranks more highly within HADC's preferences than DHA's, but appears at some level within all three sets. When narrowly tailored to a single specific community (e.g., if DHA's preference were for residents of the City of Decatur rather than residents of the wider county), residency preferences can have the effect of limiting housing choice on a regional basis. However, in all of these cases, the county-wide residency preference applies within a variety of different community types throughout DeKalb County, including urban, suburban, and even rural communities, avoiding this criticism as it allows for a great degree of mobility within the county to a variety of different communities with varying opportunity features.

Tenant screening, specifically policies regarding criminal background checks, is the final aspect of this review. Housing authorities are required to consider an applicant's criminal background as part of their screening process for public housing occupancy but must conduct the screening so as not to violate the prospective tenant's fair housing rights. For HCV programs, tenant screening is optional and left to the discretion of the housing authorities. Recognizing that people of color are disproportionately more likely to have experienced an encounter with the criminal justice system and to have arrest records or criminal convictions, HUD issued guidance in 2016 warning that blanket policies of refusal to rent to people with criminal records could be discriminatory. Although criminal history is not a protected class, under the Fair Housing Act, restricting housing access on the basis of criminal history could be unlawful if it results in a disparate impact on people of a specific race or ethnicity. Rather than blanket policies, exclusions of persons with criminal histories must be tailored to the housing provider's legitimate interests, be applied consistently to all applicants, and take into account the type of crime, time since conviction, and other factors.

While the DHA's ACOP, consistent with HUD regulations, requires DHA to conduct criminal background checks on all prospective public housing tenants and to deny applicants with records of specified criminal offenses, DHA's policy allows for reasonable discretion and consideration of special circumstances where permitted by regulation. In the event DHA's background check identifies unfavorable information regarding an applicant's criminal history, the DHA will consider the time, nature, and extent of the applicant's conduct and factors that might indicate a reasonable probability of favorable future conduct. Regarding history of past drug or alcohol abuse, the DHA allows itself latitude to waive its policies that may otherwise exclude the applicant if he or she has successfully completed a supervised drug or alcohol rehabilitation program and is no longer engaging in the activity. For its HCV applicants, the DHA performs only the minimum required screening, including checking household members against the Dru Sjodin National Sex Offender database, opting to leave other aspects of determining tenant suitability to individual landlords or property managers participating in the HCV program. Beyond the minimum required screening procedures, the HADC may choose to conduct additional background screening, but only for some project-based Section 8 families; the HADC does not conduct any further screening of HCV applicants.

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CHAPTER 8.

HOUSING FOR PEOPLE WITH DISABILITIES

According to the Census Bureau, 19% of the U.S. population reported having a disability in 2010. Research has found an inadequate supply of housing that meets the needs of people with disabilities and allows for independent living. The U.S. Department of Housing and Urban Development identified that approximately one third of the nation's housing stock can be modified to accommodate people with disabilities, but less than 1% is currently accessible by wheelchair users.³⁵

Identifying and quantifying existing accessible housing for all disabilities is a difficult task because of varying needs associated with each disability type. People with hearing difficulty require modifications to auditory notifications like fire alarms and telecommunication systems while visually impaired individuals require tactile components in design and elimination of trip hazards. Housing for people that have difficulty with cognitive functions, self-care, and independent living often require assisted living facilities, services, and staff to be accessible.

Modifications and assisted living arrangements tend to pose significant costs for the disabled population, which already experiences higher poverty rates compared to populations with no disability. Studies have found that 55% of renter households that have a member with a disability have housing cost burdens, compared with 45% of those with no disabilities.³⁶

RESIDENTIAL PATTERNS

The population with disabilities in DeKalb County accounts for 9.8% of the total population. 6.4% of residents between the ages of 18 and 64 live with a disability. Disabled residents over the age of 65 account for 3.5% of the county's total population. Less than 1% of the total population is comprised of children under the age of 18 with a disability.

The most common disability type in the county is difficulty with ambulatory movement. About 6% of the population in DeKalb County is affected by ambulatory disabilities is 6.9%. People with disabilities that may require extensive assistance, including independent living or self-care difficulties, make up a combined 6.4% of DeKalb County's population. Hearing, vision, and cognitive difficulties impact between 3-4% of the population in each of the three jurisdictions.

Figure 26 show the spatial distribution of the population with disabilities in DeKalb County. Residents with disabilities are evenly distributed throughout the jurisdiction without any discernible patterns or concentrations.

³⁵ Chan, S., Boshier, L., Ellen, I., Karfunkel, B., & Liao, H. L. (2015). Accessibility of America's Housing Stock: Analysis of the 2011 American Housing Survey. U.S. Department of Housing and Urban Development: Office of Policy Development and Research.

³⁶ America's Rental Housing 2017. (2017). Joint Center for Housing Studies of Harvard University.

TABLE 17. DISABILITY BY TYPE IN DEKALB COUNTY AND ATLANTA-SANDY SPRINGS-ROSWELL MSA

Disability Type	DeKalb County		Atlanta-Sandy Springs-Roswell MSA	
	#	%	#	%
Hearing difficulty	11,800	2.1%	124,237	2.5%
Vision difficulty	12,557	2.2%	96,741	2.0%
Cognitive difficulty	23,851	4.2%	195,085	3.9%
Ambulatory difficulty	32,350	5.7%	273,305	5.5%
Self-care difficulty	12,259	2.2%	101,952	2.1%
Independent living difficulty	23,598	4.2%	185,645	3.8%

Note: All % represent a share of the total population within the jurisdiction or region.

Data Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

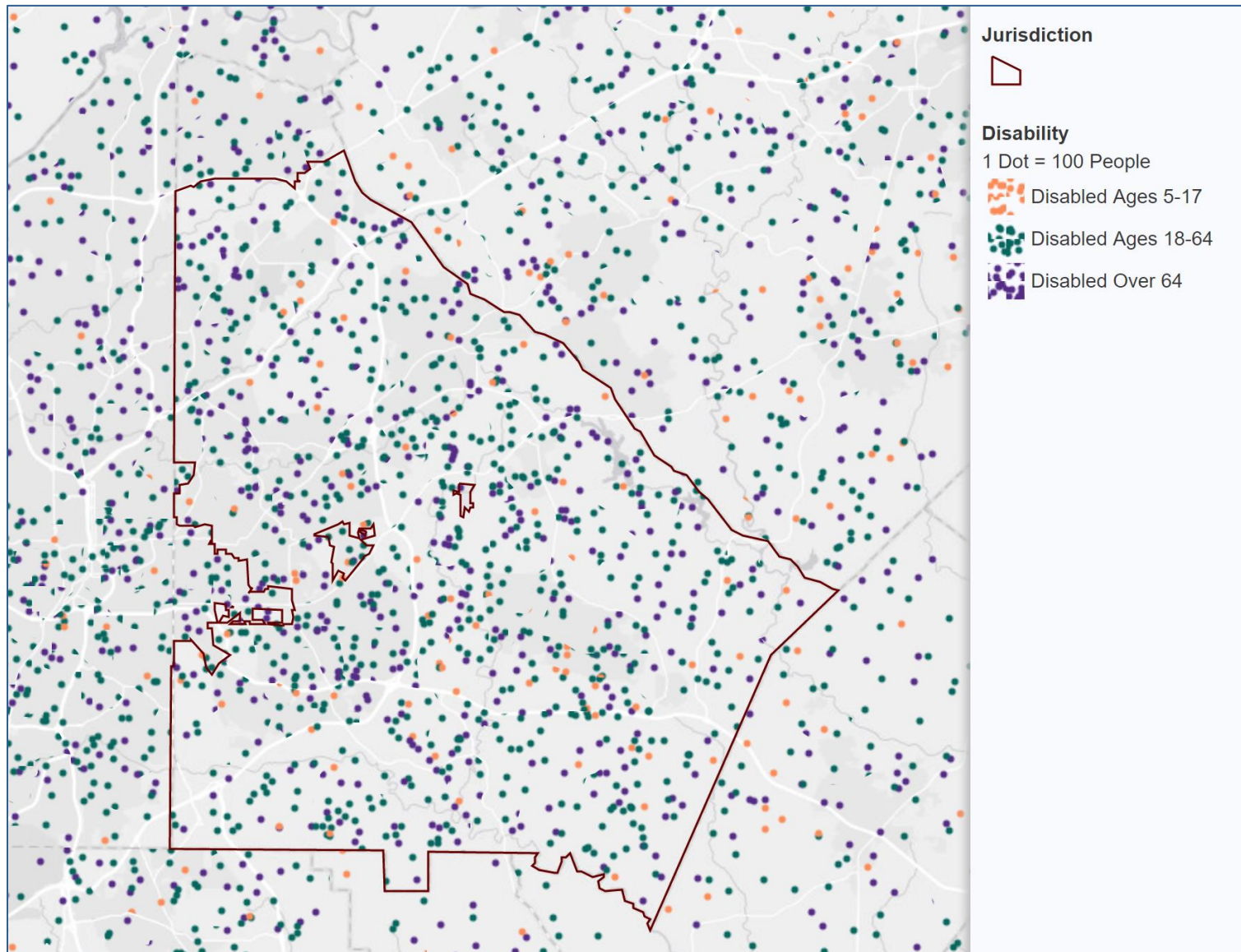
TABLE 18. DISABILITY BY AGE GROUP IN DEKALB COUNTY AND ATLANTA-SANDY SPRINGS-ROSWELL MSA

Age of People with Disabilities	DeKalb County		Atlanta-Sandy Springs-Roswell MSA	
	#	%	#	%
Age 5-17 with disabilities	4,404	0.8%	43,816	0.9%
Age 18-64 with disabilities	36,141	6.4%	285,608	5.8%
Age 65+ with disabilities	19,602	3.5%	177,645	3.6%

Note: All % represent a share of the total population within the jurisdiction or region.

