

***ANALYSIS OF IMPEDIMENTS
TO FAIR HOUSING CHOICE
FFY2008 - FFY2012***



AUGUST 2008

***SONNY PERDUE
GOVERNOR***

***PREPARED BY
GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS
MIKE BEATTY, COMMISSIONER***



**ANALYSIS OF IMPEDIMENTS
TO
FAIR HOUSING CHOICE
FFY2008 –FFY2012**

STATE OF GEORGIA
SONNY PERDUE, GOVERNOR

Georgia Department of Community Affairs
60 Executive Park South, N.E.
Atlanta, Georgia

TABLE OF CONTENTS

	Executive Summary.....	1
Chapter I:	Introduction.....	5
	<i>Overview</i>	6
	<i>Federal Fair Housing</i>	10
	<i>Fair Housing in Georgia</i>	13
	<i>Analysis Preparation</i>	15
	<i>Methodology</i>	16
	<i>Progress since previous Analysis</i>	17
	<i>Monitoring</i>	19
	<i>Conclusions</i>	27
Chapter II:	Jurisdictional Background Information.....	29
	<i>Demographic Data</i>	29
	<i>Economic Overview</i>	41
	<i>Income Data</i>	43
	<i>Employment Data</i>	50
	<i>Housing Profile</i>	54
	<i>Complexity of Fair Housing Choice</i>	61
Chapter III:	Evaluation of Current Fair Housing Legal Status.....	66
	<i>Fair Housing Complaints</i>	66
	<i>Analysis of Current Complaints</i>	87
Chapter IV:	Identification of Impediments to Fair Housing Choice.....	90
	<i>Introduction</i>	90
	<i>Public Sector Policies</i>	90
	<i>Private Sector Policies</i>	103
	<i>Public and Private Sector Policies</i>	119
	<i>Fair Housing Survey 2008</i>	122
Chapter V:	Other Fair Housing Activities in Georgia.....	129
Chapter VI:	Actions and Recommendations.....	133
Chapter VII:	Signature of Authorized Official.....	141
	Appendices	
	<i>DCA Fair Housing Survey 2008</i>	A
	<i>Public Hearings and Comments</i>	B

Executive Summary

The State of Georgia pro-actively assesses fair housing choice in its community and this *Analysis of Impediments to Fair Housing Choice* (AI) builds on the analyses conducted in 1998 and 2003 and in conjunction with additional data pulled from regional research. This document has been prepared to provide an understanding of the various issues regarding fair housing choice in the State of Georgia. Characteristics such as population growth, home mortgage disclosure data, income variances, and racial/ethnic data are discussed in detail. This Analysis of Impediments (AI) describes Georgia's existing fair housing conditions and how state, local, private, and federal resources will be used to address the identified needs. Although HUD does not directly approve the AI, its submission is a required component of the State of Georgia Consolidated Plan's performance reporting. HUD desires that the Analysis of Impediments serve as the substantive, logical basis for fair housing planning; provide essential and detailed information to policy makers, administrative staff, housing providers, lenders, and fair housing advocates; and assist in building public support for fair housing efforts. Fair Housing Planning consists of the following: (1) an Analysis of Impediments to fair housing choice; (2) actions to address the effects of the identified impediments; and (3) maintenance of records to support the affirmatively furthering fair housing certification. Conducting an analysis of impediments is a required component of certification and involves the following: 1) a review of the state's laws, regulations, and administrative policies, procedures, and practices; 2) an assessment of how these laws affect the location, availability, and accessibility of housing; 3) an evaluation of conditions, both public and private, affecting fair housing choice for all protected classes; and 4) an assessment of the availability of affordable, accessible housing.

HUD requires that the AI include:

- An analysis of demographic, income, housing and employment data
- An evaluation of the fair housing complaints filed in the jurisdiction
- A discussion of impediments, if any, in
 - 1) the sale or rental of housing,
 - 2) provision of brokerage services,
 - 3) financing,
 - 4) public policies, and
 - 5) administrative policies for housing and community development activities that affect housing choice for minorities
- An assessment of current fair housing resources

- Conclusions and recommendations

To develop this AI, this jurisdiction collected and analyzed a wide variety of information, including survey information from key stakeholders, case and complaint data, public perception, demographic data, and public policies that may have an impact on housing choice. The AI includes recommendations to address the impediments identified during the AI process. The publicly available data from a number of sources that was utilized in this document includes:

- Census and other demographic data
- Consolidated Plan and associated planning documents
- Fair housing complaint data maintained by HUD, DOJ, State of Georgia Civil Rights Department/Georgia Commission on Equal Opportunity (GCRD-GCEO), Metro Fair Housing Services, Inc and Savannah-Chatham County Fair Housing Council, Inc.
- Internet resources on fair housing
- Federal Financial Institutions Examination Council (FFIEC), Home Mortgage Disclosure Act Data and miscellaneous other lending-related reports
- U.S. Department of Treasury, Office of the Comptroller of the Currency,
- Administrator of National Banks (OCC)
- 2007 Fair Housing Trends Report, National Fair Housing Alliance
- Federal Reserve Bulletin
- The Governor’s Office of Planning and Budget (PPB) 2015 population projections report.
- Georgia Business and Economic Conditions 4th quarter publication.
- An online survey of housing professionals in the public and private sectors

In addition to the identification of impediments, jurisdictions are required to develop methods to address the issues that limit the ability of residents to rent or own housing, regardless of their inclusion in a protected class.

Current federal, state and local laws, including the federal Fair Housing Act, prohibit housing discrimination. HUD’s regulations implementing the federal Fair Housing Act state that:

It shall be unlawful, because of race, color, religion, sex, handicap, familial status, or national origin, to restrict or attempt to restrict the choices of a person by word or conduct in connection with seeking, negotiating for, buying or renting a dwelling so as to perpetuate, or tend to perpetuate, segregated housing patterns, or to discourage or obstruct choices in a community, neighborhood or development. (24 CFR Part 14, Section 100.70(a)).

The federal Fair Housing Act requires the Secretary of the U.S. Department of Housing and Urban Development (HUD) to administer the Department’s housing and community development programs in a manner to affirmatively further fair housing. The Housing and Community Development Act of 1974 and the National Affordable Housing Act, as amended, govern the administration of both CDBG and HOME funding and require entitlements and participating jurisdictions to certify that they will affirmatively further fair housing. To implement the

requirement that jurisdictions affirmatively further fair housing, HUD requires all state and local governments that receive housing and community development funds from the following programs to complete an AI:

- Community Development Block Grant (CDBG)
- HOME Investment Partnership (HOME)
- Emergency Shelter Grant (ESG)
- Housing Opportunities for Persons with AIDS (HOPWA)

The State does not have the resources to meet the needs of all Georgians in need but provides direction for fair housing choice. The State's allocation of CDBG funds and activities during FFY2008 will remain under the full authority of the Georgia Department of Community Affairs (DCA). However, the Georgia Housing and Finance Authority (GHFA) will administer the HOME Investment Partnership (HOME), Emergency Shelter Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA) programs. As a result, GHFA will serve as the Participating Jurisdiction for the State's HOME Program. The Georgia Department of Community Affairs will serve as the lead agency in the State's implementation of the Consolidated Plan for SFY2009. The State's Action Plan for SFY2009 reflects the FFY2008 consolidated program funding amounts for which the State is eligible to receive from HUD. These allocations are divided between programs as follows: CDBG (\$40,055,203); HOME (\$21,686,923); ADDI (\$145,606); ESG (\$2,199,724); and HOPWA (\$1,744,000).

CITIZEN PARTICIPATION

In a rapidly changing environment, it is essential for all citizens to voice their opinions to drive policies. The State of Georgia strongly encourages public participation in identifying their housing, non-community and community needs. Dialogue and communication with program consumers at the community level through program information workshops, public hearings, technical training sessions, and town hall meetings enable the Department to act as a catalyst that draws community resources together. Over a thousand notices were sent to recipients of Low Income Housing Tax Credits (LIHTCs), homeless housing and service providers, Community Service Boards, members of the Statewide Independent Living Council, elected officials and selected administrators of local jurisdictions within Georgia, Regional Development Centers, the Housing Trust Fund for the Homeless, the Board of Community Affairs, and other interested parties announcing the public comment period. Media statewide received news releases announcing the comment period and public hearings. Public hearings are typically held in

different locations considered convenient to potential and actual beneficiaries, and moved to central parts of the State in order to allow for a broader dissemination of program information and with accommodations for persons with disabilities. The selection of the city of Atlanta is made yearly in an effort to provide one location, which is centrally located and accessible. While preparing the state's Analysis of Impediments, input on Georgia's fair housing issues were received at public hearings held in three locations – Atlanta, Albany, and Statesboro. In an effort to achieve maximum participation at these hearings, announcements were published in the Albany Herald, Athens Banner-Herald, Atlanta Journal Constitution, Augusta Chronicle, Calhoun Times, Chattanooga Times Free Press, Columbus Ledger-Enquirer, Dalton Daily Citizen News, Hinesville/Liberty County Coastal Courier, Macon Telegraph, Rome News Tribune, Savannah Morning News Press, Valdosta Daily Times, Thomasville Times-Enterprise, and Toccoa Record. In accordance with the state's Citizen Participation Plan, the draft AI was also made available for public review for a thirty-day period beginning on June 13, 2008. All public and written comments received through the citizen participation process have been incorporated and are located in Appendix B of this document.

This Update concludes with recommendations designed to address the obstacles cited in this document. Housing discrimination frequently remains a background issue against the more visible and often related concerns of homelessness and housing affordability. Yet there are many resources available to Georgia's residents seeking legal redress or information about fair housing laws. Most of the resources and materials listed are available at no cost.

CHAPTER I

INTRODUCTION

This Analysis of Impediments to Fair Housing & Housing Choice 2008-2012 is an update of the document published by the Georgia Department of Community Affairs in 2003. The purpose of the Analysis of Impediments to Fair Housing Choice (AI) is to provide documentation of any fair housing problems that exist in the state and the strategies designed to mitigate and/or eliminate the impediments to fair housing choice. This document examines the effects of Georgia's practices on the affordability, availability and accessibility of housing in Georgia; provides an assessment of how conditions affect fair housing choice. The AI also serves as a basis for fair housing planning, provides essential information to policy makers, housing providers, lenders and fair housing advocates and assists in building public support for fair housing efforts. Impediments to fair housing are any actions, omissions, or decisions that are taken which restrict housing choices for individuals or families.

As a recipient of funds from the U.S. Department of Housing and Urban Development (HUD), the state of Georgia is required to be in compliance with the Consolidated Plan Final Rule, published in the *Federal Register* (24 CFR 91.225) on January 25, 1995. Funding from HUD is directed to the state through the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), Housing Opportunities for Persons with AIDS (HOPWA), and Emergency Shelter Grant (ESG) programs that help to finance a variety of housing and community development activities.

This report is an integral part of the state's Consolidated Plan. As a part of this plan, the state is required to certify that it is Affirmatively Furthering Fair Housing (AFFH) through:

- 1) Completing an AI to identify impediments to fair housing choice within the grantee's jurisdiction;
- 2) Taking appropriate actions to overcome the effects of any impediments identified through the analysis; and
- 3) Maintaining records reflecting the analysis and actions in this regard.

The state is also required to ensure that any state-funded jurisdiction comply with their AFFH certification. Accordingly, this analysis has been undertaken for Georgia's non-entitlement

communities. Independent studies are required to be completed by the other HUD participating jurisdictions that include the cities of Albany, Atlanta, Macon, and Savannah; the counties of Cobb, DeKalb, Clayton, Fulton, and Gwinnett; and the consolidated governments of Athens-Clarke County, Augusta-Richmond County, and Columbus-Muscogee County as well as the remaining entitlement communities, including Brunswick, Dalton, Gainesville, Hinesville, Rome, Sandy Springs, Valdosta, and Warner Robbins. The Georgia Department of Community Affairs (DCA) serves as the lead agency in the state's implementation of the Consolidated Plan for FFY 2005-2010.

OVERVIEW

Every American is entitled to a decent standard of living. Likewise, they should have the right to purchase houses and to borrow money for consumer purchases, free of illegal discrimination. Equal and free access to housing is fundamental to meeting essential needs and pursuing personal, educational and employment goals. Housing discrimination is not only illegal; it contradicts the principles of freedom and opportunity every American should treasure. Safeguarding the rights of every person is vital to the opportunities we cherish in this country. Integrity is critical for a strong America. Because housing choice is so critical, fair housing must be achieved if equality of opportunity is to become a reality. Fair housing is having the preference to live where you want to live and where you can afford to live, without the fear or threat of discrimination. Title VIII of the Civil Rights Act of 1968 is known as the Fair Housing Act. Federal law covers public, assisted and most private housing with very little exceptions. In some circumstances, the Act exempts owner-occupied buildings with no more than four units, single-family housing sold or rented without the use of a broker, and housing operated by organizations and private clubs that limit occupancy to members. Federal law also prohibits discrimination in virtually all types of housing related transactions: the sale, rental, home improvements, zoning and in mortgage lending or financing of dwellings, based on the seven classifications below:

- Race
- Color;
- National Origin;
- Religion;
- Sex;
- Familial Status (including children under the age of 18 living with parents of legal custodians, pregnant women, and people securing custody of children under the age of 18); or

- Handicap or Disability.

Discrimination against Families with Children and persons with disabilities are further defined below.

Discrimination against Families with Children

Familial Status (often called “families with children”) refers to a parent or another person having legal custody of one or more individuals under the age of 18 years. It refers also to a person who is pregnant or in the process of getting legal custody of a minor child.

Families with children enjoy under the law the same protection against housing discrimination as other groups protected by the law. In only two instances, does the law permit, as exceptions, discrimination against families with children. Both exceptions pertain to so-called housing for older persons. Housing intended for and occupied solely by people 62 years of age or older and housing in which 80 percent of the units are intended for and occupied by at least one person who is 55 years of age or older do not need to comply with the law’s familial status provisions.

Discrimination against families with children manifests itself in many ways, the most common of which are in advertising (e.g. indications that rentals are for “no children” or “adults only”), restrictive occupancy standards that unreasonably limit the number of children who may occupy a given space, and steering of families with children to separate buildings or parts of buildings.

Provisions for People with Disabilities

The Fair Housing Act defines "handicap" (or disability) as:

1. a physical or mental impairment which substantially limits one or more of such person's major life activities,
2. a record of having such an impairment, or
3. being regarded as having such an impairment, but such term does not include current, illegal use of or addiction to a controlled substance.

Special Protections

In addition to providing people with disabilities all of the protections against housing discrimination that are provided to members of the other six protected classes, the following provisions of the Fair Housing Act provide important additional protection.

The prohibition against discriminating in the terms and conditions of sale or rental prohibits a landlord from asking any questions of a person with a disability than would be asked of any other applicant. A landlord may not, for example, inquire about the nature or severity of a person's disability or ask whether that person is capable of living alone.

Reasonable Accommodations

It is unlawful to refuse to make such reasonable changes in rules, policies, practices and services, which may be necessary to afford a person with a disability an equal opportunity to enjoy and use a dwelling. These "reasonable accommodations" include such things as making an exception to a "no pets" policy for a person who needs a service animal and providing a reserved, designated parking place for a person with mobility impairment.

Reasonable Modifications

It is unlawful to refuse to permit a person with a disability to make, at his/her own expense, such reasonable changes in the premises as may be necessary to permit use and enjoyment of the premises. "Reasonable modifications" include such things as installing grab bars to facilitate use of bathroom facilities, cabinets lowered or the widening of a doorway to accommodate a wheelchair.

Full Accessibility of "New" Multi-family Housing

Multi-family housing constructed for first occupancy after March 13, 1991 (i.e. buildings consisting of 4 or more units) must be fully accessible to people with disabilities. If a building has an elevator, all units must be accessible; if there is no elevator, only "ground floor" units must be accessible. "Accessible" means: 1) There must be an accessible building entrance on an accessible route; 2) Public and common use areas must be readily accessible to and usable by people with disabilities; 3) All inside doors must be wide enough to accommodate a wheelchair; 4) There must be an accessible route into and through the dwelling; 5) Light switches, electrical outlets, thermostats and other environmental controls must be accessible; 6) Bathroom walls must be reinforced to

allow later installation of grab bars; and 7) Kitchens and bathrooms must have enough space to permit maneuvering in a wheelchair.

Three significant changes to the Fair Housing Act were made. These changes are described briefly as follows:

- The Housing for Older People Act of 1995 (HOPA) made several changes to the 55 and older exemption. Since the 1988 Amendments, the Fair Housing Act has exempted from its familial status provisions properties that satisfy the Act's 55 and older housing condition. First, HOPA eliminated the requirement that 55 and older housing have "significant facilities and services" designed for the elderly. Second, HOPA establishes protection from damages for persons who in good faith believe that the 55 and older exemption applies to a particular property, if they do not actually know that the property is not eligible for the exemption and if the property has formally stated in writing that it qualifies for the exemption.
- Changes were made in the Act to enhance law enforcement, including making amendments to criminal penalties in section 901 of the Civil Rights Act of 1968 for violating the Fair Housing Act.
- Changes were made to provide incentives for self-testing by lenders for discrimination under the Fair Housing Act and the Equal Credit Opportunity Act. See Title II, subtitle D of the Omnibus Consolidated Appropriations Act, 1997, P.L. 104 - 208 (9/30/96)¹.

In addition, it is also illegal for anyone to threaten, coerce, intimidate or interfere with anyone exercising a fair housing right or assisting others who exercise that right and advertise or make any statement that indicates a limitation or preference based on race, color, religion, national origin, familial status or handicap. Both intentional discrimination and unintentional actions or conditions that limit choice are also prohibited.

Georgia is dedicated to the objective of promoting fair housing choice in an affirmative manner. This commitment is evidenced through the enforcement of laws, the establishment of policies, and the evaluation of current procedures and practices. Over the past twenty years, a wide variety of policy and program initiatives has been instituted to move toward this goal. DCA will continue to revise housing programs to facilitate access to available funds; revise and implement state laws impacting housing affordability; continue implementation of the Georgia Planning Act requirement for jurisdictions to examine issues related to the provision of affordable and adequate

¹ Information available at <http://www.hud.gov/offices/fheo/FHlaws/yourrights.cfm>, March 2007

housing; implement new actions identified in the Analysis of Impediments to Fair Housing Choice; and provide training and technical assistance programs to local governments. The state performs two distinct functions in Georgia's fair housing spectrum. Primarily, it takes action within its own programs to promote compliance with the federal and state fair housing laws. Secondly, it strives to educate and inform the citizens of Georgia of their fair housing rights. The State also works hard to coordinate our fair lending efforts with other state agencies, governmental and quasi-governmental organizations, lending professionals and developers, to increase communication, exchange ideas to forge partnerships, provide services and information to the public so our efforts are as efficient and effective as possible.

Federal Fair Housing

The Department of Justice ("DOJ") and the Department of Housing and Urban Development ("HUD") are jointly responsible for enforcing the federal Fair Housing Act. HUD is responsible for enforcing the Act, 42 U.S.C. §§ 3601 et seq. HUD is required to investigate allegations of housing discrimination, attempt conciliation of the complaint, and determine whether there is reasonable cause to believe discrimination has occurred under the Act. Upon finding reasonable cause, HUD must bring the case before an administrative law judge, or if either party elects to have claims or complaints decided in a civil action, HUD must refer the complaint to the Department of Justice for prosecution in the United States District Court. HUD has played a lead role in administering the Fair Housing Act and other federal laws that prohibit discrimination since its adoption in 1968. The 1968 act expanded on previous acts and prohibited discrimination concerning the sale, rental, and financing of housing based on race, religion, national origin, sex, (and as amended) handicap and family status. Title VIII of the Act is also known as the Fair Housing Act (of 1968). The federal Fair Housing Act of 1968 required that all HUD programs be administered in a manner to "*affirmatively further fair housing.*" The federal Fair Housing Act defines basic obligations, protections, and enforcement provisions pertaining to housing discrimination in the United States.

The Office of Fair Housing and Equal Opportunity (FHEO), which is directly under HUD's jurisdiction, administers federal laws and establishes national policies that make sure all Americans have equal access to the housing of their choice. Particular activities carried out by the Office of Fair Housing and Equal Opportunity include implementing and enforcing the Fair Housing Act and other civil rights laws, including Title VI of the Civil Rights Act of 1964, Section 109 of the Housing and Community Development Act of 1974, Section 504 of the Rehabilitation Act of 1973, Title II of the Americans with Disabilities Act of 1990, the Age

Discrimination Act of 1975, Title IX of the Education Amendments Act of 1972, and the Architectural Barriers Act of 1968.

The Housing and Civil Enforcement Section of the Civil Rights Division, which is directly under the DOJ jurisdiction, is responsible for the Department's enforcement of the Fair Housing Act (FHA), along with the Equal Credit Opportunity Act, Title II of the Civil Rights Act of 1964, which prohibits discrimination in public accommodations, the land use provisions of the Religious Land Use and Institutionalized Persons Act (RLUIPA) and the Service members Civil Protection Act (SCRA). Under the FHA, the Department of Justice may bring lawsuits where there is reason to believe that a person or entity is engaged in a "pattern or practice" of discrimination or where a denial of rights to a group of persons raises an issue of general public importance. The Department of Justice also brings cases where a housing discrimination complaint has been investigated by the Department of Housing and Urban Development, HUD has issued a charge of discrimination, and one of the parties to the case has "elected" to go to federal court. In addition to enforcement of the lawsuits and cases to ensure fair housing opportunities, the Civil Rights Division also is involved in ongoing efforts to educate the public and various entities involved in the housing industry about their rights and responsibilities under the Fair Housing Act. In 1991, a fair housing testing program was created. In the spring of 2005, the Multi-Family Access Forum, a nationwide program was launched by the Assistant Attorney General to raise awareness and assist developers, architects, building professionals, government officials, and advocates for individuals with disabilities to understand the FHA's accessibility requirements, and to promote a dialogue between the developers of multi-family housing and persons with disabilities and their advocates. Operation Home Sweet Home was initiated in February 2006, as a result of the plight of large numbers of persons displaced by Hurricane Katrina, many of them minorities, who were seeking new housing. Operation Home Sweet Home, however, was not limited to the areas affected by Katrina, but was nationwide in scope because all Americans should be able to buy or rent a home without suffering illegal discrimination. Key Components of Operation Home Sweet Home:

- Improved Targeting
- Outreach to local organizations to better target testing to problematic areas.
- Expanded Resources and Increased Testing
- Public Education and Tiplines
 - A new website devoted to fair housing enforcement provides an online mechanism for citizens to submit tips and complaints, as well as obtain information about what constitutes housing-based discrimination. The new site can be found at www.usdoj.gov/fairhousing.

- In conjunction with the new website, a toll-free Tipline has been created for citizens who feel they have been victims of housing discrimination at 1-800-896-7743.

Section 561 of the Housing and Community Development Act of 1987 established the Fair Housing Initiatives Program (FHIP), a measure to fund non-profit fair housing organizations engaged in enforcement, education, and outreach. Congress amended this historic legislation in 1988, to include familial and handicapped status as additional protected classes. The American with Disabilities Act in 1990 introduced disability as a protected class and expanded requirements to accommodate persons with disabilities in housing. The administration of this Act is under the responsibility and authority of the Secretary of Housing and Urban Development (HUD) In connection with prohibitions on discrimination against individuals with disabilities, the Act contains design and construction accessibility provisions for certain new Multi-family dwellings developed for first occupancy on or after March 13, 1991. This amendment also increased the fair housing enforcement powers of both the Department of Housing and Urban Development (HUD) and the Department of Justice (DOJ), extended statutes of limitations and filing deadlines, eliminated the ceiling on punitive damages for victims of discrimination, and required HUD to try cases before an administrative law judge. On March 5, 2008, the Department of Justice and the Department of Housing and Urban Development issued a Joint Statement on Reasonable Modifications under the Fair Housing Act.

Since the 1970s, the federal government has enacted several other laws that are aimed specifically at promoting fair lending practices in the banking and financial services industries. Although the record generally is improving, discriminatory lending practices have not been eliminated. A brief description of federal laws aimed at promoting fair lending follows:

- Equal Credit Opportunity Act (ECOA): Passed in 1974, the ECOA prohibits discrimination in lending based on race, color, religion, national origin, sex, marital status, age, receipt of public assistance, or the exercise of any right under the Consumer Credit Protection Act.
- Home Mortgage Disclosure Act (HMDA): In 1975, Congress enacted the HMDA, then amended the act from 1988 through 1991. Under the act, financial institutions are required to report the race, sex, and income of mortgage applicants and borrowers by Census tract.
- Community Reinvestment Act (CRA): The CRA was enacted in 1977 to require each federal financial supervisory agency to encourage financial institutions to help meet the credit needs of their entire community, including low- and moderate-income neighborhoods within those communities. New regulations went into effect at the beginning of 1996.
- Americans with Disabilities Act (ADA): Passed in 1990, the ADA prohibits discrimination against people with disabilities in the provision of goods as well as services, including credit services.

- Fair Lending – Best Practices Agreements: HUD has been working with the lending industry to promote these agreements. The agreements represent voluntary efforts to improve individual bank performance in providing homeownership opportunities to minorities and low-income people by eliminating discriminatory barriers.

Detailed information about individual banks is also available. All banking institutions in the United States fall under one of the following four federal regulatory agencies: the Office of the Comptroller of the Currency, the Federal Reserve System, the Office of Thrift Supervision, or the Federal Deposit Insurance Corp. No central agency within the State receives reports from the banking regulatory agencies about compliance with fair lending laws. However, such reports are public information and are available from the regulatory agencies themselves or at the individual banks.

Fair Housing in Georgia

It is the policy of the State of Georgia to provide, within constitutional limitations, for fair housing throughout the state. The general purposes of Georgia law: O.C.G.A 8-3-200-223, et seq are:

- To provide for execution in the state of policies embodied in Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988;
- To safeguard all individuals from discrimination in any aspect relating to the sale, rental, or financing of dwellings or in the provision of brokerage services or facilities in connection with the sale or rental of a dwelling because of that individual's race, color, religion, sex, disability or handicap, familial status, or national origin;
- To promote the elimination of discrimination in any aspect relating to the sale, rental, or financing of dwellings or in the provision of brokerage services or facilities in connection with the sale or rental of a dwelling because of a person's race, color, religion, sex, disability or handicap, familial status, or national origin; and
- To promote the protection of each individual's interest in personal dignity and freedom from humiliation and the individual's freedom to take up residence wherever such individual chooses; to secure the state against domestic strife and unrest which would menace its democratic institutions; to preserve the public safety, health, and general welfare; and to further the interests, rights, and privileges of individuals within the state.

HUD provides Fair Housing Assistance Program (FHAP) grants on a noncompetitive, annual basis to substantially equivalent state and local fair housing enforcement agencies. This financial assistance supplements the enforcement activities. FHAP grants are given to public, not private, entities. In Georgia, three Fair Housing Assistance Programs (FHAPs) also carry out investigative and enforcement functions on behalf of HUD:

- Metro Fair Housing Services, Inc;
- Savannah-Chatman County Fair Housing Council, Inc; and
- State of Georgia Civil Rights Department/Georgia Commission on Equal Opportunity (GCRD-GCEO), which is a state agency.

At the beginning of an agency's participation in the FHAP, HUD provides a flat amount of funds for capacity building. Following the period of capacity building, HUD provides agencies with funds for complaint processing, administrative costs, special enforcement efforts, training, and other projects designed to enhance the agency's administration and enforcement of fair housing law. In 2004 HUD established the National Fair Housing Training Academy (NFHTA), located at 600 Maryland Avenue, SW, Washington, D.C. 20024. The NFHTA's purpose is to ensure consistent, efficient, and effective investigations nationwide. The training is mandatory for FHAP investigators (Compliance Officer) and Managers. In 2007, four of the GCRD-GCEO fair housing staff members successfully completed the five-week NFHTA courses.

The Georgia General Assembly established a neutral administrative agency, the State of Georgia Civil Rights Department/Georgia Commission on Equal Opportunity, in order to govern and enforce the administration of the Georgia Fair Housing Law. The principal function of the GCRD-GCEO is to receive, investigate, and pass upon charges of unlawful discrimination occurring anywhere within the State of Georgia in the areas of employment, housing, and public accommodations. Specifically, the GCRD-GCEO is authorized to carry out, among other measures, the following actions:

- To study the nature and the extent of discriminatory housing practices and publish reports resulting from such studies;
- To assist organizations seeking to carry out programs to prevent or eliminate discriminatory housing practices;
- To promulgate, amend and rescind, and subject to the approval of the Governor, such rules and regulations necessary to carry out the state's fair housing policy;
- To investigate alleged discriminatory housing complaints and engage in conciliation with respect to such complaints; and,
- To refer and work with the State Attorney General if civil action on a discriminatory housing complaint is required.

The Georgia Fair Housing Law prohibits various forms of discrimination in the availability of residential real estate transactions based on race, color, gender, national origin, religion,

disability, and familial status. Protected individuals are safeguarded from discrimination relating to the sale, rental, or financing (making or purchasing of loans or providing other financial assistance) of dwellings, securing and the provision of brokerage services or facilities. All departments and agencies of state government are mandated to direct their programs related to housing and urban development in a manner that affirmatively furthers the state's fair housing guidelines. In 1995, HUD certified that the Georgia Fair Housing Act provides the same provisions (outreach and education, rights, remedies, procedures and judicial review), which are substantially equivalent to the Federal Fair Housing Act (FHA). This designation considers two separate factors.

- Whether the jurisdiction's law, on its face, equals the federal fair housing laws in regards to the rights protected by the agency, the procedures followed by the agency, the remedies available to the agency, and the availability of judicial review of the agency's action.
- Whether the current practices and the past performance of the agency demonstrate that, in operation, the law in fact provides rights and remedies substantially equivalent to the federal fair housing law.

Based on this certification, HUD refers all complaints alleging a discriminatory housing practice within the jurisdiction of the state to the GCRD-GCEO. HUD reviews the performance of the state every five years to determine if the performance of the Georgia Commission on Equal Opportunity continues to qualify for this certification. The current certification will be in effect until December 2008. In addition to enforcing Georgia's Fair Housing Act, the GCRD-GCEO is authorized to enforce the Georgia Fair Employment Act, the Age Act, the Equal Pay Act, and the Public Accommodations Act.

DCA will continue to implement all fair housing policies associated with HUD's consolidated formula funds as required by the HUD Consolidated Plan regulations issued January 5, 1995 and as revised April 1, 2005.

ANALYSIS PREPARATION

As the state of Georgia's designee for preparation of its Consolidated Plan, the Georgia Department of Community Affairs is the lead agency for preparing and updating the AI. While analyzing Georgia's current fair housing situation, DCA sought input from a number of outside sources, including the Georgia Commission on Equal Opportunity, local government officials, disability advocates, real estate agents, fair housing assistance program agencies, affordable housing developers, housing counselors, and fair housing advocates. The report was funded

through the administrative funds of the HOME Investment Partnerships Program of the U.S. Department of Housing and Urban Development (HUD).

METHODOLOGY

This Analysis of Impediments represents a comprehensive examination of information. The State of Georgia conducted its analysis using both primary and secondary data sources. The main sources of primary data in this analysis were informant surveys, interviews, consultations, personal contacts, and electronic mail (email). Secondary information included statistics from published databases, maps, documents and studies. As noted below, DCA utilized a multifaceted approach in order to complete the AI, including:

- 1) Analyzing the demographic data of the state of Georgia to use as a reference point for discussion of fair housing impediments in the state. Data from the current U.S. Census, USDA Economic Research Service, Georgia Hispanic Chamber of Commerce statistics, Georgia Governor's Office of Planning and Budget projections and the 2008 Supplementary Survey was utilized.
- 2) Reviewing the State of Georgia's Consolidated Plan and the State's Annual Action Plan update for Consolidated Funds to gather background information on housing needs and previous actions taken to promote fair housing in the state.
- 3) Reviewing state laws, regulations, and administrative policies, procedures, and practices, and assessing whether they presented impediments to the location, availability, affordability, and accessibility of housing.
- 4) Reviewing fair housing discrimination complaints filed with and by HUD, the U.S. Department of Justice, Attorney General's Annual Report to Congress, Metro Fair Housing Services, Savannah-Chatham County Fair Housing Council, Inc. and the Georgia Commission on Equal Opportunity.
- 5) Conducting an analysis of Home Mortgage Disclosure Act (HMDA) data to identify restrictions in banking practices in the state. This Act allows the public to view data that can be used to determine whether financial institutions are serving the housing credit needs of their communities and to identify possible discriminatory lending patterns. The data tables used in the analysis are available in Appendix B.
- 6) Surveying Georgia housing stakeholders, who are knowledgeable about housing actions and concerned with fair housing. The survey sampled community perceptions and opinions

regarding impediments to fair housing choice in the state. A copy of the survey format and a summary of the results are available in Appendix A.

- 7) Analyzing the scope and impact of actions and programs undertaken in the state to promote fair housing.
- 8) Holding three public hearings in Atlanta, Albany and Statesboro to solicit input (comments presented in Appendix B).
- 9) Developing options for DCA's fair housing actions based on conclusions from the above steps.

Upon completion of the draft AI and the action components, the AI was published and disseminated for public review and comment in accord with citizen participation requirements. After the receipt of public input, a final document was prepared and made available to the public in accordance with the Consolidated Plan. The state of Georgia will annually review the progress in completing the action steps outlined in this AI through the Consolidated Plan Annual Performance Report.

PROGRESS SINCE PREVIOUS ANALYSIS OF IMPEDIMENTS

DCA is continually seeking new ways to increase statewide participation in its programs. Additionally, through its compliance and monitoring activities, DCA ensures that all housing and community development projects are being implemented in a manner that provide benefits and opportunities to residents regardless of race, color, religion, sex, disability, familial status, and national origin. During State Fiscal Year 2007 (SFY2007), the period of July 1, 2006 – June 30, 2007, Georgia Consolidated Plan Annual Performance and Evaluation Report (CAPER) makes note of several accomplishments in its efforts to overcome the impediments identified through previous analyses of impediments. DCA continues to implement policies and procedures in order to mitigate and eliminate the identified impediments to fair housing choice. DCA, in conjunction with other agencies, addresses these impediments in several innovative ways:

- The State of Georgia continues to fund operation of a Tenant/Landlord Hot Line at 1-800-369-4706 through a contract with Georgia Legal Services Program, Inc. (GLSP). The hotline does not take complaints but does provide information about the law and general advice to Georgians with questions about residential landlord/tenant issues. Additionally, DCA publishes a handbook: *The Landlord /Tenant Handbook: Questions Frequently Asked by Tenants and Landlords* on commonly asked questions, that is available through GLSP, and is accessible through the DCA web page. This publication covers rental property management; lease and rental agreements and their termination or renewal; security deposits; payment of rent; repairs and maintenance; eviction and dispossession; and the state and federal fair housing laws.

- DCA is the co-chair of the Education Committee with NeighborWorks America for the Atlanta Foreclosure Prevention Initiative. Committees were created for Housing Education, Policy and Research, and REO solutions. The purpose of convening the Taskforce was to meet with key members of the mortgage and housing industry to decide on the best course of action to take in developing a consistent method for educating target audiences and preventing foreclosures in the state of Georgia. The Taskforce met in three workgroups to outline a process for consumers, lenders and counselors to function as a cohesive unit in addressing the growing foreclosure problem. The group recognized the impact of foreclosures in all areas on the state, but decided on the primary mission of working toward a significant and measurable decrease in foreclosures in DeKalb, Fulton, Cobb, Gwinnett, and Clayton counties. Strategic plan initiatives for all target audiences were developed to establish the importance of foreclosure prevention education and counseling and expand awareness of and access to loss mitigation programs. A consumer awareness campaign was launched as a direct result of those meetings entitled “HOPE”. The HOPE campaign provides a toll free number 1-888-995-HOPE (4673) to link homeowners with free counseling 24 hours a day, 7 days a week. Telephone counseling was provided in both English and Spanish and linked callers as appropriate with their lender or a local NeighborWorks organization for in person counseling. In mid-January 2007, the hotline promoted through radio and print advertising, direct mail and grassroots marketing in the hardest hit communities of Fulton, DeKalb and Clayton counties. In addition, outreach was made through community organizations, churches, local businesses and media that provided education and information to homeowners. The financial commitment for this effort is substantial. To date, nearly \$500,000 in funding has been provided by a number of organizations such as NeighborWorks America, Consumer Credit Counseling Services (CCCS), Georgia Department of Labor, United Way along with a number of mortgage lenders and the Fannie Mae Foundation. DCA and the Federal Reserve Bank of Atlanta provide in-kind support. Additional training and funding for default/delinquency counseling to non-profit agencies that are already under contract to DCA for pre- and post- counseling were offered full scholarships to NeighborWorks Institute to take a foreclosure prevention course. Five agencies completed the course.
- DCA provides the HUD pamphlet “Don’t Be A Victim of Loan Fraud, Protect Yourself from Predatory Lenders” during the CHIP/CDBG single applicant’s workshop.
- DCA supports outreach and education activities in Georgia with HUD fair housing/fair lending funds; supports financial literacy through the Money Smart Financial literacy curriculum to increase fair housing and homeownership education in the rural parts of Georgia; provides brochures and/or other promotional material, in English and Spanish; and conducts and sponsors various landlord workshops and other housing conferences in conjunction with the GCRD-GCEO.
- DCA’s Office of Affordable Housing continues their efforts to train landlords under IRC Section 42 of the IRS Code, which prohibits landlords of Tax Credit properties from refusing to lease to a holder of a Housing Choice Voucher or certificate and provides a monthly Tax and HOME credit seminar training. Staff conducts regular property visits and random phone calls to continue efforts to ensure compliance of low-income tax credit properties.
- DCA implemented and utilizes the GeorgiaHousingSearch.org website, which provides an on-line resource for property managers to market affordable rental units, provides a convenient resource to prospective renters to locate affordable and accessible housing and obtain community resource links along with locating housing information. This website is free, searches can be conducted in both English and Spanish, and the site is updated by owners/property managers at least bi-weekly with vacancy information.

- DCA partners with the Governor’s Council on Development Disabilities to fund a position at DCA to promote and expand affordable housing options for people with disabilities.
- DCA supports the Easy Living Program across the state and offers enhanced downpayment assistance for units that have received the Easy Living Seal of Approval.
- DCA provides supportive services to the Center for Pan Asian Services, which serves as an information and referral agency for social, financial and health services and housing. The center implements community service projects offering courses in comprehensive housing counseling, pre-purchase counseling, community educational programs and house buying workshops to maximize independence and enhance quality of life for the Asian community.
- DCA’s Office of Homeownership conducts home buyer education workshops; market DCA’s home buyer programs in Spanish-speaking communities; and continues to increase the number of bilingual staff at DCA through Spanish language training education.
- DCA, along with Rural Development Centers, provides brochures and/or other fair housing materials to local governments in the comprehensive planning workshops.
- DCA continues to participate in roundtable discussions hosted by the Atlanta Neighborhood Development Partnership with community leaders and affordable housing advocates to discuss topics surrounding fair lending practices, HOME Mortgage Disclosure Act (HMDA), Community Reinvestment Act (CRA) and how these factors impact the Atlanta market hosted by Atlanta Neighborhood Development Partnership, Inc.
- DCA continues to attend the Atlanta Regional Housing Forums to discuss monthly regional housing issues.
- DCA staff continues to enhance their knowledge on fair housing. Staff members attended workshops at the 2007 Fair Housing Symposium organized by the City of Macon and the Macon Middle Georgia Housing Counseling Center.
- DCA sponsors and staff members participate in the first Statewide Fair Housing Symposium to provide technical assistance regarding Georgia housing programs, educated and empowered community representatives and discussed fair housing issues. USDA, local community services, fair housing practitioners, Neighborhood Works of America, HUD, Georgia Commission on Equal Opportunity, Housing Counseling members, lenders and realtors participated in these forums.

MONITORING FOR IMPEDIMENTS

DCA, through its compliance and monitoring activities, ensures that all housing and community development projects are being implemented in a manner which provides benefits and opportunities to residents regardless of race, color, religion, sex, disability, familial status, and national origin. To ensure that all statutory and regulatory requirements are being met for activities with HUD funds, the State of Georgia uses various monitoring standards and procedures.

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)

To insure that each recipient of CDBG funds operates in compliance with applicable federal laws and regulations, DCA implements a monitoring strategy that closely reviews government activities for all compliance areas, and provides extensive technical assistance to prevent compliance problems.

Pre-funding site visits are made to each potential grant recipient to check that conditions are as described in the funding application submitted to DCA. Once grants are awarded, staff conducts an initial “start-up” visit to assess the capacity and needs of each recipient. In addition, all recipients are required to attend a workshop that provides extensive technical assistance and a guidance manual for use in implementing the project. The manual provides all required compliance requirements. This workshop includes an overview of all contract requirements and program procedures, including the civil rights and fair housing requirements.

Each grant recipient is monitored several times each year by trained DCA staff. A monitoring report is completed for the following compliance areas:

- Environmental;
- Eligibility;
- Fair Housing;
- Civil Rights and Equal Opportunity;
- Financial and Audit;
- Federal Labor Standards;
- Acquisition and Relocation, Section 104(d);
- Interim and Final Audit;
- Final Benefit Count;
- Housing Rehabilitation Standards and Policies;
- Lead Based Paint Hazard Reduction Regulations, and
- Citizen Participation.

In the event that DCA staff identifies compliance problems, the Chief Elected Official is notified and a deadline is set for a response and possible corrective actions. DCA maintains a monitoring status system to insure timely resolution of findings. Prior to formal close-out of each grant, a final check is made to be sure all monitoring has been completed and any finding is resolved satisfactorily.

HOME INVESTMENT PARTNERSHIP (HOME)

DCA ensures that each program under HOME complies with the fair housing, accessibility and affirmative marketing requirements.

CHIP:

Annually, DCA awards CHIP funds on a competitive basis to eligible local government applicants. To ensure initial applications are in keeping with the HOME program requirements, as well as other federal, state and local requirements, DCA sponsors an Applicants Workshop in conjunction with the small cities CDBG workshop. The requirements are also detailed in the Applicants Manual. Specifically, in regard to the CHIP program, the following requirements are covered:

- a) Applicability of Other Federal Requirements per HOME regulations and Other DCA Requirements
- b) Non Discrimination and Equal Access (fair housing, equal opportunity and handicapped accessibility)
- c) Employment and Contracting (equal opportunity, labor requirements, contracting and procurement)
- d) Environmental
- e) Site and Neighborhood Standards
- f) Lead Based Paint
- g) Displacement, Relocation and Acquisition
- h) Financial Management
- i) Housing (fair and equal credit laws, construction standards)
- j) Historic Preservation
- k) Citizen Participation

Following the award of funds, local government CHIP recipients are required to attend the Recipients Workshop. The CHIP Recipients Manual is presented to the recipients and the CHIP staff again provides training on the HOME program requirements listed above. DCA also conducts the following monitoring reviews of local government CHIP recipients:

- a) Grant Award Review: An initial site visit review of the grant award includes review of the general conditions and special conditions of the award; grant adjustment notices; financial management procedures; citizen participation requirements; affirmative marketing requirements; fair housing requirements; environmental review; historic preservation; written agreements; and, location of program records. Technical assistance is also provided on any special requirements of the award such as Davis Bacon or Uniform Relocation and Real Properties Acquisition Policies Act.
- b) Program Start-up Review: CHIP staff conducts an on-site start-up review to verify the local government is on target with award timelines and in

compliance with program regulations. Special condition compliance, fair housing, use of manuals and forms and all required written agreement are discussed.