Data Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

FIGURE 26. PEOPLE WITH A DISABILITY BY AGE IN DEKALB COUNTY



Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

ACCESSIBLE HOUSING SUPPLY AND AFFORDABILITY

A point-in-time search on socialserve.com for affordable apartments currently for rent in DeKalb County shows 26 properties with some accessibility features, but all properties had waiting lists.

Based on a standard Supplemental Security Income (SSI) payment of \$771 per month (equating to an affordable monthly rent of \$257 or less), it is highly likely that people with disabilities who are unable to work and rely on SSI as their sole source of income face substantial cost burdens and difficulty locating affordable housing. Publicly supported housing is often a key source of accessible and affordable housing for people with disabilities, and in the study area, these subsidized housing options are much more likely to contain households with at least one member with a disability than the housing stock in general. The table below shows the types of publicly-supported housing that persons with disabilities are able to access. Data in the table below also provides insight into which programs are more likely to provide disabled individuals with housing.

TABLE 19. DISABILITY BY HOUSING PROGRAM CATEGORY IN DEKALB COUNTY AND ATLANTA-SANDY SPRINGS-ROSWELL MSA

Housing Type	People with a Disability			
	DeKalb County		Atlanta-Sandy Springs-Roswell MSA	
	#	%	#	%
Public Housing	67	17.3%	1,721	31.3%
Project-Based Section 8	172	10.6%	941	9.1%
Other Multifamily Housing	30	8.1%	83	5.4%
HCV Program	1,331	18.6%	6,469	17.6%

Note: All % represent the share of total housing units of each housing type occupied by a person with a disability. The definition of “disability” used by the Census Bureau may not be comparable to reporting requirements under HUD programs.

Data Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

Supportive housing, a typically subsidized long-term housing option combined with a program of wrap-around services designed to support the needs of people with disabilities, is another important source of housing for this population. Unique housing requirements for people with an ambulatory difficulty may include accessibility improvements such as ramps, widened hallways and doorways, and installation of grab bars, along with access to community services such as transit. For low- and moderate-income households, the costs of these types of home modifications can be prohibitive, and renters may face particular hardships as they could be required to pay the costs not just of the modifications, but also the costs of removing or reversing the modifications if they later choose to move.

ZONING AND ACCESSIBILITY

Fair housing laws do not preempt local zoning laws but do apply to municipalities and local government units and prohibit them from making zoning or land use decisions or implementing land use policies that

exclude or otherwise discriminate against protected persons. This includes a local government's affirmative obligation to provide reasonable accommodations to land use or zoning policies when such accommodations may be necessary to allow persons with disabilities to have an equal opportunity to use and enjoy housing. It also includes the affirmative obligation not to segregate housing for protected classes into lower-opportunity, less desirable areas of the jurisdiction. After all, one priority of the FHAA is to dismantle segregation of protected groups and protect and foster integration. Conditions of DeKalb County's zoning code affecting accessibility are assessed in the following sections. Several elements of the following analysis refer back to the scored zoning code review presented in Chapter 6.

Definition of "Family" and Group Housing for Persons with Disabilities

Often one of the most scrutinized provisions of a municipality's zoning code is its definition of "family." Local governments use this provision to limit the number of unrelated persons who may live together in a single dwelling as a means of preserving the stable, traditional character of their neighborhoods. Unreasonably restrictive definitions may have the unintended consequence (or intended consequence, depending on the motivations behind the drafting of the jurisdiction's definition) of limiting housing for nontraditional families and for persons with disabilities who reside together in congregate living situations. DeKalb County's zoning code limits the definition of "family" to not more than three unrelated persons residing together as a single housekeeping unit:

One (1) or more individual(s) related by blood, marriage, adoption, or legal guardianship, or not more than three (3) unrelated individuals, who live together in a single dwelling unit and who function as a single housekeeping unit, have established ties and familiarity with each other, jointly use common areas, interact with each other, and share meals, household activities, expenses and responsibilities. This definition shall include three (3) or fewer mentally handicapped, developmentally disabled persons, and other handicapped persons, as defined in the Fair Housing Act, 42 U.S.C. § 3601 et seq., living as a housekeeping unit and otherwise meeting the definition of "family" herein. For the purposes of calculating the number of persons who live in a dwelling, family members who are related by blood or legal status shall count as one (1) person.

Although the definition requires that the group live as functionally equivalent to that of a family related by blood, marriage, adoption, or legal guardianship by sharing common areas, meals, household responsibilities, etc., more progressive definitions of family would not then limit the number of unrelated household members just as the zoning code does not limit the number of related household members who function as a single housekeeping unit. Rather, under more permissive land use codes, maximum occupancy per dwelling can be regulated by the building code's housing occupancy standards as a matter of safety rather than the zoning regulations.

Limiting a family to no more than three unrelated individuals is neither the most permissive nor most restrictive under case precedent, but it does fail to treat nontraditional, but functionally equivalent, household relationships equal with those related by blood, marriage, adoption or guardianship and may violate fair housing, privacy, and due process protections if challenged because the restriction may have a disproportionate impact on people with disabilities, people of color, and families with children. The definition of family is facially neutral as all unrelated people—whether persons with disabilities or without—are treated similarly. However, because there is no limit on the number of persons related by blood/marriage/adoption/guardianship that may reside together, but there is a limit on the number of

unrelated persons who may reside together, application of the family definition may have the effect of disproportionately impacting protected groups more such as limiting housing choice for unrelated adults with disabilities seeking to live together in a family-like, integrated household. This disparate effect may make the zoning code susceptible to a state due process claim for a functionally-equivalent, though not legally related, family or to an FHA discriminatory effect/disparate impact claim, reasonable accommodation claim, or segregative effect claim. While the Supreme Court has recognized as constitutionally permissible a local government's right to limit the number of unrelated individuals who may live together, the restriction must be reasonable and not exclude a household which in every sense but a biological one is a single family.

One option is to amend the ordinance to add an administrative process for rebutting the presumption that a group exceeding the permitted maximum number of unrelated persons is not otherwise residing together as a single housekeeping unit and functional family. Accordingly, DeKalb received a "2/medium risk" score on Issue 1 of the zoning code review contained in Chapter 6.

Importantly, the definition specifically includes three or fewer unrelated persons with disabilities who otherwise meet the definition of family, and does not treat persons with disabilities differently *because of their disability*. Three or fewer persons with disabilities living together as a single household and otherwise meeting the definition of "family," even where they require supervision and onsite supportive services, should be permitted in residential districts as any other single-family dwelling. Supportive housing for four or more unrelated persons with disabilities residing together is regulated under the term and use category "personal care home" (PCH), which is divided into "group personal care homes" comprising 4-6 residents and "community personal care homes" comprising 7 or more residents. The County's definition of "personal care home" specifically includes establishments licensed by the State of Georgia to provide care for persons with addictive diseases. (See Issue 5 of the Zoning Code Review in Chapter 6). Group PCHs are permitted by right in the medium and high-density districts: MR-2, HR-1, HR-2, HR-3, MHP, OI, C-1, C-2, MU-1, MU-2, MU-3, MU-4, and MU-5 districts. Group PCHs require a special use permit (SUP) approved by the Board of Commissioners in the low-density single-family districts: RE, RLG, R-100, R-85, R-75, R-60, RSM, MR-1, RNC, OIT, and NS districts.

Community PCHs of 7 or more residents are permitted by right in the MR-2, HR-1, HR-2, HR-3, OI, C-1, C-2, OD, and MU-1—5 districts. They require a SUP in the RSM, MR-1, OIT, and NS districts. In Tier I, Tier I-NC, and Tier V of the Scottdale Overlay District, both group and community PCHs require a special use permit. In the Hidden Hills Overlay District, PCH's are a permitted use in Tier 1, specifically prohibited in Tier 2, and require a SUP in Tier 5. Group personal care homes are permitted by right in Tier V of the Stonecrest Area Overlay District. PCHs are specifically not permitted in the Bouldercrest-Cedar Grove-Moreland Overlay District, and not otherwise mentioned in the remaining overlay districts. The ordinance does not include a justification for why group and community PCHs are permitted by right, permitted with SUP approval, or excluded from certain districts but not others. A housing provider or PCH residents could seek an FHA Accommodation Variance (or reasonable accommodation request) to locate in a district where not expressly allowed.