- c) Financial Management Review: When between 40 and 60 percent of program funds have been drawn down, DCA conducts an on-site financial management review.
- d) Close Out Review: After all project funds have been drawn, DCA conducts an on-site close-out review to monitor program and project records for compliance with HOME.
- e) On-Going Technical Assistance: The CHIP staff with assistance from the Division's Compliance Manager, as needed, conducts technical assistance as requested.
- f) Housing Workshops: The CHIP staff, in conjunction with the small cities CDBG housing staff, conducts periodic housing workshops for both CHIP and CDBG recipients.

HOME Rental Housing Loan / Rental Housing Preservation Loan Programs:

The State has developed and implemented compliance monitoring procedures to ensure proper implementation of all HOME regulations. To facilitate this monitoring process for the state's HOME-financed rental housing programs, the State sponsors a compliance training seminar for HOME program participants. Certification testing is required and certificates are awarded upon successful completion of the training. The State conducts site visits annually for Multi-family properties with 26 or more units and biannually for Multi-family properties with 25 or fewer units. Compliance with federal and state requirements is conducted for each project as noted below:

- a) Subsidy Layering
- b) Environmental Review
- c) Labor Standards
- d) Affirmative Marketing: Affirmative Marketing is required when HOME-assisted housing contains five or more units. If applicable, owners of HOME-assisted housing must adopt and conduct affirmative marketing procedures and requirements, which provide information and otherwise attract eligible persons. DCA will monitor and annually assess the affirmative marketing efforts conducted by owners in compliance with this requirement.
- e) Uniform Relocation Act
- f) Fair Housing, Equal Opportunity and Accessibility Laws: HOME recipients must comply with all federal, state and local laws relating to fair housing and equal opportunity, including but not limited to those listed below:
 - i. Minority Business Enterprise Executive Orders 11625, 12432, and 12138
 - ii. The Federal Fair Housing Act (42 U.S.C. §3601 et seq. (1968))
 - iii. The Georgia Fair Housing Act (O.C.G.A. §8-3-200 et seq., (1992 Supp.))
 - iv. Age Discrimination Act of 1975 (42 U.S.C. §6101 et seq.)
 - v. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §794)

- vi. Americans with Disabilities Act of 1990 (ADA) (42 U.S.C. §12116 et seq.)
- vii. Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. §171U et seq.)
- viii. Executive Order 11063
- ix. Title VI Civil Rights Act - 1964 (42 U.S.C. 2000d)

Georgia Dream Single Family Development Program – Development Subsidy:

Financing provided to applicants to the Georgia Dream Single Family Development Program is subject to compliance with all of the following requirements as required by applicable federal regulations based on the number of units for which financing is sought.

- a) Environmental Review:
- b) Uniform Relocation Act
- c) Property Standards and construction codes: All applicable state and local codes, Housing Quality Standards at 24 CFR 982.401 and local zoning ordinances must be met at the time of unit completion, housing construction, reconstruction or rehabilitated. Additionally standards may apply:
 - i. Accessibility: Must meet regulations referred in 24 CFR part 5.015(a).
 - ii. Easy living standard: applicants are encouraged to apply this standard
 - iii. State minimum standard codes
 - iv. Energy star standards
 - v. Manufactured housing: manufactured housing must be new, in conformance with the National Manufactured Home Construction and Safety Standards Act of 1974 as amended, permanently affixed in accordance with HUD’s Handbook 4930.0, and must be multi-sectional.
 - vi. Lead-Based paint poisoning prevention act 42 U.S.U. 4831-5 et al and HUD implementing regulations at 24 CFR part 35
 - vii. Historic Housing Rehabilitation and new construction in historic districts
 - viii. Official code of Georgia 12-5-134 for installation of private wells and rules of Department of Human Resources public health chapter 290-5-26 for septic system
- d) Affirmative Fair Housing Marketing Plan: All applicants seeking funding under the Single Development Program proposing four or more units must have an Affirmative Fair Housing Marketing Plan (AFHMP) prepared in compliance with Fair Housing Laws, HOME requirements and other Georgia Dream Single Family Development Program guidelines. The AFHMP must be included in the Application. In addition to developing this plan, the applicant must include the following:
 - i. An opportunity for prospective buyers to indicate how they became aware of the affordable housing opportunity
 - ii. The owner must display the fair housing opportunity logo or slogan in a high traffic area of its central office.
 - iii. The applicant must develop or assign for the development of communications materials.
- e) Fair Housing, Equal Opportunity and Accessibility Laws: Applicants must comply and certify with any and all federal, state and local laws relating to fair housing and equal opportunity, including but not limited to those listed below:
 - i. The Federal Fair Housing Act 42 U.S.C. §3601 et seq. (1968))

- ii. The Georgia Fair Housing Act O.C.G.A. §8-3-200 et seq, section 804(a-e), 805, 806
 - iii. Title VI Civil Rights Act - 1964 42 U.S.C. 2000d)
 - iv. Title VIII Civil Rights Act - 1968 42 U.S.C. 3601 et seq.
 - v. Minority Business Enterprise Executive Orders 11625, 12432, and 12138
 - vi. Age Discrimination Act of 1975 42 U.S.C. §6107
 - vii. Section 504 of the Rehabilitation Act of 1973 29 U.S.C. §794
 - viii. Americans with Disabilities Act of 1990 (ADA) 42 U.S.C. §12116 et seq.
 - ix. Section 3 of the Housing and Urban Development Act of 1968 12 U.S.C. 417 1 U et seq.
 - x. Executive Order 11063 as amended by Executive order 12259
 - xi. Affirmative Marketing in accordance with HOME Final Rule at 24 CFR 92.351
- f) Financial Management: the HOME Final Rule (24CFR part 92) and the Code of Federal Regulations regulate the financial management and administration of the GDSFDP.
- i. Record keeping and retention requirement: Applicants must establish and maintain projects records for a minimum of five years in an accessible location and keep them well organized
 - ii. Procurement standards: Applicants must use their own procurement regulations which reflect applicable State, Federal and local laws, rules and regulations.

Permanent Supportive Housing Program:

The compliance responsibilities begin with the award of the Permanent Supportive Housing Program funding and continue through the end of the Compliance Period, the Period of Affordability, or the term of the Permanent Supportive Housing Loan, whichever is longer.

DCA will monitor the property for compliance with all applicable HOME regulations prior to loan closing, during construction/rehabilitation, and throughout the period of affordability. At the pre-construction conference, the owner will receive a complete package of HOME compliance materials and information on training opportunities. Prior to lease up, the owner will be required to attend a DCA Compliance workshop that will cover lease-up regulations and compliance requirements throughout the period of affordability. Each HOME funded rental property is inspected once a year during the Period of Affordability and files are reviewed for compliance with the HOME regulations and any additional State requirements.

A loan provided to applicants to the Permanent Supportive Housing Program is subject to compliance with all of the following requirements.

- a) Environmental Review:
- b) Site and Neighborhood Standards:
- c) Uniform Relocation Act:
- d) Federal Labor Standards: For HOME funded projects involving the construction of affordable housing consisting of 12 or more units, DCA requires that the

contract relating to new construction or rehabilitation must comply with the following labor standards:

- i. Davis- Bacon Act, 40 U.S.C. 276(a)-5
 - ii. Contract Work Hours and Safety Standards Act, 40 U.S.C. 327-332
 - iii. Copeland “Anti Kickback” Act, 40 U.S.C 276(c) 1982
 - iv. All applicable regulations and HUD Handbook #1344.1
- e) Pre-Construction Conference: Prior to loan closing, DCA conducts a pre-construction conference to discuss all of the required federal labor standards, issue wage decisions, provide information on Section 3 reporting requirements, provide information on MBE/WBE reporting requirements, and to provide Labor Standards and OSHA safety standards posters. Owners and contractors are also notified that compliance staff will visit the site to ensure compliance.
- f) Affirmative Fair Housing Marketing Plan: All applicants seeking Permanent Supportive Housing Program funding must develop and submit to DCA a written affirmative marketing plan. Using a form provided by DCA, the applicant is required to document its Plan and assemble related documentation. Once the Plan has been approved by DCA, the applicant must keep the Plan on the central office premises, along with a copy of the federal and state Fair Housing Act, both of which must be available for review by the general public. Applicants are notified by phone or mail of deficiencies and are given a reasonable time to make corrections.
- g) Subsidy Layering:
- h) Rent and Occupancy Requirements:
- i) Fair Housing, Equal Opportunity and Accessibility Laws: HOME recipients must comply with any and all federal, state and local laws relating to fair housing and equal opportunity, including but not limited to those listed below:
- i. Minority Business Enterprise Executive Orders 11625, 12432, and 12138
 - ii. The Federal Fair Housing Act (42 U.S.C. §3601 et seq. (1968))
 - iii. The Georgia Fair Housing Act (O.C.G.A. §8-3-200 et seq., (1992 Supp.))
 - iv. Age Discrimination Act of 1975 (42 U.S.C. §6101 et seq.)
 - v. Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. §794)
 - vi. Americans with Disabilities Act of 1990 (ADA) (42 U.S.C. §12116 et seq.)
 - vii. Section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. §171U et seq.)
 - viii. Executive Order 11063
 - ix. Title VI Civil Rights Act - 1964 (42 U.S.C. 2000d)

DCA staff reviews each project for compliance with each of these statutes. Each project is reviewed both during the planning stage and during construction to ensure that all applicable accessibility requirements are met.

EMERGENCY SHELTER GRANT (ESG)

The State will monitor the Grantee's participation in the Emergency Shelter Grant (ESG) program to ensure compliance regulations promulgated by HUD at 24CFR part 576. Monitoring recipients is an important function of the State. Each year, randomly selected participating providers are monitored. Among other items, the monitoring visit reviews such areas as financial record systems, program benefits, and other program rules. The State also provides written certifications to HUD regarding compliance of each project with appropriate environmental regulations, and all grantees must conform to the HUD rule for verifying homelessness.

In addition, program monitoring of the ESG Program will include on-site visits to each Grantee once every three years or more often as deemed necessary by the State based on application, reimbursement or reporting submissions. Grantees receiving an allocation for the first time must be monitored with an on-site visit before funds are drawn for current contract year. Grantees are notified in advance of all on-site monitoring visits, but DCA personnel may not be 'steered' by subgrantees in random sampling of case files, etc. After each monitoring visit is complete, DCA sends each Grantee an exit monitoring report. Project accomplishments, areas of deficiencies and technical assistance needs are highlighted in this report, which serves to confirm issues discussed during the on-site monitoring review process and to give grantees advance notice of deficient areas requiring attention. A grantee's noncompliance in the reimbursement, desk audit, and/or reporting processes can also trigger a monitoring visit by DCA.

HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA)

DCA monitors Grantee participation in the HOPWA program to ensure compliance with program regulations promulgated by HUD at 24 CFR, Part 574 for HOPWA programs designed to benefit persons with HIV related needs. Monitoring recipients is an important function of DCA.

Efforts connected with HOPWA continue to be strengthening existing programs through, in part, diversification of housing programs within sponsor agencies, and renewed and targeted monitoring efforts. Grantees receiving HOPWA funding, will receive an on-site monitoring visit each contract year. After each monitoring visit is complete, DCA will send each HOPWA Grantee an exit monitoring report. Project accomplishments, areas of deficiencies and technical assistance needs are highlighted in this report, which serves to confirm issues discussed during the on-site monitoring review process and to give grantees advance notice of deficient areas requiring attention.

DCA relies upon thorough application review and reimbursement of funds expended in lieu of advancing funds. Desk audits are often performed at DCA to test compliance. On-site monitoring, therefore, is largely limited to eligibility of beneficiaries and a comparison of program records with the programmatic claims of the applicant.

HOUSING CHOICE VOUCHER RENTAL ASSISTANCE PROGRAM

The Georgia Department of Community Affairs continues to administer the Housing Choice Voucher Rental Assistance program in 149 of Georgia's 159 counties. This program provides rental subsidies to participating landlords on behalf of low and very low-income families and individuals. Monitoring procedures of this program include annual inspections of units to ensure compliance with HUD Housing Quality Standards (HQS) and a separate program audit that monitors compliance with federal regulations. A financial audit of the program is also conducted annually.

LOW-INCOME HOUSING TAX CREDITS

Compliance with federal and state regulations is necessary to maintain the State's eligibility to receive federal Low Income Housing Tax Credits. The Georgia Housing and Finance Authority (GHFA) is designated by the Governor as the State Allocating Agency. GHFA contracts with the Georgia Department of Community Affairs (DCA) for the administration of this program, including implementation of all monitoring requirements. Once a tax credit allocation is received, the State monitors the recipient's compliance with federal and state regulations and procedures.

CONCLUSION

DCA performs two distinct functions in Georgia's fair housing spectrum. First, DCA takes action within its own programs to promote compliance with the federal and state fair housing laws. Secondly, DCA strives to educate and inform the citizens of Georgia of their fair housing rights. In accordance with these functions, DCA has identified three impediments to fair housing choice that it will address within the next five years.

1. Lack of knowledge about fair housing laws and resources.
2. People with disabilities have difficulty finding suitable and accessible housing.
3. In the Hispanic communities of Georgia, language barriers and unfamiliarity with the home buying process are catalysts for discrimination.

In order to bring the efforts of this fair housing analysis to fruition, DCA has designed a plan of action in order to mitigate and eliminate the identified impediments to fair housing choice. DCA, in conjunction with other agencies, intends to address these impediments in several innovative ways. These innovations are discussed in detail in Part VI of this document.

CHAPTER II

JURISDICTIONAL BACKGROUND DATA

The following statistics provide a basis on issues of demographics, income, and employment, which will establish a context to consider housing issues for the citizens of Georgia. This data will establish a basis from which an analysis of impediments to fair housing choice can be conducted. In order to undertake actions to eliminate impediments to fair housing choice, an awareness of existing local demographics is crucial. From the percentages and information presented below, it is obvious that the protections of the Fair Housing Act extend to all residents of Georgia.

Demographic Data

Georgia population growth is among the most rapid in the nation. The fastest growing segments of the population are lower income persons and families. Long-term projections indicate that future population characteristics will create even a greater demand for affordable and subsidized housing than there is today. The affordability crisis will continue and expand. Between 1990 and 2000, Georgia was the sixth fastest growing state on a percentage basis, and the fourth fastest growing in numbers of residents. Georgia ranked as the tenth most populous state in the United States. The number of Georgia's MSAs increased from 7 to 15 after the 2000 Census. 2005 U.S. Census data revealed that Georgia had 8.8 million residents – an increase of more than 2.4 million since 1990. The metro Atlanta area has the vast majority of Georgia's population. Four of those metro counties have over 650,000 residents: Fulton- 884,079, Gwinnett- 719,398, DeKalb- 662,973 followed by Cobb- 653,715. Atlanta is the capital and the most populous city in Georgia as well as the core city of the ninth most populous metropolitan area in the United States. Data suggest that Gwinnett is one of the fastest growing communities across the country. A case study conducted by the Family Connection Partnership entitled "Case Study of Collaborative Successes" indicates that Gwinnett was first among Georgia's 159 counties in growth and led the Atlanta region in net population growth with an increase of 67%. Also, the Gwinnett County Public Schools, the largest school system in Georgia, estimate that 115 different languages are spoken among their more than 120,000 students. In fact, some schools have reached a majority-minority student population, most of whom are limited English proficient. The most frequently spoken language is Spanish, followed by Korean, Vietnamese, and Russian. One hundred and twenty-five of Georgia's 159 counties experienced population growth, with 101 counties

experiencing a population increase of 20% or more as shown on the Population Change map. About two-thirds of the population increase was attributed to net migration or an influx of new residents. Georgia ranks as the seventh most popular state for international migrants. Hispanics, Blacks and Asians were a majority of both domestic and international migrants and constituted two out of every three persons moving into the state. Most of that growth occurred in the Metro Atlanta area and in the North Georgia region. Several counties in Middle and South Georgia did not experience either population growth or little growth during the period of 2000 - 2005. In 2005, the Georgia Office of Planning and Budget projected the state's population will grow 34% between 2000 and 2015 to 10,813,573. "Twelve Atlanta counties are expected to grow by 75% or more with half of the state's population residing in these counties".² The 2005 Census reported that the percentage of males and females in Georgia were almost equal, with 49% being male and 51% being female. The median age in Georgia of 34.3 years, is almost three years higher than the median age in 1990.

Table 1: Georgia's General Population Characteristics, 2005

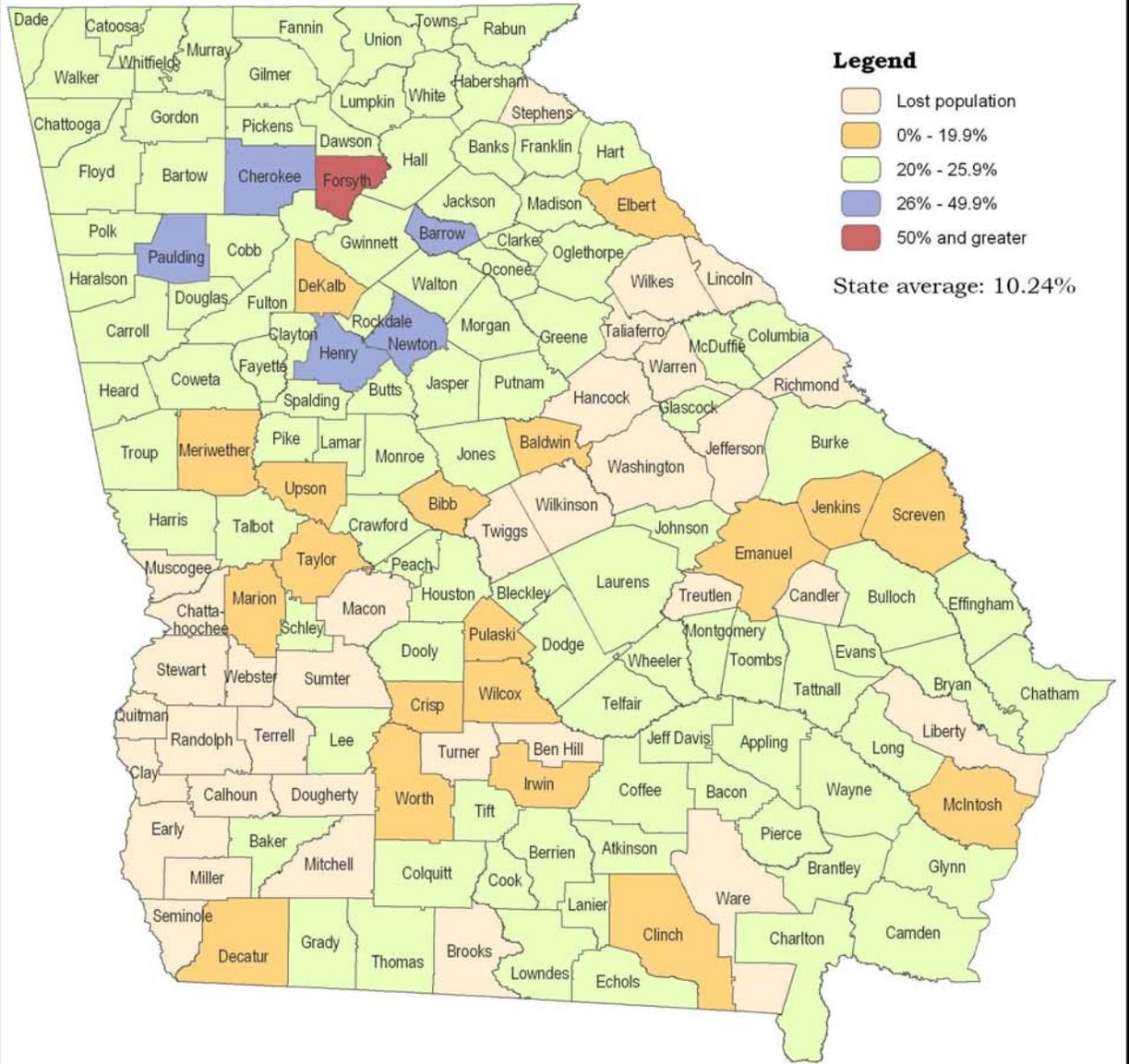
POPULATION BY RACE	TOTALS	% OF TOTAL POPULATION
Total Georgia Population	8,821,142	100%
Male	4,321,977	49%
Female	4,499,165	51%
Median Age	34.3	-----
High School Graduates % of 25 yrs & older	-----	82%
Average Household Size	2.6	-----
Median Household Income	45,604	-----

Source: U.S. Census Bureau, 2005

The map on the following page depicts Georgia's population change from 2000 to 2005. The map shows one Georgia County, Forsyth, with fifty percent or greater population change. Starting with a 2000 Census population of 98,407, a 2007 Census Estimate expects Forsyth County to continue its rapid growth with a projected population of 158,914 by 2007. This county is a part of the Atlanta metropolitan area (Atlanta-Sandy Springs-Marietta, Georgia Metropolitan Statistical Area). Forbes.com has named Forsyth as the 11th richest county in the US for 2008.

² Georgia 2015 Population Projections- Office of Planning and Budget 2005 p. 1

Population Change 2000 - 2005



Data Source: U.S. Bureau of the Census, Annual Population Estimates, 2005
 Map prepared by: Georgia Department of Community Affairs, 2008

The 2005 Census reported that 62.6% of Georgians were White, 29.2% were Black/African-American, and 2.7% were Asian (see Table 2). In addition, the Georgia Office of Planning and Budget is projecting by 2015, the Hispanic/Latino population will be 10% of Georgia's total population, 28% will be African-American/Black, 59% Non-Hispanic White and 3% all other minorities. This increase in the Hispanic/Latino population will represent a 143% increase that may move Georgia's total population rank to ninth place, ahead of Michigan. Both the African-American and Non-Hispanic communities are expected to increase about 20% or more during the same time span. Nationally, the 2005 Census reported that 74.7% of U.S. residents were White, 12.2% were Black, 4.3% were Asian and some of the population choosing more than one ethnicity. The number of all minorities has reached 73.1 million. In 2005, Hispanics, who have been the largest minority group since 2001, remain the largest with 14.6 percent of the population.

Table 2: Georgia's Population by Race, 2005 with Georgia and U.S. percentages

POPULATION BY RACE	2005 GA TOTALS	2005 GA % OF TOTAL POPULATION	2005 U.S. % OF TOTAL POPULATION
Total Georgia Population	8,821,142	100%	-----
White alone	5,516,920	62.6%	74.7%
Black or African American alone	2,571,396	29.2%	12.2%
American Indian and Alaska Native alone	20,223	0.2%	.8%
Asian alone	240,832	2.7%	4.3%
Native Hawaiian and Other Pacific Islander alone	4,401	0.05%	.14%
Hispanic or Latino (of any race)	625,028	7.1%	14.6%
Some other race alone	346,839	3.9%	6.0%
Two or more races	120,531	1.4%	1.9%

Source: U.S. Census Bureau, 2005

Data applicants may identify with more than one racial category; therefore, the total number may not equal the total populations.

In contrast to the 2005 population distribution by race in the nation, Table 2 demonstrates that Georgia at 29.2% has over twice the national percentage (12.2%) of Black/African Americans while the number of Whites in Georgia at 62.6% is 12.1% less than the national percentage (74.7%). This is reflected in Georgia where 21 counties have a Black/African American majority-minority as shown on the Percent of Black Population map in the following pages. In addition, six other majority-minority counties, Dooley, Fulton, Liberty, Mitchell, Muscogee and Mitchell have

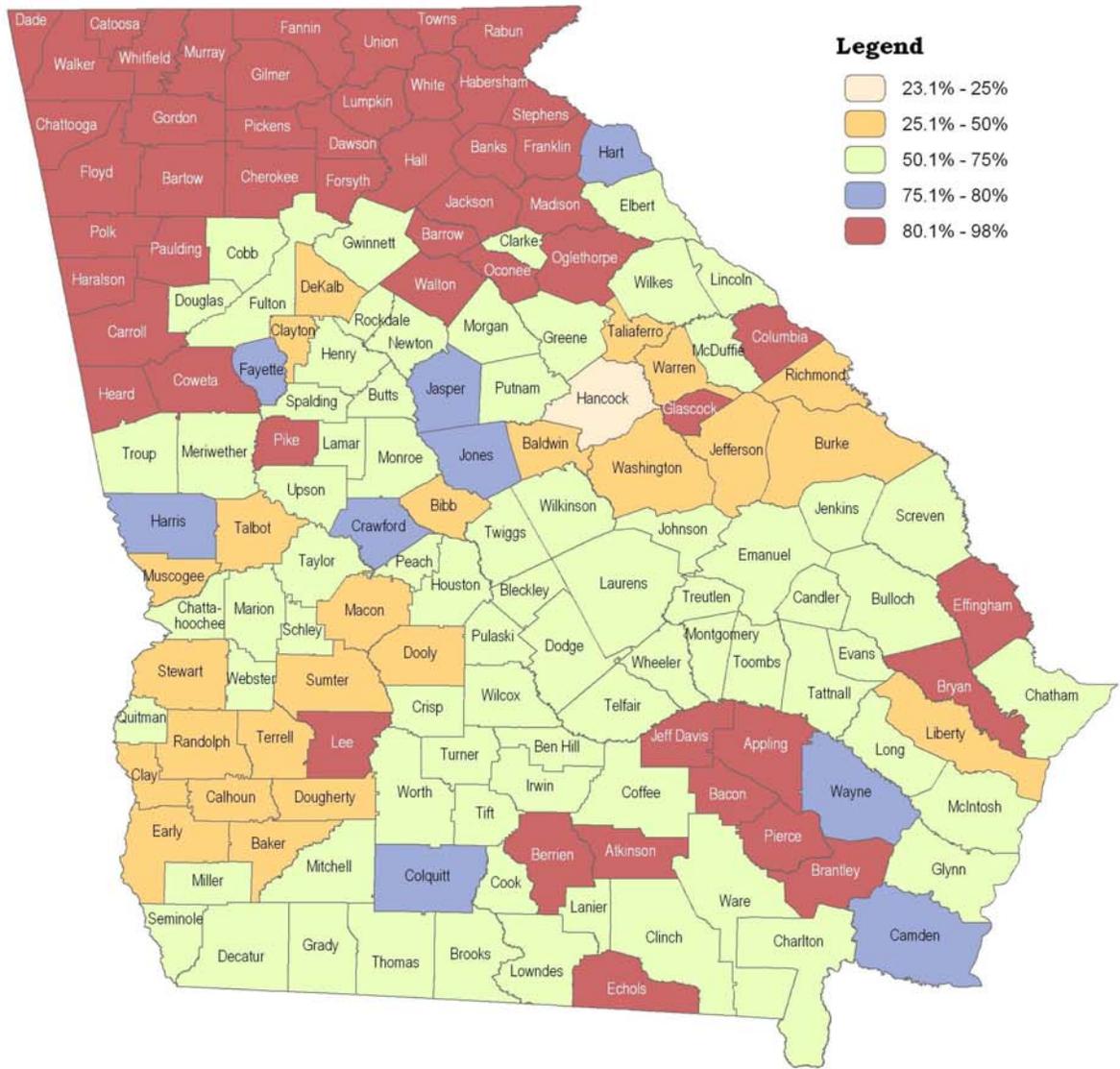
majority-minority populations, including Asian, Hispanic and others, with the Black/African American population making up the largest minority group.

Other national minorities are represented in Georgia at less than the national level although many areas throughout Georgia have experienced specifically significant Hispanic population growth. Most counties saw the population more than double. Both Northeast and Northwest Georgia reflect a high percentage of Hispanic residents. Clayton County and parts of Fulton and DeKalb counties, and the counties surrounding Albany, Augusta and Columbus account for the largest Black/African American population. Lumpkin, Grady, and Echols Counties had the highest percentage of American Indians and Native Alaskans. The Asian population had the highest concentration in Gwinnett County, which is within the Metro Atlanta area. Duluth, in Gwinnett County, has a population of nearly 3,000 Asians. The cities of Chamblee and Clarkston, both in DeKalb County, have a population over 14% of Asians. While Atlanta is only 2% Asian, over 9,000 Asians call the city of Atlanta home. The largest number and highest percentage of Pacific Islanders is found in DeKalb County. In 2005, the percentage of the White population was highest in the North Georgia region, South Georgia region and several middle Georgia counties.

The maps on the following pages illustrate Georgia's County population by race.

Percent of Population White

2005

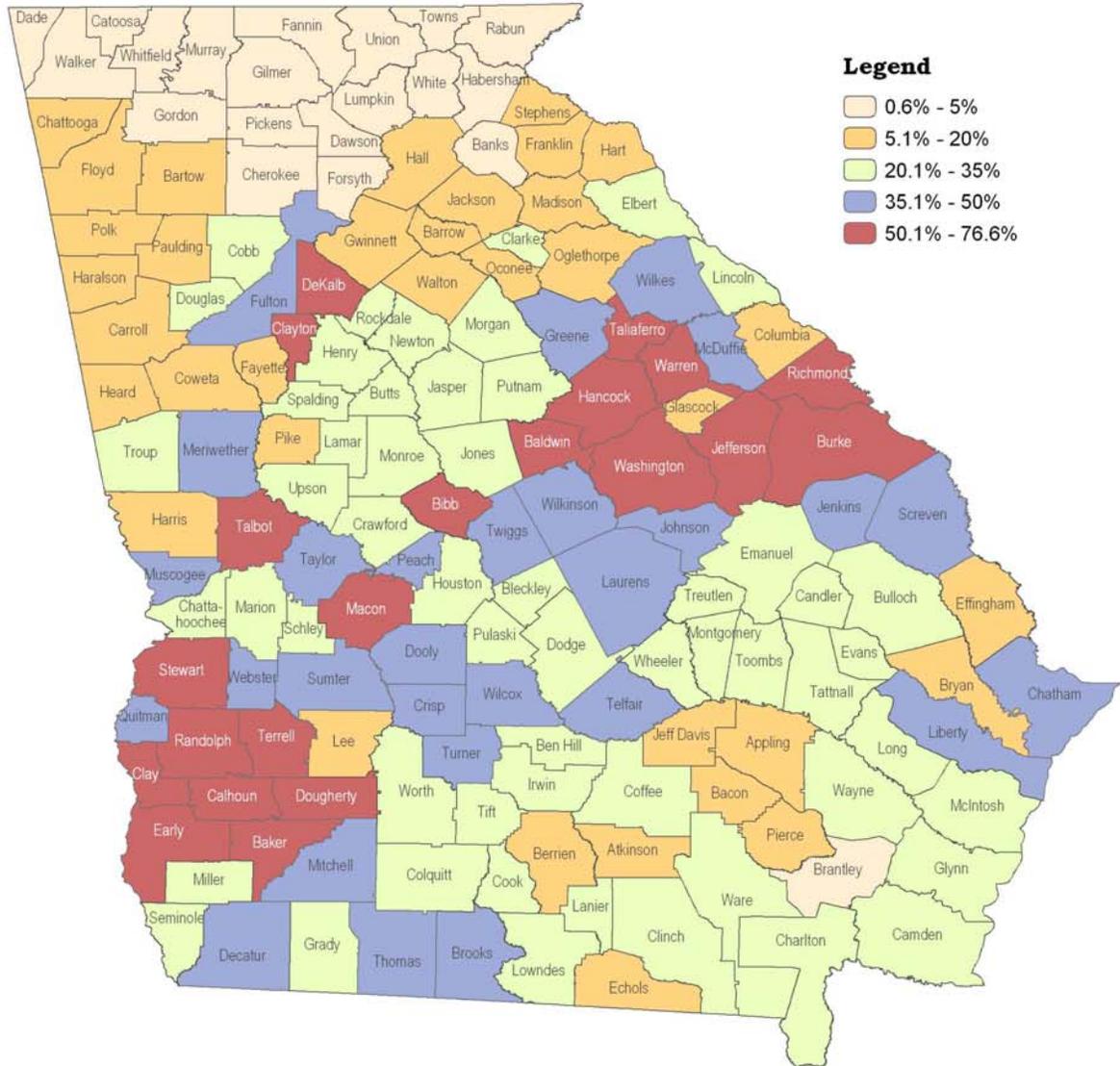


Data Source: U.S. Bureau of the Census, 2000, Annual Population Estimates 2005
 Map prepared by: Georgia Department of Community Affairs, 2008



Percent of Population Black

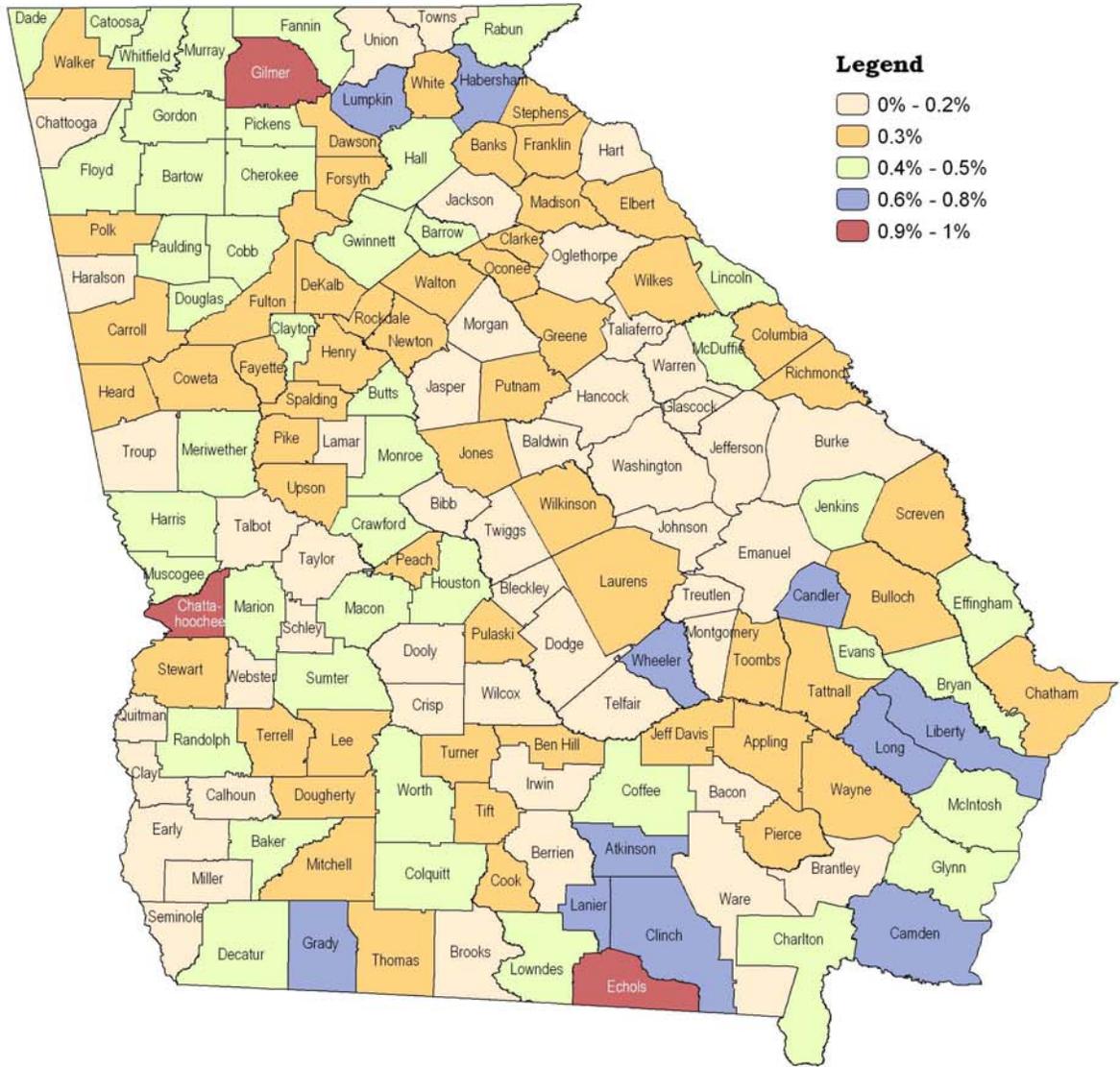
2005



Data Source: U.S. Bureau of the Census, 2000; Annual Population Estimates, 2005
Map prepared by: Georgia Department of Community Affairs, 2008



Percent of Population American Indian and Native Alaskan 2005

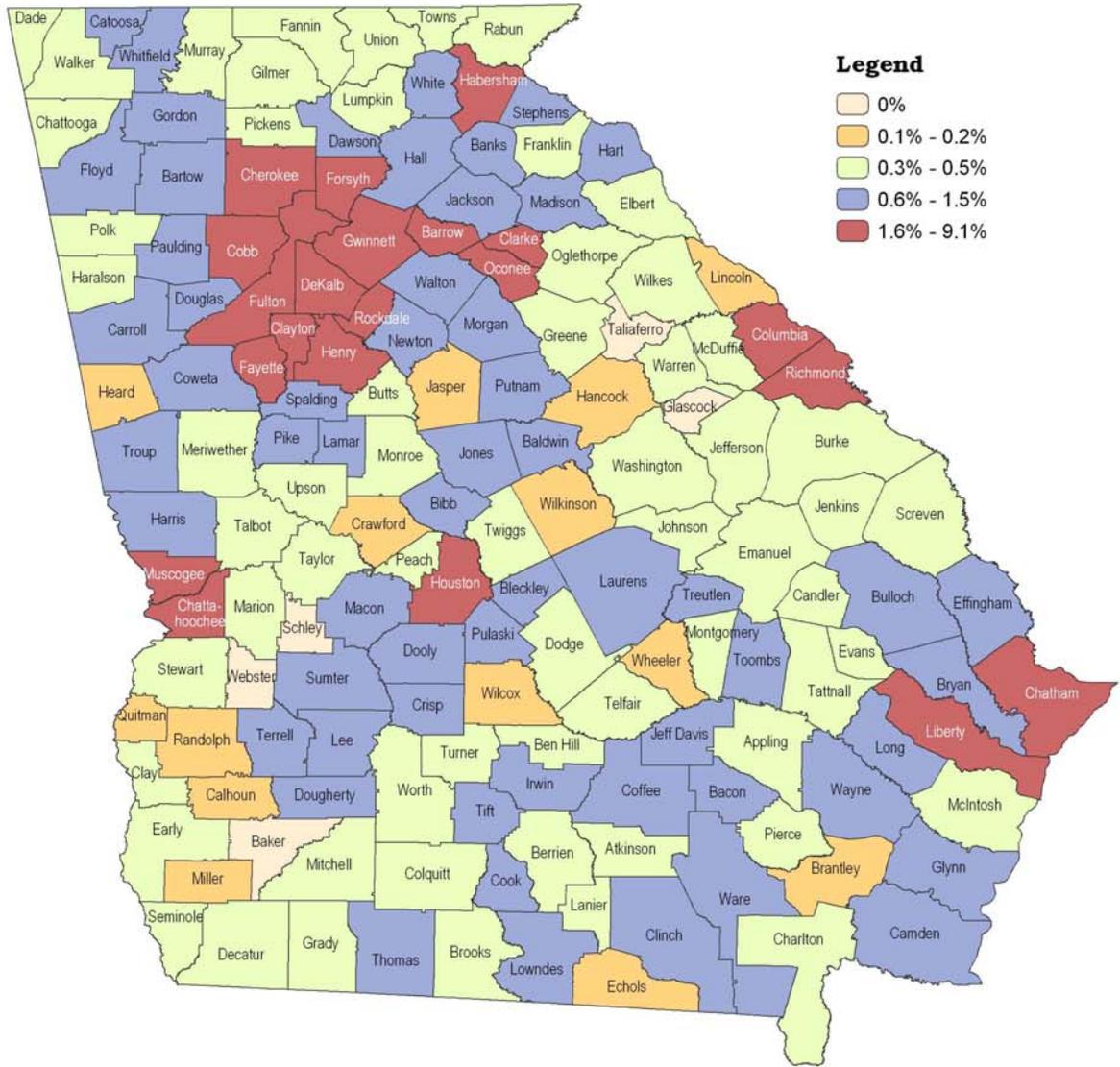


Data Source: U.S. Bureau of the Census, 2000, Annual Population Estimates 2005
 Map prepared by: Georgia Department of Community Affairs, 2008



Percent of Population Asian

2005



Data Source: U.S. Bureau of the Census, 2000, Annual Population Estimates 2005
 Map prepared by: Georgia Department of Community Affairs, 2008



The Hispanic population has grown significantly during the period 2000 – 2005 in the nation and in Georgia. Nationally, Census data shows an increase of 6.6 million Hispanic or Latino people, a growth rate of 8.5% during this period. Georgia also experienced similar growth at a lesser rate, 4.4%, an increase of almost 200,000 Hispanic people during this same period, making up 7.1% of Georgia’s total population in 2005 (Table 3). Much of this increase may be due to migration from other countries, considering that 9.1% of the state’s total population was foreign-born (Table 4).

Table 3: Georgia’s Population: Hispanic or Latino by Race, 2005

HISPANIC OR LATINO BY RACE	TOTALS	% OF TOTAL POPULATION
Total Georgia Population	8,821,142	100%
Hispanic or Latino (of any race)	625,028	7.1%
<i>Mexican</i>	<i>417,452</i>	<i>66.8%</i>
<i>Puerto Rican</i>	<i>46,128</i>	<i>7.4%</i>
<i>Cuban</i>	<i>19,049</i>	<i>3.1%</i>
<i>Other Hispanic or Latino Nationalities</i>	<i>142,399</i>	<i>22.8%</i>

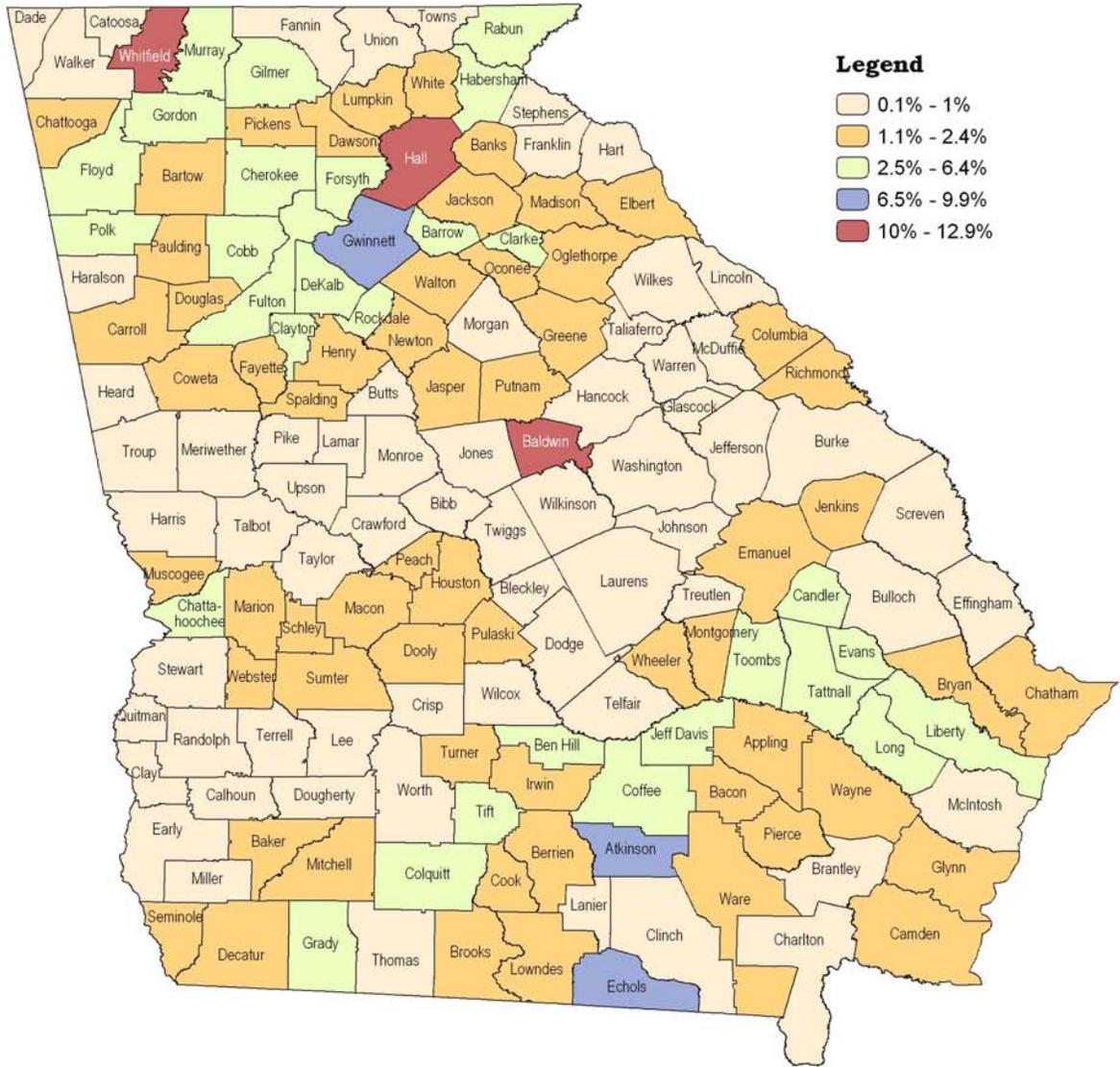
Source: U.S. Census Bureau, 2005

At least four out of ten people moving to Georgia are international migrants. Domestic and international migration has accounted for more than half of Georgia’s population growth. During the period, 2000 – 2005, the Hispanic population (regardless of race) had the greatest population percentage in the Northeast Georgia region (Clarke, Hall, Barrow, Jackson, Walton, Banks, Oconee, and Madison counties). All the counties in this area have seen an increase of 25% or more in their Hispanic population, five counties have seen increases over 50%, two have seen increases over 75%, and one county, Barrow, has seen an increase of over 100%.

The map on the following page depicts Georgia’s Hispanic population in 2005.

Percent of Population Hispanic

2005



Data Source: U.S. Bureau of the Census, 2000, Annual Population Estimates 2005
 Map prepared by: Georgia Department of Community Affairs, 2008



Table 4: Georgia's Population by Place of Birth by Citizenship Status, 2005

POPULATION BY PLACE OF BIRTH BY CITIZENSHIP STATUS	TOTALS	% OF TOTAL POPULATION
Total Georgia Population	8,821,142	100%
Native	7,920,114	89.8%
Foreign born	795,419	9.1%
<i>Naturalized citizen</i>	246,272	2.8%
<i>Not a citizen</i>	549,147	6.3%

Source: U.S. Census Bureau, 2005

English as a second language is becoming more prevalent as Georgia becomes more diverse. In Echols, Gwinnett, Habersham, Hall, and Whitfield counties, one in five residents speak a foreign language at home. This does not necessarily mean that they are not proficient in English. The majority of these residents speak Spanish but many other languages are also represented. Some school systems have as many as 30 languages being spoken at one school. The nation's immigrant population reached 37.9 million in 2007.³ The largest increases in immigrants were in eleven states including Georgia. Georgia ranks 7th with 10.2% share of foreign-born.

2005 Census estimates also provided information regarding Georgia households with children. Table 5 illustrates this population by presence of people under 18 years of age. Approximately 38% of Georgia households included one or more persons under the age of 18 years. Approximately 27% of Georgians were age 17 or younger; slightly higher than the 25% national average.

Table 5: Georgia's Population by Presence of People Under 18 Years by Household Type, 2005

POPULATION BY PRESENCE OF PEOPLE <18 YEARS	TOTALS	% OF HOUSEHOLDS
Total Georgia Households	3,320,278	100%
Households with one or more people under 18 years	1,265,857	38.2%
Family households	1,254,157	99%
<i>Married-couple family</i>	813,625	64.9%
<i>Other family</i>	440,532	35.1%
<i>Female householder, no husband present</i>	349,042	79.2%
<i>Male householder, no wife present</i>	91,490	20.8%
Non-family households	11,700	1%

³ Center for Immigration Studies, Immigrants in the US, 2007 A Profile of America's Foreign –born population.

<i>Male householder</i>	8,876	75.9%
<i>Female householder</i>	2,824	24.1%

Source: U.S. Census Bureau, *Census 2005*

The U.S. population of persons 65 years and older numbered 36.1 million in 2005, an increase of 2.1 million people since 2000. In 2005, Georgia had 811,503 persons 65 and older, and in 2008, has an estimated 921,000 persons in this age category. Georgia has the third smallest percentage of its population over 65 of any state in the nation. Only Alaska (5.7 percent) and Utah (8.5 percent), have the smaller portion of their population 65 years or older.⁴ However the older population will continue to grow significantly in the future. According to CDC’s “An Introduction to the Health of Older Americans” two factors — longer lives and aging baby boomers — will double the population of Americans aged 65 or older during the next 25 years. By 2030, there will be about 71.5 million older persons, almost twice their number in 2005.⁵

In 2005, a little over 6% of Georgia’s population aged 5 to 20 years reported a disability. Typically, reported disabilities increase with age. Approximately 48.9% of Georgians 65 years and older reported a disability in 2005, in comparison to 12.9% of the population aged 21 to 64.

Economic Overview

The latest government report from Wall Street showed continued losses in the sectors battered in the recent economic slump. Construction lost 61,000 jobs in the month of May 2008, and manufacturing shed 46,000 jobs. Retailers also trimmed payrolls by 27,000 in the face of a pullback in spending by consumers. But some other sectors that had posted job losses in previous reports rebounded, such as business and professional services, which grew by 39,000 jobs after a loss of 44,000 the previous month. The financial sector, which has lost jobs each of the previous eight months due to problems in the credit markets, ended that streak with a narrow 3,000 job gain⁶

Bright spots in the 2008 picture continue to fuel optimism that spills over into other areas. Throughout the rest of the state, there are signs that economic developers’ long-term efforts are paying off. In many cases, the individual projects are small, but their effects are significant.

⁴ Georgia Department of Human Resources/ Georgia State Plan on Aging FY 2004 – 2007, p. 24

⁵ Administration on Aging, U.S. Department of Health and Human Services, A Profile of Older Americans 2007 p. 3

Metro Atlanta anticipates continued corporate expansion and infrastructure improvements. Northwest and northeast Georgia are enjoying the benefits of tourism and new residents. Central Georgia is capitalizing on its location, east central communities are embracing regionalism, and west central Georgia is working to manage its anticipated growth. Southwest Georgia expects its recent growth spurt to continue, and southeast Georgia is pursuing efforts to protect its valuable coastline and wetlands as it enjoys economic prosperity.

Other efforts to stimulate Georgia's economy were:

- Several Metro counties are aiming to attract small business. Last year, seven counties were designated "Entrepreneur Friendly" by the State Department of Economic Development, indicating that they worked to develop an environment that is welcoming to entrepreneurs.
- In Northwest Georgia, Ringgold is courting industrial development and upgraded its sewer infrastructure and Haralson has a major development underway: The World's Children Center that will include homes, schools, healthcare and recreational facilities for 500 children from around the world that have lost their parents.
- In January of this year, nearly 3,000 workers began working at the new Kia plant in West Point. The \$1.2 billion facility is expected to create more than 5,500 jobs and produce more in surrounding counties of Heard, Meriwether and Harris.

Georgia's real gross state product recorded an annual growth rate of 3.2% during 2005, compared to the United States economic growth rate of 3.1%. Under the weight of high oil prices, slow growth in household income, and weakness in the housing sector, the economy is slowing. According to PCA Economic Research, Georgia will experience a growth rate of 2.2% in 2008. Georgia's 2006 total gross state product was \$380 billion. This year so far, tax revenue is running negative, and unemployment claims have risen sharply throughout Georgia. Atlanta's total housing permits are predicted to drop by 39.1 percent this year after a 34.7 percent decline in 2007. Permit activity will then increase by 6.5 percent in 2009 and 20.0 percent in 2010. Georgia's housing downturn has deepened considerably, with existing home sales declining through the second quarter of this year. In addition, for the year as a whole, the number of single-family home permits authorized for new construction will decline by about 14 percent. That drop will come on the heels of the 35 percent plunge in 2007. Existing home values will not begin to appreciate until mid-2009 according to Selig Center for Economic Research.

In 2008, Georgia's ports were poised to set another in a long series of new records in terms of cargo volumes. Traffic volumes appear to be ahead of long-term projections. The Port of Savannah has established itself as the second busiest container facility on the East Coast and the fourth busiest in the nation. In FY 2007, the Colonel's Island facility posted a 10 percent increase

⁶ Cnn.Money.com May 2, 2008, Chris Isidore

in cargo over the previous year, and a 41.1 percent increase in bulk commodities. The total economic impact of the ports here in Georgia is \$55.8 billion.

Income Data

In 2005, the median annual household income in the U.S. was \$46,242 according to the US Census Bureau. Regionally, median annual household income in the West was \$50,104 and \$45,818 in the Midwest. Median income was highest in the Northeast at \$51,285, and lowest in the South at \$42,143.⁷ Although real household income was up, wages and salaries decreased around the country. The median household income for Georgia in 2005 was \$45,604, which was below the national median household income. Georgia’s declining ranking status of 24th for median household income was the highest of its immediate neighbor states. Southern states had the lowest median household income, with nine out of the poorest states being located in the South. According to the Economic Policy Institute’s “Pulling Apart: A State-by-State Analysis”, the richest 20 percent of families have an average income 6.7 times as large as the poorest 20 percent of families. The gap between Georgia’s richest and poorest families is 31st largest in the nation. Therefore, lack of income is a problem for many households in Georgia. Table 6 shows the number of households by income range for 2005. Approximately 49.4% of the households in Georgia had incomes below Georgia’s median income amount. Metro Atlanta has the highest household income in Georgia.

Table 6: Georgia’s Household Income, 2005

HOUSEHOLD INCOME	NUMBER OF HOUSEHOLDS	% OF TOTAL HOUSEHOLDS
Total Georgia Households	3,320,278	100%
Less than \$10,000	314,355	9.5%
\$10,000 to \$14,999	197,173	5.9%
\$15,000 to \$24,999	385,463	11.6%
\$25,000 to \$34,999	384,453	11.6%
\$35,000 to \$49,999	513,652	15.5%
\$50,000 to \$74,999	634,016	19%
\$75,000 to \$99,999	377,822	11.4%
\$100,000 to \$149,999	315,031	9.5%
\$150,000 to \$199,999	102,358	3.1%
\$200,000 or more	95,955	2.9%

Source: U.S. Census Bureau, 2005

⁷ U.S. Census Bureau, 2005

Table 7 shows the percentage of the total number of families and the total population in Georgia below the poverty level in 2005. The table reflects female head of households where no husband is present is the largest segment of Georgia's population below the poverty level. Nationally, 36.2 million people were living in poverty in 2005. Census statistics indicated that 14.5% of Georgia's population (1.3 million Georgians) lived below the poverty level, higher than the national average of 13.3% but lower than the southern region average of 15.2%. In 2005, twenty percent of those that are of Hispanic ethnicity in Georgia live in poverty. Over forty percent of immigrants nationally live in poverty, according to the Center for Immigration Studies. The poverty rate in Georgia reflected a 13% rate in 2004 and 12.5% in 2003. Georgia's increase in those living in poverty can be attributed to:

- Georgia unemployment rates spiking to its highest level since 1993; The population in Georgia continues to increase but is adding the same number of jobs each year.
 - Rated 15th highest among the states
 - 256,827 Georgians were actively seeking a job based on March 2008 reports
- All wage levels remained fairly stagnant over the past few years
- High levels of uninsured Georgians at 18.1 percent or over 1.6 million people
- Stagnate medium income
- The high increase of residents and no increase of new jobs

According to the National Center for Children in poverty, Georgia households are facing hardships.

- 50% of its residents are renters that are housing insecure and thirteen percent that are food insecure. Housing insecure means living in substandard units or not having consistent access to affordable and/or stable housing. Food insecure means having difficulty meeting basic nutritious food needs because of the lack of money or resources for food.
- 42% of Georgia children live in low-income families (nationally 39%), defined as income below 200% of the federal poverty level.
 - 27% of Georgia's White children live in low-income families
 - 59% of Georgia's Black children live in low-income families
 - 71% of Georgia's Latino children live in low-income families

More than one in four Georgians is asset poor (42nd in asset poverty), one in five has zero or negative net worth.⁸

⁸ 2007-2008 Assets and Opportunity Scorecard, Corporate for Enterprise Development.

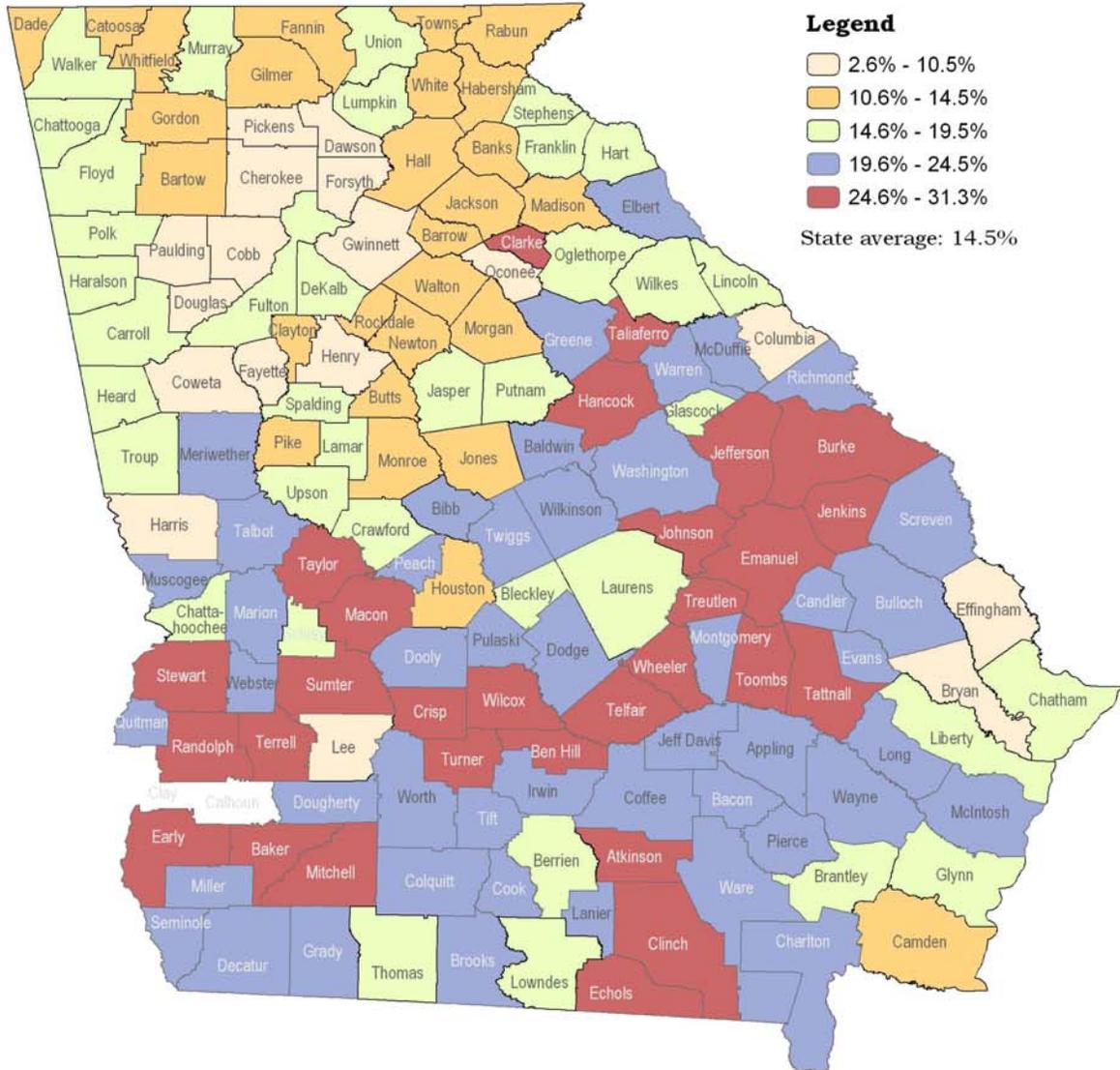
Table 7: Georgia's Economic Characteristics, 2005

PERCENTAGE OF FAMILIES AND PEOPLE WHOSE INCOME IS BELOW POVERTY LEVEL	
All families	11.6%
Married couples	3.5%
With related children under 18 yrs	2.2%
With related children under 5 yrs only	.4%
Female head, no husband present	6.9%
With related children under 18 yrs	6%
With related children under 5 yrs only	1.3%
Male head, no wife present	1.2%
With related children under 18 yrs	.8%
With related children under 5 yrs only	.2%
All People	14.4%
Under 18 yrs	5.3%
18 to 64 yrs old	7.9%
65 years and older	1.1%

Source: U.S. Census Bureau, 2005, data based on last twelve months

The map on the following page clearly indicates that almost all counties in central and south Georgia have poverty rates greater than the state average.

Percent of Persons Below the Poverty Level



Data Source: U.S. Bureau of the Census, Small Area Income & Poverty Estimates, 2005
 Map prepared by: Georgia Department of Community Affairs, 2008

Under the Fair Labor Standards Act (FLSA), the federal minimum wage for covered nonexempt employees is \$5.85 per hour, which was effective July 24, 2007; \$6.55 per hour effective July 24, 2008; and \$7.25 per hour effective July 24, 2009. The current minimum wage leaves millions of American in poverty. The value of the minimum wage has plummeted due to inflation and federal inaction. According to the Economic Policy Institute, since the last federal minimum wage increase in 1997 the cost of living has shot up 26% while the minimum wage has fallen in real value. More than 1.5 million American workers made the old minimum wage of \$5.15 an hour. The interaction between the federal minimum wage and state minimum wages varies. Currently, 30 states including the District of Columbia have passed minimum wage laws establishing higher wage floors than the federal level. Twenty-one states, including Georgia, match the federal minimum wage. By July 2009, the number of states that will have higher minimum wages will decrease to twelve and the remaining states will match the federal level. A full-time, minimum-wage worker earns only about \$10,700 per year in gross pay — almost \$6,000 less than the poverty line for a household of three and almost \$10,000 less than the poverty line for a family of four.

U.S. personal income grew 6.2 percent in 2007, down from 6.7 percent in 2006, according to preliminary estimates released by the U.S. Bureau of Economic Analysis. On average, personal income has grown 6.2 percent for the last four years. Inflation, as measured by the national price index for personal consumption expenditures, slowed to 2.6 percent in 2007 down from 2.8 percent in 2006. Personal income increased \$38.8 billion, or 0.3 percent, and disposable personal income (DPI) increased \$29.6 billion, or 0.3 percent, in March, according to the Bureau of Economic Analysis.

Latino buying power will soar 500 percent from 1990 to 2012, the largest increase of any racial/ethnic group, according to the latest data from the Selig Center for Economic Growth. Total annual buying power in the United States exceeded \$10 trillion for the first time in 2007 and is expected to increase to more than \$13 trillion by 2012. The five fastest growing State markets are: Arkansas, North Carolina, Tennessee, Nevada and Georgia. The steep curve of Hispanic buying power is largely the result of immigration and population growth. Other highlights from the latest Selig research:

- By 2012, buying power in the African-American demographic will reach more than \$1.1 trillion; nearly half of that buying power (45%) will be within the Affluent African-American or higher income segment. The study goes on to indicate that currently African-American's buying power is \$892 billion. The share of buying power controlled by African American consumers will rise in 47 states, with the largest market share increases coming in Mississippi, Maryland and Georgia. These states also are where Black consumers account for

the largest share of the total: Mississippi (24.3 percent), Maryland (22.2 percent) and Georgia (20.8 percent), along with the District of Columbia (30.6 percent).

- The nation’s Asian buying power will more than quintuple, climbing from \$116 billion in 1990 to \$670 billion in 2012.
- Buying power for American Indians will rise to \$77 billion in 2012. Native American buying power in 1990 was \$19.7 billion. Native American buying power accounted for only 0.6 percent of all U.S. buying power in 2007.
- White buying power is growing at a slower rate than that of multicultural markets.

U.S. per capita income grew 5.2 percent in 2007, down from 5.6 percent in 2006, but equal to the average of the last four years (2004-07). Real income per capita in the United States grew by 9.1% during 1984 – 2006. Louisiana's per capita income was the highest and up 9.2 percent or \$2,935. Georgia is up to 4.2 percent. Connecticut led the nation with a per capita income of \$54,117, a level 40 percent above the national average. Georgia ranked lower from the year before at 38th with a per capita income of \$33,457. The ranking is also below the national average. Table 8 reflects that several areas through the State are below the state’s average.

Table 8: State of Georgia Per Capita Income by MSA

MSA	PER CAPITA INCOME
United States	\$38,611
Georgia	\$33,457
Albany	\$25,442
Athens-Clarke	\$26,924
Atlanta	\$36,060
Augusta	\$29,328
Brunswick	\$32,889
Chattanooga	\$31,685
Dalton	\$27,720
Hinesville – Fort Stewart	Not available
Macon	\$30,757
Rome	\$29,730
Savannah	\$34,563
Valdosta	\$25,381
Warner Robins	\$29,525

Source: Georgia Area Labor Profile May 2008

According to the 2005 U.S. Census data, there are approximately 39,740,709 or 14.9% of the population that are disabled, civilian, non-institutionalized persons over the age of 5 in the United States. Twenty-one percent disabled persons under 65, including children benefited from social security programs. In fiscal year 2007, Social Security Administration (SSA) paid social security

or SSI benefits to nearly one in six people.⁹ Social Security is neutral with respect to race or ethnicity- individuals with identical earnings are treated the same in terms of benefits.¹⁰ In 2006, the breakdowns of disabled workers receiving benefits were:

- 17% of African-American/Black disabled workers.
- 91% of persons aged 21-64 who worked in covered employment in 2006 can count on monthly cash benefits if they suffer a severe and prolonged disability.
- Approximately 773,850 disabled individuals age 18 and older who are receiving benefits on a parent's work record were receiving an average monthly benefit of \$617 at the end of 2005.

Georgia ranks 41st out of fifty states reflecting a 4.1% of people 5 to 20 years old with a disability. This is lower than the national figure of 6.7%. The national ranking for people 21 to 64 years old with a disability is 12.7%, which is below the Georgia's ranking of 12.9% which places them in the 26th highest place the fifty states. As noted on Table 9 below the largest segment of the population that has a disability is the population that is working age, 16 years to 64 years old. According the Census, there are 750,334 people with any disability and 35% of them are employed.

Table 9: Georgia's Disability Characteristics 2005

DISABILITY STATUS BY SEX AND AGE	TOTAL	MALE	FEMALE
Population 5 yrs and over	1,160,758	535,488	625,270
Population 5 yrs to 15 years	80,523	51,227	29,296
Population 16 yrs to 64 years	723,263	346,445	376,818
Population 65 years and older	356,972	137,816	219,156

Source: U.S. Census Bureau, 2005. This data is based on a sample and is subject to sampling variability.

Table 10 illustrates the poverty status among people with disabilities. More females with disabilities live in poverty than males with disabilities, 26% compared to 21%.

⁹ Annual Performance Plan for Fiscal Year 2009 and revised final performance plan for Fiscal Year 2008, Social Security Administration

¹⁰ Annual Performance Plan for Fiscal Year 2009 and revised final performance plan for Fiscal Year 2008, Social Security Administration, Press Office Factsheet

Table 10: Georgia's Poverty Status by Disability Status for the Civilian, Non-institutionalized Population, 2005

DISABILITY STATUS BY SEX AND AGE	TOTALS	MALE	FEMALE
Population 5 years and over for whom poverty status is determined	8,094,915	3,941,892	4,153,023
With any disability	1,160,758	535,488	625,270
Below poverty level	23.8%	20.9%	26.1%
Population 16 yrs and over	6,685,577	3,220,564	3,465,013
Below poverty level	26.5%	25.1%	27.3%
Population 16 yrs to 64 years	6,134,771	2,879,370	3,255,401
Below poverty level	32.1%	30.2%	33.9%

Source: U.S. Census Bureau, 2005

Employment Data

Most of Georgia's metro areas will have slower employment growth in 2008 with Albany, Columbus, Dalton, and Macon observing job losses. With Atlanta as its economic engine, Georgia is an economic leader in the South. According to Fortune magazine, Atlanta ranked third in the nation among cities with the most Fortune 500 headquarters. This is a feat six years in a row for Atlanta. Metro Atlanta Fortune 1000 companies generated \$287.2 billion in sales revenue in 2007 and more than \$14.5 billion in profit among the area's Fortune 500¹¹. Fifteen Fortune 500 companies and 26 Fortune 1000 companies are headquartered in Atlanta, including such names as Home Depot, UPS, Coca Cola, Delta Air Lines, AFLAC, Internet Security Systems, UPS, Equifax, and SunTrust Banks. Major corporations in other parts of the state include: AFLAC, Mohawk Industries, West Stevens, Flowers Industries, Shaw Industries, and Synovus Financial. Georgia has over 1,700 internationally headquartered facilities representing 61 countries, employing more than 112,000 Georgians with an estimated capital investment of \$22.7 billion.

Georgia is expected to create 44,000 new jobs in 2008, a growth rate of 1.1 percent. This figure is down from Georgia's 1.3 percent gain posted in 2007, but better than the rate of job creation nationally, which will increase 0.8 percent. Georgia's retailers have eliminated more than 26,000 jobs since 2000 -- nearly 6 percent of total retail employment. Job losses stemming from the Atlanta area closings of the Ford plant in Hapeville and the General Motors facility in Doraville

¹¹ Fortune Magazine, April 2007

probably will have their greatest impact on manufacturing employment in 2008. Before the closings were announced, the Ford and General Motors plants employed 2,100 and 3,100, respectively. Nationally, the situation facing the automobile manufacturing industry is not much better than in Georgia. The forecast calls for unit sales of both new and used cars to consumers to drop significantly.

Georgia has an estimate 859,500 small businesses. Employer firms totaled 212,700 in 2006, up 2.9 percent from 2005. Also noted from Bureau of Labor Statistics data is that women accounted for 33% of the state's self-employed person in 2006, reflecting a 4% increase from the previous year. Eighty-six percent of respondents to a small business survey indicated that they were of African American/Black descent, 5% classified themselves as Asian, and 4% said they were Hispanic. Table 11 provides an illustrative breakdown of the race obtained from the survey.

Table 11: Primary Minority Category for Small Businesses

Response	Frequency	Percent
Black/African American	261	86
Asian	15	5
Hispanic	13	4
Native Hawaiian or Pacific Islander	1	.3
American Indian or Alaska Native	4	1
Other	15	4

Source: Georgia Minority Business Owner Survey- March 2007

Agriculture plays a strong role in Georgia's economy as well. Agriculture is Georgia's oldest and largest industry. It is an ever-changing field, constantly influenced by forces such as technology, the economy, the weather, governmental decisions, and changing consumer demands. According to a 2006 University of Georgia study, one in every seven Georgians works in an agricultural-related sector of the economy. In addition, Georgia agribusiness brought in \$2.5 billion dollars last year. Crops across the board, such as corn, pecans, soybeans, and peanuts are selling at an all time high. Yet, the drought has wiped out Georgia's livestock feed, and fuels costs have tripled. In Atlanta, the drought has already caused recessions in urban agriculture, landscaping and garden centers. A University of Georgia study recently estimated the state's losses in production

agriculture at close to \$800 million. The economic impact of the food, fiber, and related industries has been estimated at more than \$56 billion (or about 16 percent) of the state's total economic output of nearly \$353 billion. Employment in the total food and fiber sector of 708,174 employees is more than any other sector in the economy. Sales of \$92.146 billion rank the total food and fiber sector first among all Georgia economic sectors. Food and fiber accounts for 14% of employment, 13% of output, and 9% of value added in the Georgia economy.

Table 12 reflects Georgia's employment forecast. Non-farming was the largest segment and reflected little change over a three-year period. Georgia reflects \$11,566,159,994 in farm gate value with the county of Colquitt reflecting \$389,231,209 in farm gate value.

Table 12: GEORGIA'S EMPLOYMENT FORECAST, 2007-2008

Georgia	2006		2007		2008	
	#	% change	#	% change	#	% change
Nonfarm Employment *	4086.4	2.1	4141.3	1.3	4185.1	1.1
Goods Producing	680.1	1.4	674.8	-.08	656.2	-2.8
Natural Resources & Mining	12.2	0.8	12.2	0.0	12.0	-1.6
Construction	219.1	4.9	224.6	2.5	211.9	-5.6
Manufacturing	448.8	-0.2	438.0	-2.4	429.3	-2.0
Services Providing	3406.3	2.2	3466.5	1.8	3528.9	1.8
Trade, Trans., Utilities	867.6	1.7	880.6	1.5	897.3	1.9
Information	115.6	-.08	114.2	-1.2	113.6	-0.5
Financial Activities	230.7	2.4	233.0	1.0	232.3	-0.3
Professional & Business	550.0	3.0	561.0	2.0	572.2	2.0
Education and Health	437.8	3.3	449.6	2.7	461.8	2.7
Leisure and Hospitality	382.6	2.8	391.0	2.2	398.8	2.0
Other Services	159.3	0.6	159.8	0.3	160.6	0.5
Government	662.7	2.0	677.3	2.2	695.2	2.6
* Indicates thousands of workers						

Source: Selig Center for Economic Growth, Terry College of Business, The University of Georgia.

Transportation Profile

The Georgia Department of Transportation divides the state into seven districts which are responsible for operating and maintaining the transportation system at the local level. Almost 120,000 miles of public roads exist in Georgia primarily owned by the State (17 percent), counties (70 percent), and municipalities (12 percent). Public transit programs are a key part of Georgia's ability to mitigate congestion, improve air quality, and facilitate economic development needs. Georgia DOT's transit programs provide service to over 167 million Georgians. For many of them, public transportation may be their only means of mobility. Consequently, the lack of public transportation impacts the housing and employment choices of low-income individuals and families. Fourteen urban transit systems handle 303,973,799 passenger trips in 2007. Urban public transit systems operate within the following twelve areas: Albany, Athens, Atlanta, Augusta, Chatham County, Clayton County, Cobb County, Columbus/Muscogee County, Douglas County, Gwinnett County, Macon/Bibb County, and Rome. Urban transit services offer fixed routes and schedules, and a complementary Para transit service for individuals with mobility limitations whereas rural transit services are provided on demand. Rural public transit riders in Georgia tend to be low-income, elderly, and transit-dependent individuals. Most rural public transit trips tend to be for personal business and medical reasons.¹² Eight rural transit systems handle 2,144,436 passenger trips. Rural transit services are available in Americus, Arlington, Cedartown, Dawson, Social Circle, Sylvester, Unadilla, and Vienna. According to the Georgia Department of Transportation, a long-range goal of the Georgia Statewide Transportation Plan is to expand rural public transit programs across the state.¹³

There are a number of state and local initiatives underway to improve services in both rural and urban areas and to special needs populations in Georgia.

- A two-tiered intercity passenger rail network has been proposed for the state of Georgia. Intercity trains would connect communities throughout Georgia and the Southeast.
- Studies are continuing on developing High-Speed Passenger Rail Service on two corridors:
 - Macon to Atlanta to Greenville, South Carolina to Charlotte, North Carolina
 - Atlanta to Chattanooga, Tennessee.

¹² Georgia Department of Transportation, 2007 Annual Report

¹³ Georgia Department of Transportation, Factbook 2007

- GDOT's Office of Intermodal Programs is conducting a study assessing how to better coordinate GDOT and Georgia Department of Human Resources (DHR) transportation programs.
- The Coastal Georgia RDC is conducting a pilot project to merge GDOT and GDHR transportation services. Services can cross-jurisdictional boundaries if there is coordination among the jurisdictions involved.
- GDOT's Office of Intermodal Programs is working with private intercity bus providers to address the abandoned route issue. An extensive program of commuter, intercity and interstate rail has been defined and is included in the Build/Financially Unconstrained Program.

The composition of the State's population growth, how that growth reflects on living preferences and economic choices also will have a tangible effect on Georgia's transportation system in the future.

Housing Profile

Housing Market Conditions

As indicated in the FFY2008 Annual Action Plan for Consolidated Funds, the housing market around the country is experiencing a drastic change. Housing market performance has been weak for some time now, with generally falling production levels and sales of both existing and new homes declining. Home prices in 20 of the nation's major markets fell sharply in September 2007, according to the Standard and Poor's/Case-Shiller Home Price Index. The National Association of Realtors reports that sales have the slowest pace on record dating back to 1999. The slump in housing that began in 2006 followed a boom period where housing affordability worsened as sale prices of existing homes and mortgage rates increased. Throughout the Atlanta area, rising inventories of unsold housing should have produced more sales but these homes remain vacant. These housing problems coupled with little wage gains and sizable number of lower paying jobs in the state, present an economic and social challenge. According to Georgia Multiple Listing Service data, over 72,000 homes were sold in 2007, a 14 percent decrease from the previous year.

According to a national report put out by the Mortgage Bankers Association, during the first quarter of 2008, it marked the worst quarter for American homeowners in nearly a quarter-century. Foreclosure proceedings began on 0.99 percent of loans, up from 0.83 percent in the last quarter of 2007. Over all, the percentage of loans being foreclosed on reached 2.47, rising from

2.04 percent at the end of December 2007. Each month, foreclosure proceedings begin on about one house in 1,000 nationwide. Georgia, one of the areas with the highest foreclosure rates experienced a higher percentage of all loans entering into foreclosure. During the first quarter of 2008, 8.3 percent of outstanding loans were delinquent with 1.8% entering into foreclosure. The Atlanta region in the first two months of 2008, the number of foreclosures notices issued rose by 45 percent compared with the same time period last year. The number of foreclosures can be attributed to the loans in the subprime market. Clayton County ranked second in the nation out of 913 counties with a population greater than 50,000. After a rapid three-year growth, originations of subprime mortgages have declined many of the top subprime lenders left the business and delinquencies and foreclosures have risen dramatically. Subprime loans tripled from 2002-2006, with many of the borrowers who obtaining them not understanding the extend of the increase of an adjustable rate loan, believing that their house price appreciation would allow them to refinance at a lower rate before their original rate changed, obtaining an interest only loan, and/or getting more house than they could afford.

Mortgage Bankers Association reported that the first quarter of 2008 showed that the proportion of mortgages that fell into foreclosure soared to 0.99 percent. This figure has surpassed the previous high of 0.83 percent over the last quarter of 2007. The delinquency rate also increased to 6.35 percent in the first quarter, compared with 5.82 percent for the three months earlier.

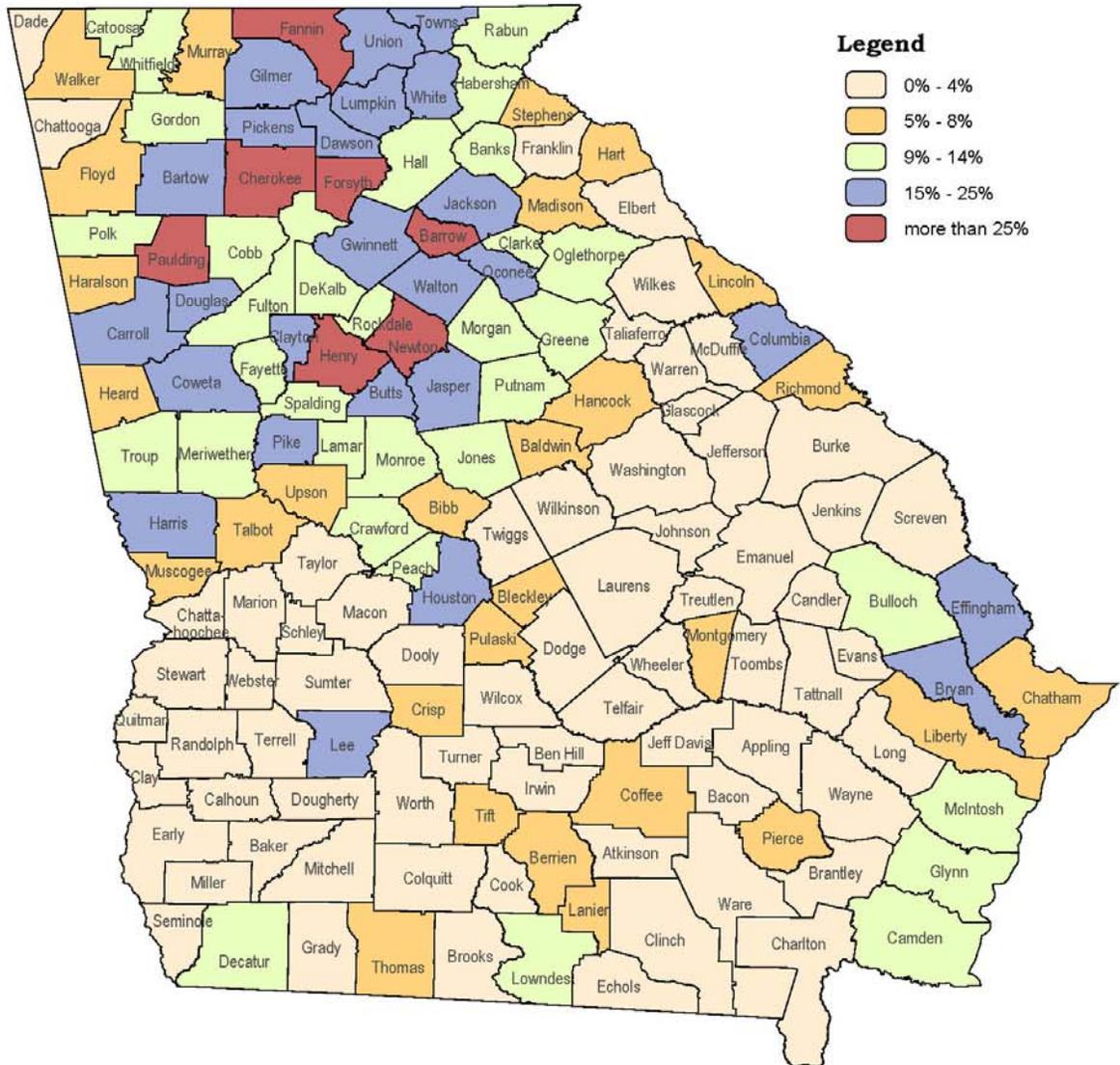
The housing market performed poorly during the first quarter of 2008, continuing two years of decline. According to HUD's Office of Research, excessive inventories of both new and existing homes amounted to nearly 10 months' supply. The start of single family homes fell 7.3 percent to an annual rate of 884,000, the lowest level since October 1991. The South saw starts fall nearly 20 percent from September 2007; they are now down 31 percent from year-earlier levels. Inventories of new homes and existing homes for sales remain at high levels. The numbers of permits, starts, and completions have declined for five or more consecutive quarters. Shipments of manufactured homes increased in the second quarter and are now at the 100,000-unit annual rate but 18 percent below the rate of a year earlier. Multi-family permits (5 or more units in structure), at 353,000 units, were 4 percent below the first quarter of 2007 and 12 percent below the second quarter of 2006.

The Atlanta metropolitan area consistently has been a leader in single-family homebuilding activity in the nation, averaging 51,000 homes permitted annually since 2000 according to HUD's Office of Research. During the 12 months ending February 2008, building permits were issued for 28,100 single family homes, a decrease of 45 percent form the same period last year.

According to the US Census Bureau in 2005, Georgia has 3.8 million housing units, 12 percent of which are vacant, from U.S. Census data. Of the total housing units, 69% are single unit structures, 20% multi-family units, and 10% mobile homes. Thirty-seven percent of the housing units were built since 1990. Much of this development activity was concentrated in or near Atlanta.

The map on the following page shows that the percentage increase in the number of housing units was highest in six Metro Atlanta counties: Cherokee, Barrow, Paulding, Forsyth, Henry, and Newton with the other highest county located in North Georgia; Fannin. The lowest the number of housing units occurred in most counties in Middle and South Georgia.

Percent Housing Unit Change 2000-2005



Data Source: U.S. Bureau of the Census, 2000, Annual Population Estimates 2005
 Map prepared by: Georgia Department of Community Affairs, 2008



Housing Structural Conditions

Counties have a housing element in their state-mandated comprehensive planning effort. The housing element provides local governments the opportunity to inventory the existing housing stock and to assess its adequacy and suitability for serving current and future population and economic development needs. Over time, the housing element in the comprehensive planning effort is likely to yield better housing data and more attention to housing by government officials. As these plans are aggregated into regional plans, the information may lead to a more detailed analysis of structural conditions.

The 2005 U.S. Census data contains five factors that describe the condition of the housing stock. They include presence of kitchen and plumbing facilities, heating source, overcrowding, and age of the housing unit. These factors, however, have obvious limitations: no information is provided on the actual structural conditions of the housing units. Fortunately, these statistics do provide some measure of housing conditions. The following summarizes the findings for housing conditions in each of the four categories reported in the Census.

- Kitchen Facilities – More than 98% of Georgia’s housing units had kitchen facilities. Only 2% (77,262) lacked complete kitchen facilities.
- Plumbing Facilities – Almost all housing units had plumbing facilities; 50,944 units or 1.4%, lacked complete plumbing facilities.
- Heating Source – The majority of Georgia’s houses were heated by utility gas (46%). Forty-three percent (43%) utilized electricity as the source of heating; 9% used bottled, tank, or LP gas; and the remaining 2% used another fuel or no fuel at all.
- Overcrowding – Conditions of overcrowding, defined as more than one person per room, affected 2% of all occupied housing units in Georgia. Renters were more likely to live in overcrowded units than owners. Five percent of renters live in overcrowded units. Hispanics were more likely to live in overcrowded housing than all other racial/ethnic groups.
- Age of Housing Stock – Fourteen percent (14%) of Georgia’s housing units were 5 years old or less in 2005, 23% were between 6 and 15 years old, 36% were between 16 and 35 years old, and 27% were at least 35 years old.