There is some ambiguity with the zoning code's use of the terms "family personal care home," "congregate personal care home," and "registered personal care home," which are not separately defined but are found in provisions for the Northlake Overlay District and Scottdale Area Overlay District.

“Congregate,” “family,” “group,” and “registered” personal care homes require a special use permit in the Northlake Overlay District and in Tier II, Tier III, and Tier IV of the Scottsdale Area Overlay District.

Multifamily supportive living developments are permitted by right in all districts where regular multifamily dwellings are permitted by right plus two additional districts (the MHP and RNC), but are not permitted in two districts where regular multifamily is a special use (the M and M-2 districts).

Because the provisions regarding personal care homes do not treat such housing less favorably than other types of group housing for 4 or more unrelated persons, the County received a “1/low risk” score on Issue 2 of the Zoning Review. However, there is room for further decreasing barriers to housing for persons with disabilities.

Spacing requirements for protected classes, like persons with disabilities, are generally inconsistent with the FHAA unless the jurisdiction could make a showing that the ordinance was passed to protect a compelling governmental interest (*e.g.* over-concentration of supportive housing could adversely affect individuals with disabilities and would be inconsistent with the goal of integrating persons with disabilities into the wider community) and that the spacing requirement is the least restrictive means of protecting that interest.³⁷ In unincorporated DeKalb County, group personal care homes (4-6 residents) located in the RE, R-LG, R-100, R-85, R-75, R-50, R-SM, or MR-1 zoning district may not be operated within 1,000 feet of any other group PCH. (The spacing requirement would not apply to smaller PCH’s of 3 or less residents.) The code provides the County’s justification for the spacing requirement as a means “to prevent institutionalizing residential neighborhoods.” However, any spacing/dispersion requirements limit the overall aggregate capacity of housing for persons with disabilities even if the need in the community or region is greater than the thresholds permit.

Federal case law goes both ways on minimum spacing requirements—some separation requirements have been upheld by the courts and some have been invalidated as too restrictive or on grounds that the jurisdiction failed to make a reasonable accommodation under the FHAA. How much accommodation is “reasonable” may depend on the individual facts of the case, and the impact on both the persons seeking housing versus the impact on the government and community. Housing providers for persons with disabilities should be given an opportunity to rebut the County’s presumption of overconcentration by a showing of the significant need for more housing for persons with disabilities through an administrative reasonable accommodation process. The zoning code provides a variance process specific to fair housing accommodation requests, but like other variance requests reviewed by the zoning board of appeals, it is a public hearing process. (See reasonable accommodation discussion below.)

Reasonable Accommodations

Adopting a reasonable accommodation ordinance is one specific way to address land use regulations’ impact on housing for persons with disabilities. Federal and state fair housing laws require that municipalities provide individuals with disabilities or developers of housing for people with disabilities flexibility in the application of land use and zoning and building regulations, practices, and procedures or even waive certain requirements, when it is reasonable and necessary to eliminate barriers to housing

³⁷ See JOINT STATEMENT OF THE DEPT. OF HOUSING AND URBAN DEVELOPMENT AND DEPT. OF JUSTICE, *State and Local Land Use Laws and Practices and the Application of the Fair Housing Act*, Nov. 10, 2016.

opportunities, or “to afford persons with a disability the equal opportunity to use and enjoy a dwelling.” However, the FHAA does not set forth a specific process that must be used to request, review, and decide a reasonable accommodation.

DeKalb County has adopted a provision specific to requesting a reasonable accommodation under the Fair Housing Act:

[T]he zoning board of appeals may grant a variance to the limitations of this chapter that might have a discriminatory impact on a handicapped person . . . if the applicant shows a documented need for accommodation based on medical or scientific studies, that the requested accommodation is the minimum necessary variance from the restrictions of the Code, that the requested accommodation does not impose an undue burden or expense on the county or its citizens, and that the requested accommodation does not effectively create a fundamental alteration of the existing zoning scheme. Code of DeKalb County § 27-7.5.9.

However, an application under the County’s “Fair Housing Act Accommodation Variance” must comply with all other procedural requirements for consideration and approval of variances, including the public notice and hearing process. Whereas simple administrative procedures may be adequate for the granting of a reasonable accommodation, the zoning board of appeals (ZBA) variance procedures subject the applicant to the public hearing process where there is the potential that community opposition based on stereotypical assumptions about people with disabilities and unfounded speculations about the impact on neighborhoods or threats to safety may impact the outcome. Although the FHAA does not require a specific process for receiving and deciding requests for reasonable accommodation, as a matter of equity, transparency, and uniformity, it is advisable that local jurisdictions adopt a standardized process. The provision regarding a Fair Housing Accommodation Variance does not disclose a standardized form or process unique to reasonable accommodation requests versus other zoning variance requests.

The purpose of a variance is not always congruent with the purpose of requesting a reasonable accommodation, as a variance requires a showing of special circumstances or conditions applying to the land. In contrast, a reasonable accommodation is to allow individuals with disabilities to have equal access to use and enjoy housing. The jurisdiction does not comply with its duty to provide reasonable accommodation if it applies a standard based on the physical characteristics of the property rather than considering the need for modification based on the disabilities of the residents. Accordingly, DeKalb County received a “2/medium risk” score on Issue #3 of the Zoning Code Review.

CHAPTER 9.

FAIR HOUSING ACTIVITIES

FAIR HOUSING RESOURCES

Georgia has adopted a parallel version of Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, 42 U.S.C. §§ 3601 et seq. (the “FHAA”), known as the Georgia Fair Housing Act (O.C.G.A. §8-3-200 et seq.). Both the federal and state laws prohibit discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on sex, race, color, disability, religion, national origin, or familial status. These laws also protect persons from retaliation for exercising fair housing rights. Although federal law sets the minimum standards for fair housing enforcement and does not preclude local and state laws from expanding protected classes and fair housing rights, Georgia’s FHA does not extend protections to any other class of persons outside of those protected by the FHA. Moreover, O.C.G.A. §8-3-220 prohibits local governments (or “political subdivision[s] of the state”) from adopting fair housing ordinances that extend protected class status to individuals who are not currently protected under the Georgia Fair Housing Act.

Although Georgia’s FHA closely follows the “rights, procedures, remedies, and the availability of judicial review” provided in the FHAA (See 24 C.F.R. § 115.201 et seq.), currently, the state Act is not certified by HUD as “substantially equivalent” to the federal FHAA, and therefore no state agency qualifies to participate in nor receive funding through HUD’s Fair Housing Assistance Program (FHAP). The Georgia Commission on Equal Opportunity (GCEO) formerly partnered with HUD as the state enforcement agency under the “substantial equivalence” criteria, but it ceased to participate in the FHAP in 2012. However, with the appointment of a new Commissioner this year, the agency again is actively seeking re-certification and is partnering with HUD to complete the process, and may receive interim certification later in 2019.

The GCEO has the authority and responsibility to administer and enforce the Georgia Fair Housing Act and to investigate housing discrimination complaints that it receives under state law. The Georgia Fair Housing Act provides that in any case where HUD has initiated an investigation or an action against a person or organization for alleged discriminatory housing practices, the state may not also pursue an investigation or action against that party for the same alleged discriminatory conduct. The law also provides that wherever a local fair housing law grants rights and remedies which are substantially equivalent to the state law, the GCEO must notify the appropriate local agency of an alleged violation and take no further action if the local enforcement official commences proceedings in the matter. A local agency also may institute a civil action, without the need to first exhaust administrative remedies, if it is unable to obtain voluntary compliance with its local fair housing law.

While the Georgia act permits political subdivisions of the state to adopt local fair housing ordinances consistent with the state’s act, DeKalb County has not adopted a local nondiscrimination or fair housing ordinance or established a local commission empowered to receive and resolve fair housing complaints.

Although Georgia lacks a HUD certified FHAP agency, Metro Fair Housing Services, Inc., a nonprofit fair housing advocacy organization whose service area includes DeKalb County, recently was awarded grant funding under HUD's Fair Housing Initiatives Program (FHIP). Under the FHIP, HUD awards grant money to local fair housing advocacy organizations who assist persons believed to have been harmed by discriminatory housing practices; to help people identify government agencies that handle complaints of housing discrimination; to conduct preliminary investigation of claims; to carry out testing and enforcement activities to prevent or eliminate discriminatory housing practices; and to educate the public and housing providers about equal opportunity in housing and compliance with the fair housing laws.

For FY 2017, HUD awarded Metro Fair Housing Services, Inc. a \$300,000 multiyear grant under the FHIP's private enforcement initiatives (PEI) grants category. Metro Fair Housing Services has pledged to use its grant award to continue its core fair housing activities in the greater Atlanta MSA; to perform rental, sale, and lending tests based on race, national origin, familial status, and disability; to collaborate with faith-based and community organizations to conduct education events; to assist aggrieved parties in filing bona fide fair housing allegations with HUD; to mediate or conciliate complaints; to recruit and train new testers; and to sponsor Fair Housing Month events in April.