Housing Needs of Georgians

The State has recognized the existence of a disproportionate need for housing among various subpopulations. As a result of low- and middle income Georgians being priced out of the housing market, the State will continue to provide incentives through its various programs that encourage the development of affordable housing opportunities for all households. Using estimates for 1997 and projections for 2007 for the number of households, there may be a demand for over 500,000 more housing units. Currently, over 33% of Georgians are renters with 66% occupying owner-occupied housing units. The medium monthly housing cost for mortgage owners was \$1,289, non-mortgage owners \$336 and renters \$738. Typically, monthly housing costs may be the cost of a mortgage or rent payment, trash collection, utilities, and repairs. Owners cost may also include taxes, maintenance, mortgage insurance and homeowners insurance. Thirty-four percent of owners with a mortgage, 14 percent of owners without mortgages and 50 percent of renters in Georgia spent 30 percent or more of household income on housing. Yet, measuring housing need is a major concern, regardless of tenure, income, or household type, the most common problem affecting all households is cost burden. Nationally, the average percent of household income that owners with a mortgage spend on housing is 36.9%; for renters it is 45.6%. The American Community Survey reflects that 400,000 Georgians live in severely unaffordable housing. At least 15% of all Georgia households are severely cost burdened and devote at least 50% of their income for housing.

The Needs of Homeless Georgians

DCA collaborated with statistics faculty at Kennesaw State to develop a sampling methodology and predictive model in order to provide a statewide estimate of homelessness. Using surveys and homeless census data from 2007 and 2008, it is estimated that 20,413 individuals are homeless statewide on any one night. More than half of these individuals are unsheltered. Using additional data collected on the surveys, it is estimated that over 75,000 Georgians experience homelessness at some time throughout the course of one year.

Important subsets of the homeless population with specific and differing needs include victims of domestic violence, children and youth (including those aging out of foster care), substance abusers, persons with AIDS-related diseases, and individuals with severe mental illness.

Barriers to Affordable Housing

While private actions principally influence the housing market, regulations at the federal, state, and local levels significantly impact the market's ability to provide affordable housing units. The cost of housing and the incentives to develop, maintain, or improve affordable housing in Georgia are directly related. Although many barriers to affordable housing are beyond governmental control, several factors affecting housing costs can be identified at the government level. These factors include zoning ordinances and land use controls, building codes, environmental restrictions, duplicative design review, rehabilitation codes, development fees and charges, tax policies, excessive fees or taxes, transportation, and federal policies.

Strategic Plan Priorities

The Consolidated Plan divides the State's priorities into two categories based on function: (1) priorities to directly benefit low- and moderate-income households and (2) priorities to improve the production capacity of Georgia's affordable housing providers. These priorities are not listed in rank order, but are of equal importance to the state.

Strategic Plan Five-Year Objectives

Based on a review of key economic and demographic indicators, Georgia's housing needs are not likely to change substantially over the next five years. While the absolute number of households will increase, the percentage of households affected by cost burden, overcrowding, and physically defective housing should remain constant. The use of federal, state, local, and private resources will help to alleviate but not eliminate these problems. The Strategic Plan estimates, based on resources to be available over a five-year period, that the state will provide the following benefits to low- and moderate-income Georgians:

- Construct or rehabilitate 1,820 affordable rental housing units.
- Provide rental assistance for 84,000 households.
- Assist 3,519 households to achieve or maintain homeownership in housing free of overcrowded and structurally substandard conditions.
- Increase the number of Spanish-speaking households assisted under all programs by 100 percent over five years.
- Assist a daily average of 65,000 homeless individuals with housing and supportive services.
- Assist local governments or organizations with providing housing and supportive services to 3,300 special need households and 435 elderly persons.
- Make housing assistance funding awards to 400 individuals to enable the household to transfer from institutional to community living situations.

The Complexity of Fair Housing Choice

Fair housing choice is a complex issue involving diverse and wide-ranging factors. Potential barriers to fair housing choice could include discriminatory real estate and lending practices, NIMBY (“not-in-my backyard”) attitudes, and exclusionary zoning regulations. When examining the issue of fair housing, economics and personal preferences are integral pieces to the puzzle that serve to impact housing selection. The majority of housing in the United States is supplied through the private housing market, giving Americans the opportunity to select housing within their income means. Affordability is largely dependent upon supply and demand. For example, convenient access to transportation is one quality that housing consumers demand. As a result, the price of housing at locations near interstate highways or public transportation is enhanced. If the supply of available housing is low, the price of the unit is enhanced even further.

Consequently, the economics of the marketplace effectively limit the availability of housing to households that can afford the elevated prices. In Georgia, the significant income disparity between racial groups is important to recognize. From the data presented earlier in this report, it is apparent that minority communities tend to have more households with moderate and low-incomes than White communities. Although fair housing issues are distinct from affordable housing issues, economic factors cannot be separated from the ability of racial minorities to have equal housing options.

You’re dealing with powerful non-rational issues...[W]e’re dealing with increased crime, drug activity, racism—these are the perceptions and myths about affordable housing...So if we get real about it and think about a project next door, you’re concerned, you’re upset, you’re scared for all these particular reasons.¹⁴ - William Flessig

This quotation by developer William Fleissig serves to illustrate the adversarial environment that influences fair housing choice. Although significant steps have been taken in order to meet affordable housing needs, proponents face resistance at many levels. As a result, many families in Georgia and across the nation still do not enjoy the advantage of decent, affordable housing. If progress toward affordable housing is to occur, a shift in perception must take place in regards to the nation’s ambivalence about civil rights and race-based policy. The nation has become more racially diverse. Yet segregation within racial groups, drawn on economic and class lines, has

¹⁴ Charles G. Field. “Building Consensus for Affordable Housing.” *Housing Policy Debate* vol. 8, no. 4 (1997): 801.

been growing. As a result of redlining, steering, and White flight, residential segregation can invariably lead to social consequences for any minority group, and these consequences are significant and easily seen by members of the population, either directly or indirectly.

Problems with affordable housing arise from different circumstances that demand varied solutions. Unequal housing choices and suburban sprawl have confined the poor and minorities to areas where opportunities for better jobs, schools, and health-care access are severely undermined. Loan fees, title fees, and real estate agent fees all add significantly to the total closing costs incurred by home buyers. One would expect these fees to vary and to depend on factors related to lenders' costs and risks, such as the loan amount, property value, the borrower's credit score, and on relevant features of the state regulatory environment. However, after controlling for these legitimate cost factors, total loan fees still vary significantly based on characteristics of the lender, the borrower, education levels and racial composition in the borrower's neighborhood, and the state where the home sale occurs. Specifically,

- Loans made by mortgage brokers are approximately \$300 to \$425 more expensive than those made by direct lenders, other loan characteristics being equal. Depositories (banks, thrifts, and credit unions) are the lowest cost originator, followed by large mortgage banks. The smaller mortgage banks have terms closer to those of mortgage brokers than to large mortgage banks and depositories.
- African-American borrowers pay an additional \$415 for their loans after accounting for other borrower differences and Latino borrowers pay an additional \$365, on average.
- On average, borrowers who completed college are charged \$1100 less than borrowers who did not go to college at all, other things equal. Education is measured as the fraction of adults in the borrower's census tract with a college degree. Comparing two hypothetical borrowers with the same loan amount, same income, same credit score, but one buying a house in a neighborhood where all adults have a college education, and the other in a neighborhood where no adult has a college education, the borrower buying into the more educated neighborhood on average pays \$1,100 less than a borrower who buys in a neighborhood where no adult has a college education, other things being equal.¹⁵

There must be a reshaping of the current mortgage banking industry and to assist in correcting lending patterns for lower-income and minority borrowers and communities.

By contrast, many low-income households often require subsidy assistance to supplement inadequate incomes. Creative financing, cost reductions, or assistance from public sources are a few ways to bring affordable housing within reach. For individuals, who because of race or other factors lack access to locations of their choice, greater enforcement of fair housing laws is

¹⁵ "A Study of Closing Costs for FHAMortgages", Susan E. Woodward, Ph.D. for the Urban Institute Washington, DC prepared for: U.S. Department of Housing and Urban Development Office of Policy Development and Research. May 2008

critical. The existence of multiple parties with diverse agendas complicates the building of consensus; therefore, any housing initiative must tailor its approach to address these components.

Although it is not always connected to race and can sometimes be generalized by class, gentrification or urban renewal is another form of residential segregation. Gentrification has historically been defined as higher income newcomers displacing lower income residents from up-and-coming urban neighborhoods. The concept has been understood as reflecting the residential turnover of an area that was predominantly composed of minority residents, to one populated by higher income Whites. Over the last couple of decades, gentrification has affected dozens of cities in the United States and while suburbanization remains the dominant housing trend, gentrification continues to be one of the most controversial. Gentrification is not occurring in every urban neighborhood; however, it is becoming increasingly more common. Georgia is no different, particularly in the Atlanta area. These types of changes are occurring as more and more homes are undergoing renovation, and new, high-end houses are constructed on vacant lots. As property values rise, original homeowners are often unable to afford the subsequent increases in property taxes. Displacement is arguably the most unfortunate result of gentrification, however, other issues also manifest as communities undergo neighborhood change. Neighborhoods have experienced increased property taxes, displacement of the poor, and heightened racial tensions.

Personal choice is a second important consideration in the examination of fair housing issues. Every household, regardless of race, disability, or other characteristic, should be free to choose where to reside. Laws and regulations can only bolster the housing opportunities available, not mandate the choice. Hundreds of polls have shown that most minorities prefer to live in integrated neighborhoods or having equal access to resources. The reality is that housing choices for minorities are incredibly frustrated by the whole system - whether it is not being able to get adequate financing, steering, or existing segregation. In the United States, buying a home is the key to achieving the American Dream. Forty-two percent of the net worth of all households consists of equity in their homes - that means for most Americans, their homes are their single largest asset. Homeownership provides families with the means to invest in education, business opportunities, retirement and resources for the next generation. The 2007 census data shows that overall the nation's largest cities have lost large numbers of White residents to suburban and outlying areas. The urban populace is becoming increasingly Latino and Asian, with a slight increase in Black residents.

People sometimes assume that certain ethnic or racial groups segregate themselves but there are many factors involved. These groups often face discrimination when they try to enter established,

primarily White communities. Limited job and economic opportunities, language barriers, and shared culture can also influence many groups to cluster. Confronted with racially discriminatory policies, minorities could not take advantage of the programs that made it possible for millions of people to buy homes in the suburbs. Minorities remained in the cities while they witnessed their White counterparts leave in droves. Today, mostly minority inner cities are characterized by the unique phenomenon of concentrated poverty. Inner-city residents face intense spatial isolation and inadequate public resources, education and economic opportunities. As more and more people leave, costs for basic services rise and the poor become even poorer. The average inner city consists of abandoned buildings, total business disinvestment, and resource-depleted schools leaving it vulnerable to violent crime, prostitution, and drugs. By the time anti-discriminatory laws were passed, suburban Whites were enjoying soaring property values and minorities now faced the economic barriers that replaced those initially created by race.

Although housing discrimination has been declining since 1989, some significant barriers still exist. A housing discrimination study conducted by HUD in 2000 found that “the incidence of consistent adverse treatment against Black renters significantly exceeds the national average in Atlanta...while White-favored treatment falls below average in the sales markets of Atlanta and Macon.”¹⁶ In Atlanta, Black renters were more likely to be quoted higher rents than similarly qualified Whites for the same unit. In addition, Black renters were less likely to be offered rental incentives than similarly qualified Whites. However, Black renters were more likely to be asked to complete a rental application than similarly qualified Whites. As for Black home buyers, they were more likely to be shown fewer units than similarly qualified Whites. However, Black home buyers were more likely to be recommended a lender and more likely to be told they qualified to purchase a home than were similarly qualified Whites. In Macon/Warner Robins, White home buyers were less likely to have been given arrangements for future contact than Black home buyers.

In February 2006, HUD released “Do We Know More Now,” a follow-up to the 2002 national study, which delved deeper into why individuals do not report housing discrimination. The 2006 study found a correlation between the expectation of good results and the likelihood of filing a complaint. Two-thirds of those who expected that filing a complaint would bring about a good outcome said they would be very likely to file one if they were discriminated against, compared

¹⁶ U.S. Department of Housing and Urban Development. *Discrimination in Metropolitan Housing Markets: National Results from Phase 1 of the Housing Discrimination Study* [Executive Summary] (2000): p. iv. Available online: <http://www.huduser.org/publications/hsgfin/phase1.html>

to less than one-fourth of those who did not anticipate good results. Therefore, the study concluded that willingness to act, at least as measured by the hypothetical question posed in the study, is to some extent related to the expectation that doing so would produce good outcomes.

Another important issue may be developers concerns and complaints that to comply with subdivision regulations are causing undue expenses. Local governments outline the housing development process with these regulations that impose basic facilities, services, and installations needed for the functioning of their community and site requirements. These regulations ensure that proposed developments meet specified health and safety requirements, are properly designed and cost effective. This in turns minimize long-term maintenance cost. The April 2008 issue of Research Works, published by HUD, highlights a study to determine whether subdivision regulations that dictate infrastructure and site requirements pose unnecessary barriers to affordable housing. The study concluded that excessive subdivision requirements limit affordable housing by increasing development costs. Researchers found that 94 percent of the communities mandated one or more land development standards for residential subdivisions. Ninety-one percent had one or more regulatory standards that exceeded the benchmarks, most often exceeding minimums for off-street parking, front setbacks, lot width, and lot size. Among these, the three requirements that gave rise to a disproportionate amount of the excessive regulation were lot size, lot width, and floor area.

In sum, any analysis that examines fair housing issues must yield to the importance of income and personal choice factors in the making of housing decisions in Georgia. The purpose of fair housing laws extends beyond these basic issues to consider discrimination reflected within the housing delivery system itself. This is essential so that every household has the opportunity to make the personal housing choice that is within their economic means.

CHAPTER III

EVALUATION OF CURRENT FAIR HOUSING LEGAL STATUS

Fair Housing Complaints

Complaints filed with HUD are investigated by the Office of Fair Housing and Equal Opportunity (FHEO). If the complaint is not successfully conciliated, FHEO determines whether reasonable cause exists to believe that a discriminatory housing practice has occurred. Where reasonable cause is found, the parties to the complaint are notified by HUD's issuance of a Determination, as well as a Charge of Discrimination, and a hearing is scheduled before a HUD administrative law judge. Either party - complainant or respondent - may cause the HUD-scheduled administrative proceeding to be terminated by electing instead to have the matter litigated in Federal court. Whenever a party has so elected, the Department of Justice takes over HUD's role as counsel seeking resolution of the charge on behalf of aggrieved persons, and the matter proceeds as a civil action. Either form of action - the ALJ proceeding or the civil action in Federal court - is subject to review in the U.S. Court of Appeals.

There are several ways to file a complaint. However, HUD exclusively handles all complaints that deal with public housing authorities. GCRD-GCEO also takes complaints from private fair housing organizations, such as Metro Fair Housing Services and the Savannah/Chatham County Fair Housing Council.

Fair Housing Complaints

Secretary of Housing and Urban Development (HUD)

Fair housing national administrative findings and settlements were reviewed at the HUD web site located at <http://www.hud.gov>. HUD and Fair Housing Assistance Program (FHAP) agencies received a combined 10,328 housing discrimination complaints in 2006 with 2,830 of those were filed with HUD. This is the greatest number of complaints ever received by HUD and eligible state and local agencies in a single fiscal year; the greatest numbers of complaints were based on disability or race. The complainants most often alleged discrimination in the terms and conditions of the sale or rental of housing, or refusal to rent.¹⁷ Disability and race consistently were the most common bases of complaints. In FY 2006, there were roughly equal numbers of disability and

¹⁷ HUD's FY 2006 Annual Report

race complaints—4,110 complaints and 4,043 complaints, respectively. As of April 2008, the Secretary had not issued any charges or made any findings of discrimination in the state of Georgia since 1998.

Secretary-Initiated Investigations

The Fair Housing Act authorizes HUD to conduct Secretary-initiated investigations where information suggests possible housing discrimination and no individual has filed a complaint. There were five cases on record from 2004 to 2006 but none of these cases were in Georgia.

- On December 22, 2005, the Assistant Secretary for Fair housing and Equal Opportunity for HUD filed complaint against Erie Insurance Company alleging violations of 42 U.S.C. 3604(a) and (b). The Assistant Secretary amended the complaint April 9., 2006, to add additional entries as respondents to include Erie Insurance Company of New York; Erie Indemnity Company; and Erie Insurance Company of New York, and Erie Indemnity Company collectively operating with others as the "Erie Insurance Group;" R.K. Johnson & Associates Insurance Agency, Inc.; Salanger & Hayward Agency, Inc.; The Vacco Agency, Inc.; CNY Insurance Associates; and the Grimsley Agency, Inc. It was determined that reasonable cause existed to believe that a discriminatory housing practice based on race.
- HUD initiated an investigation January 16, 2004 into the City of Falls Church, VA, Waterford Development, LLC, Waterford Development-Falls Church, LLC, and Nova-Habitat, Inc., for possible violations against families with children, a violation of the Fair Housing Act. On May 17, 2004, the Equal Rights Center, a non-profit fair housing group based in Washington, DC, filed a complaint against Waterford Development, Waterford Development Falls Church, Nova-Habitat, McWilliams/Ballard, and the City of Falls Church. ERC's complaint of violations based on familial status through the development, marketing and sale of housing units. HUD has worked to conciliate both the ERC complaint and resolve the issues raised in the investigation. All the parties agreed to enter into a conciliation agreement to resolve the investigation and the ERC complaint.
- In January 2006, HUD began a Secretary-initiated investigation of the City of Manassas, Virginia, as a result of allegations that the City's anti-crowding ordinances unfairly target Hispanic households and families with children.. In addition to the Secretary-initiated complaint, several residents of Manassas and civil rights organizations filed separate Fair Housing Act complaints with HUD regarding the anti-crowding ordinances and the practices used by the City of Manassas in enforcing these provisions. HUD referred the Secretary-initiated complaint and the ten other complaints to the Department of Justice on September 29, 2006, after conciliation efforts failed.
- In January 2006, HUD opened a Secretary-initiated investigation of Iberville Parish, Louisiana, to determine whether the Parish violated the Fair Housing Act when the Parish council adopted a resolution that prohibits the Federal Emergency Management Agency (FEMA) from placing trailer parks in 17 specific site locations within the Parish. The resolution was generated in response to 4,972 evacuee households residing in hotels and in other forms of emergency housing who had requested transitional housing in Iberville Parish. HUD investigated the matter in order to determine whether or not race might have played a role in the Parish adopting this resolution. On November 14, 2006, HUD filed a Secretary-initiated complaint against Iberville Parish, and on December 4, 2006, the parties executed a conciliation agreement.

- On May 25, 2005, HUD began a preliminary investigation of alleged discriminatory real estate practices involving discriminatory statements made by Anne Bryant, a licensed real estate salesperson affiliated with Century 21 Bob Capes Realtors. Based on the findings of the investigation, HUD filed a Secretary-initiated complaint for alleged discriminatory statements on the basis of race and familial status. HUD conciliated with the parties in an effort to resolve the alleged Fair Housing Act violations. In November 2005, Century 21 Bob Capes Realtors agreed to perform substantial remediation to address the alleged discriminatory real estate practices, including, although not limited to:
 - Eliminating discriminatory housing practices and preventing future discriminatory practices
 - through an extensive 3-year training term;
 - Making payment in the amount of \$3,500 to the Greater Columbia Community Relations Council (GCCRC) and \$1,000 to sponsor a table at the March of Dimes African-American Achievement Breakfast; and
 - Implementing and distributing non-discrimination policies and procedures regarding the sale and rental of housing to all employees, agents, and independent contractors associated with Century 21 Bob Capes Realtors. The conciliation agreement also contained specific provisions pertaining only to Anne Bryant. The agreement required Bryant to relinquish her real estate license and agree not to practice real estate in South Carolina for life with a stipulation that if she did apply for a license to engage in real estate transactions, she would be required to notify HUD and attend mandatory fair housing training. Bryant was also required to contribute \$10,000 to the GCCRC if she applied for a new real estate license.

Department of Justice

Fighting illegal housing discrimination is a top priority of the Justice Department. In Fiscal Year 2007, The Department of Justice Department conducted a record number of undercover housing discrimination investigations, filed 30 lawsuits alleging unlawful housing discrimination, and obtained settlements and judgments requiring the payment of over \$5 million in monetary damages to victims of discrimination and civil penalties. Since 1991, the Civil Rights Division has operated a testing program dedicated to pro-actively uncovering housing discrimination. The program is conducted primarily through paired tests, an event in which two individuals—one acting as the “control group” (e.g., White male) and the other as the “test group” (e.g., Black male) —pose as prospective buyers or renters of real estate for the purpose of determining whether a housing provider is complying with the fair housing laws.

Because of Operation Home Sweet Home, the Civil Rights Division filed the first testing case ever, *United States v. Pine Properties*, alleging housing discrimination towards Asian American prospective tenants in Lowell, Massachusetts. Litigation is ongoing. In fact, the number of tests was over 20 percent higher than the number conducted in any other year. In addition, the Division

took significant steps to increase the effectiveness of these investigations. For example, it concentrated testing in areas that federal data showed to have experienced a significant volume of bias-related crimes, such as cross burnings or assaults on minorities. Additionally, the Division sought to improve its testing targets by increasing its outreach to local fair housing organizations.

Operation Home Sweet Home was initiated in February 2006. The initiative was inspired by the plight of large numbers of persons displaced by Hurricane Katrina, many of them minorities, who were seeking new housing. Operation Home Sweet Home, however, was not limited to the areas affected by Katrina, but was nationwide in scope because all Americans should be able to buy or rent a home without suffering illegal discrimination.

Since January 2001, HUD and its Fair Housing Assistance Program partners have investigated and either conciliated or charged nearly 10,000 cases that alleged discrimination based on disability. Additionally, during the same time period, the Justice Department's Civil Rights Division has filed 244 cases to enforce the Fair Housing Act, 115 of which have alleged discrimination based on disability.

Fair housing cases were reviewed at the U.S. Department of Justice (DOJ), Civil Rights Division, Housing and Civil Enforcement Section's web site located at <http://www.usdoj.gov/crt/housing/caselist.htm>. The DOJ presented some selected cases on their website with links to the case summaries, settlement agreements and consent decrees, judgments and press releases. Seven Georgia cases were mentioned. Those seven cases are summarized below:

- i. *United States v. Blakely Housing Authority, et al.* (M.D. Ga.). The complaint alleges that they discriminated on the basis of race against African-American public housing applicants and tenants. The complaint, filed in U.S. District Court in Albany, Georgia alleges that the Housing Authority maintained racially segregated housing and harassed African-American tenants. The Justice Department complaint alleges that the Housing Authority, which manages five housing complexes in Blakely, has kept one of the complexes, Cedar Hill Homes II, exclusively for White tenants. In other public housing complexes, the Housing Authority rented to African-American tenants on less favorable terms than White tenants; failed to protect African-American tenants from racial harassment; and retaliated against those African-American tenants who exercised their rights under the Fair Housing Act. The mayor of the city of Blakely appoints and removes commissioners of the Housing Authority. The complaint alleges that tenants complained to the city of Blakely, staff of the Housing Authority, and to Dan Cooper (Ex Executive Director of the Housing Authority) about the racial harassment and segregation but no corrective action was taken. The lawsuit seeks an injunction against future discrimination, monetary damages to compensate victims, and a civil penalty. A settlement was adopted January 26, 2005 at the fairness hearing.

- ii. *United States v. City of Pooler, GA* (S.D. Ga.). The Justice Department announced an agreement with the city of Pooler, Georgia to settle a lawsuit that alleged violations of the federal Fair Housing Act. The lawsuit, filed on November 13, 2001, alleged that the Savannah suburb of Pooler violated the Fair Housing Act when it rejected - for reasons of race - a developer's proposal to build affordable apartments for senior citizens using federal low-income housing tax credits. Under the consent decree, filed in the U.S. District Court for the Southern District of Georgia, the city of Pooler was required to contribute up to \$425,000 towards construction of new affordable housing for seniors under the tax credit program. In addition, the Georgia developer who attempted to build the housing was required to be paid \$25,000 in compensation.
- iii. *United States v. Decatur Federal Savings & Loan* (N.D. Ga.). It was alleged that Decatur Federal for many years engaged in lending practices that discriminate on the basis of race by conducting its home mortgage loan marketing in a manner that excluded potential Black borrowers; by originally defining its customer service area under the Community Reinvestment Act ("CRA") in 1979 so as to exclude most Black residents of South Fulton County; by opening virtually all of its branch offices in neighborhoods that were predominantly White at the time and closing branches in neighborhoods that were or became predominantly Black; by advertising primarily to potential White customers; by focusing its solicitation efforts in White neighborhoods; by avoiding origination of loan products with particular appeal to Black borrowers, such as Federal Housing Administration ("FHA") and Veterans Administration ("VA") loans; and by employing few Blacks in key mortgage loan origination positions such as account executive, staff appraiser, and underwriter. The United States further alleges that Decatur Federal discriminated against those Blacks who did apply for home mortgage loans. It was alleged that in processing loan applications, the lender counseled White applicants about their deficiencies and reworked their applications in order to help them qualify under underwriting guidelines, but did not consistently supply comparable assistance to Black applicants. It was also alleged that Decatur Federal rejected qualified Black applicants more often than qualified White applicants, even after controlling for all relevant underwriting variables, such as income, credit history, net worth, debt ratios, employment history, and education level. The parties agreed that, in order to avoid protracted and costly litigation, this controversy should be resolved voluntarily. To this end, Decatur Federal agreed to continue and expand its affirmative marketing, advertising, and other mortgage lending outreach programs, to revise the delineation of its lending community under the Community Reinvestment Act, to establish and implement criteria to ensure against any discrimination in its branching activities, to ensure the fair and nondiscriminatory consideration of all mortgage loan applicants, and to continue to monitor its own performance to assure a mortgage lending program free of racial discrimination.
- iv. *United States v. Habersham Properties Inc., et al.* (N.D. Ga.). The Justice Department announced that it has filed a lawsuit against Habersham Properties Inc., and the manager of the Crescent Court apartment complex located in Decatur, Georgia, for engaging in a pattern of race discrimination against apartment seekers who were Black. The rental agent, an employee of Habersham Properties, Inc., as well as the owners of the apartment complex, Peachtree Battle Investors LLC, were also named in the lawsuit. The lawsuit, filed in the U.S. District Court for the Northern District of Georgia, alleges that Suzanne Monner, the rental agent at Crescent Court, violated the Fair Housing Act by telling Black prospective applicants that there were no apartments available for rent at Crescent

Court when apartments were available. According to the complaint, Monner allowed White applicants to inspect apartments and gave them the opportunity to rent them, while falsely informing Black applicants that there were no apartments available for inspection or for rent. By August 31, 2004, and at least once annually thereafter, Monner, as well as the corporate Defendants, including each member of Defendant Peachtree Battle Investors II, LLC (hereinafter Peachtree) involved in management and administration, and all agents and employees of Habersham involved in showing, renting, or managing dwelling units at Crescent Court were required to undergo live training on the Fair Housing Act, with specific emphasis on discrimination on the basis of race or color. With regard to Peachtree, all members not involved in management and administration were provided the option to undergo the live training required in this Subsection, or at their option, to access a fair housing website, approved in advance by the United States, for training within ninety (90) days of the date of entry of this Consent Decree, and at least once annually thereafter. The training was required to be conducted by an independent, qualified third party, approved in advance by the United States, and any expenses associated with this training borne by Defendants.

- v. United States v. Herbert Bolt, et al. (S.D. Ga.). The Justice Department reached a settlement with the owners and managers of the Hickory Plantation and Willow Way Apartments, both located in Camden County, Georgia, resolving a lawsuit filed by the Department alleging discrimination against persons with disabilities. According to the complaint, which was filed simultaneously with the consent decree in federal district court in Savannah, Defendants Herbert Bolt, Betty Bolt, and Herbert Bolt, Jr. violated the Fair Housing Act by refusing to rent an apartment at Hickory Plantation to a visually impaired individual who used a guide dog.
- vi. United States v. Hal Carter et al. (M.D. Ga.). The United States initiated this lawsuit with the filing of a complaint on July 8, 2002, pursuant to the Fair Housing Act of 1968, 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 complaint alleged that the defendants had been engaged in a pattern or practice of discrimination against persons on the basis of familial status, in violation of the Act, 42 U.S.C. §3604, in the rental of dwellings they own and/or manage in and around Sylvester, Georgia. The defendants denied that they had taken any actions which violate the Fair Housing Act. However, in order to avoid the cost and uncertainty of protracted litigation, the parties agreed to resolve this dispute without the necessity of a trial or evidentiary hearing. Therefore, the parties waived trial or a hearing as well as the entry of findings of fact and conclusions of law and agreed to the entry of a Consent Order.
- vii. United States v. Barrett, et al. Barrett Properties, Inc.; John H. Barrett Construction Co.; Players Club West, L.P.; Polo Club of Athens, L.L.C.; Riverbend Club Apartments, Inc.; JBPC South, Inc.; T.C. South, Inc.; P.C. Greenville, L.P.; and T.C. North, Inc. (collectively "the defendants").(M.D. Ga.). The complaint alleged that John Barrett, and several companies with which he is associated, built seven apartment complexes that did not provide adequate and accessible features to persons with disabilities. The apartment complexes are located in Athens and Statesboro, Georgia and Greenville, North Carolina. For a period of five (5) years from the date of entry of this Consent Decree, defendants were required to submit to the United States information regarding any covered Multi-family dwellings that they design and/or intend to build, including any additional dwellings at any of the subject properties

All Complaints filed with HUD are deferred to the GCRD-GCEO. A complaint is dual-filed with HUD and the GCRD-GCEO automatically, without any need for action by the charging party. The GCRD-GCEO and HUD jointly handle “multi-jurisdictional complaints.” These types of complaints include alleged violations under the Fair Housing Act (Title VIII) and other HUD programs (Section 504 of the Rehabilitation Act of 1973, American with Disabilities Act of 1990, etc.). The GCRD-GCEO also receives complaints directly from the public as well as from private fair housing organizations, such as Metro Fair Housing Services, Inc., the Savannah Chatham County Fair Housing Council, and JC Vision & Associates (Hinesville). Additionally, GCRD-GCEO accepts complaints referred by other partners involved in fair housing, such as the Latin American Association, Atlanta Legal Aid and The IMPACT GROUP! Gwinnett County. Additionally, the GCRD-GCEO receives complaints by telephone, mail, fax, or office visit.

After the GCRD-GCEO Intake Unit receives a signed and notarized complaint form from the complainant (charging party), the Intake Coordinator mails the Notice of Housing Discrimination letters to the complainant and respondent. The respondent may submit a written answer within ten days from the receipt of the Notice letter. A copy of the GCRD-GCEO Conciliation Fact Sheet is also included with the Notice letters. The case is then transferred to the Compliance Officer (CO) for investigation. The CO is required to serve written interrogatories and notices to produce documents to the complainant and respondent within twenty days of receipt of the complaint. The interrogatories are prepared in accordance with the Georgia Civil Practices Act.

Within 100 days after the filing of the complaint, unless it is impracticable to do so the investigation should be completed. If the investigation cannot be completed within 100 days, the complainant and respondent will be notified by mail. If Respondent fails to answer the interrogatories within the statutory time (33 days), the Executive Director and Administrator can issue a subpoena to order the respondent to perform or appear in person at the GCRD-GCEO office or seek to have the matter resolved by the Georgia State Department of Law. Further, any person who, with the intent to mislead another person in any proceeding under the Georgia Fair Housing Act (GFHA), willfully makes or cause to be made, a false or misleading statement shall be in criminal violation of the GFHA. The GFHA makes it unlawful to retaliate against, coerce, or threaten another person for filing a fair housing discrimination complaint or for cooperating with an investigation under the state or federal fair housing acts. Any adverse action taken against the complainant after receipt of a fair housing complaint may result in a charge of retaliation being filed against the respondent.

Both the Federal FHA and the GFHA mandate that conciliation commences at the time the notice of the complaint is first served on the parties and continues until the case is either conciliated or a determination is made. The CO is a neutral party and has no authority of the outcome of any settlement. The conciliator will be another CO, or the Division Manager or the Assistant Division Manager, who will attempt to reach a voluntary resolution of the conflict between the parties. The outcome of the conciliation process is only binding when both parties come to an understanding and enter into an agreement. Complaints may be conciliated prior to a determination of whether reasonable cause exists to believe that a respondent has violated the GFHA and Federal FHA. All conciliation agreements entered into by the GCRD-GCEO are prepared towards obtaining meaningful relief for the complainant, including actual and compensatory damages for the complainant when applicable. In addition to obtaining relief for the complainant, the GCRD-GCEO also seeks to protect the public interest in eliminating housing discrimination by seeking civil penalties (a monetary fine) where applicable, with the proceeds being paid to the State of Georgia Treasury.

Following the completion of the investigation, if the CO concludes that it is more likely than not that the respondent has engaged in unlawful housing discrimination, the CO will recommend to the Fair Housing Managers a finding of “reasonable cause.” The Fair Housing Managers will recommend to the Administrator a findings of “reasonable cause,” and if the Administrator agrees that based on the evidence, the analysis and the applicable law, that a violation of the GFHA has occurred, the Administrator will issue a formal charge of discrimination against the respondent. This charge will state the facts upon which the determination was made and the applicable provision of the law. The parties may then elect to pursue one of the following options, called the choice of forum:

- (1) Request not later than 20 days of receipt of the issuance of the charge of discrimination, in writing to the Administrator, the Office of State Administrative Hearings for appointment of an administrative law judge to conduct an administrative hearing on the issues raised by the charge of discrimination.
- (2) Request that the Attorney General of Georgia bring an action in the name of the State of Georgia on behalf of the aggrieved person (complainant). At the recommendation of the Administrator, the Attorney General, after reviewing the administrator’s findings and determination that such findings are “well grounded in fact and warranted by law” have 30 days to file suit in Superior Court on behalf of the State and the aggrieved person.

- (3) The aggrieved person may choose to file a civil action on his or her own, without resorting to either of the administrative options outlined above. The civil action must be filed in an appropriate Superior Court within 2 years of the latest occurrence of the alleged discriminatory act. If the Complainant chooses to initiate his/her own action in Superior Court, the GCRD—GCRD-GCEO will consider this a withdrawal of the case. The GCRD—GCRD-GCEO will not pursue further enforcement actions, unless the Attorney General determines that the case raises issues of public importance that intervention by the State is deemed necessary.

If respondent prevails, reasonable attorney fees and court costs may be recovered if the court found that the civil action filed by the Complainant was found to be frivolous, unreasonable or without foundation.

It is the policy of the state of Georgia to encourage resolution of conflicts arising under the Georgia Fair Housing Law or the federal Fair Housing Act by the alternative dispute resolution method of “conciliation” rather than by litigation. To this end, before, during, and after an investigation of a complaint, a staff member will seek to meet with both the complainant and the respondent in an attempt to reach a voluntary resolution of the conflict, without resorting to the judicial system. As a neutral party, the conciliator has no authority to decide the outcome of the negotiations; settlement of the controversy is solely up to the parties and/or their legal representation. The role of any legal representative during conciliation is that of an observer/advisor, not advocate. The parties and not their attorneys must make all statements and responses. The outcome of the conciliation process is only binding where both parties come to an understanding and enter into an agreement. Complaints may be conciliated prior to a determination of whether reasonable cause exists to believe that a respondent has violated the Act.

The GFHA prohibits discrimination in housing and housing-related activities because of a person’s: race, color, national origin, sex, religion, disability, and familial status. A single complaint can involve multiple bases under the GFHA. The GFHA also prohibits acts of retaliation against a person for having filed or assisted with a housing discrimination complaint.

The following table shows complaints filed with the Fair Housing Division of the GCRD-GCEO during 2003-2007 by county.

Table 13: Three or more complaints filed with GCRD-GCEO Originated from:

COUNTY	# OF COMPLAINTS	CLOSURE TYPE	BASIS	ISSUES	\$ SETTLEMENTS	OTHER BENEFIT
Appling	1	No Cause	Race, Sex	Terms/ Conditions	\$106	
	1	Conciliation		Interference		
	1	Waived to HUD				
Bibb	5	Waived to HUD	Race, Sex	Terms/ Condition		
	6	No Cause	Disability	Refusal to Rent		
	1	Conciliations		Interference		
	1	Untimely Filed		Finance		
	1	Open				
Bryan	4	No Cause	Race, Color	Terms/ Conditions		
	1	Failure to Cooperate	Nat'l Origin	Finance		
Carroll	4	No Cause	Race, Finance	Terms/ Conditions		
	2	Conciliation	Disability	Reasonable Acc.	\$7,700	
	2	Failure to Cooperate	Familial	Brokerage		
	1	Waived to HUD	Status			
	1	Failure to Cooperate		Terms/ Conditions		
Chatham	21	No Cause	Race, Sex	Finance		
	4	Conciliation	Color	Reasonable Acc.	\$3,770	Housing Benefits
	10	Waived to HUD	Disability	Refusal to Rent		
Chatham	4	Failure to Cooperate		Refusal to Rent		
	3	Withdrawal		Steering		
	2	Chg. Issued	Nat'l Origin	Terms/ Conditions		
	4	Open				
	2	Withdrawal /Benefits				
	1	Unable to Locate				
Cherokee	4	No Cause	Disability	Reasonable Mod.		
	1	Withdrawal /Benefits	Race	Terms/ Conditions		
Clarke	7	No Cause	Race, Sex	Terms/ Conditions		
	1	Conciliation	Color,	Refusal to Rent	\$300	
	1	Unable to Locate	Disability			
Clayton	14	No Cause	Race, Sex	Interference		
	2	Conciliation	Familial	Terms/ Conditions		Reasonable Accommoda- -tions
	3	Waived to HUD	Status,	Refusal to Rent		
			Disability	Finance	\$550	
	2	Chg. Issued		Reasonable		

COUNTY	# OF COMPLAINTS	CLOSURE TYPE	BASIS	ISSUES	\$ SETTLEMENTS	OTHER BENEFIT
				Acc.		
	1	Withdrawal		Reasonable Modification		
	1	Failure to Cooperate		Advertising		
	1	Open				
	2	Dismissed				
Cobb	24	No Cause	Race, Sex	Refusal to Rent		
	6	Conciliation	Familial	Finance	\$15,446	Housing
	3	Waived to HUD	Status,	Reasonable Acc.		
	2	Chg. Issued	Hispanic	Terms/ Conditions		
	4	Failure to Cooperate	Nat'l Origin	Interference		
	2	Open	Color	Advertising		
	1	Unable to Locate				
Coweta	2	No Cause	Race, Sex	Refusal to Rent		
	1	Failure to Cooperate		Finance,		
	1	Waived to HUD		Terms/ Conditions		
DeKalb	44	No Cause	Race, Sex	Refusal to Rent		
	11	Conciliation	Asian, Color	Finance	\$11,685	Housing Benefits
			Hispanic	Reasonable Accommod.		
	10	Waived to HUD	Disability	Reasonable Modification		
	1	Chg. Issued		Terms/ Conditions		
	3	Failure to Cooperate		Interference		
	1	Open				
	1	Withdrawal				
DeKalb	2	Conciliation	Disability	Reasonable Acc.	\$1,200	
	4	Waived to HUD		Terms/ Conditions		
Douglas	8	No Cause	Disability	Reasonable Acc.		
	7	Conciliation	Sex, Race	Terms/Condi tions	\$6,000	
	4	Waived to HUD	Nat'l Origin	Finance		
	1	Failure to Cooperate				
	1	Withdrawal				
Fayette	7	No Cause	Race,	Refusal to Rent		
	1	Conciliation	Hispanic.	Interference	\$1,123	
	1	Waived to HUD	Nat'l Origin,	Terms/ Conditions		
	1	Withdrawal	Disability	Reasonable Acc.		

COUNTY	# OF COMPLAINTS	CLOSURE TYPE	BASIS	ISSUES	\$ SETTLEMENTS	OTHER BENEFIT
Floyd	1	Conciliation	Race	Terms/ Conditions	\$1,536	
	1	Unable to Locate	Sex			
	1	No Cause				
Forsyth	2	Unable to Locate	Race	Terms/ Conditions		
	1	No Cause	Disability	Reasonable Acc.	\$34,253	
Fulton	15	Conciliation	Familial status	Reasonable Mod		Housing Benefits
	34	Waived to HUD		Finance,		
	12	Failure to Cooperate	Color	Advertising		
	3	Withdrawal	Asian	Interference,		
	6	Withdrawal/Benefits	Hispanic	Deny Availability		
	4	Chg. Issued	Nat'l Origin			
	5	Open				
Glynn	2	No Cause	Disability	Terms /Conditions		
	4	Conciliation	Race, Sex	Reasonable Acc.		Housing Benefits
	1	Withdrawal				
Gwinnett	50	NoCause	Race, Sex	Terms/Condi tions		
	4	Conciliation	Disability	Reasonable Acc.	\$22,181	Reasonable Acc.
			Nat'l Origin,	Reasonable Mod		
	2	Waived to HUD	Hispanic	Finance		
	6	Failure to Cooperate	Asian, Color	Advertising		
	1	Unable to Locate	Familial	Interference		
	1	Dismissed	Status	Deny Availability		
Hall	3	No Cause	Nat'l Origin	Terms/ Conditions		
	2	Waived to HUD	Hispanic	Reasonable Acc.		
	1	Failure to Cooperate	Familial	Interference,		
	1	Withdrawal	Status	Steering		
Henry	16	No Cause	Race, Sex	Terms/ Conditions		
	4	Failure to Cooperate	Disability	Reasonable Acc.		
	1	Waived to HUD	Race			
Houston	1	Withdrawal	Race	Terms/ Conditions		
	3	No Cause	Race	Terms/ Conditions		
Jackson	1	No Cause	Race	Terms/ Conditions		
	1	Conciliation	Disability			
	1	Waived to HUD				
Laurens	1	No Cause	Race	Interference,		
	3	Failure to		Terms/		

COUNTY	# OF COMPLAINTS	CLOSURE TYPE	BASIS	ISSUES	\$ SETTLEMENTS	OTHER BENEFIT
		Cooperate		Conditions		
Liberty	5	No Cause	Race, Sex	Refusal to Rent,		
	1	No Cause	Familial Status	Interference		
	2	Failure to Cooperate				
	1	Waived to HUD				
Muscogee	12	No Cause	Race, Sex	Terms/ Conditions		
	3	Conciliation	Disability	Refusal to Rent, Interference	\$2,850	Housing Benefits
	3	Waived to HUD		Deny Availability		
	1	Unable to Locate				
	3	Open				
Newton	2	No Cause	Race, Sex	Finance		
	1	Conciliation		Terms/ Conditions	\$130,000	
Richmond	4	No Cause	Race, Sex	Terms/ Conditions		
	1	Chg. Issued	Disability	Reasonable Acc.		
	3	Waived to HUD	Race	Terms/ Conditions		
	1	Withdrawal	Nat'l Origin	Finance		
	1	Failure to Cooperate	Race	Terms/ Conditions		
Rockdale	3	No Cause	Race, Sex	Terms/ Conditions		
	1	Waived to HUD	Disability	Terms/ Conditions		
Tift	1	No Cause	Race, Sex	Finance		
	1	Waived to HUD	Race	Interference		
Total	664					

During 2003-2007, CRD-GCEO received 855 complaints. The State of Georgia has 159 counties. 664 (75%) of the complaints originated from 30 counties or 19% of all counties. The majority of the 30 counties are located around major cities. In addition, 191 (25%) of the complaints originated from 58 counties located outside of major cities.