FAIR HOUSING COMPLAINTS

An individual in DeKalb County who believes he or she has been the victim of an illegal housing practice may file a complaint with the Georgia Equal Opportunity Commission or with the appropriate HUD Regional Office of Fair Housing and Equal Opportunity (FHEO) within one year of when the discriminatory practice occurred. Typically, once certified, HUD will refer complaints of housing discrimination that it receives back to the state or local FHAP agency for investigation, conciliation and enforcement activities. HUD policy favors having fair housing professionals based locally where the alleged discrimination occurred because it has found that a state or local agency's closer proximity to the site of the alleged discrimination provides greater familiarity with local housing stock and trends and may lead to greater efficiency in case processing. Because no Georgia state agency currently is authorized by HUD to administratively enforce and adjudicate federal fair housing complaints, it will retain complaints it receives from a Georgia complainant and begin the investigation process.

The aggrieved party also may file a lawsuit in federal district court within two years of the discriminatory act (or in the case of multiple, factually-related discriminatory acts, within two years of the last incident). Where an administrative action has been filed with HUD, the two-year statute of limitations is tolled during the period when HUD is evaluating the complaint.

For the federal administrative complaint process, after the FHEO receives a complaint, it will notify the alleged discriminator (respondent) and begin an investigation. During the investigation period, the FHEO will attempt through mediation to reach conciliation between the parties. If no conciliation agreement can be reached, HUD must prepare a final "Determination" report finding either that there is "reasonable cause" to believe that a discriminatory act has occurred or that there is no reasonable cause. If the FHEO finds "reasonable cause," HUD must issue a "Charge of Discrimination." If the FHEO determines that there is no "reasonable cause," the case is dismissed. The advantages of seeking redress through the administrative complaint process are that HUD takes on the duty, time, and cost of investigating the

matter for the complainant and conciliation may result in a binding settlement. However, the complainant also gives up control of the investigation and ultimate findings.

If a charge is issued, a hearing/trial will be scheduled before an administrative law judge (ALJ). The ALJ may award the aggrieved party injunctive relief, actual damages, and also impose civil penalties; but unlike federal district court, the ALJ may not impose punitive damages. Administrative proceedings are generally more expedited than the federal court trial process.

However, the aggrieved party or the respondent may elect to have the administrative proceeding terminated and the case instead adjudicated in federal court. The Department of Justice will prosecute the case on behalf of the aggrieved party. Additionally, the DOJ may bring suit on behalf of individuals based on referrals from HUD in the case of a “pattern or practice” of discriminatory actions, a case of particular importance to the public interest, or when there has been a breach of a conciliation agreement. An aggrieved party may intervene in any action filed by the DOJ.

The investigation, conciliation, reasonable/no reasonable cause findings, and charge procedures under the Georgia Fair Housing Act are substantially similar to the HUD process, including an administrative hearing with the availability of compensatory and injunctive relief. However, where the matter involves the legality of any state or local zoning or other land use law or ordinance, the GCEO administrator must refer the matter to the Attorney General for appropriate action instead of issuing a charge.

An aggrieved party may bypass the federal and state administrative routes altogether, and instead file a civil action directly in federal district court or state superior court, thus maintaining control of the case and the potential to collect punitive damages. Civil litigation is available without first exhausting administrative remedies unless the parties have already entered a conciliation agreement, or, following a charge of discrimination, an administrative hearing has already commenced.

The advantages of seeking redress through the administrative complaint process are that administrative proceedings are generally more expedited than the federal court trial process, and the enforcement agency takes on the duty, time, and cost of investigating the matter and conciliation may result in a binding settlement. However, the complainant also gives up control of the investigation and ultimate findings and potential remedies are more limited.

Housing discrimination claims may be brought against local governments and zoning authorities and against private housing providers, mortgage lenders, or real estate brokers.

If an individual has evidence that his/her rights under the FHAA or Georgia Fair Housing Law have been violated in a final land use or zoning decision, the aggrieved person may file a complaint with the Commission or with HUD, or file a lawsuit directly in state or federal court within the statute of limitations period. (HUD refers matters involving the legality of state or local zoning or other land use law or ordinance to the Department of Justice for further enforcement. See 42 U.S.C. 3610(g)(2)(C)).

Complaints Filed with HUD

Region IV of the Office of Fair Housing and Equal Opportunity (FHEO) receives complaints by households regarding alleged violations of the Fair Housing Act for cities and counties throughout Georgia (as well as

Alabama, Florida, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee). The mission of the FHEO is to eliminate housing discrimination, promote economic opportunity, and achieve diverse, inclusive communities. To achieve this mission, the FHEO receives and investigates complaints of housing discrimination, and leads in the administration, development, and public education of federal fair housing laws and policies.

The Atlanta Regional Office of the FHEO maintains data reflecting the number of complaints of housing discrimination received by HUD, the status of all such complaints, and the basis/bases of all such complaints. The office responded to a request for data regarding complaints received affecting housing units in DeKalb County for the five-year period January 1, 2014 through December 31, 2018.

During this time, HUD received a total of 56 complaints in DeKalb County outside of Atlanta. While the number of complaints filed does not necessarily reflect the true number of acts of unlawful discrimination that may have occurred during the recent 5-year period as some incidents go unreported, not every complaint is found to have cause. In about 57% of complaints, HUD made a “no cause” determination after its investigation revealed a lack of evidence to pursue the alleged unlawful conduct further. The complete data table provided by HUD are included as an appendix to this report with the HUD case file number, violation city, filing date, closure date, basis of complaint, issues cited, closure reason, and monetary relief provided.

Summary information, including the number of complaints per year for each basis of discrimination, is shown below for DeKalb County, not including Atlanta.

TABLE 20. COMPLAINTS FILED WITH HUD IN DEKALB COUNTY

Basis	Year					Total
	2014	2015	2016	2017	2018	
Color	0	0	1	0	0	1
Disability	2	7	12	11	6	38
Familial Status	0	1	1	2	1	5
National Origin	0	0	1	0	0	1
Race	0	15	5	2	2	24
Religion	0	0	1	0	0	1
Retaliation	0	1	3	2	0	6
Sex	1	1	1	1	0	4

Data Source: FOIA Request to HUD Region IV Office of Fair Housing and Equal Opportunity

More than one basis of discrimination may be cited in a single complaint. Disability was the most often cited basis of discrimination, occurring in 38 out of 56 complaints (or 68%) in DeKalb County. Race and/or color was cited as a factor in 24 cases (about 43%) of DeKalb County cases. Retaliation was cited in 6 cases; familial status in 5 cases; sex in 4 cases; and color, national origin, and religion in 1 case each.

Complainants also may cite more than one discriminatory act or practice, recorded as the discriminatory issue. Discriminatory terms, conditions, privileges, or services and facilities was cited in 43 cases in DeKalb

County, and failure to make a reasonable accommodation was cited in 27 cases. Discriminatory refusal to rent was cited in 12 cases and “otherwise deny or make housing unavailable” was also frequently cited (21 cases). Other issues that were alleged include false denial or representation of availability; discriminatory acts under Section 818 (coercion, etc.); discrimination in terms/conditions/privileges relating to rental; discriminatory advertising, statements and notice; failure to permit reasonable modification; discrimination in terms/conditions/privileges relating to sale; refusing to provide municipal services or property; and discriminatory financing (includes real estate transactions).

At the time of response, 2 DeKalb County cases were still open pending resolution. Of the closed cases, 38 were closed after investigation and a no cause determination (57% of cases); 18 were successfully resolved by conciliation; 8 were withdrawn by the complainant after resolution; 4 were closed because the complainant failed to cooperate; and 1 was withdrawn by complainant without resolution.

In the cases resolved by settlement or conciliation, the respondents did not necessarily admit liability, but may have settled to avoid further expense, time, and the uncertainty of litigation. Monetary damages totaling \$101,710 were awarded for the cases resolved by settlement or conciliation DeKalb County, though not all settled cases ended in monetary damages being awarded.

Complaints Filed with the Georgia Equal Opportunity Commission

The Georgia Commission on Equal Opportunity (GCEO) is under the auspices of the Office of the Governor. The GCEO has a Board of Directors made up of attorneys and community leaders statewide. The GCEO has two divisions: the Equal Employment Division and the Fair Housing Division. The mission of the Fair Housing Division is to promote broader housing choices in Georgia; to promote understanding of the Georgia Fair Housing Act and the federal FHA; to encourage integrated communities/neighborhoods; to secure compliance with state and federal fair housing laws; to eliminate discrimination; and to punish persons who violate fair housing laws.

The GCEO, which maintains complaint data only by county, reported that for the period January 1, 2014, through December 1, 2018, it received or processed 6 complaints regarding housing units within DeKalb County. As of June 13, 2019, one DeKalb County case was still open pending investigation.

TABLE 21. COMPLAINTS FILED WITH THE GEORGIA COMMISSION ON EQUAL OPPORTUNITY IN DEKALB COUNTY

Year	Basis	Issues	Closure Type
2016	Race; Religion; Disability	Refusal to rent; Different terms/ conditions in the rental of a dwelling	No reasonable cause determination
2016	Disability	Different terms/conditions in the rental of a dwelling	No reasonable cause determination
2016	Race	Different terms/ conditions in the rental of a dwelling; Coercion, intimidation, threats, or interference	Conciliation successful
2017	Race	Refusal to rent; Different terms / conditions in the rental of a dwelling	No reasonable cause determination
2017	Disability	Different terms / conditions in the rental of a dwelling; Failure to permit reasonable modification	Conciliation successful
2018	Not Reported	Different terms conditions privileges or services/facilities; Otherwise make unavailable or deny; Coercion intimidation, threat, interference; Retaliation	Open / Pending

Source: GCEO on June 13, 2019

Again, more than one basis of discrimination may be alleged in a single complaint. Regarding DeKalb County, for the survey period, disability and race were each cited in 3 complaints as a basis of discrimination, followed by religion in one case and retaliation in one case. Three of the 6 cases were dismissed after investigation and a no reasonable cause determination by the agency. Two cases were successfully conciliated or mediated, and one case was still pending at the time of reporting.

Complaints Filed with the Metro Fair Housing Services, Inc.

Metro Fair Housing Services, Inc., headquartered in Atlanta, uses the FHIP funding it receives to conduct education and outreach, complaint intake and processing, and fair housing testing (systemic and complaint-based) in areas that include DeKalb County. Through the most recent multiyear FHIP funding grant, Metro Fair Housing may receive and investigate complaints of alleged housing discrimination, conduct mediation and conciliation efforts; and refer meritorious claims to HUD.

DeKalb County also contracts with Metro Fair Housing Services to receive and investigate housing discrimination complaints; mediate or conciliate valid complaints; provide referrals for administrative or judicial actions; provide landlord/tenant counseling; provide multilingual counseling on fair housing and predatory lending issues; provide multilingual property owner, manager and realtor training sessions; and presents educational seminars and workshops on fair housing.

For the period January 2014 through December 2018, Metro Fair Housing Services received and processed 50 cases originating in DeKalb County. Metro provided data showing a tally for each basis of alleged discrimination, the type of housing related transaction, and the outcome of the cases as shown in the following table.

TABLE 22. COMPLAINTS FILED WITH METRO FAIR HOUSING SERVICES IN DEKALB COUNTY

Basis	Year					Total
	2014	2015	2016	2017	2018	
Color	3	0	0	0	0	3
Disability	8	7	8	2	5	30
Familial Status	1	1	1	0	1	4
National Origin	4	2	0	1	0	7
Race	8	2	2	0	4	16
Religion	0	0	0	0	0	0
Retaliation	0	0	0	0	0	0
Sex	0	0	0	0	1	1

Data Source: Metro Fair Housing Services, Inc.

For the complaints reported to Metro Fair Housing, disability was again the most frequently cited basis of discrimination followed by race. For DeKalb County, 60% of cases alleged disability as the basis of housing discrimination. Race was an issue in 32% of DeKalb County complaints.

Metro Fair Housing also reported the type of housing related transaction (i.e., rental, sale, lending, insurance, appraisal) at issue in the complaints it received. For DeKalb County, 46 complaints concerned rental housing and 4 complaints were based on alleged discrimination in lending. Of the DeKalb County complaints, 33 cases were closed, 4 resolved, 1 still open/pending with HUD, 3 dismissed by HUD after a no cause determination, and 5 successfully mediated/conciliated by HUD.

FAIR HOUSING LAWSUITS AND LITIGATION

For the five-year period 2014 through 2018 several noteworthy lawsuits were found regarding alleged housing discrimination practices in lending in the metro-Atlanta area resulting in federal litigation, a HUD/DOJ negotiated settlement against a housing provider for discriminatory practices, and three lawsuits against local housing authorities.

- *Cobb County, DeKalb County, and Fulton County v. Bank of America Corp.*, Civil Action No. 1:15-cv-04081 (N.D. Ga.); *DeKalb County v. HSBC N. Am. Holdings Inc.*, No. 12-cv-03640 (N.D. Ga.).

Three metro counties filed a lawsuit against Bank of America and its subsidiaries, Countrywide Financial and Merrill Lynch, under the Fair Housing Act seeking damages purportedly caused by mortgage loan discrimination dating back to 2000 and exacerbated by the 2008 financial crisis. The municipalities claim that the defendants steered borrowers into high-cost “subprime” mortgages, stripped borrowers of their equity with high fees and interest charges, which caused tens of thousands of foreclosures in the metro area, resulting in huge economic costs to local governments, including lost tax revenues due to falling property values and the costs of dealing with vacant homes and higher crime in blighted areas. The Counties filed a substantially identical lawsuit in the Northern District against certain HSBC entities.

The Court stayed the cases on May 16, 2017, pending the status of the 11th Circuit's consideration of controlling issues of law in similar cases filed by the City of Miami against Bank of America and Wells Fargo (No. 14-14543 and No. 14-14544). Portions of the City of Miami's case went before the U.S. Supreme Court on the issue of whether municipal governments can sue banks for alleged predatory lending practices that violate the Fair Housing Act. In a 5-3 mixed ruling, the Supreme Court said that cities do have standing to sue banks for the harm alleged, but remanded the case for the lower courts to evaluate whether the city's complaint alleges "some direct relation between the injury asserted and the injurious conduct alleged." *Bank of America Corp. v. City of Miami*, 137 S. Ct. 1296, 1306 (2017). The 11th Circuit has been petitioned en banc by defendants in the Miami cases to evaluate the proximate-cause connection under the FHA and how much financial harm the city could claim.

As of the writing of this report, the Metro Counties cases are still on hold pending resolution of controlling issues of law in the City of Miami cases.

- *Horne v. Harbour Portfolio VI, LP*, Civil Action No. 1:17-cv-00954, 304 F.Supp.3d 1332 (N.D. Ga. 2018) (order on defendant's motion to dismiss).

This case arises out of contract for deed ("CFD") home purchase transactions extended by Harbour Portfolio VI, LP and associated companies to the 17 named Plaintiffs represented by Atlanta Legal Aid. During the fallout of the housing crisis and massive foreclosures, the Harbour Defendants purchased distressed properties from Fannie Mae's portfolio of "real estate owned" properties. Defendants would mark up the sale price of the homes to four or five times their purchase price, and, under the terms of the CFDs charge interest rates at 9.9% or 10% over a 30-year period. Buyers had the obligation of home repairs, maintenance, property taxes, and homeowner's insurance without the benefit of accumulating equity because the buyer was purchasing an agreement for the deed rather than buying the deed itself. Plaintiffs claim Harbour misled them with the false impression that they were becoming homeowners when they signed the CFDs that effectively only made them renters. Each CFD contained a forfeiture clause giving the Harbour Defendants the right, upon default or missed payment, to elect to cancel the contract, keep all amounts paid, and evict the buyer.

Plaintiffs' complaint alleges the Harbour Defendants engaged in reverse redlining (the practice of issuing subprime loans to minority communities), targeted Plaintiffs because of their race with predatory loan products and abusive credit terms, and that Harbour Defendants' actions had a disparate impact on Plaintiffs because they are African-American. The complaint seeks remedies and damages for the Defendants' alleged violations of the Fair Housing Act, the Equal Credit Opportunity Act, the Georgia Fair Housing Act, and truth-in-lending laws among other federal and state law claims.

Plaintiffs rely in large part on statistics to show both that the Harbour Defendants intentionally targeted African-American buyers and that their actions had a disparate impact on African-Americans, citing a University of Texas study that found about 45% of contract for deed purchasers defaulted during a 20-year period and fewer than 20% ever received a deed for the property.

Defendants filed a motion to dismiss the case, however, the district judge ruled that most of the Plaintiffs' claims in the case, including the Fair Housing Act claim, could go forward. Following a settlement conference, the parties reached a confidential settlement agreement and filed a voluntary stipulation of

dismissal. The case was terminated on January 7, 2019, with the parties permitted to reopen the case if settlement is not effectuated.

- *Loveless v. Euramex Management Group, LLC*, HUD Case No. 04-13-0855-8 (DOJ settlement Oct. 20, 2017)

Complainant, an African-American male, filed a complaint with HUD after the property manager of the apartment where he resided refused to renew his lease and filed eviction proceedings against him after it was disclosed that decades earlier he had two nonviolent criminal convictions for forgery. The property management company manages 13 different multifamily complexes in the metro-Atlanta area. HUD charged Respondents with engaging in discriminatory housing practices on the basis of race and color, because they refused to rent, or to continue to rent, to applicants or tenants who had been convicted of any felony at any time in their lives which had a disproportionate impact based on race and color. Complainant and the Respondents timely elected to have the case heard in federal district court, and the matter was referred to the U.S. Department of Justice.

On October 20, 2017, the DOJ entered into a settlement agreement resolving the Fair Housing Act claim. The settlement requires the owner and property manager to adopt and implement non-discriminatory procedures for screening tenants and applicants, and to train employees who interact with tenants and applicants on the Fair Housing Act.