Table 14 shows complaints filed by county with the Fair Housing Division of the GCRD-GCEO during 2003-2007.

Table 14: Two or less complaints filed with GCRD—GCRD-GCEO originated from:

Baldwin	Columbia	Jefferson	Pierce	Towns
Barrow	Cook	Lamar	Putnam	Truetlen
Bartow	Crawford	Lee	Rabun	Troup
Ben Hill	Dodge	Lowndes	Randolph	Union
Berrien	Early	Lumpkin	Spalding	Walker
Bleckley	Effingham	Macon	Stephens	Walton
Bulloch	Evans	Monroe	Sumter	Ware
Camden	Fannin	Murray	Talbot	Washington
Candler	Gordon	Oconee	Tattnall	Wayne
Chattooga	Grady	Oglethorpe	Telfair	Whitfield
Coffee	Haralson	Paulding	Thomas	
Colquitt	Jeff Davis	Peach	Tooms	
		Total Complaints:	191	

The sections below provide an definition and /or explanation of each type of statement regarding the complaint process.

Explanation of Issue Statements used by the GCRD-GCEO

Complaints filed must allege a discriminatory action that is prohibited under the GFHA. Many complaints filed alleging multiple issues are included in the tables above.

1. Refusal to sell, rent, or negotiate; otherwise make unavailable: Refusing to rent or sell a dwelling to a person because of their membership in a protected class.
2. Discriminatory terms, conditions, or privileges of sale or rental of a dwelling, or in the provision of services or facilities: Treating renters or buyers differently than others because of membership in a protected class.
3. Discriminatory statement, notice, or advertisement with respect to the sale or rental of a dwelling that indicates a preference or limitation: Advertising in a way that indicates a preference or limitation based upon a protected class.
4. False denial of unavailability: A person in the business of renting or selling dwellings cannot tell a prospective renter or seller that the property is not available, when it actually is available for rental or purchase.
5. Blockbusting activity: The practice of persuading White homeowners to sell quickly and usually at a loss because a minority group may be moving into the neighborhood.
6. Refusal to allow reasonable modification of premises: Denying a person with a disability permission to make structural changes, at the tenant’s expense, so that person can fully enjoy the premises.
7. Refusal to make reasonable accommodation: Refusing to make reasonable changes or exceptions to rules, policies, services, or practices, when necessary to afford a person with a disability an equal opportunity to use and enjoy the dwelling.
8. Failure to meet design and construction requirements: Failure to make Multi-family dwellings accessible and usable by disabled persons.

9. Discrimination in residential real estate-related transaction and/or lending discrimination: Refusing to make a mortgage loan; refusing to provide information regarding loans; applying different terms and conditions in making a loan because of the borrower's membership in a protected class. This includes discriminatory appraisal reports, failure to provide homeowner's insurance and applying different terms of insuring borrowers.
10. Discrimination in membership or participation in service or organization or facility relating to selling or renting dwellings: Denying membership in real estate organizations or participation in a facility relating to selling or renting dwellings because the real estate agent is a member of a protected class.
11. Coercion, intimidation, threats, or interference: Making threats of violence or harassing someone because of that person's membership in a protected class and interfering with another's right to enjoyment of their dwelling.

Explanation of Closure Types used by the GCRD-GCEO

1. Administrative Closure – The complaint is closed when the complainant withdraws the complaint, complainant fails to cooperate, complainant or a named respondent can no longer be located, or where the complaint lacks jurisdiction. Administrative closures during the years of 2003-2007 represented 10 percent of all total closures; this includes complaints withdrawn by the complainant.
2. Cases waived to HUD are administrative closures. In previous years, the GCRD-GCEO waived cases that involved other HUD programs and jurisdiction violations, including Title IV, Title VI, and Section 504 of the Rehabilitation Act of 1973. Waived cases to HUD during the years of 2003-2007 represented 23 percent of all total closures.
3. Conciliation Closure - The parties entered into attempts to resolve their differences by means of the conciliation process. The conciliation process is not binding until the parties reach a mutual agreement. The conciliation agreement becomes binding to all parties after the approval of the GCRD-GCEO Executive Director and Administrator's signature. The conciliation agreement protects the complainant' and respondent's rights, the citizens of Georgia, and discourages future violations of the State and Federal Fair Housing Acts. Conciliation closures during 2003-2007 represented 10 percent of all total closed cases.
4. No Reasonable Cause Determination Closure – An investigation was conducted, conciliation attempt(s) were unsuccessful, and the evidence revealed that there is no reasonable cause to believe that a violation of the GFHA and Federal FHA has occurred or is about to occur. The number of no reasonable cause determination closures during the years of 2003-2007 represented 54 percent of total closed cases.
5. Reasonable Cause Determination – An investigation was conducted, conciliation attempt(s) were unsuccessful, and the evidence revealed that there is reasonable cause to believe that a violation of the GFHA and Federal FHA has occurred or is about to occur.

Table 15 illustrates the number of Fair Housing Cases that were fled with the Georgia Department of Law.

Table 15: Fair Housing Cases Filed by the Georgia Department of Law

COUNTY	CASE NAME	BASIS	ISSUES	SETTLEMENTS
Chatham	SCCFHC v. South Atlantic Properties	Disability - Physical	Allegedly failure to meet the design & construction requirements	In Superior Court of Chatham County State of Georgia, GCRD-GCEO and Respondent entered into a Conciliation Agreement to retrofit units within 3 years. Payment of Civil Penalty of \$10,000 to State of GA and compliance with the FHA.
Fulton	Horalia Orozco	Nat'l Origin-Mexican	Allegedly discriminated by charging higher security deposit and rent.	In Superior Court of Fulton County State of Georgia, GCRD-GCEO and Respondent entered into Conciliation Agreement whereby Complaint received \$9,200 and \$800 to State of GA. Respondent agreed to comply with the FHA and the posting of fair housing posters in a conspicuous place in the leasing office.
Chatham	SCCFHC v. Alvin L. Davis, Inc.	Disability - Physical	Allegedly failed to meet the design & Construction requirements	In Superior Court of Chatham County State of Georgia, GCRD-GCEO and Respondent entered into a Conciliation Agreement to retrofit stated units within 2 years and payment of Civil Penalty of \$10,000 to State of GA and compliance with the FHA. In the U.S. District Court Southern District of GA Savannah Division, Complainant and the Attorney for Complainant received by Joint Notice of Full Satisfaction of Judgment, \$5,187 and attorney fees of \$49,565.
Lumpkin	Jessica Herzler v. Roberta Green	Disability – Physical	Allegedly refusal to rent after the making of a bona fide offer or to refuse to negotiate for the rental, or otherwise make unavailable or deny, a dwelling to any person because of disability, and a refusal to permit, at the expense of the person with disabilities, reasonable modifications of existing premises.	In The Superior Court of Lumpkin County State of Georgia, GCRD-GCEO and Respondent entered into a Settlement Agreement to comply with the FHA, receive Fair Housing Training, payment to Complainant of \$10,000 and payment to GCRD-GCEO of \$7,500.
Cobb	Walter Fellows v. Sunrise Senior Living Mgt	Disability-Physical	Allegedly refused to make reasonable accommodations in rules, policies, practices, or services when such accommodations may be necessary.	In The Superior Court of Cobb County State of Georgia, GCRD-GCEO and Respondent entered into a Settlement Agreement to comply with FHA, grant Complainant's reasonable accommodation request, employees to attend Fair Housing Training seminar, post in a conspicuous location the Fair Housing Logo and on its marketing materials, and pay to the GCRD-GCEO \$10,000. A Confidential Settlement Agreement governs Complainant's payment.

Chart 1 illustrates the number of complaints GCRD-GCEO filed between 2003 and 2007.

Chart 1: Complaints Filed 2003 - 2007

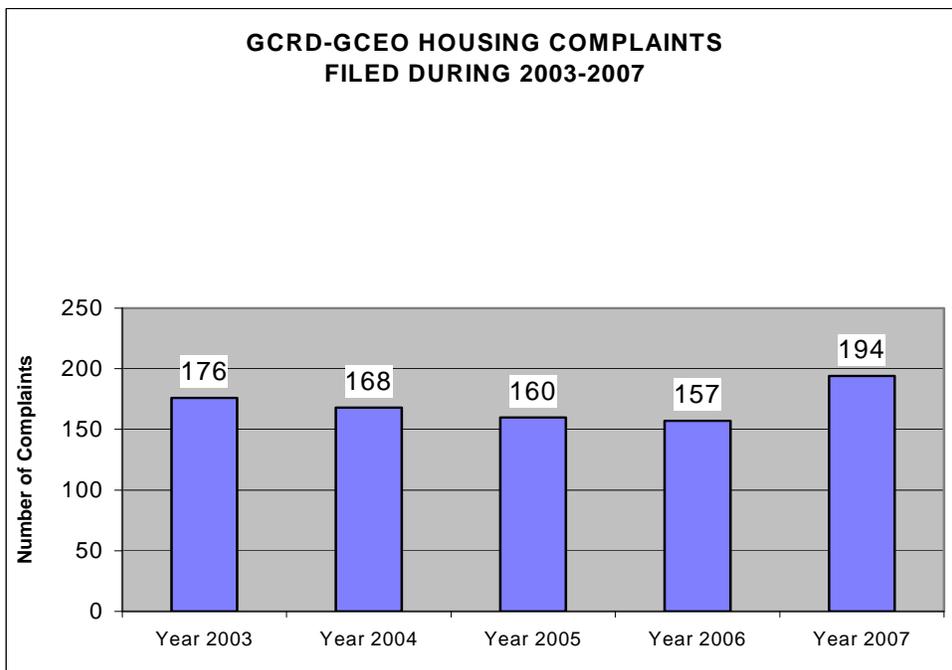


Chart 2 illustrates the closed complaints from 2003-2007.

Chart 2: Complaints Closed 2003 - 2007

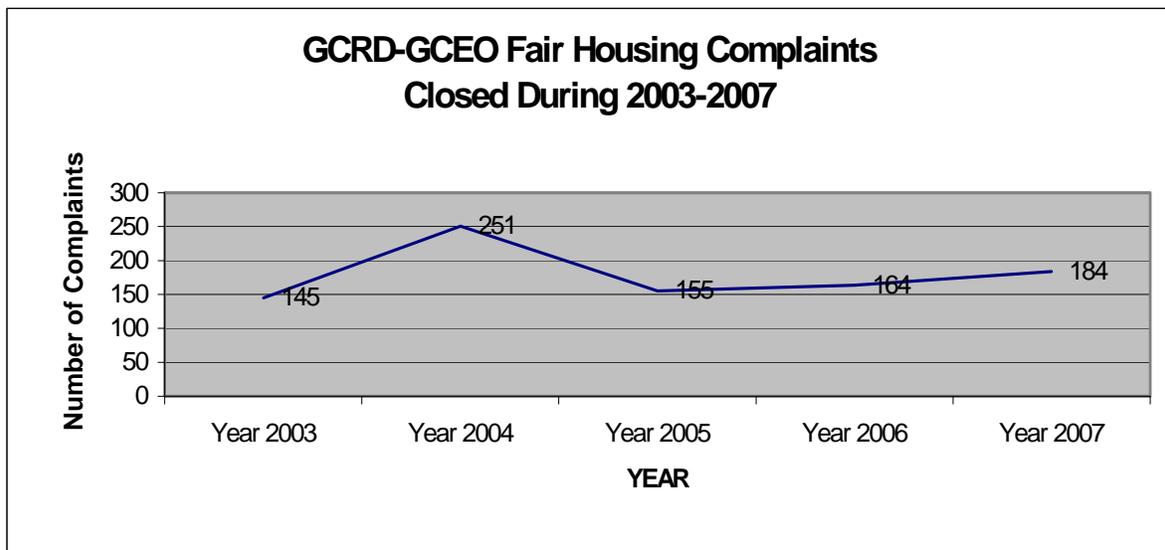


Chart 3 reflects the closure type:

- 54 percent of fair housing cases closed with No Cause Determinations,
- 22 percent were transferred to HUD for investigation,
- 2 percent were issued a Charge of Discrimination,
- 9 percent were Conciliated, and
- 10 percent were closed Administratively including withdrawals.

CHART 3: GCRD-GCRD-GCEO Fair Housing Complaints Closed by Closure Type

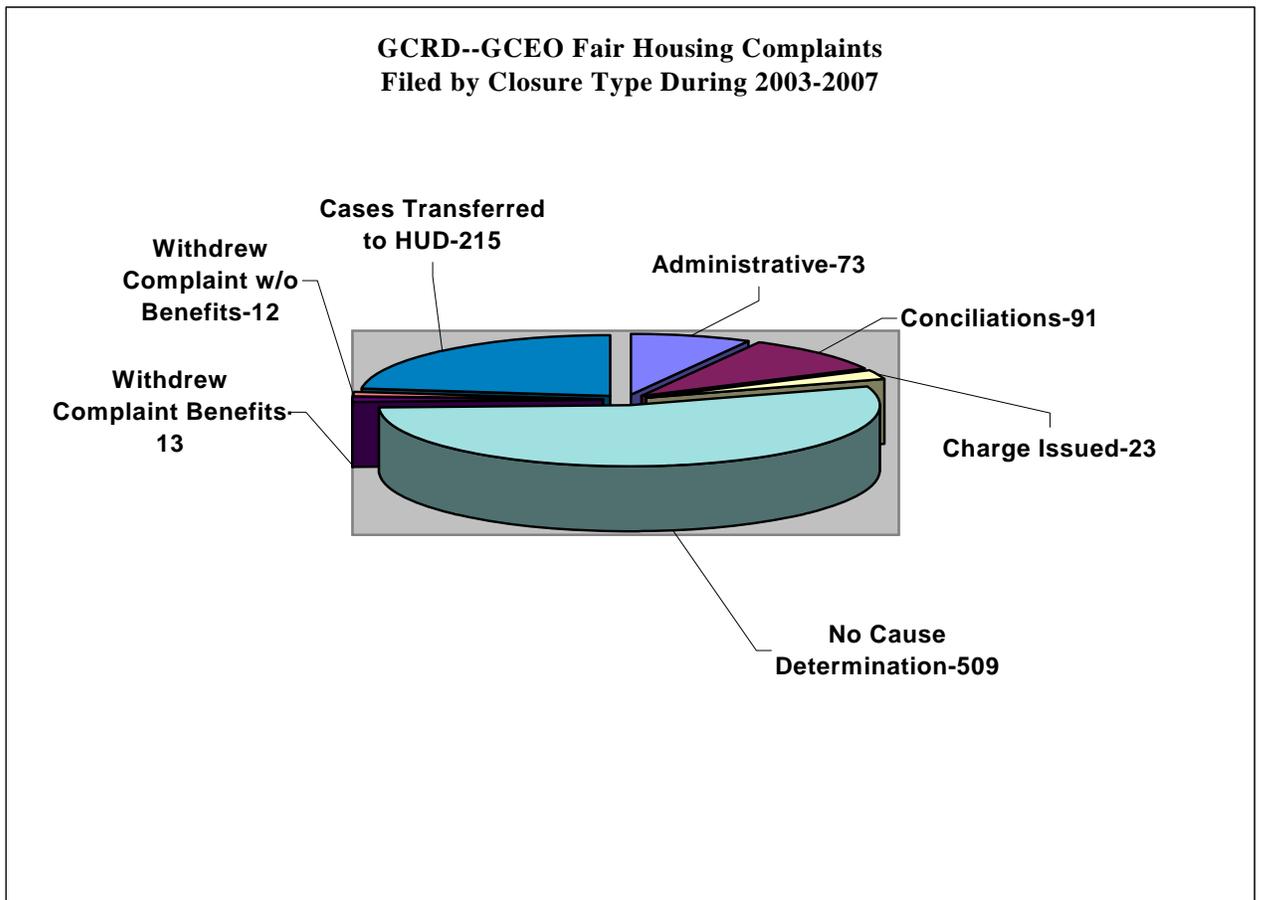
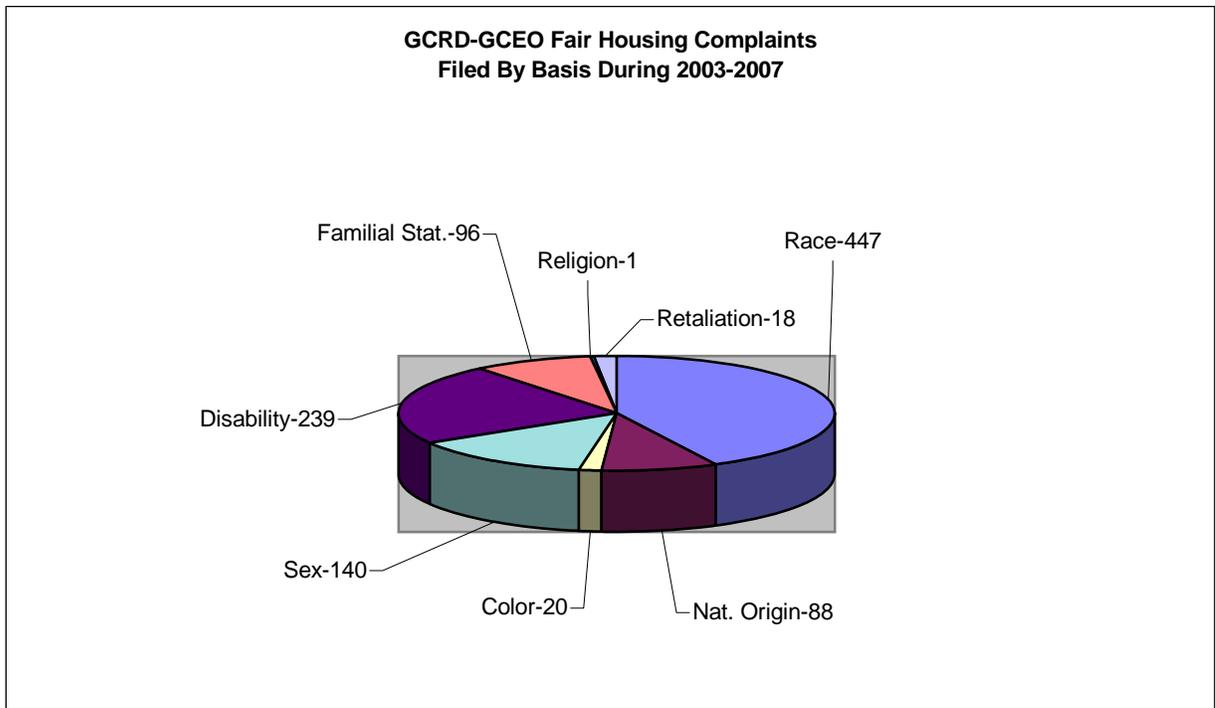


Chart 4 reflects that 42 percent of housing complaints filed by basis with the GCRD-GCEO during 2003-2007 were based on Race, 22 percent were filed on Disability, 13 percent were filed on Sex, 9 percent were filed on Familial Status, and 8 percent were filed on National Origin. The other complaints were filed on color, religion, and retaliation and they represented 3 percent of filed complaints.

CHART 4 Complaints Filed by Bases During 2006-2007



The fair housing data located in Chart 5 lists 947 issues filed with the GCRD-GCEO during 2003 to 2007. The majority of the issues filed with the GCRD-GCEO consisted of Terms and Conditions (42 percent). Other issues of significance are Refusal to Rent (11 percent), failure to make reasonable accommodations, failure to make reasonable modifications and failure to meet the design and construction requirements represented (8 percent) of all issues.

Chart 5: COMPLAINTS FILED BY ISSUES DURING 2003-2007

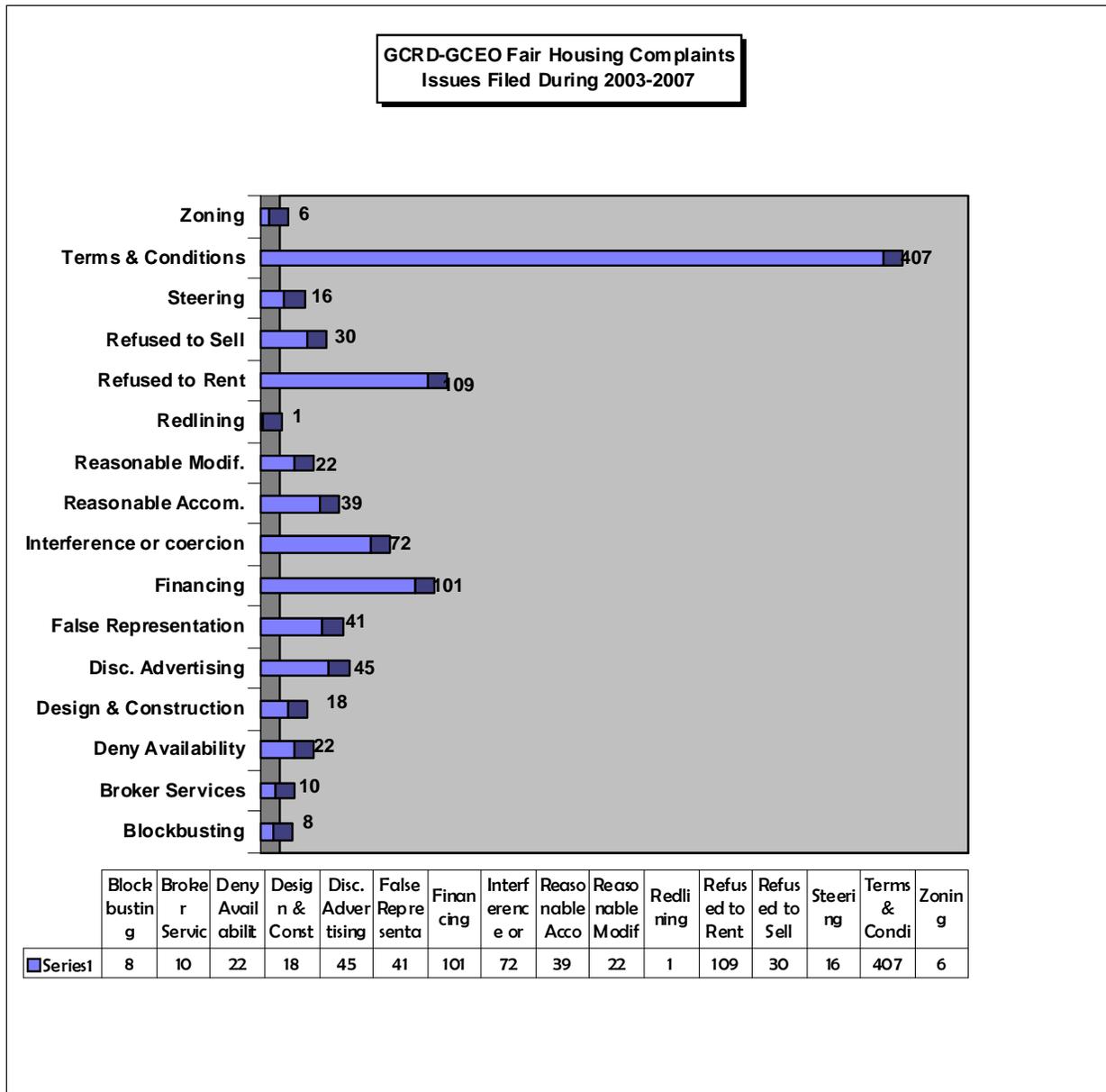
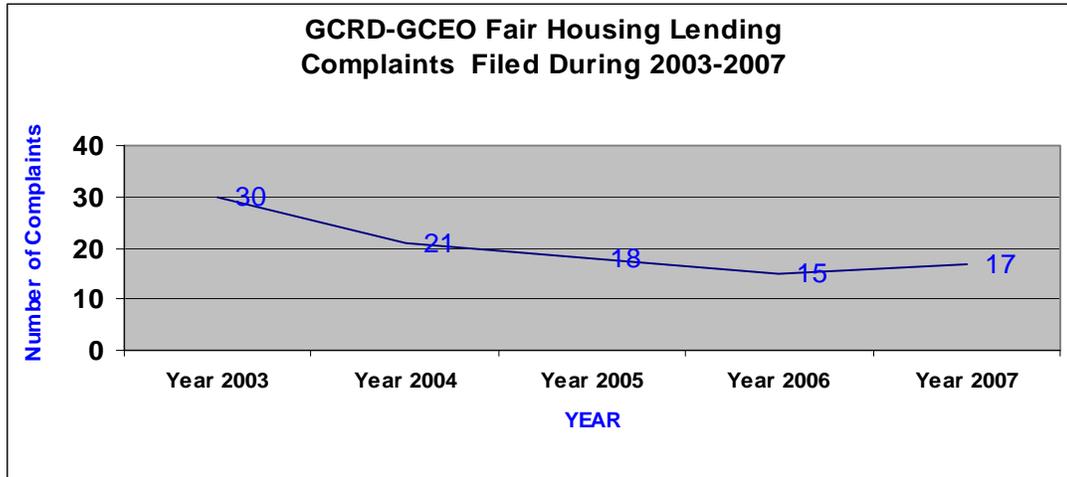


Chart 6 reflects the filing of lending discrimination complaints

CHART 6: GCRD-GCEO Fair Lending Complaints Filed During 2003-2007



The data in Chart 6 reflects the decline in the filing of lending discrimination complaints over the last several years. Lending complaints represent 10 percent of issues filed during 2003 to 2007. Due to the complexity of the mortgage lending market, studies have shown that foreclosures often begin at loan origination when the borrower obtains the wrong loan. The GCRD-GCEO has the authority to investigate national and state banks, mortgage brokers, real estate brokers and agents, insurance agents and appraisers.

The foreclosure activity in the month of February 2008 for Georgia listed 15,756 properties with foreclosure filings. In March 2008 the foreclosure activity in Georgia listed 17,054 properties with foreclosure filings, an increase of eight percent from February 2008 filings. The largest number of filings occurred in Clayton, DeKalb, Fulton, and Gwinnett counties. GCRD-GCEO received 3 fair housing discrimination complaints alleging lending discrimination because of race and sex during the first quarter of 2008.

Analysis of Current GCRD-GCEO Complaints

HUD's FY 2007 Annual Report on Housing, states that housing discrimination complaints filed with HUD and FHAP agencies have an overall increase in complaints since FY 1998 and a slightly

decline in 2007.¹⁸ During 2004 to 2007 the number of fair housing complaints filed with HUD and FHAP.

Agencies claim disability as the primary source of discrimination, race the second most common basis, and familial status continued to be the third most common basis of housing discrimination complaints.

Complaints filed with the GCRD-GCEO (see Chart 1) indicates that complaints increase significantly overall the last five years than in previous years. During 2003 to 2007, the majority of fair housing complaints filed with the GCRD-GCEO claim race as the primary source of discrimination. Disability was the second most common basis for filing a complaint, familial status was the third most common basis of housing discrimination complaints, and national origin was the fourth most common basis of all complaints filed.

At the beginning of April 2008, the GCRD-GCEO has sixty-nine open cases pending investigations, 37 (54 %) of the complaints claim race, 21(30%) of the complaints claim disability, 11(16%) of the complaints claimed sex, 17 (25%) of the complaints claim national origin, and 5(7%) of the complaints claim familial status. Seven (10%) of the open cases are considered complex cases and have been under investigations for more than 100 days. Complaints that alleged multiple bases were counted under each basis alleged.

Education and Outreach

The GCRD-GCEO educational and outreach activities are aim at preventing housing discrimination. GCRD-GCEO will continue to bring awareness to the public and private sectors by:

- Educating housing providers that may/or have violated the State and Federal Fair Housing Acts.
- Conducting joint outreach educational meetings with other State, Federal or non-profit organizations, and faith-based organizations to the extent feasible.
- Providing disaster related educational materials and services after a post-disaster emergency. The GCRD-GCEO has a designated staff member who participates monthly in disaster related

¹⁸ U.S. Department of Housing and Urban Development. The State of Fair Housing FY 2007 Annual

meetings and/or conferences with the Office of Homeland Security/Georgia Emergency Management Agency (GEMA). The GCRD-GCEO's goals during disaster recovery are to identify direct housing discrimination practices, disaster victims and allegations of discrimination directly related to the disaster area. The GCRD-GCEO partners with other State and Federal agencies, and non-profit organizations to stabilize the affected area and to restore some semi-balance of normalcy.

- Educating minority communities of Georgia by building trust relationships among residents, establishing a contact liaison in communities and partnering with organizations relating to fair housing issues.
 - Providing fair housing information to citizens in rural areas of Georgia.
 - Receiving fair housing complaints that are not within the jurisdiction of the Georgia Fair Housing Act or the Federal Fair Housing Act. If the GCRD-GCEO Intake Unit determines that a complaint is not covered under the State or Federal Fair Housing Acts, the Intake Unit would refer the complaint to one of 20 referral partners where applicable.

During 2003 to 2007, the GCRD-GCEO conducted 213 events in educating the public, housing community organizations, housing industry groups, property management groups, civil rights groups and professionals about housing discrimination.

HMDA Complaints

The Federal Deposit Insurance Corporation (FDIC) notifies the “outliers” (banks where pricing disparities are flagged) when the statistical analysis finds evidence of discrimination. The bank may provide additional information to refute the finding. If the FDIC finds that the bank's information does not convincingly refute the preliminary finding, the examination is finalized and forwarded to DOJ. DOJ may conduct its own investigation and go forward with a case, or may defer to the FDIC supervisory and enforcement process.

CHAPTER IV

IDENTIFICATION OF IMPEDIMENTS TO FAIR HOUSING CHOICE

Introduction

Chapter IV identifies the various public and private sector policies that may impede fair housing choice in Georgia. After discussing Georgia's public and private sector policies, the results of Georgia's fair housing survey are presented. This survey was conducted in order to determine if impediments to housing, whether intentional or unintentional, result from various public/private sector policies and practices. Various Georgia housing stakeholders - including the Georgia Commission on Equal Opportunity, local government officials, disability advocates, real estate agents, affordable housing developers, housing counselors, and fair housing advocates - were asked to participate. This survey helped to isolate the impediments to fair housing choices that exist in the state of Georgia.

Public Sector Policies

Comprehensive Planning

The General Assembly adopted the Georgia Planning Act in 1989 as a means to encourage better management of growth in the booming areas of the state while encouraging the less prosperous parts to avail themselves of opportunities for growth. DCA's Office of Planning and Quality Growth has responsibility for the overall management of the planning process created by the Act, which established a "bottom-up," comprehensive planning approach initially to be conducted at the local government level, then at the regional and state levels. Goals and objectives are set for activities such as transportation, housing, infrastructure, waste disposal, economic development, human services, education, land use, and recreation. Statewide minimum standards for building codes help to ensure safe, sanitary, and energy-efficient housing. This responsibility also involves:

- Establishing minimum standards and procedures for regional planning and minimum criteria for local planning and implementation.
- Ensuring consistency among state and regional plans.
- Establishing minimum standards for public health and safety as they relate to land use (e.g., building codes).

Each Comprehensive Plan must include six (6) planning elements, one of which is housing. This element establishes a goal of ensuring that all residents of the state have access to adequate and affordable housing. The Comprehensive Plan also includes a housing opportunities objective to provide quality housing and a range of housing size, cost, and density that should be provided in each community, to make it possible for all who work in the community to also live in the community. Local governments are required to evaluate the composition and quality of the community's housing stock, the age and condition of housing, the cost of housing, the needs of households that are cost burdened, the relationship of local housing costs and availability to the socioeconomic characteristics of these households and special housing needs in the community (e.g., housing needs of residents who are elderly; homeless; victims of domestic violence; migrant farm workers; persons with mental, physical, or developmental disabilities; persons with HIV/AIDS; and persons recovering from substance abuse). Local governments must also project their future housing needs and plan for housing growth. Projections are made for single-family, Multi-family, and manufactured housing. Goals, objectives, and policies are developed to address existing needs and the future provision of housing in the community.

Local governments are required to maintain an up-to-date approved Comprehensive Plan and establish regulations consistent with the approved Comprehensive Plan in order to have Qualified Local Government (QLG) status. Local governments that lose their QLG status are ineligible to receive funding from the Department of Community Affairs (DCA), the Department of Natural Resources (DNR), Georgia Environmental Facilities Authority (GEFA) or the OneGeorgia Authority. Housing grant applications must be consistent with the community's comprehensive plan and service delivery strategy. The purpose of these requirements is not to restrict the availability of money for housing, but to make local governments recognize the importance of planning for housing. Citizens have the opportunity to influence comprehensive planning through established public participation procedures required as part of the planning process.

Codes

While the Georgia Planning Act provides DCA with the authority over the minimum standards for building codes, the standards do not override the local government's jurisdiction over land use decisions regarding developments with local impact. It is important to recognize that, in Georgia, local governments are not required to enforce building codes, unless the local government adopts a construction codes program. Georgia law (O.C.G.A. 50-8-12) states, "nothing in this article

shall limit or compromise the right of the governing authority of any county or municipality to exercise the power of zoning.”

Building permits and code enforcement, while well intended, might actually increase housing costs. Approximately 60% of local governments in Georgia have implemented a building permit and inspection program. Most local governments begin by enforcing the International Residential Code for One- and Two-Family Dwellings (IRC). Inspection costs, permit fees, and higher quality construction requirements tend to drive up the cost of housing. Requirements for various kinds of building permits also increase the cost of a housing unit. Local governments in Georgia typically adopt these programs for insurance and safety reasons - not to impose undue hardship or discrimination on prospective homeowners or homebuilders.

Zoning Ordinances

Based upon data collected by the 2007 Government Management Indicators (GOMI) survey conducted by the Georgia Department of Community Affairs, 507 (77%) of the 658 responding local governments in Georgia reported having some form of zoning ordinance in place (Note the GOMI survey was administered to all 686 local governments in 2007). Whether or not zoning and other land use regulations effectively result in impediments to fair housing is an ongoing debate in the courts as well as among planners. Local governments that reported not having zoning ordinances (23%) can be assumed to pose no impediments to fair housing through zoning, since they do not have the means to do so.

On the other hand, local governments that implement zoning regulations, regardless of any specific provisions, may inadvertently drive up the cost of housing. First of all, zoning provides amenities such as orderly, community-wide development and separation between incompatible land uses. Amenity provision stimulates the demand for housing which, in turn, raises the price of housing. Secondly, zoning reduces the quantity of land available for all land uses. By reducing the number of opportunities for housing development, the price of all residential land becomes inflated. Thirdly, “exclusionary” zoning ordinances may limit where, how, or if affordable housing developments can be constructed. Restrictions - such as mobile home prohibitions, minimum lot sizes, and group home limitations - reduce the number of opportunities to develop affordable housing alternatives.

Of these three factors, the third is the most important to consider from a policy perspective. Amenity provision and land quantity restrictions are an unavoidable consequence of almost any land use regulation. Exclusionary zoning restrictions, on the other hand, create institutional impediments that can easily be removed by changing the ordinance.

Housing & Community Development Activities

All projects receiving HOME funds from DCA for the purpose of building new property and rehabilitating existing property must conform to HUD's minimum property standards and any local, state, or federal codes once construction is complete. Any housing units assisted with HOME funds must meet or exceed DCA's Architectural Standards. Incorporation of these minimum standards into all work scopes, which control the level of construction to be performed on all properties, is required. These standards have incorporated all state and local building codes, state energy codes and the HUD Housing Quality Standards (HQS).

➤ *Rehabilitation*

The rehabilitation of multi-family housing must meet or exceed DCA's established rehabilitation standards developed in accordance with HOME program requirements. These standards also incorporate the Section 8 housing quality standards, except for those regulations that vary by the occupant's household size, so that the project will ultimately comply with both sets of regulations. DCA's rehabilitation standards do not replace local codes or minimum property standards. All buildings presented for rehabilitation must meet all current, applicable building, accessibility, fire and safety codes at the completion of the construction.

Single Family Development housing rehabilitated must meet all applicable state and local codes, the Housing Quality Standards at 24 CFR 982.401, the Single Family Development Minimum Construction Standards (See Manual Appendix B), and local zoning ordinances. State Minimum Standard Codes: Eight (8) "mandatory" codes are applicable to all construction, whether or not they are locally enforced. In addition, there are six (6) "permissive" codes that are only applicable if a local government chooses to adopt and enforce one or more of these permissive codes. State Minimum Standard Codes: Eight (8) "mandatory" codes are applicable to all construction, whether or not they are locally enforced. In addition, there are six (6) "permissive" codes that are only applicable if a local government chooses to adopt and enforce one or more of these permissive codes.

Whenever CHIP funds are used for rehabilitation, the work must be performed according to the State Recipient's written rehabilitation standards describing the methods and materials to be used when performing rehabilitation, and the unit must be brought up to state codes. The local government's written rehabilitation standards must be included as an exhibit to the policies and procedures. States Recipients administering homeowner rehabilitation activity are required to use a Property Inspection Form and maintain a completed Property Inspection Form used to inspect the property in each project file. The Property Inspection Form should be designed to meet the requirements of the State Recipient's property standards (codes) and the State Recipient's Written Rehabilitation Standards. Because of the HOME regulation requirement that units being rehabilitated must be brought up to state codes, State Recipients may not undertake some forms of special purpose homeowner repair programs such as: weatherization programs; emergency repair programs; or handicapped accessibility programs. All of these types of repairs are eligible if they are undertaken within a more comprehensive scope of work that brings the unit up to state codes.

Since the State of Georgia has adopted mandatory residential construction codes, they are applicable to the CHIP program whether or not the local government enforces the codes. There are no exceptions on meeting these requirements for construction of CHIP assisted homes. The State of Georgia has adopted fourteen "state minimum standard codes." Of the fourteen minimum standard codes, there are eight (8) mandatory codes. Of the eight (8) mandatory codes, four (4) apply to all residential construction. These four mandatory codes are:

- ◆ National Electric Code;
- ◆ CABO One-and-Two Family Dwelling Code (International Residential Code);
- ◆ Georgia State Energy Code for Buildings; and
- ◆ International Plumbing Code.

Local governments using CDBG homeowner funds to rehabilitate properties must adopt rehabilitation standards for their community. DCA provides a housing rehabilitation standards guidebook as information for the local governments in developing their local standards. DCA reviews all standards adopted by a community before rehabilitation work can begin.

The rehabilitation of properties must only meet the strictest of all-applicable local codes or minimum property standards. DCA provides developers with greater flexibility in meeting this requirement than developers of new construction projects. In compliance with the federal Section 504 regulations, DCA requires that 5% or at least one unit (whichever is greater) of the total units

in the project must be accessible to individuals with mobility-impairments. An additional 2% of the units must be rehabilitated for persons with sensory impairments.

The Americans with Disabilities Act (ADA) supports DCA's requirement that common areas of projects financed with HOME funds must be accessible to individuals with disabilities. DCA requires that all projects be designed and constructed in a manner so that the units, common areas, facilities, and services are readily accessible to and usable by persons with disabilities. All projects must also comply with all applicable federal and state accessibility laws. When two or more accessibility standards apply, the provider is required to follow and apply both standards so that a maximum accessibility is obtained. In addition, DCA requires that the accessibility requirements of Section 504 be incorporated into the design and construction of all new construction and/or rehabilitation projects. DCA requires that all accessibility modifications be “in place” upon completion of new construction and/or completion of substantial rehabilitation.

➤ *New Construction*

The new construction of multi-family properties using public funds available from DCA must adhere to all local and state building code requirements. DCA recommends that its architectural standards be used as a minimum guide for Multi-family new construction developments. Regional and other differences exist due to variations in climate, lifestyle, degree of urbanization, and countless other factors. Consequently, the architectural standards are not as precise or self-evident as, for example, a building code. The architectural standards do require that the property be designed to meet all applicable codes and requirements for accessibility for individuals with disabilities. This essential requirement is incorporated into the basic layout and design of open spaces, building location, and unit design.

In compliance with the federal Section 504 regulations, DCA requires that 5% of all units within a newly constructed multi-family development of more than twelve units be equipped for the mobility impaired. An additional 2% of the units must be rehabilitated for persons with hearing and vision impairments. DCA also places these requirements on rental housing developments constructed through its Rural Rental Housing Development Fund, where up to ten units may be constructed.

Regulations of the Americans with Disabilities Act (ADA) are reflected in DCA's requirement that common areas of projects financed with HOME funds must be accessible to individuals with

disabilities. In addition, to be in compliance with the federal fair housing laws, all units located on the first floor of a structure must be handicapped adaptable and visitable.

Newly constructed housing under the Single Family Development program must meet the current edition of the Model Energy Code published by the Council of American Building Officials, which is the Georgia State Energy Code for Buildings. Additionally, it required that all applicable state and local codes, the Housing Quality Standards at 24 CFR 982.401, the Single Family Development Minimum Construction Standards and local zoning ordinances must be met. State Minimum Standard Codes: Eight (8) “mandatory” codes are applicable to all construction, whether or not they are locally enforced. In addition, six (6) “permissive” codes are only applicable if a local government chooses to adopt and enforce one or more of these permissive codes.

Site and Neighborhood Standards

DCA’s HOME funded activities require that projects meet established site and neighborhood standards developed in accordance with federal regulations found at 24 CFR 983.6(b) . The new construction of rental housing is the only HOME funded activity subject to these requirements. The site and neighborhood standards are designed to facilitate full compliance with the applicable provisions of the Fair Housing Act and to promote greater choice of housing opportunities.

To meet the HOME program’s site and neighborhood standards, each project applicant must first determine and document if the project is located in an area of minority concentration, a racially mixed area, or a non-minority area. An area of minority concentration is one where 50% or more of the residents are minority. A racially mixed area is an area that has 25% or more of the residents are minority. A non-minority area is an area that has less than 25% minorities.

It is DCA’s policy not to fund projects located in areas of minority concentration unless the applicant submits specific, detailed information that meets the requirements of the statute. The Applicant must submit specific, convincing documentation to show that there is an overriding housing need in the area of the proposed project or that there are sufficient and comparable housing opportunities for minorities outside of the area. In determining whether a proposed project in an area of minority concentration meets HUD’s site and neighborhood standards, DCA will review the application and seek HUD’s concurrence in determining whether there is an overriding housing need in the area of the proposed project. “Sufficient” means a reasonable

distribution of assisted housing units each year which over a period of years which gives a balance of housing choices within and outside the areas on minority concentration. “Comparable” means:

- same household type
- same tenure type
- same tenant contribution in rent; or
- same income group and same standard housing conditions exist in the same housing market area.

Applicants proposing projects in census tracts which are designated as racially mixed, must clearly document that the proposed project will not significantly increase the proportion of minority to non-minority residents.

Displacement Activity

Government actions may directly or indirectly result in or cause the displacement of individual households or entire neighborhoods. These actions include, but are not limited to, activities such as the revitalization of neighborhoods, property tax increases, and the construction of roads or other public improvements. All actions at either the local or state level must be in accordance with Georgia law.

The Georgia Code requires all agencies of state or local government to provide assistance to residents, businesses, or nonprofit organizations displaced as a result of the entity’s acquisition of land for a public purpose. Assistance must comply with the federal Uniform Relocation Assistance and Real Property Acquisition Policies Act (1970) and the Uniform Relocation Amendments (1987).