- *Carter v. Housing Authority of DeKalb County*, Civil Action No. 1:14-cv-01055 (N.D. Ga.)

Plaintiff qualified for a federal rent subsidy under the Section 8 Program operated by the Housing Authority of DeKalb County (HADC). Plaintiff received a Proposed Termination Notice from the HADC dated January 7, 2014, which stated that the HADC proposed to terminate his Section 8 rent subsidy because it alleged Plaintiff was arrested and charged with battery and criminal trespass in violation of the prohibition against criminal activity. The Plaintiff denied wrongdoing and alleged he was falsely accused, however, following a hearing the HADC terminated plaintiff's housing assistance. Plaintiff filed suit on claims under the FHA and due process. The parties reached a consent agreement under which the HADC agreed to reinstate Plaintiff's Section 8 eligibility and Voucher for 30 days and to pay Plaintiff's back rent.

- *Goodman v. Housing Authority of DeKalb County*, Civil Action No. 1:17-cv-00504 (N.D. Ga.)

Plaintiff had been a participant in the HADC's Section 8 Voucher Program for over 15 years, and at the time of the relevant facts resided with her eight children in a home in Lithonia. The Housing Authority terminated Plaintiff from the Section 8 voucher program effective January 31, 2017, for alleged program violations, including failing to make certain repairs to the rental home. On motion for summary judgment, the court found that the Housing Authority erred in terminating Ms. Goodman's Section 8 housing voucher by relying on evidence that was "legally insufficient" to establish that Ms. Goodman caused the damage to the Property that deemed it out of compliance. The parties then settled the case and dismissed the lawsuit.

PAST FAIR HOUSING GOALS AND ACTIVITIES

DeKalb County last completed an Analysis of Impediments to Fair Housing Choice in 2009. That AI recommended 10 policy initiatives or actions to expand fair access to housing in the city. These include:

1. Understand and make clear that recommendations concerning fair housing are, by their nature, recommendations concerning the racial and social integration of DeKalb County, including persons with disabilities.
2. In the realm of zoning, implement mandatory set-asides for low-income housing throughout the County.
3. Declare a moratorium on all new development and/or renovation of subsidized housing in any Census Tract with a minority population greater than 40 percent.
4. Limit development and renovation of subsidized housing to Census Tracts with a minority population of less than 30 percent.
5. Create tax incentives to encourage the rental, under the Housing Choice Voucher Program, of properties that are located in Census Tracts with a minority population of less than 30 percent.
6. It should be noted that DeKalb County has funded Metro Fair Housing Services for more than twenty years in a Joint Venture Project. The county is encouraged to continue funding this agency in its education and testing program, to assure that county residents will know their housing rights and redress under local and federal fair housing law.
7. Similarly, work with the state Attorney General to create legal mechanisms to target "reverse redlining" and other practices by local and national lenders that have contributed to the foreclosure crisis.
8. Expand educational activities for DeKalb citizens in order to educate prospective borrowers to recognize predatory lending practices. Studies demonstrate that predatory lending tactics are less likely to succeed with customers who are more informed regarding financial matters. Such education would be part of the process of improving the quality of all education for minorities.
9. Establish a county-level fair housing ordinance that mirrors those in effect at the state and federal levels.
10. Establish a mechanism that ensures that any builder receiving a certificate of occupancy for new construction of multi-unit apartments constructs facilities that conform with the HUD design and construction requirements for persons with disabilities.

The impediments and recommended activities from the 2009 AI are shown in the table that follows, along with progress made toward addressing them over the last ten years.

TABLE 23. ACTIONS TAKEN TO ADDRESS IMPEDIMENTS IDENTIFIED IN 2009 ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

Impediment	Goals	Actions Taken since 2009
<p>1. Lack of understanding of connections of fair housing recommendations to issues of racial and social integration in the County.</p>	<ul style="list-style-type: none"> Understand and make clear that recommendations concerning fair housing are, by their nature, recommendations concerning the racial and social integration of DeKalb County, including persons with disabilities. 	<ul style="list-style-type: none"> In all actions, the County has incorporated considerations for fair housing, including for persons with disabilities, in all programs, applications, policies, and procedures for housing. For example, all HOME-funded rental projects require an Affirmative Marketing Plan to outreach to those least likely to apply for housing. Annually, the County provide in-service training to HOME and CoC-funded housing provider on complying with federal fair housing standards. In compliance with federal regulations, each HOME-funded rental project sets aside units for persons with physical and visual challenges. For over ten year, the County has understood the nexus of fair housing to institutional racism and the societal forces that have led to a concentration of lower-cost housing in South DeKalb County while jobs and transportation resources are in the North DeKalb County.
<p>2. Lack of housing affordable to low-income populations throughout the County.</p>	<ul style="list-style-type: none"> In the realm of zoning: Implement mandatory set-asides for low-income housing throughout the County. 	<ul style="list-style-type: none"> Through HOME funding, the County has created new housing units affordable to low-income households across the county, including rental units and single-family house for homebuyer. The County authorized a study to analyze all option for affordable housing development across the County including the use of inclusionary zoning within the County.
<p>3. Concentration of subsidized housing in Census tracts with high percentages of minority populations.</p>	<ul style="list-style-type: none"> Declare a moratorium on all new development and/or renovation of subsidized housing in any Census Tract with a minority population greater than 40 percent. 	<ul style="list-style-type: none"> Through the County’s policies and criteria for new housing development, developers are encouraged to assist in deconcentrating subsidized housing and to build new housing closer to employment centers.

TABLE 24. ACTIONS TAKEN TO ADDRESS IMPEDIMENTS IDENTIFIED IN 2009 ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE (CONTINUED)

Impediment	Goals	Actions Taken since 2009
4. Low availability of subsidized housing in Census tracts with low percentages of minority populations.	<ul style="list-style-type: none"> Limit development and renovation of subsidized housing to Census Tracts with a minority population of less than 30 percent. 	<ul style="list-style-type: none"> Through the County’s policies and criteria for new housing development, developers are encouraged to assist in deconcentrating subsidized housing and to build new housing closer to employment centers.
5. Lack of subsidized rental housing in Census tracts with low percentages of minority populations.	<ul style="list-style-type: none"> Create tax incentives to encourage the rental, under the Housing Choice Voucher Program, of properties that are located in Census Tracts with a minority population of less than 30 percent. 	<ul style="list-style-type: none"> Through the County’s policies and criteria for new housing development, developers are encouraged to assist in deconcentrating subsidized housing and to build new housing closer to employment centers.
6. Inadequate education and fair housing testing programs.	<ul style="list-style-type: none"> Continue funding Metro Fair Housing Services Inc. in its education and testing program, to assure that county residents will know their housing rights and redress under local and federal fair housing law. 	<ul style="list-style-type: none"> In accordance with Federal law, the County has contracted Metro Fair Housing Services, Inc. over the last ten years to act as its agent in the investigation of fair housing complaints. The County continues discussions with Metro Fair Housing Services, Inc. in order to augment existing efforts in furthering fair housing.
7. Lack of adequate legal mechanisms that target predatory lending activities that have contributed to the foreclosure crisis.	<ul style="list-style-type: none"> Work with the state Attorney General to create legal mechanisms to target "reverse redlining" and other practices by local and national lenders that have contributed to the foreclosure crisis. 	<ul style="list-style-type: none"> Through partnership with Atlanta Legal Aid, Inc., DeKalb County provided expanded homeowner education and advocacy activities for DeKalb County residents to educate and protect homeowners from predatory lending practices.
8. Lack of adequate educational and fair housing activities.	<ul style="list-style-type: none"> Expand educational activities for DeKalb citizens in order to educate prospective borrowers to recognize predatory lending practices. Studies demonstrate that predatory lending tactics are less likely to succeed with customers who are more informed regarding financial matters. Such education would be part of the process of improving the quality of all education for minorities. 	<ul style="list-style-type: none"> Each year, the County and its partners conducted home buyer’s educational workshops, including at least one specifically for the refugee and immigrant communities. The County has funded many social service providers who work specifically with communities, such as refugees and senior, to educate their constituencies about housing opportunities and availability within the County.

TABLE 23. ACTIONS TAKEN TO ADDRESS IMPEDIMENTS IDENTIFIED IN 2009 ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE (CONTINUED)

Impediment	Goals	Actions Taken since 2009
<p>9. Lack of fair housing ordinances that mirror state and federal levels.</p>	<ul style="list-style-type: none"> • Establish a county-level fair housing ordinance that mirrors those in effect at the state and federal levels. 	<ul style="list-style-type: none"> • DeKalb County has an ordinance which addresses substandard multi-family housing. Additionally, the County enforces a Fair Housing Accommodations Variance designed to ensure the minimum necessary variance from the code that does not impose an undue burden on the County or its citizens.
<p>10. Lack of mechanisms that ensure new construction of multi-unit facilities conform to HUD design and construction requirements for persons with disabilities.</p>	<ul style="list-style-type: none"> • Establish a mechanism that ensures that any builder receiving a certificate of occupancy for new construction of multi-unit apartments constructs facilities that conform with the HUD design and construction requirements for persons with disabilities. 	<ul style="list-style-type: none"> • In accordance with HUD Section 504 Uniform Federal Accessibility requirements, the County required that a minimum of 5% of units in all projects must be totally accessible by those with mobility impairments and 2% must accommodate for those with sensory impairments.