Displacement may result from the purchase and demolition of occupied substandard housing, rental housing rehabilitation resulting in rent increases, or the purchase of housing units for public improvement. DCA’s HOME program has adopted an Anti-Displacement Policy that prohibits the permanent displacement of any household due to the rehabilitation of any unit financed in whole or in part through DCA’s HOME resources. DCA will not consider applications for financial assistance that propose the permanent displacement of existing resident tenants. Temporary relocation may be allowed if a relocation plan detailing how the rehabilitation will be done around the existing tenants or how the tenants will be moved to allow for the rehabilitation and relocation budget are submitted and approved by DCA. The following Relocation Forms must be included in any submitted application: Tenant Household Data Form, Tenant General

Information Notice, and the Tenant Relocation Plan and Budget. It is also the policy of DCA to minimize the extent of displacement caused by the CDBG Program. In fact, little to no displacement has occurred because of CDBG-funded activities.

Minority Groups

The state's public policies associated with the administration of its housing and community development funds seek to promote the availability of these resources to all households regardless of race and ethnicity. However, the state's Consolidated Plan has recognized the existence of disproportionate housing need for certain racial or ethnic groups. As defined by HUD, a disproportionate housing need exists for a specific racial or ethnic group if the percentage of that racial or ethnic group's households within a particular category of need is at least 10% higher than found for the category as a whole.

Hispanic households across nearly all income categories and household groups disproportionately experience substandard housing. In particular, Hispanic homeowners with incomes less than 95% of median family income (MFI) are disproportionately underserved. This figure indicates a high need for outreach efforts to increase participation of Hispanic households in available housing programs. These efforts should be concentrated in Georgia's metropolitan areas that are home to 70% of all Hispanics.

The Consolidated Plan noted that the frequency of substandard housing for Blacks closely mirrors the levels found for the state; based on HUD's definition, no disproportionate housing need was found. However, Georgia's income disparity between racial groups is important to recognize. Black households are more likely to live in poverty. Approximately 23% of Black households, compared to 13% of all households, have incomes below this level. In addition, while Black households only comprise 29% of the state's total households, this racial group comprises 50% of Georgia's households with incomes below the poverty level. As a result of this concentration of impoverished households, it can be assumed that a disproportionate housing need exists for Black households.

As part of its efforts to address these housing needs, DCA implements federal fair housing requirements in association with its housing programs, provides information on tenant/landlord laws, and implements other activities according to its Annual Action Plan for Consolidated Funds.

➤ *Restriction of Housing and Community Development Resources to Minority Areas*

DCA is the primary administrator at the state level for the provision of housing and community opportunities in Georgia. Any programs or projects financially assisted through DCA must adhere to DCA policies. Because DCA receives substantial funding from HUD, DCA establishes policies based on standards mandated by each HUD funding program. A full description of each program and their federal and local financing sources is provided within the state's Consolidated Plan.

DCA does not target or base any funding decisions on the racial composition of a proposed project location. The quality of the proposed project as determined by applicable program requirements and the overall benefit to low and moderate income households are the basis of the department's funding decision. Racial composition of a proposed project's location is not considered. As part of the review process for CDBG applications, the selection of proposed beneficiaries is non-discriminatory. In addition, data collected indicates that a vast majority of projects primarily serve those with low-incomes, minorities, or persons with disabilities.

➤ *Minority Employment*

The state of Georgia actively seeks to promote the hire of minorities and to prohibit discrimination against minorities within each agency of state government. The Fair Employment Practices Act (1978) as amended seeks to execute the policies embodied in Title VII of the federal Civil Rights Act of 1964 within public employment in state government. The act safeguards all individuals against discrimination because of an individual's race, color, religion, national origin, sex, handicap, or age.

DCA continue the policy issued under a January 1999 executive order requiring that all organizations of state government make an immediate concerted effort to increase the level of minority business participation in the state contracting process by increasing bid opportunities extended to minority businesses and by providing enhanced direct assistance to minority vendors in state contracting/procedures. Other responsibilities of each state agency are as follows:

- Include statements within all bid documents to encourage minority participation and notification of the available income tax credit for any business subcontracting with a minority business;
- Make special efforts to publicize and advertise bid opportunities to the minority business community;

- Appoint a designee to act as a liaison between their organization and minority vendors; and,
- Submit a quarterly report to the Governor's Office and the Small and Minority Business Office outlining all pertinent information concerning bid opportunities for and contracts awarded to minority businesses.

As the state's primary administrator of housing and community development programs for Georgia, DCA has encouraged the employment of minority groups in projects funded through the assistance of the department's resources. DCA has adopted a Minority/Women's Business Enterprises (MBE/WBE) Outreach Plan that seeks to ensure the inclusion of entities owned by minorities and women in providing affordable housing or community development improvements. The department annually reports to HUD on its efforts to meet this objective. Furthermore, DCA also requires that funding recipients seek to further the goals found in Section III of the Housing and Urban Development Act of 1968 promoting economic opportunities for low and very low-income persons.

➤ Procurement Policy for W/MBE participation

The State of Georgia policy mandates that small businesses, businesses owned by women and businesses owned by minorities have a fair and equal opportunity to participate in the State's purchasing process. Therefore, the Procurement Services Division encourages all disadvantaged businesses, small businesses, businesses owned by women and/or minorities to compete for our contracts and other opportunities. The Georgia Department of Economic Development (GDEcD) also maintains an office to assist and support businesses owned by women, small businesses and minority businesses.

Summary and Solutions

Comprehensive planning, zoning, and growth controls have the potential to greatly affect the availability of fair housing, both positively and negatively. Although some planning tools may inherently increase the cost of housing, they can also be used to guarantee the availability of housing choices for some segments of the population that would otherwise face serious problems in satisfying their housing needs.

The state of Georgia and local governments recognize the importance of fair housing and are aware of fair housing issues as they relate to planning, zoning, and land use regulation. Zoning

ordinances, in particular, should be carefully written to accommodate fair housing and to avoid discrimination. Growth controls should continue to be used as a mechanism to control and manage the overall impacts of growth and should not be used to impede affordable housing construction. The courts will continue to ensure that housing needs are met, but comprehensive planning and proactive affordable housing efforts will continue to remain the most effective means of preventing housing discrimination.

DCA contracts annually with the 16 Regional Development Centers (RDCs) in the state to assist in the establishment of coordinated and comprehensive planning in the state according to the requirements of the Georgia Planning Act. Total funding awarded under the contracts each year usually totals around \$2 million. The contracts are awarded in two major categories: contracts for non-discretionary services and contracts for discretionary services.

The contracts for non-discretionary services provide a fixed amount of funding to each RDC to perform services mandated in the Georgia Planning Act, including:

- Assisting local governments in the preparation of local comprehensive plans, solid waste plans, service delivery strategies, and updates of these plans or strategies.
- Review of local government plans prepared in its region for possible intergovernmental implications.
- Review of any proposed action by a local government in the Center's region that would further a Development of Regional Impact (DRI) or affect a Regionally Important Resource.
- Assisting member governments in the mediation of certain inter-governmental conflicts.
- Maintenance of a statewide geographic information system to support planning efforts.

Contracts for discretionary services are awarded on a competitive basis, wherein each RDC submits proposals for specific projects that it seeks to undertake in its region. Types of discretionary projects funded under the DCA contract include:

- Assisting local governments with specific plan implementation activities, such as developing a new zoning ordinance, or putting a local geographic information system in place.
- Innovative programs or activities that promote multi-county or regional development, such as a study for a water treatment plant to serve several local governments in the region.

- Activities that will enhance designated regionally important resources, such as a tourism development study.

DCA also offers RDCs an opportunity to be actively involved in activities focused on local housing needs by undertaking one or more of the following activities:

- Develop and present to local elected and/or community leaders a workshop about affordable housing in the community and/or region.
- Assess the availability of home buyer education seminars in all or part of the region and coordinate the delivery of home buyer education services to groups and/or areas needing them.
- Develop one or more detailed case studies of successful affordable housing development or housing program implementation in the region.
- Produce development standards and design characteristics for industrialized and manufactured housing for a selected local government.
- Develop a community housing needs assessment for GICH or Signature Community.
- Develop an urban redevelopment plan for GICH or Signature Community.
- Develop and implement a study of the current and expected market for affordable single-family homes in a non-MSA community in their region.

In order to minimize any intentional or unintentional impediments to fair housing with regard to zoning and code enforcement, the state seeks to educate local governments in how to write ordinances which do not discriminate against group homes, manufactured housing, multi-family housing, etc. DCA currently sponsors workshops for the Georgia Association of Zoning Administrators, the Community Planning Institute, and other groups aimed at training local government officials in sound zoning and land use planning and decision making. Code enforcement training has also been provided to the members of the Georgia Association of Code Enforcement.

The department also sponsors housing courses for local government officials through the Georgia Municipal Association and the Association County Commissioners of Georgia. These courses provide local government officials with information about housing needs, issues, and financing opportunities available to Georgia's communities.

DCA's Office of Planning and Quality Growth promotes smart growth best practices. Quality Growth Resource Team visits are organized by DCA, working with its quality growth partners, to

assist Georgia communities in implementing quality growth principles into the comprehensive plan, land development ordinances, and day-to-day decision-making. Quality Growth Resource Teams help communities find solutions to their growth and development issues, and learn about innovative planning practices and “smart growth” concepts. DCA organizes these on-site visits by a team of volunteer experts. Resource team volunteers include both private consultants who are considered experts in their fields and highly knowledgeable staff from DCA and other state agencies. At little cost to the host community, these volunteers give a broad range of recommendations and solutions to the community’s specific planning-related issues.

Elected officials should also be educated about the impact economic development decisions could have upon a community, especially upon job and housing availability. Fortunately, economic development training is offered by the Georgia Academy for Economic Development. The Academy's program provides participants with an understanding of the complexities of economic development and the development of their region. The intensive five-day program, through a variety of defined activities, takes an in-depth regional review of possible economic development opportunities and solutions.

In sum, DCA will continue its efforts to educate local governments on public sector issues that directly or indirectly influence fair housing choice.

Private Sector Policies

Georgia Banking and Mortgage Lending Industry

Mortgage laws and mortgage transactions and lending practices are all regulated by Georgia State Code [Title 44, Chapter 14, Section 4(44-14-4)]. Under this code are three entities: Mortgage Bankers Association of Georgia, Georgia Department of Banking and Finance and Georgia Fair Lending Act (GFLA).

The Mortgage Bankers Association of Georgia is a trade association committed to the preservation and improvement of the mortgage banking in Georgia. The entity is comprised of mortgage lenders, brokers and affiliated associates of the industry.

The Georgia Department of Banking and Finance regulates and examines banks, credit unions, and trust companies chartered by the state, as well as wielding regulatory and licensing authority over mortgage brokers, lenders and processors, check cashers, money transmitters, international banking organizations, bank holding companies and other companies engaged in or related to the

financial services industry conducting business in the state. The Department shares regulatory responsibility for Georgia state-chartered financial institutions with their federal counterparts (FDIC, FRB, NCUA). FINCEN and the IRS supervises the Bank Secrecy Act, USA PATRIOT Act and other Anti-Money-Laundering efforts). . The department regulates over 3,013 residential mortgage brokers, lenders, and registrants.

Since establishment of the Department in 1919, additional responsibilities, beyond bank supervision and regulation, have been assigned to the agency in the form of the Georgia Credit Union Act (1925); Trust Company Laws of Georgia (1927); Georgia Sale of Checks Act (1965); The Fiduciary Investment Company Act (1970); International Bank Agency Act (1972); Georgia Business Development Corporation Act (1972); Regulation of Check Cashers (1990); and the Georgia Residential Mortgage Act (1993).

The Georgia Fair Lending Act (GAFLA) was signed into law on April 22, 2002 and became effective on October 1, 2002, and was subsequently amended effective March 7, 2003. This law has a significant impact on Georgia residential mortgage lending and brokering activities. The act provides borrowers with the ability to bring legal action against violators of the act. In addition, the Georgia Fair Housing Law also prohibits discrimination in providing mortgage and brokerage services. The 2003 amendments address a variety of concerns and correct a number of unintended consequences of the original Act.

Home Mortgage Disclosure Act (HMDA)

HMDA is a disclosure statute that facilitates enforcement of the antidiscrimination statutes. Under HMDA, lending institutions are required to annually submit specified data to the Federal Reserve on the disposition of their home loan applications for home loans and for home loans originated or purchased. HMDA covers all banks, savings and loans, savings banks, and credit unions with assets over \$36 million, have a home or branch office in a metropolitan area, and originate at least one home purchase or refinancing loan secured by a first lien or one - to-four family dwelling. Mortgage companies owned by depository institutions and independent companies that make at least 100 home purchase and/or refinancing loans in the calendar year are automatically covered by law. The Federal Reserve Board (FRB) is responsible to write the rules, known as Regulation C, to implement HMDA.

Lenders are required to keep loan application registers (LARs), which record pertinent data for each application received for each calendar year. Annually, these LARS are utilized to generate a series of tables that include information on the type of loan; the location of the property (census tract; the race, gender, and income of the applicant; whether the application was approved; and whether the loan was sold, and if so, to what type of buyer (e.g. FNMA, FHLMC, insurance company, commercial bank, etc.). Lenders also have the option of providing information on the reasons for the denial of loans. In 1992, Congress required lenders to make the loan application registers available to the public. The lenders have thirty days to provide this informatuion after the request. Only raw data is available for the state’s rural communities.

The HMDA information in the Aggregate Report for the state of Georgia can be found on-line at : <http://www.ffiec.gov/hmdaadwebreport/aggwelcome.aspx> .

HMDA Information Review

The 2006 HMDA data for the Atlanta and Chattanooga MSAs was analyzed for evidence of disparity in mortgage lending to minorities. Independent studies have already been completed in participating jurisdictions that include the cities of Albany, Atlanta, Macon, and Savannah; the counties of Cobb, DeKalb, Clayton, Fulton, and Gwinnett; and the consolidated governments of Athens-Clarke County, Augusta-Richmond County, and Columbus-Muscogee County. The Chattanooga MSA was selected for analysis since it is the only Georgia MSA that is not a HUD entitlement community. However, please note that the Chattanooga MSA data also includes data from Tennessee counties. Although the Atlanta–Sandy Springs-Marietta MSA is an entitlement community, it was selected for analysis because it is home to over 50% of Georgia’s population.

Summary of HMDA Data

For 2006, lenders covered by HMDA reported information on roughly 28 million home-loan applications — 11 million for purchasing one- to four family homes, 14 million for refinancing existing home loans, 2.5 million for improving one- to four family dwellings, and the balance for loans on Multi-family dwellings for five or more families¹⁹ HMDA reporting requirements

¹⁹ Federal Reserve, . *Higher-Priced Home Lending and the 2005 HMDA Data*
<http://www.federalreserve.gov/pubs/bulletin/2006/hmda/bull06hmda.pdf>

covered 8,886 institutions—including 3,900 commercial banks, 946 savings institutions, 2,036 credit unions, and 2,004 mortgage companies.

The 2006 HMDA data, like the 2005 and 2004 data, indicate that Black and Hispanic borrowers are more likely, and Asians borrowers less likely, to obtain loans with prices above the pricing thresholds than are non-Hispanic White borrowers. It also indicates the following:

- That among borrowers with higher-priced loans, the gross mean prices paid by Black and Hispanic White borrowers are about the same as those paid by non-Hispanic White borrowers. Asian borrowers with higher-priced loans also paid about the same price, on average, as non-Hispanic Whites with higher priced loans. These relationships are consistent for both types of loans.
- There is little difference in pricing when borrowers are distinguished by sex.
- For each loan product category, American Indians, Blacks, and Hispanic Whites had higher denial rates than non-Hispanic Whites; Blacks generally had the highest rates, and Hispanic Whites had rates about halfway between those for Blacks and those for non-Hispanic Whites. The pattern was less consistent for Asians, who had higher denial rates than non-Hispanic Whites for some loan products but lower rates for others.

In 2006, financial institutions submitted HMDA data for 43,562 applicants in the Chattanooga MSA and 631,302 applicants in the Atlanta-Sandy Springs-Marietta MSA. These totals include applications for FHA, FSA/RHS, VA, conventional, refinance, and home improvement loans. The data reveals that the majority of the loans originated were in the Atlanta MSA. 25% of the loans were denied in Chattanooga, which is similar to the percentage of loans denied in Atlanta (25%). The table which follows shows the disposition of all loan applications, including those that were approved but not accepted by the applicant, withdrawn, or incomplete.

Table 16: Aggregate Summary of Home Applications by MSA, 2006

MSA	Originated		Approved Not Accepted		Denied		Withdrawn		Incomplete		Total
	#	%	#	%	#	%	#	%	#	%	
Chattanooga	21,966	50	3,710	9	10,825	25	5,492	13	1,569	4	43,562
Atlanta	312,191	49	50,882	8	159,818	25	85,291	14	23,120	4	631,302

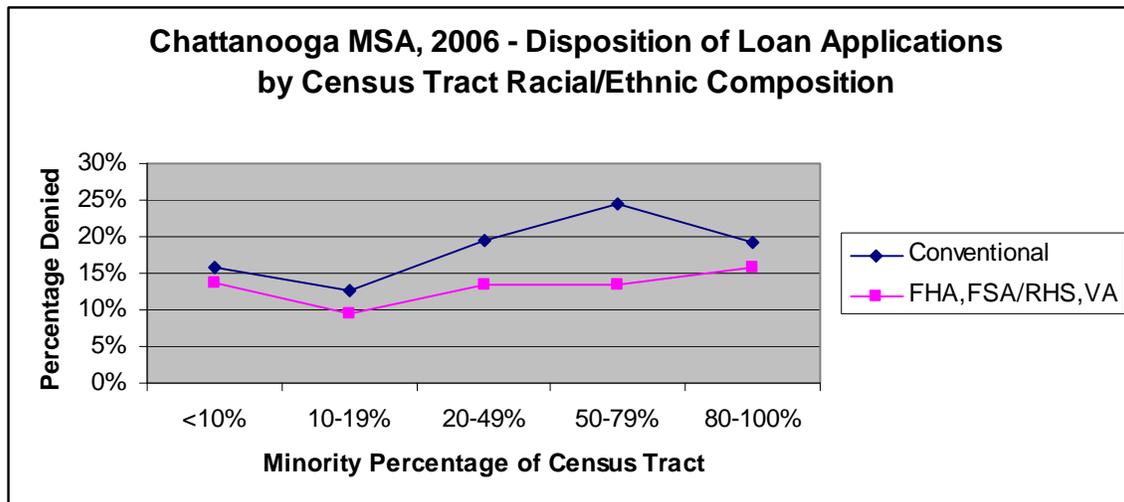
Source: Home Mortgage Disclosure Act Data, 2006

➤ *Racial Composition of Census Tracts in MSAs*

As can be seen on Chart 7, the denial rate of FHA, FSA/RHS, VA, and Conventional home loans in the Chattanooga MSA varied widely in 2006. The government-sponsored loans denial rate was higher in census tracts that were home to 80-100% of minority households. Interestingly, denials decreased greatly in census tracts that were populated by 50-79% of minority households.

The conventional loans denial rate was also highest for a minority concentration of 80-100% and steadily increased as the concentration of minority households within a census tract increased for the 10-19% group. Overall, the denial rates of conventional loans were consistently higher than that of government-backed loans.

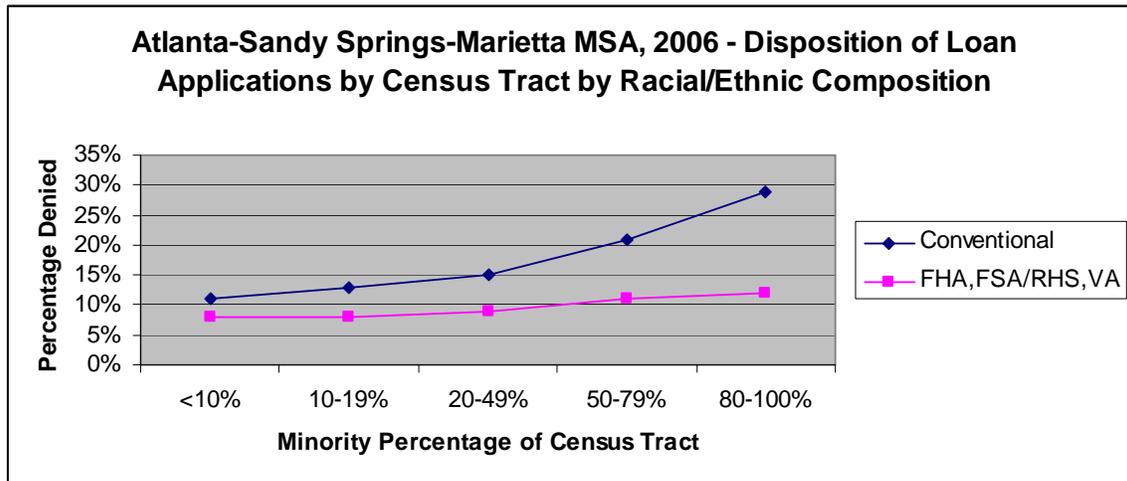
Chart 7: Chattanooga MSA, 2006 – Disposition of Loan Applications by Census Tract Racial Composition



Source: Home Mortgage Disclosure Act Data, 2006

Chart 8 presents data for the Atlanta-Sandy Springs-Marietta MSA. The denial rate for FHA, FSA/RHS, and VA home loans increased slightly as the concentration of minority households within a census tract increased. In addition, the denial rate of conventional loans increased for census tracts with a concentration of 20 to 100% of minority households. As in the Chattanooga MSA, denial rates in the Atlanta MSA for conventional loans is consistently higher than that of government-backed loans.

Chart 8: Atlanta-Sandy Springs-Marietta MSA, 2006 – Disposition of Loan Applications by Census Tract Racial Composition



Source: Home Mortgage Disclosure Act Data, 2006

➤ *Race of Applicant*

As shown in Table 17, the denial rate between racial groups for government-sponsored loans in the Chattanooga MSA was relatively equal. In fact, the denial percentage was lowest for Hispanic households (4%). Conversely, the conventional loan denial rate was much higher for Blacks than it was for other minority groups. Although the denial rate of refinancing loans was also higher for Black households, it appears that Native American/Alaskan Native households experienced the greatest percentage of home improvement loan denials along with those who classified themselves as joint (White/minority) and closely followed by those who chose 2 or more races. Nevertheless, one must keep in mind that the relatively small number of home improvement applications submitted by Native American/Alaskan Native (19) distorts this result.

Table 17: Disposition of Applications by Loan Type, Chattanooga MSA 2006

RACE	APPLICATIONS RECEIVED	APPLICATIONS DENIED	PERCENTAGE DENIED
Disposition of Applications for FHA, FSA/RHS, and VA Home Purchase Loans			
Native American/Alaskan Native	2	0	0%
Asian	2	0	0%
Black	196	31	16%
Hispanic	24	6	4%
White	1,061	135	13%
2 or more Minority Races	31	3	10%
Joint (White/Minority)	9	1	11%
Race Not Available	52	9	17%
Disposition of Applications for Conventional Home Purchase Loans			
Native American/Alaskan Native	41	7	17%
Asian	213	32	15%
Black	1,457	387	27%
Hispanic	308	61	20%
White	12,239	1,814	15%
2 or more Minority Races	273	39	14%
Joint (White/Minority)	94	18	19%
Race Not Available	1,602	345	22%
Disposition of Applications for Refinancing Loans			
Native American/Alaskan Native	54	15	28%
Asian	98	31	32%
Black	2,609	1,013	39%
Hispanic	246	74	30%
White	15,978	4,230	26%
2 or more Minority Races	377	126	33%
Joint (White/Minority)	115	44	38%
Race Not Available	4,281	1,333	31%
Disposition of Applications for Home Improvement Loans			
Native American/Alaskan Native	19	12	63%
Asian	21	9	43%
Black	446	241	54%
Hispanic	33	18	55%
White	2,449	917	37%
2 or more Minority Races	67	45	67%
Joint (White/Minority)	27	21	78%
Race Not Available	394	158	40%

Source: Home Mortgage Disclosure Act Data, 2006

Table 18 depicts the loan denial rates between racial groups for the Atlanta MSA. The denial rate for government-sponsored loans was highest for those who did not specify a race (14%), followed by both Hispanics and Blacks (11%). In addition, the conventional loan and refinancing loan denial rates were much higher for Blacks than for other minority groups. The improvement loan applications were almost equal in the denial rate for Hispanics, Native American/Alaskan Native, no race selected, joint/minority and those who chose 2 or more races in 2006 (all in 30% range respectively). Overall, the denial rate was generally two times higher for Blacks than for Whites

across all loan types. To illustrate, Black applicants were denied 54% of home improvement loans, whereas White applicants were denied approximately 25% of home improvement loans.

Table 18: Disposition of Applications by Loan Type, Atlanta-Sandy Springs-Marietta MSA 2006

RACE	APPLICATIONS RECEIVED	APPLICATIONS DENIED	PERCENTAGE DENIED
Disposition of Applications for FHA, FSA/RHS, and VA Home Purchase Loans			
Native American/Alaskan Native	46	4	9%
Asian	165	17	10%
Black	7,087	782	11%
Hispanic	766	87	11%
White	7449	513	7%
2 or more Minority Races	31	3	10%
Joint (White/Minority)	162	13	8%
Race Not Available	1,429	195	14%
Disposition of Applications for Conventional Home Purchase Loans			
Native American/Alaskan Native	871	167	19%
Asian	12,875	1,626	13%
Black	108,728	27,478	25%
Hispanic	17,801	3,234	18%
White	122,751	13,182	11%
2 or more Minority Races	273	39	14%
Joint (White/Minority)	1,674	163	10%
Race Not Available	40,077	7,802	19%
Disposition of Applications for Refinancing Loans			
Native American/Alaskan Native	971	312	32%
Asian	4,663	1,305	28%
Black	81,536	30,918	38%
Hispanic	8,991	3,051	34%
White	124,990	31,177	25%
2 or more Minority Races	377	126	33%
Joint (White/Minority)	1,381	411	30%
Race Not Available	72,510	24,739	34%
Disposition of Applications for Home Improvement Loans			
Native American/Alaskan Native	284	145	51%
Asian	735	287	39%
Black	13,737	8,149	59%
Hispanic	1,472	825	56%
White	18,456	6,808	37%
2 or more Minority Races	67	45	67%
Joint (White/Minority)	280	115	41%
Race Not Available	5,579	2,668	49%

Source: Home Mortgage Disclosure Act Data, 2006

Reasons for Denial of Loan Applications

Within the Chattanooga MSA, credit history was the most predominant reason for denial of loans regardless of race or the type of loan application. Debt-to-income ratio is consistently cited as the second most common reason, also regardless of race or loan type. Tables 19, 20, 21, and 22 below identify by loan type the denial reasons cited for White, Black, Hispanic, and Asian

households. Information is not reported here for other racial groups because of the relatively small number of applications submitted by other racial groups. Information for the other racial groups is available in the raw data.

Table 19: FHA, FSA/RHS, and VA Loan Denial Reasons, Chattanooga MSA 2006

REASON FOR DENIAL	PERCENTAGE OF APPLICATIONS DENIED			
	White	Black	Hispanic	Asian
FHA, FSA/RHS, and VA Home Purchase Loans				
Debt-to-Income Ratio	16%	26%	20%	0%
Employment History	3%	0%	10%	0%
Credit History	47%	56%	50%	0%
Collateral	4%	0%	0%	0%
Insufficient Cash	4%	6%	10%	0%
Unverifiable Information	2%	3%	10%	0%
Credit Application Incomplete	4%	3%	0%	0%
Mortgage Insurance Denied	0%	0%	0%	0%
Other	20%	6%	50%	0%

Source: Home Mortgage Disclosure Act Data, 2006

Table 20: Conventional Loan Denial Reasons, Chattanooga MSA 2006

REASON FOR DENIAL	PERCENTAGE OF APPLICATIONS DENIED			
	White	Black	Hispanic	Asian
Conventional Home Purchase Loans				
Debt-to-Income Ratio	12%	15%	17%	6%
Employment History	1%	1%	7%	10%
Credit History	30%	32%	18%	19%
Collateral	9%	7%	5%	6%
Insufficient Cash	4%	2%	3%	6%
Unverifiable Information	5%	8%	10%	10%
Credit Application Incomplete	5%	5%	2%	3%
Mortgage Insurance Denied	0%	0%	0%	0%
Other	33%	30%	38%	39%

Source: Home Mortgage Disclosure Act Data, 2006

Table 21: Refinance Loan Denial Reasons, Chattanooga MSA 2006

REASON FOR DENIAL	PERCENTAGE OF APPLICATIONS DENIED			
	White	Black	Hispanic	Asian
Refinance Loans				
Debt-to-Income Ratio	13%	12%	18%	24%
Employment History	1%	1%	4%	0%
Credit History	30%	29%	23%	29%
Collateral	17%	15%	20%	18%
Insufficient Cash	2%	2%	5%	0%
Unverifiable Information	4%	3%	5%	18%
Credit Application Incomplete	8%	7%	9%	6%
Mortgage Insurance Denied	0%	0%	0%	0%
Other	25%	31%	16%	6%

Source: Home Mortgage Disclosure Act Data, 2006

Table 22: Home Improvement Loan Denial Reasons, Chattanooga MSA 2006

REASON FOR DENIAL	PERCENTAGE OF APPLICATIONS DENIED			
	White	Black	Hispanic	Asian
Home Improvement Loans				
Debt-to-Income Ratio	15%	19%	33%	12%
Employment History	1%	0%	0%	0%
Credit History	56%	55%	40%	38%
Collateral	14%	10%	0%	38%
Insufficient Cash	1%	1%	0%	0%
Unverifiable Information	1%	0%	0%	0%
Credit Application Incomplete	3%	3%	7%	0%
Mortgage Insurance Denied	0%	0%	0%	0%
Other	10%	12%	20%	12%

Source: Home Mortgage Disclosure Act Data, 2006

Also within the Atlanta MSA, credit history and debt-to-income ratio were the most predominant reasons for denial of loans regardless of race or the type of loan application. However, Hispanics also experienced high denial rates due to incomplete applications for government-sponsored, conventional, and refinance loans. Tables 23, 24, 25, and 26 identify by loan type the denial reasons cited for White, Black, Hispanic, and Asian households. Information is not reported here for other racial groups because of the relatively small number of applications submitted by other racial groups. Information for the other racial groups is available in the raw data.

Table 23: FHA, FSA/RHS, and VA Loan Denial Reasons, Atlanta–Sandy Springs–Marietta MSA 2006

REASON FOR DENIAL	PERCENTAGE OF APPLICATIONS DENIED			
	White	Black	Hispanic	Asian
FHA, FSA/RHS, and VA Home Purchase Loans				
Debt-to-Income Ratio	24%	26%	19%	7%
Employment History	6%	5%	11%	7%
Credit History	36%	33%	31%	29%
Collateral	7%	4%	4%	0%
Insufficient Cash	5%	7%	8%	7%
Unverifiable Information	4%	7%	12%	7%
Credit Application Incomplete	9%	8%	5%	14%
Mortgage Insurance Denied	1%	0%	1%	0%
Other	9%	10%	9%	29%

Source: Home Mortgage Disclosure Act Data, 2006

Table 24: Conventional Loan Denial Reasons, Atlanta-Sandy Springs-Marietta MSA 2006

REASON FOR DENIAL	PERCENTAGE OF APPLICATIONS DENIED			
	White	Black	Hispanic	Asian
Conventional Home Purchase Loans				
Debt-to-Income Ratio	15%	14%	15%	15%
Employment History	3%	3%	4%	6%
Credit History	19%	20%	20%	13%
Collateral	13%	14%	9%	10%
Insufficient Cash	5%	4%	5%	4%
Unverifiable Information	9%	11%	13%	14%
Credit Application Incomplete	12%	10%	12%	16%
Mortgage Insurance Denied	0%	0%	0%	0%
Other	23%	24%	21%	23%

Source: Home Mortgage Disclosure Act Data, 2006

Table 25: Refinance Loan Denial Reasons, Atlanta-Sandy Springs-Marietta MSA 2006

REASON FOR DENIAL	PERCENTAGE OF APPLICATIONS DENIED			
	White	Black	Hispanic	Asian
Refinance Loans				
Debt-to-Income Ratio	17%	18%	22%	25%
Employment History	1%	1%	2%	2%
Credit History	23%	26%	24%	20%
Collateral	23%	21%	20%	21%
Insufficient Cash	2%	2%	2%	1%
Unverifiable Information	4%	4%	4%	5%
Credit Application Incomplete	9%	7%	6%	8%
Mortgage Insurance Denied	0%	0%	0%	0%
Other	22%	21%	20%	18%

Source: Home Mortgage Disclosure Act Data, 2006

Table 26: Home Improvement Loan Denial Reasons, Atlanta-Sandy Springs-Marietta MSA 2006

REASON FOR DENIAL	PERCENTAGE OF APPLICATIONS DENIED			
	White	Black	Hispanic	Asian
Home Improvement Loans				
Debt-to-Income Ratio	19%	18%	22%	26%
Employment History	1%	0%	1%	1%
Credit History	48%	57%	50%	35%
Collateral	15%	11%	13%	21%
Insufficient Cash	2%	1%	3%	1%
Unverifiable Information	1%	1%	1%	4%
Credit Application Incomplete	3%	2%	1%	2%
Mortgage Insurance Denied	0%	0%	0%	0%
Other	11%	10%	9%	9%

Source: Home Mortgage Disclosure Act Data, 2006

Summary of HMDA Data by Income Characteristics

Table 27 illustrates the percentage of applications denied by income in the Chattanooga MSA. For low and moderate income applicants, no significant differences existed in the denial rate of applications for government sponsored, refinance, or home improvement loans. As for applicants with middle and upper incomes, the denial rate was similar for all applicants of government sponsored and conventional loans.

Table 27: Percentage of Applications Denied by Income, Chattanooga MSA 2006

INCOME	PERCENTAGE OF APPLICATIONS DENIED			
	FHA, FSA/RHS, VA	Conventional	Refinance	Home Improvement
Low and Moderate Incomes (less than 50% up to 79% of MSA Median)				
Less than 50%	30%	30%	38%	49%
50 – 79%	11%	21%	32%	42%
Middle and Upper Incomes (from 80% to over 120% of MSA Median)				
80 – 99%	11%	16%	29%	43%
100 – 119%	10%	16%	30%	40%
120% or more	7%	11%	24%	33%

Source: Home Mortgage Disclosure Act Data, 2006

The table below illustrates the percentage of applications denied by income in the Atlanta-Sandy Springs-Marietta MSA. For low and moderate income applicants, significant differences existed in the denial rate of applications for government sponsored, conventional, or refinance loans. As for applicants with middle and upper incomes, the denial rate was similar for all applicants of government sponsored loans.

Table 28: Percentage of Applications Denied by Income, Atlanta-Sandy Springs-Marietta MSA 2006

INCOME AND GENDER	PERCENTAGE OF APPLICATIONS DENIED			
	FHA, FSA/RHS, VA	Conventional	Refinance	Home Improvement
Low and Moderate Incomes (less than 50% up to 79% of MSA Median)				
Less than 50%	14%	25%	43%	64%
50 – 79%	10%	19%	36%	54%
Middle and Upper Incomes (from 80% to over 120% of MSA Median)				
80 – 99%	8%	19%	32%	45%
100 – 119%	6%	19%	29%	41%
120% or more	6%	16%	25%	33%

Source: Home Mortgage Disclosure Act Data, 2006

Summary of HMDA Data

In sum, the examination of HMDA data provides a beneficial illustration of mortgage activity. The HMDA statistics indicate that the overall experience of minority groups within the home mortgage loan market differs from that of Whites.

Although HMDA data may suggest a lending bias in the home mortgage loan market, other factors must be considered due to the data limitations. Drawing conclusions from HMDA data

alone is not sufficient to eliminate the effects of other factors beyond race, gender, and income in these trends. For instance, economic factors (such as job availability) may play an important role in influencing the higher denial rates for low or moderate income households. In addition, the structural condition of the property and the ability to obtain homeowners insurance may also influence a loan approval decision. Consequently, HMDA data offers great insight into potential problem areas that may require further investigation.

Predatory Lending

Mortgage lending is predatory when it has a significant adverse impact on a borrower's life, either because the loan is inappropriate to the borrower's situation, is grossly over-priced, or both. The subprime lending market offers borrowers an opportunity to own a home even though they may have blemishes on their credit reports, nontraditional credit, or insufficient credit histories. Subprime mortgages routinely include features such as adjustable interest rates, balloon payments, prepayment penalties, and loans that increase the risk of foreclosure. Unfortunately, the subprime market often leads to predatory lending opportunities for some unscrupulous lenders. Estimates of the annual volume of nonprime lending vary, but all sources agree that the nonprime market has grown substantially.

- From 1994-2005, the dollar volume of subprime loans increased from about \$35 billion to more than \$665 billion.
- Represent 20% of all mortgage originations

Last year, 2.2 million households in the subprime market either have lost their homes to foreclosure or hold subprime mortgages that will fail over the next several years. These foreclosures will cost homeowners as much as \$164 billion, primarily in lost home equity.²⁰ Older people, minorities, families with low incomes, and people with disabilities are especially vulnerable to fraudulent predatory lending.

Estimating the number of housing units at risk of foreclosure is challenging because mortgages are held or serviced by a number of different entities. Many reports provide information on only a slice of the market. HOPE Now (a national industry/counseling alliance) reports that there were approximately 7.1 million subprime loans being serviced as of September 2007, including 4.1 million handled by their nine largest servicer members.

²⁰ Capitol Hill Publishing Corp

According to a survey conducted in January 2008 by RealtyTrac, of the 100 largest U.S. cities surveyed, most reported higher foreclosure rates. The Atlanta/Sandy Spring/Marietta areas ranked 11th on this list with 81,038 foreclosure filings. Georgia ranks fifth in foreclosures nationwide with one foreclosure for every 332 homes in October 2007, according to foreclosure tracking company.²¹ At the end of 2007, RealtyTrac reported a total of 2,203,295 foreclosure filings — default notices, auction sale notices and bank repossessions — up from 1,285,873 properties during 2006. The report also showed that more than 1 percent of all U.S. households were in some stage of foreclosure during the year, up from 0.58 percent in 2006. A total of 215,749 foreclosure filings were reported in December 2007, up 97 percent from December 2006 and bringing the fourth-quarter total to 642,150 filings on 527,740 properties — up 1 percent from the previous quarter and up 86 percent from the fourth quarter of 2006.

Acknowledging the problem of high default and foreclosures, President Bush in December 2007 signed a measure to provide financial relief for financially strapped homeowners facing foreclosure or in bankruptcy. The bill gives a tax break to homeowners who have mortgage debt forgiven as part of a foreclosure or renegotiation of a loan. No taxes would be owed on the value of any debt forgiven or written off. Currently such debt forgiveness is taxable income. While the measure is anticipated to reduce taxes of some strapped homeowners by \$650 million, the cost to the government would be offset in part by limiting a tax break available on the sale of second homes. An estimated 2 million to 2.5 million adjustable-rate mortgages worth some \$600 billion will jump from low initial "teaser" rates to higher rates in 2008 and 2009. Steep prepayment penalties have made it difficult for some to get out of their mortgages, and some overstretched homeowners can't afford to refinance or sell their homes.²² Other foreclosure relief initiatives, or information has has equipped homeowners. The National Association of Realtors®, in partnership with the Center for Responsible Lending and NeighborWorks America, provides a brochure on how to avoid foreclosures. "Learn How to Avoid Foreclosure and Keep Your Home." This brochure provides examples of mortgages that can put certain borrowers in danger; cautions consumers about predatory lending practices; identifies housing counseling organizations and other resources; and suggests steps homeowners should take as soon as they think they might not be able to make a monthly mortgage payment. The Internal Revenue Service unveiled a special new section on IRS.gov for people who have lost their homes due to foreclosure. The IRS also reassured homeowners that although mortgage workouts and foreclosures can have tax

²¹ Atlanta Business Chronicle, December 7, 2007

²² Associated Press December 20, 2007, StarTribute.com

consequences, special relief provisions can often reduce or eliminate the tax bite for financially strapped borrowers who lose their homes. Details are in the attached news release and on IRS.gov. The Internal Revenue Service is encouraging mortgage and real estate licensing agencies to assist in making this information available by posting on their websites or providing it to their customers by other means.

To help combat the rise in foreclosures in Georgia, the Consumer Credit Counseling Service of Greater Atlanta, the Fannie Mae Foundation, the Homeownership Preservation Foundation, NeighborWorks America, and the United Way have joined together to provide free counseling to Georgia homeowners to provide consumer education and to prevent home foreclosures. The Federal Reserve Bank of Atlanta, Georgia Department of Consumer Affairs, Georgia Department of Labor, and a number of mortgage lenders have also partnered to promote the HOPE campaign. The HOPE program is a foreclosure prevention program and consists of a toll-free 1-888-995-HOPE hotline supplemented by face-to-face counseling provided by local NeighborWorks organizations. The hotline is staffed 24 hours a day, 7 days a week, by counselors, who provide free, confidential advice for those facing foreclosure. Homeowners who want or need in-person counseling will be referred to organizations throughout the metro area. Counseling is available in English and Spanish.

To protect residents from loans with predatory lending characteristics in Georgia, the Georgia State Legislature passed the Georgia Fair Lending Act in 2002. On March 7, 2003, the act was amended to address a number of unintended consequences of the original act. The provisions of the amended act apply to all home loans closed on or after March 7, 2003. The original act applied to all home loans closed between October 1, 2002 and March 6, 2003. The intent of the act was to prohibit abusive mortgage lending practices. It also imposed liability on loan brokers, loan servicers, and loan purchasers or assignees; however, the amended act greatly limits assignee liability. In addition, DCA has received a \$800,000 grant from Neighbors of America that runs through December 31, 2008 for foreclosure counseling. It is being offered through DCA's approved housing counseling offices throughout the state.

Housing Accessibility for Privately Owned Homes

DCA, along with other state agencies and local governments, often provides funding to assist in the rehabilitation of privately owned homes. The Home Access Program, coordinated by DCA, provides funding to nonprofit organizations to provide grants to improve the accessibility of owner-occupied homes occupied by individuals with disabilities. The program is administered

through a network of Contract Administrators located throughout the state. Contract Administrators participating in the program are responsible for the administrative coordination and oversight associated with the program. The Home Access grant funds are available on a per project basis and have a maximum allowable project amount of \$15,000 utilizing DCA funds. Contract Administrators have responsibility for the program's administrative coordination and oversight. The Contract Administrators are selected through a Request for Qualifications process. Funds are used to complete any of the following activities: widening of interior and exterior doorways, construction of wheelchair ramps, bathroom retrofitting, installations of chair or porch lifts, accessibility improvements to kitchens, lowering of closet shelves and installation of visual aids and/or audible alarms. Through the program, total funds of \$300,000 are available to eligible homeowners.

The Community HOME Investment Program (CHIP), also coordinated by DCA, makes federal HOME funds available to local governments for housing activities designed to benefit low- and moderate-income persons. Funds may be used for housing rehabilitation in addition to housing production and acquisition. Only cities and counties in Georgia that do not receive HOME funds directly from HUD may apply for these grants from DCA.

Public and Private Sector Policies

Fair Housing Monitoring and Education

Two nonprofit fair housing organizations are located in Georgia. Metro Fair Housing Services, Inc. is located in the Atlanta area and serves residents throughout the state. The Savannah-Chatham County Fair Housing Council, Inc. (SCFHC), located in Savannah, provides fair housing services to the citizens of Chatham County and surrounding counties. Both providers endeavor to eliminate housing discrimination through conducting complaint-based and systemic testing. Their projects target underserved populations and expects to produce several outcomes, including: investigation and resolution of housing discrimination complaints; continued progress toward Fair Housing Action Plan goals; and a gradual reduction in discriminatory housing practices within the target area. These organizations assist the state with the monitoring of equal housing opportunity for Georgians. Both agencies also initiate education and outreach efforts, and collaborating with other organizations.

Metro Fair Housing and SCFHC also receive fair housing complaints, investigate them, and refer them (if warranted) to the Georgia Commission on Equal Opportunity (GCRD-GCEO), HUD,

and/or cooperating attorneys for further investigation. The GCRD-GCEO, as described in Chapter III, is responsible for administering and enforcing the Georgia Fair Housing Law. The GCRD-GCEO also provides education and technical assistance to housing consumers and providers about state and federal fair housing laws.

Other state agencies monitor compliance with the fair housing laws, as well. The Georgia Real Estate Commission administers the license law that regulates brokers, salespersons, and community association managers. In addition, the Real Estate Commission supplies staff supports to the Georgia Real Estate Appraisers Board, but has no authority over the administration of the Georgia Appraisal Act. As a regulatory body, the role of the Commission is neither to protect the industry or the profession that it regulates nor to protect consumers. Instead, the role of the regulators is to protect the public interest. The Georgia Real Estate Commission monitors its licensees for violations of the federal and state fair housing laws. If a real estate licensee or applicant has been found guilty of violating fair housing laws by an administrative law judge or court, such conviction may be grounds for refusal of a license or the imposition of any sanction permitted by the Georgia Real Estate License Law. Courses are offered to understand ethic policy and fair housing laws. The goal of these courses is to enable participants to comply with the fair housing laws and ADA by approaching all consumers in the same manner regardless of race, color, religion, sex, handicap, familial status or national origin. Topics covered include the history of fair housing in the United States; the seven protected classes; exemptions from the fair housing laws; fair housing violations and application of fair housing exemptions; the difference between legal and illegal advertising under the fair housing laws; the penalties for violations of the fair housing laws; and the Americans with Disabilities Act of 1990 (ADA).

Funded in part by a grant from HUD, the Georgia Department of Community Affairs has contracted with local Consumer Credit Counseling Service agencies and other nonprofit counseling agencies to provide individual home buyer counseling services. The counseling is intended to enable each household to make an informed decision about purchasing a home, considering their own financial and personal situation, and to keep their homes once the purchase is complete. Fair housing information is presented in these home buyer-counseling sessions. DCA has also contracted with a number of nonprofit agencies to offer home buyer education seminars to groups around the state. Additionally, DCA has trained and certified counselors throughout the state to provide the counseling required under the Georgia Fair Lending Act.

Visitability in Housing

HUD recommends that all design, construction and alteration for Multi-family units, incorporate the concept of visitability in addition to the requirements under Section 504 and the Fair Housing Act. HUD defines housing that is "visitable" as having a basic level of accessibility that enables persons with disabilities to visit friends, relatives, and neighbors in their homes within a community. Visitability can be achieved with the use of two simple design standards: (1) providing a 32-inch clear opening in all interior and bathroom doorways; and (2) providing at least one accessible means of egress/ingress for each unit.

As the State Office of Housing, DCA has incorporated Official Code of Georgia requirements as instructed by the Georgia General Assembly in all programs funding the new construction of single family homes for either rental or homeownership purposes. In 2000, the General Assembly of Georgia amended the Official Code of Georgia to further expand housing visitability in Georgia. The new code section 8-3-172 reads as follows:

- 1) The State Office of Housing shall award state or federal funds to construct single-family affordable housing for individuals and families of low and very low income only to persons whose application indicates that the affordable housing that is the subject of the application and for which a building permit is issued on or after July 1, 2000, will be constructed so that:
 - a. At least one entrance door, whether located at the front, side, or back of the building:
 - i. Is on an accessible route served by a ramp or no-step entrance; and
 - ii. Has at least a standard 36-inch door;
 - b. On the first floor of the building:
 - i. Each interior door is at least a standard 32 inch door, unless the door provides access only to a closet of less than 15 square feet in area;
 - ii. Each hallway has a width of at least 36 inches and is level, with ramped or beveled changes at each door threshold;
 - iii. Each bathroom wall is reinforced for potential installation of grab bars;
 - iv. Each electrical panel or breaker box, light switch, or thermostat is not higher than 48 inches above the floor; and
 - v. Each electrical plug or other receptacle is at least 15 inches above the floor; and
 - c. The main breaker box is located inside the building on the first floor.
 - d. A person who builds single-family affordable housing to which this Code section applies may obtain a waiver from the State Office of Housing of the requirement described in subparagraph (a)(1)(A) of this Code section if the cost of grading and other improvements to the terrain which are required in order to meet the requirement of such subparagraph is unreasonably expensive.

DCA also supports efforts to market and implement visitability in housing. Representatives from DCA, a coalition of Georgia citizens that includes AARP of Georgia, Atlanta Regional

Commission, Concrete Change, Georgia Department of Community Affairs, Governor's Council on Developmental Disabilities, Home Builders Association of Georgia, and the Statewide Independent Living Council of Georgia formed the Easy Living Home Program. This program is a certification program designed to encourage the voluntary inclusion of key features, which make a home cost effective, accessible and convenient for everyone without sacrificing style or adding substantial construction cost. Prices have ranged from modest 1,200 square foot homes costing less than \$100,000 to upscale homes exceeding 4,000 square feet costing more than half a million dollars. In return, builders are provided with a "seal" of approval.

An Easy Living Home features:

- An entrance into the house through a zero step entrance through the front, back, garage, or otherwise and into the living area of the house
- The living area has all entry spaces with at least a 32-inch clear opening. The exception to this is the bathroom door, which can be 30 inches of clear opening when a 32-inch door would increase the home's footprint
- On the main floor, at least one full bath on the main floor, with ample maneuvering space, a bedroom, some entertainment space, and a kitchen of course
- Ample interior door widths
- One step less entrance (at the front, side, or back of the home, or through the garage)

DCA also markets a DVD to describe construction techniques to build an aesthetically pleasing, cost efficient no-step entry and works through the Easy Living Home Coalition to disseminate the product to builders.

Fair Housing Survey 2008

Survey Overview

In April 2008, DCA conducted an online fair housing survey in order to determine if impediments to housing, whether intentional or unintentional, result from various public/private sector policies and practices. The survey announcement was distributed to over 1,000 housing stakeholders, including local government officials, disability advocates, real estate agents, affordable housing developers, fair housing advocates, and housing counseling instructors. The survey consisted of three main parts, which are described in more detail below.

Survey Results

In all, DCA received 232 responses to the survey, resulting in a 23% response rate based upon the number of survey announcements that were distributed. A copy of the survey questions and survey results are available in Appendix A.

➤ *Part I: General Awareness of Impediments*

Part I asked whether the survey respondents were generally aware of fair housing and fair housing impediments in the communities they serve. Seventy-one percent (71%) of respondents said that they were not aware of any impediments to fair housing choice in their communities. Conversely, 29% of respondents noted that they were aware of fair housing impediments in their communities. Several respondents also noted the specific impediments that exist in their communities. Some of these impediments are noted below:

- “Racial and gender issues.”
- “Lack of subsidized housing for low income disabled single family households.”
- “Predatory Lending and Fraud.”
- “Lack of affordable and workforce housing.”
- “Lack of education and outreach.”
- “Landlords are not informed of their responsibilities particularly as it applies to disabilities and reasonable accommodations and familial status.”
- “Stigmas about mental illness.”
- “Financial illiteracy.”
- “Many of our clients have large families and it is often difficult to find housing that will accommodate.”
- “Sometimes there is community resistance to minorities moving into predominately majority neighborhoods.”
- “Real estate agents still practice “red-lining” in various forms to steer minorities from some neighborhoods.”

Although 57% of the respondents noted that they were aware of the GCRD-GCEO’s role in governing the administration of fair housing policy in Georgia, approximately 43% of respondents were not aware of this fact. Furthermore, only 5% of the respondents had ever referred fair housing complaints to the GCRD-GCEO.

The majority of the respondents were local government officials (23%). The following table depicts the percentage of all respondents by occupation. Four percent (4%) of respondents did not provide an answer.

Table 29 Percentage of Respondents by Occupation, DCA Fair Housing Survey 2008

OCCUPATION	% OF RESPONDENTS
Disability Advocate	4.5%
Fair Housing Advocate	3.6%
Home Buyer Education Provider	2.3%
Local Government Official	23.3%
Mortgage Lender	1.3%
Public Housing Authority Official	9%
Real Estate Developer	3.2%
Real Estate Sales Professional	.5%
Other	52.3%

➤ *Part II: Identification of Impediments*

The second part of the survey asked the respondents to identify any impediments to fair housing that they knew of in banking and lending practices, real estate practices, property insurance, rental housing, zoning laws, building codes, tax laws, persons with disabilities, neighborhood environment, and government assisted housing. Impediments that have been noted to exist by at least 15% of the respondents are noted below. Selected written responses for each category are also provided.

❖ **Banking and Lending Practices**

- Seventeen percent (17%) of respondents noted that banking practices limit fair housing choice (i.e. unfair procedures for loan origination and processing, prescreening, assessing credit, conducting appraisals, and/or selecting appraisers, underwriting decisions, providing mortgage insurance, and selecting insurers).
- Selected written comments:
 - “State Banking and Insurance laws DO NOT regulate lenders.”
 - “Minorities have lower credit scores.”
 - “We need laws that will require housing to be with basic access for everyone.”
 - “With the current mortgage climate, more houses are lost to foreclosure than need be.”
 - “We need a ‘right to first refusal’ statute in Georgia.

❖ **Real Estate Practices**

- Twenty-five percent (25%) of respondents noted that there is a lack of training in fair housing laws for brokers and agents. Twenty percent (20%) observed that there is a limited number of minority real estate brokers and agents in their communities.

- Selected written comments:
 - “No real estate agents with disabilities.”
 - “Agents do not know fair housing law. While agents do not think of themselves as steering, they do.”

❖ Rental Housing

- Thirty-five percent (35%) of respondents noted that landlords in their communities do not rent to persons receiving government housing or financial assistance. In addition, 25% of respondents observed that Section 8 and/or affordable housing opportunities in their communities are only available in minority concentrated areas. Twenty-eight percent of respondents (28%) also felt that there are discriminatory practices in tenant selection and twenty-five percent (25%) felt there were unequal maintenance practices for apartments or housing units rented by minorities in their communities.
- Selected written comments:
 - “Allowing minorities to reside in substandard housing, multiple families occupying single family houses.”
 - “Fair Market Rents are too low to permit Housing Choice Vouchers for clients to occupy apartments in neighborhoods not concentrated by race/income.”
 - “Section 8 tends to have a negative image. Many landlords are unwilling to rent to Section 8 tenants.”
 - “Refusal is typically stated as credit issues and criminal background issues.”
 - “Many of our homeless clients are coming from apartments where the landlord maintenance is deplorable.”
 - “The majority of renters and individuals living in poverty are minorities.”

❖ Zoning Laws, Building Codes, and Tax Laws

- “Twenty-two percent (22%) of respondents noted that local laws (and/or decisions) limit the availability and location options for mobile homes, with the effect of restricting housing choice for these groups protected under the fair housing laws.”
- Selected written comments:
 - “Public policies need to be explained in a language that the minority populations can understand.”
 - “Zoning only permits 12 units per acre and no mobile homes in city limits; mobile homes only allowed in approved parks, of which there are none in the city.”

- “The local zoning ordinance permits group homes in high density zoning districts therefore concentrating such uses in specific neighborhoods.”
 - “The State of Georgia Building Code is not consistent with the Federal Fair Housing Act Design Guidelines and the Georgia Fair Housing Law. Therefore, local Building Code Officials do not review new construction for compliance with applicable fair housing laws.”
 - “There are strict zoning ordinances that are aimed at preventing the proliferation of mobile homes in suburban or urban areas.”
 - “Some local zoning ordinances effectively zone out affordable multi-family housing by requiring two acre lots.”
- ❖ Persons with Disabilities
- Forty-four percent (44%) of respondents noted that there is a limited number, location, and/or types of public and privately owned rental units that are accessible to, and modified for, persons with physical disabilities. Thirty-three percent also felt that there is a limited awareness of the location of accessible units within their communities.
 - Selected written comments:
 - “Many of the private rentals are not handicapped accessible.”
 - “There in no vehicle for advising persons of the availability or the rights under the Fair Housing law as it applies to persons with disabilities.”
 - “Accessibility codes are in place for public use buildings, but residential codes are different and are affected by the choice of the builders.”
 - “No information is made available to the general public as to the availability of housing suitable for the disabled.”
 - “There are a limited number or accessible units simply because there are a limited number of rental units period.”
 - “Housing providers fail to grant reasonable accommodations and modifications as required by law which limits availability.”
- ❖ Neighborhood Environment
- Sixteen percent (16%) of respondents felt that neighborhoods in their communities are experiencing racial conflict. In addition, 20% also noted that there is an unequal provision of city, county, or municipal services to specific neighborhoods. Fifty percent (50%) of respondents noticed that there is a disproportional concentration of minorities in declining and deteriorating neighborhoods in their communities, whereas 36% noticed

that affordable housing is concentrated in only deteriorating and declining neighborhoods.

- Sixty-five percent (65%) of respondents felt there is a shortage in the overall supply of affordable housing in their community. In addition, 27% noted neighborhood resistance to minorities, low-income persons, or persons with disabilities moving into a majority White neighborhood or into moderate to high-income neighborhoods.
- Selected written comments:
 - “It is difficult to locate affordable safe housing in a middle income neighborhood that is free from crime and drug activity.”
 - “Affordable housing is only available in the deteriorating neighborhood in our community.”
 - “Consolidated Plan states that we need approximately 150 additional units.”
 - “Very limited number of low cost housing is available to non-caucasian residents and low income resident, especially single mothers, all is in undesirable locations or is very poorly maintained, some are almost uninhabitable.”
 - “Primarily there are areas that are strictly ethnic located in those neighborhoods.”
 - “Gangs problems based on racial differences are common. Also, you can go into most inner city low income housing and find only minorities.”
 - “Concentration of minorities in declining neighborhoods is a very complex issue but older homes are generally more affordable and many minorities need affordable housing.”
 - “Most of the complaints have been related to the number of people living in the single family dwelling AFTER they have moved in.”

❖ Government Assisted Housing

- Twenty-four percent (24%) felt that there is limited advertising of vacancies in their communities, whereas 41% noted that there are concentrations of racial and ethnic groups in public housing in their communities.
- Selected written comments:
 - “Not enough income based housing.”
 - “Most public housing and Section 8 housing is restricted by credit checks that go beyond the normal restrictions and allows landlords to deny housing to person to whom they do not wish to rent due to race or marital status or number of children by saying simple that their “credit score is not high enough” to obtain a unit.”

- “Section 8 or voucher housing usually are located or accepted in low economic neighborhoods that are rampant with drugs and high crime statistics.”
- “Public housing is being ignored in hopes of making the case it can be torn down for “mixed” development. The poor are the victims of this loss of housing.”
- “Section 8 doesn’t allow outside occupants from other counties to move into the county. There are no postings regarding available Section 8.”

➤ *Part III: Fair Housing Actions*

Part III asked the respondents to list any fair housing actions that are taking place in their communities. The survey allowed them to select their answers from the choices provided, plus offered them additional space for written comments. Table 30 presents the results from part III of the survey. Note that the majority of the respondents answered “Don’t Know” to most statements.

Table 30: Percentage of Respondents by Fair Housing Action, DCA Fair Housing Survey 2008

FAIR HOUSING ACTION	YES	NO	DON'T KNOW	DIDN'T ANSWER
Community reviews HMDA data.	8%	27%	65%	33%
Mortgage and home improvement loans are aggressively marketed in minority and low-income communities.	14%	34%	52%	34%
Neighborhood revitalization initiatives are encouraged and assisted.	36%	23%	41%	35%
Community has implemented changes to laws, codes, or ordinances to encourage the development of affordable housing.	28%	28%	45%	34%
Training and orientation is conducted for representatives of financial institutions to initiate affirmative lending actions in deteriorating and declining neighborhoods.	13%	19%	68%	34%
Public education programs regarding fair housing laws are encouraged or supported locally.	27%	268%	47%	35%
A fair housing enforcement program exists for pursuing and settling housing complaints.	21%	28%	51%	33%
Outreach, education, and information programs have been developed.	26%	31%	43%	34%
The community supports programs that reach out to groups and individuals with limited English proficiency to provide education on fair housing laws and protection.	17%	27%	56%	35%

OTHER FAIR HOUSING ACTIVITIES IN GEORGIA

Tenant / Landlord Hotline

The state of Georgia continues to fund operation of a Landlord-Tenant Hotline with Georgia Legal Services Program, Inc. (GLSP) to offer a *Landlord-Tenant Hotline*, 404-463-1596 (metro Atlanta) or 800-369-4706 (toll-free within Georgia). The hotline does not take complaints but does provide information about the law and general advice to Georgians with questions about residential landlord/tenant issues. In addition to this service, DCA publishes the Landlord/Tenant Handbook: Questions Frequently Asked by Tenants and Landlords. This publication covers rental property management and the laws; lead paint disclosure requirement, lease and rental agreements and their termination or renewal; military service members as tenants, security deposits; payment of rent; repairs and maintenance; eviction and dispossession; and the state and federal fair housing laws. The State Bar of Georgia (404) 527-8700 or (800) 334-6865 can give you information on locating an attorney or your local Georgia Legal Services Program office.

Affirmative Marketing Efforts

HOME Investment Partnerships Program (HOME)

The State's affirmative marketing goal for the HOME program is to ensure that persons of all racial, ethnic and gender groups have the opportunity to rent or own a HOME assisted unit. The State will carry out this policy through the affirmative marketing procedures established in accordance with the Final HOME Rule. These procedures are intended to further the objectives of Title VI of the Civil Rights Act of 1964, the Fair Housing Act, the Age Discrimination Act of 1975, Section 504 of the Rehabilitation Act of 1973, Section 3 of the Housing and Urban Development Act of 1968, and Executive Orders #11063 (as amended by Executive Order #12259) and #11246.

The State's affirmative marketing procedures do not apply to HOME assisted projects containing less than five housing units, families with housing assistance provided by a public housing authority, or families with tenant-based rental assistance provided with HOME funds.

Concerted efforts continue to be made to inform local governments, nonprofits, for-profit developers, public housing authorities, and others about the affirmative marketing requirements of the HOME program.

The Community Home Investment Program (CHIP) requires each State Recipient and each owner of five or more rental or homeowner housing units to develop and implement an Affirmative Fair Housing Marketing Plan (AFHMP) and a Minority Business Enterprise/Women Business Enterprise Outreach Plan (MBE/WBE). DCA reviews and approves all AFHMP and MBE/WBE plans before any written agreements are signed or funds are disbursed.

The AFHMP requires the State Recipient and any owner of five or more rental or homeowner housing units to adopt the plan outlining marketing procedures and requirements, which both provide CHIP program information and attract eligible persons (low income homeowners, buyers or tenants) in the housing market area to the CHIP program. This marketing must be done without regard to race, color, national origin, sex, religion, familial status or disability. DCA also requires that State Recipients and developers provide an annual assessment of the AFHMP.

The MBE/WBE Outreach Plan requires that state recipients set forth procedures to ensure the inclusion, to the maximum extent possible, of minorities and women, and entities owned by minorities and women, in CHIP funded projects. DCA also requires that the state recipient provide an annual assessment of the MBE/WBE Outreach Plan.

DCA also makes a special effort to inform minority groups of HOME program opportunities by requiring that each recipient of HOME funds through the HOME Rental Housing Loan, Georgia Dream Single Family Development, HOME Rental Preservation Loan, and Permanent Supportive Housing Loan programs develop and implement an Affirmative Fair Housing Marketing Plan. This plan must outline actions the developer will take to attract eligible persons to the project from all racial, ethnic and gender groups, especially for those households least likely to apply for the housing without special outreach.

The state monitors implementation of Affirmative Marketing Plans developed by HOME recipients to ensure full compliance with the state's affirmative marketing goals. The Compliance Section of DCA's Office of Affordable Housing conducts routine site visits to funded projects. An integral part of the visit is the on-site review of documentation of the project's participation in the Affirmative Marketing Plan.

Community Development Block Grant (CDBG)

Local government officials, in agreeing to accept CDBG funds, must certify that they will "affirmatively further fair housing". While the law does not specify what type of action recipients must take, it is clear that local government recipients are obligated to take some sort of action to

affirmatively further the national goal of fair housing. DCA has established a compliance program for CDBG that regularly monitors on-site all grantees for compliance with all requirements using a set of written compliance standards and checklists. DCA monitors local government recipients to determine what sorts of actions are taken. Records are kept that reflect all recipients take one or more actions to affirmatively further fair housing. In addition, two annual CDBG Workshops are designed to assist grantees comply with requirements. More information is available in the DCA CDBG Recipients Manual. Local governments are provided with CDBG Recipients Manuals at the annual Recipients Workshop, and the possible range of actions they can take. These fair housing regulations are described in the manuals

Fair Housing Month

During National Fair Housing Month, our Nation commemorates the 40th anniversary of the Fair Housing Act and reaffirms our dedication to maintaining equal access to housing for every American. The president, George W. Bush proclaimed April 2008 as National Fair Housing Month. He called upon the people of the United States to learn more about their rights and responsibilities under the Fair Housing Act.²³ Governor Sonny Perdue proclaimed April as “Fair Housing and Equal Opportunity Month” throughout the state of Georgia as well. On April 8-11, 2008, HUD celebrated the 40th anniversary of the passage of the Fair Housing Act in a special anniversary event held in Atlanta. The title and theme of this year’s conference was “On the Sunlit Path.” These words were adapted from Dr. King’s, “I Have A Dream,” speech where he said, “Now is the time to rise from the dark and desolate valley of segregation to the sunlit path of racial justice.” The conference highlighted all goals that have been achieved since the enactment of the Fair Housing Act and all the impending challenges to come. The conference attendees were from various backgrounds which included fair housing partners, scholars, real estate and lending professionals, college students, and the general public.

GeorgiaHousingSearch.org

One of the key barriers to an individual’s success in locating affordable rental housing is a lack of information as to the location of quality, affordable rental units. This issue is of particular concern for individuals with disabilities who often require units with accessibility features to accommodate their physical needs. These prospective renters often indicate that units meeting their physical needs are not available in their community. At the same time, DCA’s on-going compliance work associated with Tax Credit and HOME funded properties has uncovered that most units constructed with these accessibility features are not occupied by individuals with

²³ White House, Office of the Press Secretary April 1, 2008

disabilities. Property managers have repeatedly indicated to DCA staff that the demand for such units does not meet the supply of units created. To alleviate the burden of locating housing units, DCA provided access to rental housing opportunities through GeorgiaHousingSearch.org, a comprehensive web site of available rental housing choices. Prospective tenants have a variety of specific search features to access housing. This service provides an on-line resource for property managers to market units, provides a convenient resource for prospective renters to locate affordable and accessible housing and obtain community resource links along with locating housing information. This service provides Georgians with the ability to access, via the internet, information about vacant units at DCA-financed affordable rental properties, other publicly assisted properties, and privately financed sites. Individuals with disabilities are also able to identify features that make the units accessible for their physical needs. The web site is free, searches can be conducted in both English and Spanish and owners/property managers update the site at least bi-weekly with vacancy information. Marketing through brochures, direct letters to property management firms, on-line advertising and public service announcements, dedicated staff can provide a system overview at targeted training sessions or other events to engage participation by property managers. This increased targeting has furthered outreach and awareness of this important online tool at record numbers. Through May 2008, GeorgiaHousingSearch.org has registered 73,300 rental housing units statewide and supports over 6,000 average daily searches from prospective renters.

CHAPTER VI

ACTIONS AND RECOMMENDATIONS

DCA performs two distinct functions in Georgia's fair housing spectrum. First and foremost, DCA takes action within its own programs to promote compliance with the federal and state fair housing laws. Secondly, DCA strives to educate and inform the citizens of Georgia of their fair housing rights. In accordance with these functions, DCA has identified three impediments to fair housing choice that it will address within the next five years.

1. Lack of knowledge about fair housing laws and resources.
2. People with disabilities have difficulty finding suitable and accessible housing.
3. In the Hispanic communities of Georgia, language barriers and unfamiliarity with the home buying process are catalysts for discrimination.

DCA's assessment of fair housing, in conjunction with research and surveys, has demonstrated that many Georgians simply are not familiar with fair housing issues and their rights under the federal and state fair housing laws. Georgia's rapidly growing and diverse population, in addition to a lack of outreach and education activities by fair housing advocates and agencies due to staff and funding limitations, contributes to these impediments. Furthermore, while affordable housing does exist, the data shows that many Georgians experience housing problems such as cost burden, overcrowding and poor housing quality. The data also shows that minority groups and households have markedly lower incomes, thus they are impacted more significantly by these barriers.

In order to bring the efforts of this fair housing analysis to fruition, DCA has designed a plan of action in order to eliminate and mitigate the identified impediments to fair housing choice. DCA, in conjunction with other agencies, intends to address these impediments in several innovative ways as described below.

Impediment #1: The general public and some local government officials lack knowledge about the requirements of the fair housing laws and resources available to remedy violations.

Actions:

- 1a. DCA will continue to provide information on tenant/landlord laws to the general public.
- 1b. DCA's Office of Homeownership will continue to implement the following initiatives:

- i. Partnering with the Georgia Cooperative Extension Service and the Money Smart Program to increase fair housing and homeownership education to the rural parts of Georgia.
 - ii. Disseminating the fair housing brochures or other promotional material in home buyer education classes and in other housing workshops and conferences that DCA sponsors.
 - iii. Increasing the number of certified housing counselors in areas that are lacking capacity.
- 1c. DCA's Office of Special Housing Initiatives (OSHI) will continue the following initiatives:
- i. Collaborating with the GCRD/GCEO to update and make available fair housing brochures and/or other promotional materials, in English and Spanish, which discuss the federal and state fair housing laws and remedies to discrimination.
 - ii. Announcing availability of all future consolidated plans and supporting annual reports and inviting public comment.
 - iii. Ensuring that providers of services and shelter to homeless people have access to fair housing information and the programs of Georgia Legal Services; distributing fair housing information at Shelter Plus Care workshops; and providing the most recent requirements under the Fair Housing Act, Section 504 of the Rehabilitation Act and Americans with Disabilities Act.
 - iv. Collaborating with the Savannah-Chatham County Fair Housing Council, Inc. (SCFHC) and Metro Fair Housing Services, Inc. (MFHS) to promote fair housing choice in an affirmative manner.
 - v. Providing a fair housing brochure in English and Spanish and basic information about fair housing to attendees at training events sponsored by the Georgia Municipal Association, Association County Commissioners of Georgia and the Georgia Association of Housing and Redevelopment Authorities.
- 1d. DCA's Office of Affordable Housing (OAH) will continue the following practices:
- i. Fostering their relationship with GCRD/GCEO for the purpose of researching issues and referring case investigation information.
 - ii. Reporting fair housing violations that have resulted in legal actions to the Internal Revenue Service on IRS Form 8823. A violation in this area will also reduce the compliance score of an entity in the competitive funding round.
 - iii. Providing fair housing information and distributing fair housing brochures and other promotional material in their managers training classes.

- iv. Training landlords regarding IRS Code 26 U.S.C.A. § 42(h)(6)(B)(iv) and 26 C.F.R. § 1.42-5(c)(1)(xi), which prohibit landlords of low-income tax credit properties from refusing to lease to a holder of a Section 8 voucher or certificate.
- 1e. By October 2008, OSHI will mail fair housing brochures with all future conditional commitment award letters issued under the Georgia Dream Single-Family Development Program.
- 1f. DCA will continue to encourage the development and continuance of equitable zoning and land use regulations throughout Georgia:
 - i. By November 2008, OSHI will provide the Regional Development Centers with fair housing brochures and/or other fair housing materials to distribute to local governments in the comprehensive planning workshops.
 - ii. The Office of Planning and Quality Growth will continue the following initiatives:
 - a. Promoting affordable housing options on a local level with twice a year resource teams.
 - b. Assisting communities consider affordable housing options by requiring that every community complete a Quality Community Objective analysis with every plan submitted.
 - c. Sharing a presentation on Quality Growth and Fair Housing with communities.
 - d. Continuing to provide advice to local governments on adopting ordinances, which are not exclusionary in nature.
 - iii. Continuing to promote housing choice and affordability by supporting housing diversity when actions related to the siting of industrialized buildings are inconsistent with Georgia law and DCA rules (See Exhibits A & B).
- 1g. DCA's Office of Community Development will distribute fair housing brochures, posters or other printed material to CDBG and CHIP grant recipients with the request to display them in a prominent location for public access.
- 1h. By January 2009, The Office of Planning and Quality Growth Properties will have an article on www.georgiaplanning.com that illustrates how zoning can affect housing options.
- 1i. By November 2008, OAH will implement the following:
 - i. Suggest that all multifamily funded properties display the brochures or other promotional material in a prominent location on the properties.
 - ii. Provide a once a year training to compliance staff on fair housing requirements.
 - iii. Organize and sponsor training for owners, developers, property managers, and interested DCA staff.

- iv. Include instructional materials on fair housing in the manuals utilized to manage the Tax Credit and HOME Rental Housing Loan program resources.
 - v. Distribute fair housing brochures with both the multi-family audit letters issued to owners and the principal of the property management company and multi-family funding resource notification letters and at the industry fair housing training.
- 1j By November 2008, OSHI will distribute brochures and other promotional materials to State Housing Trust Fund for the Homeless grantees with the request to display them in a prominent location for client access.
- 1k. DCA's Office of Homeownership will continue to partner with OAH to provide home buyer education to residents of DCA funded properties when requested by property management.
- 1l By October 2008, DCA's OSHI will mail fair housing brochures with all future reservation of funds letters issued under the Permanent Supportive Housing Program.
- 1m. By October 2008, DCA's OSHI will provide fair housing brochures and fair housing information to participating developers at the quarterly training sessions of the Georgia Dream Single Family Development program.

Impediment #2: People with disabilities have difficulty finding suitable and accessible housing.

Actions:

- 2a. DCA's Office of Special Housing Initiatives will continue the following initiatives:
- i. Provide an on-line resource, GeorgiaHousingSearch.org website, which provides property managers with a tool to market affordable rental units and offers a convenient resource to prospective renters to locate affordable and accessible housing and obtain additional community resource information. This website is free, searches are conducted in both English and Spanish, and the site is updated by owners/property managers at least bi-weekly with vacancy information.
 - ii. Administer the Home Access program that provides financial assistance to homeowners to install accessibility features in their homes in order to maintain housing for people with disabilities and to partner with the Brain and Spinal Injury Trust Fund Commission (BSITFC) to facilitate the distribution of BSITFC resources to eligible households.
 - iii. Support the Credit Able program that provides loan guarantees for homeowners and renters to make accessibility modifications to maintain housing stability for those with a disability.

- 2b. DCA's Housing Finance Division will continue to partner with the Governor's Council on Development Disabilities through April 2009 to fund a position at DCA to promote and expand affordable housing options for people with disabilities.
- 2c. DCA's Offices of Homeownership and Special Housing Initiatives will continue to support efforts to expand the Easy Living Program across the state.
- 2d. DCA's Office of Homeownership will continue the following initiatives:
- i. Provide enhanced downpayment assistance for units that have received the Easy Living Seal of Approval through the Efficient or Visitable (EV) Program.
 - ii. Provide an enhanced downpayment assistance loan to assist individuals with disabilities in the purchase of a home through the Consumer Homeownership and Independence Choices for Everyone (CHOICE) Program.
- 2f. By October 2008, OSHI will provide fair housing information during the Housing 101 class, which will be presented to people with disabilities, their families, and those that work with people who have disabilities for two to four of DCA Service Regions. Topics may include budgeting and leasing. DCA will evaluate this class offering for possible expansion to all 12 DCA regions.

Impediment #3: In the Hispanic communities of Georgia, language barriers and unfamiliarity with the home buying process are catalysts for discrimination.

Actions:

- 3a. DCA's Office of Homeownership will continue to provide some marketing material in Spanish.
- 3b. DCA will continue to increase the number of bilingual staff at DCA through Spanish language training education.
- 3c. DCA will continue to contract with a pay-as-you-go language line service. Services include document interpretation as well as a telephone communication system that includes over 170 languages.



GEORGIA DEPARTMENT OF
COMMUNITY AFFAIRS

Exhibit A-1

Mike Beatty
COMMISSIONER

Sonny Perdue
GOVERNOR

March 31, 2005

Honorable George Wangemann
Mayor, City of Gainesville
Post Office Box 2496
Gainesville, Georgia 30503-2496

Dear Mayor Wangemann:

It has recently come to our attention that the City of Gainesville is in the process of revoking two building permits for residential industrialized buildings and may be taking action inconsistent with Georgia law and our Department's Rules related to the siting of industrialized buildings.

As you may be aware, our Department administers the Industrialized Building program for the State and all industrialized buildings in Georgia are constructed to the same building code requirements that are locally enforced by cities and counties. Our Department contracts with inspectors who inspect each industrialized building component at each manufacturing facility to ensure these units are "built to code." Once an industrialized building unit is certified as meeting construction code requirements a DCA insignia is placed on that unit to inform the city or county where that unit is to be located that it has been inspected and it does meet all construction code requirements. It is our understanding that the two units in question in Gainesville have DCA insignia and therefore, meet all state construction code requirements.

Please be advised that O.C.G.A. 8-2-112(b)(1) states: "All industrialized buildings bearing an insignia of approval issued by the Commissioner of Community Affairs pursuant to this part shall be held to comply with the requirements of all ordinances or resolutions enacted by any local government which are applicable to the manufacture or installation of such buildings." In addition, our Department's Rules for the Industrialized Building program state that, while reserving the right of zoning and site development to local governments to apply these regulations, they must be reasonably and uniformly applied and enforced without distinction as to whether such building is manufactured offsite or built onsite in a conventional manner (emphasis added).



60 Executive Park South, N.E. • Atlanta, Georgia 30329-2231 • (404) 679-4940
www.dca.state.ga.us

An Equal Opportunity Employer



Honorable George Wangemann
Page 2
March 31, 2005

Exhibit A-2

Also, please understand that our Industrialized Building program is totally separate from and does not regulate the construction of manufactured housing (i. e. mobile homes). This is a separate form of housing that is constructed to a different construction code from the U. S. Department of Housing and Urban Development and manufactured housing does not enjoy the same non-discriminatory siting protection under Georgia law and our Department's Rules that industrialized buildings do.

It has been our Department's long standing interpretation of the law and our Rules that both the law and our Rules prohibit local governments from restricting an industrialized building from a zoning district based solely on the fact that it is not built "on site." Accordingly, we strongly recommend the City reconsider its position on this matter.

If you have any questions, please contact Mike Gleaton at 404-679-3107.

Sincerely,



Mike Beatty

MG/s

cc: Ruth Bruner, Council Member
Myrtle W. Figueras, Council Member
Robert L. Hamrick, Council Member
Mark E. Musselwhite, Council Member
Bryan Shuler, City Manager



GEORGIA DEPARTMENT OF
COMMUNITY AFFAIRS

Exhibit B

Mike Beatty
COMMISSIONER

Sonny Perdue
GOVERNOR

April 10, 2006

Mr. Grant S. Smereczynky
Building Systems Network
104 Carrington Park
Gainesville, Georgia 30540

Dear Grant:

In our telephone conversation of today, you requested if our Department's opinions related to the siting of residential industrialized buildings in the City of Gainesville, as expressed in our letter to the City dated March 31, 2005, have changed. Our Department's opinions on this matter have not changed, and I have enclosed a copy of our March 31, 2005, letter for your review.

Residential industrialized buildings are constructed to the same construction code requirements (e. g. structural, electrical, plumbing, etc.) as site-built residential units, and, as we indicated in our March 31, 2005, letter, we do not believe any city or county in the State has the ability to restrict their siting based on the manner these units are transported or erected. For additional information please see the enclosed letter.

Sincerely,

Michael W. Gleaton, Director
Planning and Environmental Management Division

MWG/mgp
cc: Ray Lerer
Attachment

CHAPTER VII

Signature of Authorized Official

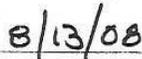
The Analysis of Impediments to Fair Housing Choice provides documentation of any fair housing problems that exist in the state and the strategies designed to mitigate and/or eliminate the identified impediments.

Fair housing is the policy of the State of Georgia, and implementation of that policy requires the positive commitment, involvement, and support of each and every one of our citizens. The Georgia Department of Community Affairs will provide leadership in the effort to make fair housing a right that can be realized by all Georgians.

This report is submitted to the U.S. Department of Housing and Urban Development in accordance with 24 CFR 91.225(a)(1) as part of the State of Georgia's effort to Affirmatively Furthering Fair Housing.



Mike Beatty



Date

Commissioner, Georgia Department of Community Affairs

Executive Director, Georgia Housing and Finance Authority

APPENDIX A

2008 Fair Housing Survey

1. Are you aware of any current impediments to fair housing choices in the community you serve?		
Answer Options	Response Percent	Response Count
Yes	28.6%	64
No	71.4%	160
If yes, please list these impediments and briefly describe them.		58
<i>answered question</i>		224
<i>skipped question</i>		8

2. Are you aware that the Georgia Commission Equal Opportunity (GCEO) governs the administration of fair housing policy in the State of Georgia?		
Answer Options	Response Percent	Response Count
Yes	56.6%	129
No	43.4%	99
<i>answered question</i>		228
<i>skipped question</i>		4

3. If yes, have you ever referred fair housing complaints to the GCEO?		
Answer Options	Response Percent	Response Count
Yes	4.5%	8
No	95.5%	168
<i>answered question</i>		176
<i>skipped question</i>		56

4. For statistical purposes, please identify your occupation:		
Answer Options	Response Percent	Response Count
Disability Advocate	4.5%	10
Fair Housing Advocate	3.6%	8
Home Buyer Education Provider	2.3%	5
Local Government Official	23.4%	52
Mortgage Lender	1.4%	3
Public Housing Authority Official	9.0%	20
Real Estate Developer	3.2%	7
Real Estate Sales Professional	0.5%	1
Other (Please specify)	52.3%	116
Occupation:		131
<i>answered question</i>		222
<i>skipped question</i>		10

A. Banking and Lending Practices Section.

5. Banking practices that limit fair housing choice, such as: unfair procedures for loan origination and processing, prescreening, assessing credit, conducting appraisals and/or selecting appraisers, underwriting decisions, providing mortgage insurance, and selecting insurers.		
Answer Options	Response Percent	Response Count
Yes	14.7%	31
No	27.5%	58
Don't Know	57.8%	122
<i>answered question</i>		211
<i>skipped question</i>		21

6. Redlining, that is, an unwillingness of financial institutions to invest in declining or deteriorating neighborhoods, neighborhoods with a high concentration of minorities, or neighborhoods undergoing cultural and social change.

Answer Options	Response Percent	Response Count
Yes	16.3%	34
No	29.2%	61
Don't Know	54.5%	114
	<i>answered question</i>	209
	<i>skipped question</i>	23

7. Unequal application of "compensating factors" (e.g. borrower potential for increased earnings, larger than minimum down payment, etc.) in conducting credit assessments of minorities for FHA,VA, rural development and conventional home loans.

Answer Options	Response Percent	Response Count
Yes	11.3%	24
No	24.1%	51
Don't Know	64.6%	137
	<i>answered question</i>	212
	<i>skipped question</i>	20

8. Mortgage or loan rejection at a higher rate for minorities.

Answer Options	Response Percent	Response Count
Yes	17.2%	36
No	21.1%	44
Don't Know	61.7%	129
	<i>answered question</i>	209
	<i>skipped question</i>	23

9. State banking and insurance laws and regulations pertaining to the financing/refinancing, sale, purchase, rehabilitation, and rental of housing that may affect the achievement of fair housing within the State.

Answer Options	Response Percent	Response Count
Yes	6.7%	14
No	23.8%	50
Don't Know	69.5%	146
	If applicable, please explain the fair housing barriers you identified in this section.	11
	<i>answered question</i>	210
	<i>skipped question</i>	22

B. Real Estate Practices Section.

10. Housing brokerage practices that limit fair housing choice, such as: "steering" minority clients away from majority white neighborhoods; discriminatory deed restrictions; false denials of housing availability; and/or "blockbusting" (warning homeowners that minorities or other protected classes are moving into their neighborhood in order to get the homeowners to sell or rent their property).		
Answer Options	Response Percent	Response Count
Yes	15.5%	31
No	36.5%	73
Don't Know	48.5%	97
	<i>answered question</i>	200
	<i>skipped question</i>	32

11. Lack of training in fair housing laws for brokers and agents.		
Answer Options	Response Percent	Response Count
Yes	25.4%	51
No	17.9%	36
Don't Know	57.2%	115
	<i>answered question</i>	201
	<i>skipped question</i>	31

12. A limited number of minority real estate brokers and sales agents in the participation of multiple listing services.		
Answer Options	Response Percent	Response Count
Yes	20.2%	41
No	27.6%	56
Don't Know	52.7%	107
	<i>answered question</i>	203
	<i>skipped question</i>	29

13. Exclusion of minority real estate brokers and sales agents in the participation of multiple listing services.		
Answer Options	Response Percent	Response Count
Yes	3.0%	6
No	34.5%	68
Don't Know	62.9%	124
	<i>answered question</i>	197
	<i>skipped question</i>	35

14. Assignment of brokers and sales agents by census tracts and other geographic areas related to racial/ethnic composition.		
Answer Options	Response Percent	Response Count
Yes	2.5%	5
No	23.4%	47
Don't Know	74.6%	150
If applicable, please explain the fair housing barriers you identified in this section.		8
		<i>answered question</i>
		202
		<i>skipped question</i>
		31

C. Property Insurance Section

15. Property insurance underwriting practices that limit fair housing choice.		
Answer Options	Response Percent	Response Count
Yes	6.0%	12
No	25.4%	51
Don't Know	68.7%	138
If applicable, please explain the fair housing barriers you identified in this section.		2
		<i>answered question</i>
		201
		<i>skipped question</i>
		31

D. Rental Housing Section.

16. Landlords who will not rent to persons receiving government housing or financial assistance.		
Answer Options	Response Percent	Response Count
Yes	34.8%	70
No	26.4%	53
Don't Know	38.8%	78
		<i>answered question</i>
		201
		<i>skipped question</i>
		31

17. Housing Choice Voucher Program (Section 8) and/or affordable housing opportunities being available only in minority concentrated areas.		
Answer Options	Response Percent	Response Count
Yes	25.3%	50
No	33.3%	66
Don't Know	41.4%	82
		<i>answered question</i>
		198
		<i>skipped question</i>
		34

18. Discriminatory practices in tenant selection.		
Answer Options	Response Percent	Response Count
Yes	28.4%	57
No	29.4%	59
Don't Know	42.3%	85
	<i>answered question</i>	201
	<i>skipped question</i>	31

19. Unequal maintenance practices for apartments or housing units rented by minorities.		
Answer Options	Response Percent	Response Count
Yes	25.3%	50
No	31.8%	63
Don't Know	42.9%	85
	<i>answered question</i>	198
	<i>skipped question</i>	34

20. Actual segregation of units by race, disability, or familial status within a rental housing development.		
Answer Options	Response Percent	Response Count
Yes	10.4%	21
No	42.3%	85
Don't Know	47.3%	95
	If applicable, please explain the fair housing barriers you identified in this section.	20
	<i>answered question</i>	201
	<i>skipped question</i>	31

E. Zoning Laws, Building Codes and Tax Laws Section.

21. The existence of state and/or local zoning laws (and/or decisions) that limit the availability and location options for affordable, higher density housing, with the effect of restricting housing choice for low-income families or persons.		
Answer Options	Response Percent	Response Count
State Laws	1.6%	3
Local Laws	13.4%	25
State & Local Laws	9.7%	18
No Barrier Exists	28.5%	53
Don't Know	46.8%	87
	<i>answered question</i>	186
	<i>skipped question</i>	46

22. State and/or local zoning laws (and/or decisions) that limit the availability and location options for mobile homes, with the effect of restricting housing choice for those groups protected under the fair housing laws.		
Answer Options	Response Percent	Response Count
State Laws	1.1%	2
Local Laws	22.2%	41
State & Local Laws	9.2%	17
No Barrier Exists	17.3%	32
Don't Know	50.3%	93
	<i>answered question</i>	185
	<i>skipped question</i>	47

23. State and/or local building codes, fees and charges, and/or taxes that unreasonably increase the costs and development of affordable housing, with the effect of restricting housing choice for those groups protected under the fair housing laws.		
Answer Options	Response Percent	Response Count
State Laws	0.6%	1
Local Laws	7.7%	14
State & Local Laws	9.4%	17
No Barrier Exists	32.6%	59
Don't Know	49.7%	90
	<i>answered question</i>	181
	<i>skipped question</i>	51

24. State and/or local zoning laws and occupancy codes that limit the location and availability of group homes for individuals with mental disabilities and shelters for homeless individuals, so that such homes are concentrated in specific neighborhoods.