CHAPTER 10.

IDENTIFICATION OF IMPEDIMENTS

Described below are the fair housing impediments identified in this Analysis of Impediments, along with associated contributing factors. Contributing factors are issues leading to an impediment that are likely to limit or deny fair housing choice or access to opportunity. Recommended activities to address the contributing factors are provided in Table 24, along with implementation timeframes and responsible parties.

Impediment #1: Continued Need for Neighborhood Infrastructure and Expanded Access to Opportunity

DeKalb County has made neighborhood improvement efforts a priority in recent years, including code enforcement efforts, infrastructure improvements, demolition of blighted properties, and economic development incentives. However, with limited CDBG and other public funding available, there is continued need for infrastructure investment in the county's low- and moderate-income neighborhoods. When asked what community development activities they would like to see, stakeholders commonly identified street and sidewalk improvements or expansion, health centers, and homeless centers.

Opportunity Index data in Chapter 5 points to gaps in labor market engagement (a HUD-defined index based on labor force participation, educational attainment, and employment) and school proficiency between white, Black, Asian, and Latino residents in DeKalb County, with people of color generally living in areas with lower levels of labor market engagement and school proficiency, primarily in south DeKalb County. While there are resources in the community to assist with adult education and job search assistance, stakeholders noted that residents may not always be aware of these resources or may face barriers related to transportation, childcare, or cost that keep people from beginning or completing such programs. In addition, the lack of housing near employment centers exacerbates the lack of opportunity as potential workers must travel great distances for housing and work, thus increasing the ratio of household income that must be used for transportation.

Impediment #2: Publicly Supported Housing Options are Limited

The use of Housing Choice Vouchers (HCVs) tends to be limited to the southern portion of the county due in part to the refusal of landlords in some north DeKalb communities to accept tenants using a voucher. While such a decision is within the landlord's rights, it nonetheless closes off the opportunity to subsidize (and thus make affordable) rental housing options in geographically diverse areas where access to different types of opportunity may be available. For example, the largest concentrations of jobs are in north DeKalb County, giving north DeKalb residents greater access to employment and the income associated with it. Meanwhile, south DeKalb residents have difficulty finding housing in north DeKalb, particularly when using an HCV to cover a portion of the rent. Another factor contributing to the use of HCVs primarily in south DeKalb County is the lack of rental housing in north DeKalb County that is affordable to lower-income households. Because of the higher housing costs in north DeKalb County, HCVs may cover a higher percentage of housing costs when used in south DeKalb County.

To provide increased access to housing opportunities across DeKalb County, the County provides support to nonprofits offering mobility counseling to provide households with increased access to neighborhoods in north DeKalb County. All first-time homebuyer activities financed through the CHDO homebuyer program must complete a homebuyer counseling program that complies with HUD's national counseling standards. In homeownership counseling, potential homeowners are educated about housing-transportation costs, how much housing the household can afford, and their options for potential homes for purchase.

In addition, to the degree that the County can influence the deployment of Low Income Housing Tax Credits across the county, DeKalb County encourages LIHTC and HOME funding within areas of greater employment opportunity north of Memorial Drive.

Finally, some publicly-supported housing developments have resident populations disproportionate to local demographics. As the County requires an affirmative marketing plan for all HOME-funded developments, a review of developers' marketing materials and strategies is conducted as part of the annual HOME project monitoring to ensure that available units are marketed to the widest and most diverse group of potential residents possible, addressing "those least likely to apply". HOME-funded developments are encouraged to have marketing materials in more than the primary language of the general population.

Impediment #3: Additional Fair Housing Enforcement and Education is Needed

The County already provides education and services around fair housing through the funding of fair housing and legal service providers. Stakeholders expressed a general community awareness about those offerings as well as more peripheral fair housing resources. Because of the somewhat common public concerns about discrimination by landlords, increased fair housing testing is recommended to gauge the degree to which there may be continuing landlord issues in DeKalb County. Based on the results of the testing, the County should develop a plan with community partners to address any significant findings.

The County uses a portion of its CDBG administrative and/or public service dollars on fair housing education each year. Expanded fair housing education and enforcement activities would help improve local knowledge amongst residents, county and social service agency staff, and private sector actors about fair housing rights, responsibilities, and resources. Although fair housing materials are currently available in languages other than English, a more proactive approach to actually getting educational materials into the hands of households most at risk of housing discrimination, including working through existing community organizations, is likely needed to make this information available in a variety of languages to DeKalb County's population with limited English proficiency. The County will encourage all County-funded agencies that work with populations with limited English proficiency to increase their marketing about available fair housing resources.

Impediment #4: Fraudulent Mortgages and Housing Scams

The prevalence of fraudulent mortgages and housing scams presents another important impediment to fair housing in DeKalb County. In particular, stakeholders interviewed as part of this analysis noted the presence of aggressive investors trying to get homeowners to sell properties at low prices in south DeKalb County. County-funded affordable housing developers have observed the tenacity of private sector

investors buying potential affordable housing sites, thus increasing the prices of houses and lots available to the affordable housing market.

While potential homebuyers in County-funded homebuyer programs receive homebuyer counseling about valuing, selling, and assessing how much home they can afford, there is need for greater marketing around this issue for existing DeKalb County homeowners and potential homebuyer not enrolled in homebuyer education programs. All County-funded social service providers will be encouraged to inform their clients of the availability of homeownership counseling and resources for existing homeowners.

Additionally, there have been two recent lawsuits of significant scale concerning actions by banks and lenders working in DeKalb County that could be described as fraudulent or predatory schemes. The existence of the lawsuits, whose facts are documented in the public record, support stakeholder input suggesting the presence of similar tactics used in other settings. The County will continue to fund fair housing and legal service providers who are monitoring and responding to these issues.

Impediment #5: Availability of Housing and Community Amenities Accessible for People with Disabilities

Stakeholders consulted in the course of this analysis frequently cited a shortage of housing options available for people with disabilities, whether accessible units or housing opportunities paired with supportive services. Searches for accessible rental housing using various internet search tools revealed that all properties with accessible units to serve this population have waiting lists for those units. While all HOME-funded rental projects in the county set aside a percentage of units for persons with physical and visual disabilities, all new developments in the county should be encouraged to provide more accessible properties with accessible units. While the County's zoning scored relatively well in the Zoning Code Review, some aspects DeKalb County's zoning code could be amended based on the potential to disproportionately impact persons with disabilities.

High-quality sidewalks were also frequently cited as a need with regard to improving neighborhood accessibility. As in the past, CDBG funds may be used to support improvements to sidewalks and other neighborhood accessibility features.

Impediment #6: Lack of Affordable Housing Disproportionately Impacts People of Color

The most common housing need identified by residents and other stakeholders was affordability, particularly for low- and moderate-income households. Housing costs are often unattainable for low-wage workers and seniors. For example, minimum wage workers in DeKalb County would need to work 117 hours per week to afford a two-bedroom apartment at the HUD Fair Market Rent of \$1,106. Stakeholder input suggests that unsubsidized rental units with \$800/month rental rates are quickly disappearing and that monthly rents of \$1,000 or more are increasingly common, putting further pressure on an already limited affordable housing inventory. While the County funds HOME projects to increase affordable housing for first-time homebuyer and rental projects for seniors, the need outstrips the availability of County-controlled housing resources.

Data regarding housing problems in DeKalb County shows that 42.5% of households face an issue with affordability, overcrowding, or substandard housing conditions. While these issues affect a significant

percentage of the local population, households of color have a disproportionate exposure to these types of housing problems, in some cases at rates more than double that of white households. Data about housing problems presented in Chapter 6 of this report shows that, in DeKalb County, households of color have housing problems at a rate that is 1.7 times that of white households (28.7% of white households have a housing problem compared to 49% of households of color). Together with input regarding housing condition, these rates show a continued need to expand the supply of affordable housing available, along with improving and/or maintaining existing affordable housing. The County will need to continue encouraging the development and preservation of affordable for-sale and rental housing. The County will need to continue leveraging their limited housing development resources to increase the inventory of affordable housing stock.

Further, several stakeholders note the specific need for housing assistance directed toward lowest income groups (households with incomes under 30% of area median income) and people experiencing or at risk for homelessness. The County will continue to encourage affordable housing developers to access the national Housing Trust Fund that specifically targets households with income under 30% of area median income. As the Collaborative Applicant for the Continuum of Care, the County will continue to encourage local homeless housing providers to seek and leverage resources to provide rapid rehousing and permanent supportive housing options for the formerly homeless residents of DeKalb County.

TABLE 25. FAIR HOUSING GOALS AND ACTIVITIES

Contributing Factors	Recommended Activities	Responsible Parties and Partners
Impediment #1: Continued Need for Neighborhood Infrastructure and Expanded Access to Opportunity		
The County has several racially and ethnically concentrated areas of poverty (RECAPs)	<ul style="list-style-type: none"> • Continue to fund projects that expand or improve sidewalks, parks, trails, and other public facilities in low- and moderate-income census tracts. (Ongoing, beginning 2020) • Target investment of CDBG funds in RECAPs. (Ongoing) 	<ul style="list-style-type: none"> • DeKalb County
Continued need for neighborhood cleanup and reinvestment	<ul style="list-style-type: none"> • Continue code enforcement efforts and demolition of condemned structures. (Ongoing, beginning 2020) • Continue looking for infill residential development opportunities, such as by acquiring and redeveloping homes for affordable housing or by making available to non-profit housing providers data about City liens on vacant lots for redevelopment into affordable rental or for-sale homes. (Ongoing) • Continue to fund projects that expand or improve sidewalks, parks, trails, and other public facilities in low- and moderate-income census tracts. (Ongoing, beginning 2019) 	<ul style="list-style-type: none"> • DeKalb County
Areas of the County are underserved with regard to access to services, grocery and other neighborhood-oriented retail	<ul style="list-style-type: none"> • Continue County promotion of Low and Moderate Income (LMI) Tracts as Opportunity Zones for the purpose of attracting businesses. (Ongoing) • Continue to provide economic development support such as infrastructure assistance for new small businesses that fill market niches and create jobs. (Ongoing, beginning 2020) 	<ul style="list-style-type: none"> • DeKalb County
Educational and employment barriers limit economic opportunities for low-income renters and homebuyers	<ul style="list-style-type: none"> • Explore potential opportunities for improved transportation connections between major employers (including those north of Memorial Drive), and low- and moderate-income census tracts in DeKalb County. (2021) • Work with local adult / continuing education providers and job search assistance agencies to better identify barriers their students / clients face. Consider opportunities to use CDBG funding to address potential barriers. (2021) • Consider providing CDBG or other funding for youth education enrichment activities to encourage reading proficiency, high school completion, career and/or college preparation, and other education components. (Ongoing) 	<ul style="list-style-type: none"> • DeKalb County

TABLE 24. FAIR HOUSING GOALS AND ACTIVITIES (CONTINUED)

Contributing Factors	Recommended Activities	Responsible Parties and Partners
Impediment #2: Publicly Supported Housing Options are Limited		
Affordable housing is limited, particularly in desirable areas where neighborhoods offer enhanced access to some types of opportunity	<ul style="list-style-type: none"> Regular, ongoing campaigns to reach and recruit new landlords into the HCV program should be implemented by the county’s housing authorities. (Ongoing, beginning 2020) 	<ul style="list-style-type: none"> Housing Authority of DeKalb County Decatur Housing Authority Lithonia Housing Authority Stonecrest Housing Authority
Racial disparities exist in the occupancy of some publicly supported housing developments	<ul style="list-style-type: none"> The local public housing authorities and the private property managers of properties containing Project-Based Section 8 units should review their Affirmative Marketing Plans and consider new and creative marketing techniques to reach applicants of a wide variety of backgrounds. (2020) Request that property managers at publicly supported housing developments conduct a periodic self-review of their practices and procedures, to include the racial and ethnic composition of resident-facing staff, the holidays celebrated at the property, and the content of flyers, newsletters, and wall posters to ensure inclusiveness and cultural sensitivity. (Ongoing, beginning Q1, 2020) 	<ul style="list-style-type: none"> DeKalb County Housing Authority of DeKalb County Decatur Housing Authority Lithonia Housing Authority Stonecrest Housing Authority
Impediment #3: Additional Fair Housing Enforcement and Education is Needed		
Stakeholder input and survey responses indicate that more fair housing education is needed for members of the general public and housing industry professionals	<ul style="list-style-type: none"> Either in-house or through a contracted provider, annually design and/or update and coordinate delivery of a fair housing education program that reaches the public as well as housing industry professionals with information about fair housing rights and responsibilities. (Ongoing, beginning 2019) Conduct outreach to local agencies serving immigrants, refugees, and other populations with limited English proficiency to collaborate on approaches to provide fair housing education and enforcement to these populations (Ongoing, beginning 2020) 	<ul style="list-style-type: none"> DeKalb County Metro Fair Housing Services Atlanta Legal Aid Society Latin American Association Center for Pan-Asian Community Services

TABLE 24. FAIR HOUSING GOALS AND ACTIVITIES (CONTINUED)

Contributing Factors	Recommended Activities	Responsible Parties and Partners
Impediment #4: Fraudulent Mortgages and Housing Scams		
Aggressive investors target residents with the goal of purchasing their homes below market value	<ul style="list-style-type: none"> Continue providing financial support to a partner organization to educate DeKalb County homeowners regarding home purchase scams and to assist homeowners facing fraudulent mortgage or other housing scams. (Ongoing, beginning 2019) 	<ul style="list-style-type: none"> DeKalb County Metro Fair Housing Services Atlanta Legal Aid Society
Predatory lending scams target low-income communities of color with subprime mortgages	<ul style="list-style-type: none"> Provide financial support to an appropriate partner organization to establish or enhance an existing mission related to identifying, investigating, and enforcing fair housing violations. (Ongoing, beginning 2019) 	<ul style="list-style-type: none"> DeKalb County Metro Fair Housing Services Atlanta Legal Aid Society
Impediment #5: Availability of Housing and Community Amenities Accessible for People with Disabilities		
Insufficient accessible housing exists to serve the needs of people with disabilities	<ol style="list-style-type: none"> Consider opportunities to encourage or incentivize the construction of new accessible housing units for people with disabilities. (Ongoing, 2019) 	<ul style="list-style-type: none"> DeKalb County Housing Authority of DeKalb County
Ambiguous or inconsistent zoning/land use code provisions raise questions about allowable siting and occupancy for housing for people with disabilities	<ol style="list-style-type: none"> DeKalb County’s Department of Community Development staff should schedule a meeting with staff from the County’s Department of Planning and Community Services to review together the results of the zoning code review conducted as part of this analysis. Where opportunities exist to potentially amend some aspects of DeKalb County’s zoning code to improve housing choice for people with disabilities, staff will initiate the administrative process for such amendments. 	<ul style="list-style-type: none"> DeKalb County

TABLE 24. FAIR HOUSING GOALS AND ACTIVITIES (CONTINUED)

Contributing Factors	Recommended Activities	Responsible Parties and Partners
Impediment #6: Lack of Affordable Housing Disproportionately Impacts People of Color		
<p>Limited new rental housing construction or rental rehabilitation</p>	<ul style="list-style-type: none"> • Continue using CDBG and HOME funds to increase and maintain the availability of high-quality, affordable rental and for-sale housing through new construction and rehabilitation. (Ongoing, beginning 2019) • Continue to review the Annual Qualified Allocation Plans issued by Georgia DCA under its Low Income Housing Tax Credit (LIHTC) program to identify local government policies or actions that may positively impact the competitiveness of developers’ applications. (Ongoing, beginning 2019) • For developers proposing LIHTC projects in areas with access to key community resources/opportunity factors, such as accessibility to employment centers and deconcentrated areas, or areas experiencing a loss of affordable rental units, work closely with the developers to increase the competitiveness of their applications through letters of support, provision of data and information, gap financing, and other assistance. (Ongoing, beginning 2019) • Consider and adopt zoning code amendments that could increase possibilities for development of affordable housing. (2020) 	<ul style="list-style-type: none"> • DeKalb County
<p>Limited supply of affordable housing disproportionately impacts households of color</p>	<ul style="list-style-type: none"> • In the routine monitoring of County-funded housing owners/operators, continue to ensure that affirmative marketing plans are in place, are adhered to, and are effective in promoting affordable housing opportunities to diverse groups of residents, including people of color. (Ongoing, beginning 2020) 	<ul style="list-style-type: none"> • DeKalb County

CONCLUSION

This Analysis of Impediments to Fair Housing Choice identifies factors that could limit housing choice for residents of DeKalb County, Georgia. The barriers may also prevent residents from realizing their right to fair and equitable treatment under Federal and State of Georgia fair housing laws. It is important that DeKalb County residents who are members of protected classes under these laws know their fair housing rights and understand the steps that they may take if they believe that they have experienced housing discrimination.

The recommendations proposed in this document address the following impediments: the continued need for neighborhood infrastructure and access to opportunity, lack of affordable housing disproportionately impacting people of color, limited availability of publicly-supported or other affordable housing near employment centers, fraudulent mortgages and other housing scam, limited availability of housing for people with disabilities, and continued need for fair housing rights education and enforcement. Goals and implementation activities outlined in this report are designed to enhance fair access to housing in DeKalb County and encourage a supportive environment for expanding housing choice for all residents.

DeKalb County will continue to expand fair housing choice, however, County government cannot bring about the change necessary to reduce or remove these impediments to fair housing choice acting alone. To fully achieve the objective of housing choice for all, the County needs the support and engagement of private and public sector stakeholders and partners, fair housing agencies, and residents of DeKalb County.