Answer Options	Response Percent	Response Count
State Laws	1.7%	3
Local Laws	17.7%	32
State & Local Laws	6.6%	12
No Barrier Exists	28.2%	51
Don't Know	45.9%	83
	<i>answered question</i>	181
	<i>skipped question</i>	51

25. State and/or local policies and practices that limit representation on planning and zoning boards.

Answer Options	Response Percent	Response Count
State Laws	1.1%	2
Local Laws	9.9%	18
State & Local Laws	3.3%	6
No Barrier Exists	37.9%	69
Don't Know	47.8%	87
	<i>answered question</i>	182
	<i>skipped question</i>	50

26. State and/or local policies concerning demolition of low-income housing which affects opportunities of minority households to select housing inside or outside areas of minority concentration or individuals with disabilities to select housing that is accessible and is in accessible locations.

Answer Options	Response Percent	Response Count
State Laws	2.7%	5
Local Laws	7.7%	14
State & Local Laws	3.8%	7
No Barrier Exists	33.5%	61
Don't Know	52.2%	95
	<i>answered question</i>	182
	<i>skipped question</i>	50

27. Public policies that restrict the interdepartmental coordination between state/local agencies in providing housing and community development resources to areas of minority concentration or to individuals with disabilities.		
Answer Options	Response Percent	Response Count
State Laws	1.1%	2
Local Laws	2.7%	5
State & Local Laws	5.4%	10
No Barrier Exists	32.1%	59
Don't Know	58.7%	108
If applicable, please explain the fair housing barriers you identified in this section.		15
		<i>answered question</i> 184
		<i>skipped question</i> 48

F. Persons with Disabilities Section.

28. Limited number, location, and/or types of public and privately owned rental units that are accessible to, and modified for, persons with physical disabilities.		
Answer Options	Response Percent	Response Count
Yes	43.5%	77
No	21.5%	38
Don't Know	35.0%	62
		<i>answered question</i> 177
		<i>skipped question</i> 55

29. State and/or local laws that conflict with the accessibility requirements of federal laws.		
Answer Options	Response Percent	Response Count
Yes	6.3%	11
No	42.0%	74
Don't Know	51.7%	91
		<i>answered question</i> 176
		<i>skipped question</i> 56

30. State and/or local laws or other policies and practices that have the effect of restricting housing choices for persons with disabilities.		
Answer Options	Response Percent	Response Count
Yes	10.4%	18
No	42.8%	74
Don't Know	46.8%	81
	<i>answered question</i>	173
	<i>skipped question</i>	59

31. Limited awareness of the location of accessible units within the community.		
Answer Options	Response Percent	Response Count
Yes	33.3%	58
No	24.7%	43
Don't Know	42.0%	73
	If applicable, please explain the fair housing barriers you identified in this section.	15
	<i>answered question</i>	174
	<i>skipped question</i>	58

G. Neighborhood Environment Section.

32. Neighborhoods that are experiencing racial conflict. If yes, please explain further below.		
Answer Options	Response Percent	Response Count
Yes	16.0%	27
No	45.0%	76
Don't Know	39.6%	67
	<i>answered question</i>	169
	<i>skipped question</i>	63

33. Unequal provision of city, county, or municipal services to specific neighborhoods.		
Answer Options	Response Percent	Response Count
Yes	19.5%	33
No	44.4%	75
Don't Know	36.7%	62
	<i>answered question</i>	169
	<i>skipped question</i>	63

34. A disproportional concentration of minorities in declining and deteriorating neighborhoods.		
Answer Options	Response Percent	Response Count
Yes	49.7%	84
No	26.6%	45
Don't Know	24.3%	41
<i>answered question</i>		169
<i>skipped question</i>		63

35. Affordable housing that is concentrated in only deteriorating and declining neighborhoods.		
Answer Options	Response Percent	Response Count
Yes	35.5%	59
No	44.0%	73
Don't Know	21.1%	35
<i>answered question</i>		166
<i>skipped question</i>		66

36. A shortage in the overall supply of affordable housing, or an inequitable distribution of affordable housing in the city/county.		
Answer Options	Response Percent	Response Count
Yes	64.5%	109
No	18.9%	32
Don't Know	17.2%	29
<i>answered question</i>		169
<i>skipped question</i>		63

37. Neighborhood resistance to minorities, persons with limited English proficiency, low-income persons, or persons with disabilities moving into a majority white neighborhood or into moderate to high-income neighborhoods.		
Answer Options	Response Percent	Response Count
Yes	26.7%	44
No	33.3%	55
Don't Know	40.6%	67
If applicable, please explain the fair housing barriers you identified in this section.		28
<i>answered question</i>		166
<i>skipped question</i>		67

H. Government Assisted Housing Section.

38. Limited advertising of vacancies.		
Answer Options	Response Percent	Response Count
Yes	24.4%	41
No	41.1%	69
Don't Know	34.5%	58
	<i>answered question</i>	168
	<i>skipped question</i>	64

39. Restriction in location options for holders of Housing Choice (Section 8) vouchers and certificates.		
Answer Options	Response Percent	Response Count
Yes	27.1%	46
No	30.6%	52
Don't Know	42.4%	72
	<i>answered question</i>	170
	<i>skipped question</i>	62

40. Site-based Housing Choice (Section 8) housing that is predominately located in minority and/or low-income concentrated communities.		
Answer Options	Response Percent	Response Count
Yes	28.7%	48
No	28.1%	47
Don't Know	43.1%	72
	<i>answered question</i>	167
	<i>skipped question</i>	65

41. Policies and procedures that pressure clients to choose a neighborhood where their race predominates.		
Answer Options	Response Percent	Response Count
Yes	11.6%	19
No	42.1%	69
Don't Know	46.3%	76
	<i>answered question</i>	164
	<i>skipped question</i>	68

42. Residency requirements that restrict housing choice for applicants who live outside the jurisdiction.		
Answer Options	Response Percent	Response Count
Yes	11.4%	19
No	35.3%	59
Don't Know	53.3%	89
	<i>answered question</i>	167
	<i>skipped question</i>	65

43. Concentrations of racial and ethnic groups in public housing.		
Answer Options	Response Percent	Response Count
Yes	40.7%	68
No	29.3%	49
Don't Know	29.9%	50
	If applicable, please explain the fair housing barriers you identified in this section.	15
	<i>answered question</i>	167
	<i>skipped question</i>	65

Part IIIa: Fair Housing Actions.

44. Please describe actions taking place in your community to promote fair housing.	
Answer Options	Response Count
	103
<i>answered question</i>	103
<i>skipped question</i>	129

45. The community obtains reports from housing providers regarding the race, ethnicity, family, and/or disability status of mortgage applicants to financial institutions subject to the Home Mortgage Disclosure Act.		
Answer Options	Response Percent	Response Count
Yes	8.4%	13
No	26.5%	41
Don't Know	65.2%	101
	<i>answered question</i>	155
	<i>skipped question</i>	77

Part IIIb: Fair Housing Actions.

46. There is aggressive marketing of the availability of mortgages and home improvement loans in minority and low-income communities.		
Answer Options	Response Percent	Response Count
Yes	14.3%	22
No	33.8%	52
Don't Know	51.9%	80
	<i>answered question</i>	154
	<i>skipped question</i>	78

47. Neighborhood revitalization initiatives are encouraged and assisted (give examples below).		
Answer Options	Response Percent	Response Count
Yes	36.4%	55
No	22.5%	34
Don't Know	41.1%	62
	<i>answered question</i>	151
	<i>skipped question</i>	81

48. Your community has implemented changes to zoning laws, building codes, the tax structure, or other ordinances to encourage the increased development of affordable housing in a wider spectrum of communities.		
Answer Options	Response Percent	Response Count
Yes	27.5%	42
No	27.5%	42
Don't Know	45.1%	69
	<i>answered question</i>	153
	<i>skipped question</i>	79

49. Training and orientation is conducted for representatives of financial institutions to initiate affirmative lending actions in deteriorating and declining neighborhoods.		
Answer Options	Response Percent	Response Count
Yes	12.5%	19
No	19.1%	29
Don't Know	68.4%	104
	<i>answered question</i>	152
	<i>skipped question</i>	80

50. Public education programs regarding protection under fair housing laws are encouraged or supported locally.		
Answer Options	Response Percent	Response Count
Yes	27.2%	41
No	25.8%	39
Don't Know	47.0%	71
	<i>answered question</i>	151
	<i>skipped question</i>	81

51. The community supports programs that reach out to groups and individuals with limited English proficiency (LEP) to provide education on fair housing laws and protection.		
Answer Options	Response Percent	Response Count
Yes	17.3%	26
No	26.7%	40
Don't Know	56.0%	84
	<i>answered question</i>	150
	<i>skipped question</i>	82

52. A fair housing enforcement program exists for pursuing and settling housing complaints.		
Answer Options	Response Percent	Response Count
Yes	21.1%	32
No	28.3%	43
Don't Know	50.7%	77
	<i>answered question</i>	152
	<i>skipped question</i>	80

53. Outreach, education, and information programs have been developed to create a good understanding among civic leaders, educators, and citizens of all ages about fair housing issues.		
Answer Options	Response Percent	Response Count
Yes	26.0%	40
No	31.2%	48
Don't Know	42.9%	66
	If applicable, please explain the fair housing actions you identified.	30
	<i>answered question</i>	154
	<i>skipped question</i>	78

Analysis of Impediments to Fair Housing Choice Survey – 2008

Text responses.

Question 1. (58)

If you are aware of any current impediments to fair housing choices in the community that you serve, please list these impediments and briefly describe them.

1. Concentration of poverty limits choices for many low and moderate income citizens. Not many mixed income projects in Mid-town, Virginia Highlands or Buckhead. Transportation is an impediment. Quiet racial discrimination.
2. Lack of affordable housing. Too many apartments are over priced for what they offer and landlords are allowed to maintain substandard units until public outcry occurs. Lack of transportation to work makes it necessary for some people to work at very low wages because they can only work in places to which they can walk, limiting their housing choices. Lack of enough low income housing. Public housing and subsidized housing all have waiting lists here.
3. There is VERY limited housing available.
4. Many of our clients have large families and it is often difficult to find housing that will accommodate.
5. Although maybe not technically defined as fair housing, many zoning ordinances are designed to indirectly cause segregation of housing choice by creating artificially inflated housing cost.
6. Price of real estate in safe areas.
7. Impediments to fair housing choice include: lack of education and outreach, lack of sufficient funding for the GCEO, thus rural areas and areas beyond Atlanta do not get sufficient assistance; landlords are not informed of their responsibilities particularly as it applies to disabilities and reasonable accommodations and familial status.
8. Transportation, Criminal Backgrounds, Not enough affordable housing, Stigmas about mental illness.
9. Basically there is no housing available in Fort Gaines. No developers are actively building or marketing homes.
10. Jobs, low income, minimal down payment, financial illiteracy.
11. There is an inordinate amount of customers in our market that have very low income, and poor credit making it difficult to build them a house.
12. The impediments to fair housing are centered in the area of finances. There is a larger portion of the population in the community who while not in poverty are unable to afford housing due to income. This reduced income is directly related to low income paying jobs.
13. There are not enough to fill the need.
14. Limited number of units that are appropriate for those in wheelchairs, walkers, etc. Even with appropriate building codes in place bathroom doors are too small in even brand new buildings and homes.

- 15.** Lack of truly affordable housing for low-income families' lack of transitional housing for homeless individuals and families lack of Section 8 housing for families.
- 16.** Zoning regulations in Alpharetta, Georgia, restrict group homes to 4 residents, and require that the homeowner occupies the premises. This effectively makes group homes financially unviable, due to the high cost of real estate in Alpharetta and is discriminatory against the elderly. We were told by an Alpharetta zoning official we would NOT be granted a zoning variance to open an 8-resident group home for the elderly in a residential zone in Alpharetta.
- 17.** Hard to get Section 8 housing for singles. The Section 8 waiting list is way to long for families in the shelters.
- 18.** Utilities bills are extremely high in public housing, projects controlled by the city.
- 19.** Lack of housing vouchers, allocation of housing vouchers based on median household income.
- 20.** No housing vouchers, vouchers based on medium household income.
- 21.** Most of the priorities have been removed.
- 22.** Inadequate housing, Poor housing conditions, Management companies invest very little in the upkeep of property in certain areas where minorities reside.
- 23.** Insufficient number of choices.
- 24.** Past rental debt may render housing unobtainable for families.
- 25.** Real estate agents still practice "red-lining" in various forms to steer minorities from some neighborhoods.
- 26.** Economy.
- 27.** Race is still an issue and accessible housing for the disabled is extremely limited.
- 28.** Evictions from shelters and subsidized housing of the mentally ill based on conduct with no imminent threat to the staff or other residents.
- 29.** No affordable accessible house available. The Atlanta housing authority has flooded all the metro Atlanta housing authorities with people who are being displaced thus keep us out.
- 30.** Criminal convictions.
- 31.** In the community in which I reside there is a high rental occupancy rate, approximately 68%. There are little to no programs in the area to assist low income households to become homeowners or to even understand the value and benefit to homeownership. Much of the rental property is substandard, however many families are forced to think that they have no choice in their living conditions.
- 32.** Affordability, Individuals cannot afford to pay the cost of a single one bedroom. Transportation, the lack of public transportation near the apartments, many are wheel chair users and need assist to connecting transportation to take them to doctors. Acceptability, apartments are lacking grab bars, wide doorways, lower cabinets and towels bars etc. Access ramps are lacking in or near apartment complexes.

- 33.** Lack of affordable housing, especially for rent.
- 34.** Racial and gender issues.
- 35.** Felonies, Mental Illness, families with children, and race but they would never admit it.
- 36.** Inability to pass a criminal background check; Poor Credit Report; ADA requirements do not conform to regulations; Dwelling size to accommodate families with more than 3 children vs. cost of rent.
- 37.** Lack of enough availability.
- 38.** The lack of affordable and workforce housing.
- 39.** Housing providers are not aware of fair housing laws. Housing consumers are not aware of their rights. Many areas of Georgia lack access to fair housing counseling. Municipalities which receive Community Development Block Grant funding are not affirmatively furthering fair housing as required by regulation. The Georgia Commission is not applying current case law in investigating discrimination complaints. The Attorney General's Office is not applying current case precedent or utilizing its pattern and practice authority to pursue discrimination complaints.
- 40.** Price ceilings and unaffordable neighborhoods.
- 41.** All of the neighborhoods in my city are segregated.
- 42.** Lack of education regarding tenant rights and housing laws.
- 43.** All categories, particularly race, age, handicapped.
- 44.** This wasn't listed as an impediment on the previous page, but we have a client who lost his vision - then lost his job and couldn't pay his mortgage. He attempted to apply for Atlanta Housing Authority and was told he didn't qualify because his credit was bad due to his foreclosure.
- 45.** Low income or based on income housing options have repeatedly turned away qualified applicants based on personal bias.
- 46.** Sometimes there is community resistance to minorities moving into predominately majority neighborhoods. However, I do not know of any instances of steering.
- 47.** It is my opinion that individual landlords still consider race when renting. I have heard that the landlord will tell a prospective renter, who is black, that the unit has already been rented when it has not. This is the way the landlord sidesteps the fair housing issue.
- 48.** Just that there is not enough information given to public concerning this. I am not sure who is responsible. People don't see to know their rights.
- 49.** Substandard housing choices for very low-income families. Bottom line is lack of decent affordable housing.
- 50.** Development of the Inner City without appropriate requirements for developers to provide a certain percentage of affordable housing Mortgage Fraud - created because of a lack of education in the working community about how to get a good mortgage and not enough legislation to punish lenders Racism - Racism creates poor educational opportunities, lack of employment as a

result which results in poorer communities. Racism is also responsible for the inability of African Americans to get honest fair judgments in our courts A Lack of An Affordable wage is an impediment for obvious reasons.

51. When a person is displaced because of no reason of their own, or because someone brought a meth lab into the neighborhood. Management needs to help these people find a place to stay when they get out of the hospital.

52. That grandparents in public housing cannot have grandchildren live with them on a permanent basis.

53. It seems to me that the waiting list is unrealistic and between the Section eight and housing list is forever on a freeze. We have a federal priority letter to help the homeless and the domestic violence woman but, "not at ready" apartments for immediate occupancy.

54. Public Transportation. Underserved populations are Very Low and Extremely low income household who do not have access to public transportation (Red Rabbitt in Hall County, GA) in order to access Public Housing or other low-income housing sites.

55. We serve women and children who are victims of domestic violence. Many have complained that they were evicted from and/or are not accepted to affordable housing opportunities due to their abuse.

56. Many of the safe and affordable housing opportunities for the low income families are limited and when non public housing is available, it is substandard. Housing opportunities through the housing authorities are located in drug infested and high crime areas, which hinders individuals who are aged, disabled or impaired from seeking these as options.

57. Lack of subsidized housing for low income disabled single family households (elderly, mentally ill, HIV/AIDS, etc.)

58. Most are in the area of Predatory Lending and Fraud.

Question 4. (131)

If you list your occupation as “Other”, please specify.

1. Social worker with a homeless coalition.
2. Restaurant worker.
3. Administrative Officer.
4. Domestic Violence Advocate.
5. Real Estate Professional (Rental Property Business).
6. Retired.
7. City Clerk
8. Town Clerk

9. Human service provider.
10. Helpline Director.
11. City Clerk.
12. Housing Program Developer.
13. Transitional housing for domestic violence families.
14. Domestic violence shelter.
15. Town clerk.
16. Building Inspector County Administrator.
17. Clerical.
18. Psychiatric Clinical Nurse Specialist.
19. Retired.
20. City Clerk.
21. Case manager – transitional housing agency.
22. City Clerk.
23. City Clerk.
24. Bookkeeper.
25. Manager – mental health and substance abuse program.
26. Director – Human Resources.
27. City Clerk.
28. City Manager.
29. Commercial Lender and Bank CRA Officer.
30. Retired.
31. Sales Counselor
32. Executive – Homeless Shelter
33. Grants Manager.
34. Administrator – Non-Profit.
35. Director – Non-Profit focused upon creating positive change for Families and children in the community.
36. Domestic Violence Advocate.

37. Director – CSB.
38. Non-profit service provider.
39. Director of Local Government Services, RDC
40. Executive Director, Transitional housing.
41. Shelter Plus Care Coordinator for Mental Health, Substance Abuse and DD Provider.
42. Non-profit professional.
43. Group home operator for the elderly.
44. Domestic Violence Advocate/Shelter Manager.
45. Shelter Manager.
46. Real Estate investor consultant.
47. Domestic Violence Shelter House Manager.
48. Accounting.
49. Employee non-profit.
50. Nonprofit organization.
51. Planner – Regional Development Center.
52. Emergency Shelter Agency.
53. Executive Director – domestic violence safe haven.
54. Transitional Housing Provider.
55. U.S. Mail carrier.
56. Social Service Provider.
57. State Organizer – Non-profit educational organization.
58. Non-profit housing grantee.
59. Program Director –Transitional housing/affordable housing programs.
60. Social Service provider.
61. Social Worker.
62. Director Non-Profit, public-private partnership.
63. Homeless housing provider.
64. Public Health.
65. Executive Director.

66. Professor
67. Homeless Liaison for System.
68. Legal Aid Lawyer.
69. Legal Service Attorney.
70. Local Government Employee.
71. Executive Director.
72. Program Manager for Shelter Plus Care.
73. City Planner.
74. Area Agency on Aging.
75. Executive Director.
76. Screening Specialist.
77. State Government employee in the Area Agency on Aging.
78. Manager – Aging Program.
79. State Employee.
80. Director – Nonprofit.
81. Executive Director – Transitional facility.
82. Nurse Consultant.
83. Executive Director – Nonprofit.
84. Housing Provider - Mental Health, Developmental Disabilities, Addictive Diseases
85. Executive Director.
86. Executive Director – Affordable housing provider.
87. Consultant Preacher.
88. Newspaper editor.
89. Caseworker for transitional housing.
90. Rental Property owner.
91. Public Interest Lawyer
92. Domestic Violence Shelter/Advocate.
93. Regional Staff Person.
94. Architect.

95. City government grants management.
96. Homeless Advocate.
97. Employed at nonprofit which provides homeless prevention services.
98. Director – homeless shelter.
99. Resident Director.
100. Case Manager.
101. Community Development Administration.
102. Housing renovation manager – using grant funds for low income clients.
103. Homeless Shelter Director.
104. Program Coordinator.
105. Non-profit Planner.
106. Service Provider.
107. Non-profit manager.
108. Case Manager.
109. Public Health.
110. McKinney-Vento Worker.
111. Executive Director of non-profit agency.
112. Social worker – transitional housing coordinator.
113. Social services advocate.
114. Community Development Director for local government.
115. City Government Employee.
116. Director of a national homeless program.
117. Director – Domestic Violence Shelter.
118. Executive Director, Regional Development Center.
119. Social Services Provider.
120. Victims Advocate.
121. Recovery house for addicts.
122. Domestic Violence/Sexual Assault Advocate.
123. Housing department of a CSB.

124. City Administrator.
125. Executive.
126. Social Worker.
127. Transitional living program for victims of domestic violence and their children.
128. Social Services provider.
129. Executive Director, Non-Profit Housing Corporation.
130. Construction Manager.
131. Nonprofit Agency.

A. Banking and Lending Practices Section. (11)

If applicable, please explain the fair housing barriers you identified in this section.

1. Rehabilitation is not available to home owners in enough numbers to make a difference in a wide population. As people retire here and their age increases, those on fixed incomes are increasingly living in substandard homes that they own.
2. We have reviewed the HMDA data that supports the assertions listed above.
3. In recent months most investors as well as Private Mortgage insurance companies have restricted or eliminated no or low down payment programs. This is affecting many potential homeowners at this time. On the other hand, I think it is a positive step when related to many of the "Mortgage" Companies who were making loans to individuals who were not yet prepared financially to handle homeownership.
4. Too many hurdles to go through in order to get refinancing for rehab of rental properties financial institutions lack knowledge of providing creativity ways to provide financing for owners of rentals information not advertised to the population who needs it bankers not being able to make loans for rehabs in rural areas that are a distance for their location.
5. We need laws that will require housing to be with basic access for everyone.
6. My family experienced prejudices in the lending practices vs. credit score; the truth in lending statement and charges changed just prior to closing.
7. State Banking and Insurance laws DO NOT regulate lenders
8. With the current mortgage climate, more houses are lost to foreclosure than need be. Our organization has experienced more than several occasions where the client and our organization are in the Loss-Mitigation process. Even as modifications are accepted, the Collection Departments sends the loans to Legal after 90 days. Within days solutions have been lost as once the legal fees are added, the client cannot come up with the additional \$2,000 on average.
9. Minorities have lower credit scores.

10. Rejection of mortgage loans are higher for minorities due to low income and low credit scores. Because of this for example single parent homes are more likely to have low credit and are seemed to be punished due to the fact that it takes all that they have to make ends meet. So surely some bills will get behind. It is almost impossible to get a decent affordable home rent or buy in the South Georgia Area 1. No new homes are being built that would be affordable 2. Homes that are being built are 100,000.00 plus. Now who can afford that unless you're making just as much per year.

11. We need a "right to first refusal" statute in Georgia.

B. Real Estate Practices Section. (8)

If applicable, please explain the fair housing barriers you identified in this section.

1. All too often I've observed minority agents steering minority customers to minority communities because they think they can get the deal done easier than trying to get their clients into racially integrated neighborhoods.
2. Nothing is said in the open, but it is clear that some potential renters and buyers are "steered" to certain parts of town that are less desirable because of their income or race.
3. No real estate agents with disabilities.
4. Historically in this community, minorities, African Americans specifically, have lived on the "other side of the track". Today those who can afford to live in other areas of town do not out of fear and years of not being accepted in the community.
5. Agents do not know fair housing law. While agents do not think of themselves as steering, they do.
6. Only know of one black real estate agent and four latino agents in area.
7. Question #2: A general lack of knowledge of majority legal issues facing brokers/agents.
8. I have heard stories from my minority friends of them being "steered" away from white neighborhoods when shopping for a home.

C. Property Insurance Section. (2)

If applicable, please explain the fair housing barriers you identified in this section.

1. Underwriting is conservative in older neighborhoods which results in higher premiums.
2. We do not have statistical data that supports this assertion, but we do have anecdotal information.

D. Rental Housing Section. (20)

If applicable, please explain the fair housing barriers you identified in this section.

- 1.** I have worked with Section 8 renters whose units were allowed to deteriorate and who were discouraged from continuing in their units if they complained. Worse, elderly people who have very few resources are intimidated into staying in substandard units by abusive commercial landlords who hold Section 8 vouchers. Lack of DFCS personnel to investigate such abuses of the elderly leads to lax enforcement of the regulations.
- 2.** The Atlanta Housing Authority Housing Choice Voucher Program (Section 8) has reduced its payment standards so much it is getting harder and harder to rent to recipients that have program vouchers. In addition, I believe that the City Of Atlanta Housing Authority is contributing to foreclosure of many Landlords' properties.
- 3.** The majority of the affordable housing units are in minority neighborhoods. However, many of the units are flood replacement units.
- 4.** Refusal is typically stated as credit issues or criminal background issues.
- 5.** Extremely difficult to locate housing for a "mixed" couple, i.e., black male, white female has been turned down several times. Both are adults and work full-time.
- 6.** One federally subsidized apartment unit is totally black. Another discriminates against blacks and finds reasons not to rent to blacks.
- 7.** The atlanta housing authority has flood the system with people being displaced, no housing available. The atlanta housing authority has plans to take people out of senior highrises and put them in a separate building.
- 8.** The majority of renters and individuals living in poverty are minorities. A city official has spoke against housing vouchers being accepted in "his neighborhood". Many Landlords "slumlords" believe they are doing renters a favor by Not making improvements and repairs to their property because if they did people could not afford to live there, therefore the substandard housing remains substandard.
- 9.** Many landlords are hesitant to participate in housing voucher programs because they have a stereotype notion of people in poverty; Many of the Section 8 participant landlords own the property in minority concentrated areas; Maintenance practices are more lax for apartments and housing units rented by minorities and they tend to not have "on site or on call" connections to employees who handle this sort of thing.
- 10.** Housing Authority in Claxton segregates tenants with disabilities to selected properties.
- 11.** Poor people in my town are mostly black and they live in the worst housing.
- 12.** Section 8 tends to have a negative image. Many landlords are unwilling to rent to section 8 tenants.
- 13.** Many of our homeless clients are coming from apartments that the landlords' maintenance is deplorable. Who, the rentor or landlord, is responsible for what maintenance seems to change at will for some landlords. A positive is we just had one of our people have their Section 8 voucher accepted by the Atlantic Station apartments.
- 14.** There are landlords who will not rent to families with a Section 8 vouchers. I have been told there are two reasons. First, there tends to be significant damages to the units. Second, DCA does not pay a fair price for the rents. In other words, when new units are built and landlords are

willing to take a voucher the local DCA office will not allocate enough rent to a unit so that the landlord can pay the mortgage note.

15. It looks like you don't need the survey because you already know these problems so why waste our time.

16. There are inadequate amounts of section 8 housing available in rural areas. Larger metropolitan areas seem to get the bulk of the assignments.

17. I have seen 1. and 3. happen in Habersham County.

18. There are some landlords who do not want to be involved with government subsidy programs but I don't believe it is a fair housing issue but rather an attitude of too much paperwork and red tape involved in government programs.

19. Some of the section 8 clients I have seen were unable to get repairs done and were told they had to leave, or they were selling the house; Some of my past clients have complaint that the landlord would not rent to them because they had received an TANF income.

20. Allowing Minorities to reside in substandard housing, multiple families occupying single family houses. Fair Market Rents are too low to permit Housing Choice Voucher clients to occupy apartments in neighborhoods not concentrated by race/income.

E. Zoning Laws, Building Codes, and Tax Laws Section. (15)

If applicable, please explain the fair housing barriers you identified in this section.

1. While it does not appear that there are laws or policies driving these issues, there certainly are areas that seem not to get attention from street cleaners, city maintenance and other services that are frequently seen in more affluent areas. The same people are appointed to boards and oversight groups and poor people are seldom represented. Local county officials have no office to work with issues of substandard housing. The one grant they received this year for renovation and new homeowners was quickly turned over to a private company to administer with no discussion of that process in public media.

2. Zoning only permits 12 unit per acre and no mobile homes in city limits; mobile homes only allowed in approved parks, of which there are none in the city.

3. Roswell, Milton, Johns Creek, and Alpharetta, GA, zoning regulations are unfair and discriminatory with respect to zoning for group homes. Create unfair barriers which create a disincentive to group home owners.

4. Public policies need to be explained in a language that the minority populations can understand.

5. I know that the plans of the Atlanta housing authority have serious flaws. I attended a hearing hosted by state legislator Mabel Thomas that brought up some serious issues with the plans of Atlanta housing authority.

6. The local zoning ordinance permits group homes in high density zoning districts therefore concentrating such uses in specific neighborhoods.

7. The State of Georgia Building Code is not consistent with the federal Fair Housing Act Design Guidelines and the Georgia Fair Housing Law. Therefore, local Building Code Officials do not review new construction for compliance with applicable fair housing laws.

8. Neighborhood improvement!

9. Independent local public housing authority working against local government.

10. Some local zoning ordinances effectively zone out affordable multi-family housing by requiring two acre lots. State laws do not necessarily prohibit where special needs housing is built; however, there was no place to check to indicate that departmental policy does. DHR effectively eliminates special needs housing in rural areas by verbally stating that they will only fund services for Section 811 housing for the disabled or transitional housing for battered families in Muscogee County or other metro areas.

11. There are strict zoning ordinances that are aimed at preventing the proliferation of mobile homes in suburban or urban areas.

12. 2. - Clarke County has seen a lot of rezoning being enacted with the intended effect of outlawing mobile homes in certain areas. Often, this is done to make way for private developers to build apartment complexes geared toward University of Georgia students. A few years ago in Clarke County, a landlord who rented land lots to mobile homeowners sold the land out from under the to an out-of-state developer. This developer successfully petitioned the county commission to rezone the land to make way for the developer to build student apartments. About 100 families were left homeless; the vast majority of these families were Hispanic-American and African-American. Those with trailers built prior to 1979 were also unable to move them due to county code which determines that trailers of this age cannot pass inspection after having been moved.

13. Public Housing is not funded at the full 100% level needed to properly operate. When the federal government restricts income producing opportunities, and rents, yet requires PHA to operate on only 7 of the 10 dollars it is entitled to, local Government and/or State should pitch in the other \$3 dollars the Federal Government falls short. Maybe then they would not have a Public Housing crisis facing this State.

14. Mobile homes are restricted within Rome and Floyd County for economic reasons.

15. There has been changes in the mobile home issue in reference to the age of the mobile home - not sure of all the details.

F. Persons with Disabilities Section. (15)

If applicable, please explain the fair housing barriers you identified in this section.

1. An organization that helps build ramps in other counties in this area has publicly stated that building them in our main county is impossible because of harassment by city inspectors. Facilities for persons with disabilities are few and far between and are mostly nursing homes...not the least restrictive environment.

2. There is no vehicle for advising persons of the availability or the rights under the fair housing law as it applies to persons with disabilities.

3. Accessibility codes are in place for public use buildings, but residential codes are different and are affected by the choice of the builders.
4. No information is made available to the general public as to the availability of housing suitable for the disabled.
5. There are whole apartment communities who have no curb cuts no accessible parking etc... There is no affordable accessible housing available for people with disabilities.
6. Being that I am not aware of specific locations of accessible units in the community I agree that there is limited awareness.
7. Little to no identification of the existence of such housing and where they exist within the community.
8. Public is not always aware of how to find accessible units.
9. There is a lack of accessible housing. Architects, developers and builders are not complying with applicable fair housing design standards. Housing providers fail to grant reasonable accommodations and modifications as required by law which limits availability.
10. Often the units made available are not widely known.
11. Audit was done on some large rental properties-- none complied with accessibility requirements.
12. We use several housing search databases but still have trouble finding affordable housing especially for those on limited fixed incomes.
13. There are a limited number of accessible units simply because there are a limited number of rental units period.
14. There is no resource in the community that we are aware of where you can readily find up to date, accurate information. We see this a lot at the DFCS office which is where I am located.
15. Many of the private rentals are not handicapped accessible.

G. Neighborhood Environment Section. (28)

If applicable, please explain the fair housing barriers you identified in this section.

1. Cobb County very resistant to affordable housing and minorities.
2. The southside of our city was effectively cut off from having viable businesses several years ago when an overpass over the train tracks was built. Major roads were disrupted and never re-established, destroying the living of a number of thriving minority businesses. This has consigned the southside to poverty, poor or no city services, run down schools, almost no local businesses and resulting crime and deterioration. There is no affordable housing in the county and no interest on the part of the county to create any.
3. There is a shortage of affordable housing in our community. We have a 24% poverty level, poor housing stock and lack of resources to meet the need.

- 4.** Consolidated plan states that we need approximately 150 additional units.
- 5.** Exactly why are you assuming that the majority is white? I believe that needs to be re-studied as to what and who the majority and minorities are!
- 6.** I feel there is a shortage because whenever I send a referral, I am told about the very long waiting list.
- 7.** Not leasing to persons with addiction to drugs/alcohol history.
- 8.** Resistance is established by making the housing unaffordable on purpose, limiting approval for move-in to persons only with specific minimum income limits, or ability to pay the rental etc. by income and credit check. Sec. 8 is avoided by increasing required rent beyond HUD median standards, and available rentals that meet these criteria are not in sound condition on a regular basis or are in deteriorating neighborhoods.
- 9.** Gang violence, influx of illegal Mexicans.
- 10.** Complaints to the zoning department by neighbors relating to group home residents being mentally retarded or mentally ill. These complaints resulted in Alpharetta changing their group home zoning ordinance in Nov/2007. New ordinances are discriminatory.
- 11.** Very limited number of low cost housing is available to non-caucasian residents and low income residents, especially single mothers, all is in undesirable locations or is very poorly maintained, some are almost uninhabitable.
- 12.** Primarily there are areas that are strictly ethnic located in those neighborhoods.
- 13.** There are areas that are ethnic in some neighborhoods.
- 14.** It is difficult to locate affordable safe housing in a middle income neighborhood that is free from crime and drug activity. Affordable housing is only available in the deteriorating neighborhood in our community.
- 15.** Minorities are in certain areas and those are the only places they can afford to live and when they try to build or better their community local laws puts them through so much red tape that they are discouraged and/or don't have enough education to pursue their goals.
- 16.** This community has neighborhoods of lower income families in primarily rental properties and the residents are predominantly African-American and some Latinos. We also have older, run down areas which are occupied primarily by older African-Americans although it seems that these families have lived in these homes for many years while other parts of the community developed around them. We have some areas which were formerly predominantly low income white communities and now Latinos and some lower income African-American families have moved into them, essentially changing the makeup of the area. There has been some conflict between African-American and Latinos (primarily among youth) in these areas and there seems to be a general mistrust of each other.
- 17.** The city of Atlanta. I wish you could have been at the hearing hosted by state legislator Mabel Thomas I heard testimony about how the displacement is actually cause further segregation of minorities and low income.
- 18.** Hard to get permit for group homes.

19. Public housing projects are located on the border of downtown Savannah. Low income tax credit properties are resisted by neighborhood associations in East Savannah. The City of Pooler was recently sued by the USDOJ for refusing to allow construction of low-income housing credit property. Port Wentworth limits services to the predominantly African-American North Port Wentworth area. Communities such as Tybee Island and Pooler exceed 95% White persons and 87% White persons, respectively. Substance abuse treatment facilities are resisted in Thunderbolt.

20. Zoning applications and regulations.

21. Your question is biased. High income Black areas do not want Hispanic/Asians-- it is not just high income white areas!

22. Atlanta Housing Authority demolished the majority of public housing projects. These apartments have been replaced by mixed income developments. These developments are supposed to reserve 30% of the units for low-income. Many of the tenants we speak to qualified for tax-credit rental rates - this rate is about \$900 per month. This is not an affordable housing option!

23. Gangs problems based on racial differences are common. Also, you can go into most inner city low income housing and find only minorities.

24. In general there is an underlying racial tension within the entire county.

25. Multi racial gang problems.

26. Affordable housing is overall in short supply throughout Carroll County.

27. Concentration of minorities in declining neighborhoods is a very complex issue but older homes are generally more affordable and many minorities need affordable housing.

28. Most of the complaints have been related to the number of people living in the single family dwelling AFTER they have moved in.

H. Government Assisted Housing Section. (15)

If applicable, please explain the fair housing barriers you identified in this section.

1. There is almost no advertising of affordable housing as most of it is full and people are not welcomed when they inquire about moving into the units.

2. Not enough income based housing.

3. The housing choices for GRFA holders are limited to minority neighborhoods. The local housing authority is over 80% minority.

4. This is a rural area with large tracts of land in agriculture or timber. There is a lack of available land and jobs for both skilled and unskilled workers. Public housing is the only affordable decent housing available. There does seem to be a high concentration of racial or ethnic groups in public housing.

5. Both housing units in Leslie are all black, this is handled by the Americus Housing Authority who owns the units.

6. Most public housing and Section 8 housing is restricted by credit checks that go beyond the normal restrictions and allows landlords to deny housing to persons to whom they do not wish to rent due to race or marital status or number of children by saying simply that their "credit score is not high enough" to obtain a unit.
7. The city is divided.
8. At least 95% of public housing is black.
9. The Atlanta housing authority wants to take people with disabilities out of seniors and put in separate building. Now a lot of the time the people with disability is excluded from activity because services paid by older American funding. they are asking people with disabilities to move because they could then get the same services as the seniors.
10. There is currently limited advertising of available, affordable, housing in standard condition, however a local board is currently working on advertising for such subdivisions.
11. Section 8 or voucher housing usually located or accepted in low economic neighborhoods that are rampant with drugs and high crime statistics.
12. Public housing is predominantly African-American. Waiting lists are exceptionally long. Public perception dissuades prospective low-income white tenants from applying for rental assistance.
13. Public housing is being ignored in hopes of making the case it can be torn down for "mixed" development. The poor are the victims of this loss of housing.
14. Section 8 doesn't allow outside occupants (from other counties to move into the county. There are no postings regarding available Section 8.)
15. Waiting time for units actually seems less for minority households.

PART IIIa: Fair Housing Actions. (103)

Please describe actions taking place in your community to promote fair housing.

1. The city has programs to promote rehabilitation and in fill where houses have had to be removed. The Habitat for Humanity in this area builds over 10 houses a year. There is a new initiative by a group partnering with some bankers to build affordable housing in deteriorating neighborhoods concurrent with efforts to re-create the neighborhoods free of crime. Several groups are offering classes to help people to improve their credit so that they can become homeowners. The homeless coalition speaks out on issues of fair housing at city and county meetings.
2. NPU meetings discuss these issues.
3. I own a number of properties that I maintain in very good condition and available to Section 8 renters. However, Section 8 in Atlanta is not contributing their part to the residents.
4. We make sure that everyone is treated the same and fairly regardless of their race, color, etc.
5. Town Development Codes to ensure a wide variety of housing for people of all economic levels. Strict enforcement of Fair Housing laws.
6. FHA posters are located at the entrance to city hall.

7. We are a very small rural Town. At this time, the Town does not have any HUD, CHIP or any other housing under construction. We have discussed the idea of perhaps getting a CHIP Grant to help a few families in our small Town.
8. None our community is too small
9. The County currently has funds for housing available through a CHIP Grant. Lenders actively advertise competitive mortgage rates to the general public
10. None, some programs are run through the county or state agencies but our community has not been very responsive to promoting fair housing.
11. Don't know.
12. I am not aware of any initiative to promote fair housing
13. I don't know :(
14. NO ACTIONS ARE BEING TAKEN! MARTIN IS A VERY SMALL TOWN.
15. We have multi ethnic real estate salespersons that provide a larger variety of housing options to a larger number of multi ethnic families.
16. We are conducting workshops and have begun an informational strategy to inform persons of their rights and responsibilities under the Fair Housing Law.
17. None are needed.
18. The city has allocated funds for affordable housing and is working on this project. The Zoning Board is also exploring Habitat for Humanity.
19. Blythe is a very small undeveloped community about 25 miles outside of a large city. (Augusta)
20. Houses sell for less than market value.
21. None required
22. Supportive housing programs
23. WE don't have a problem with fair housing
24. We have houses in all price ranges.
25. Advertisement by several real estate agencies
26. Workshops to educate residents about fair housing; Homebuyer workshops Legislate fairly
27. All houses for sale/rent/lease are open to everyone of every race. We have a harmonious blend of Hispanic/Black/White population that flows throughout the city. I do not know of any person being denied residence anywhere.
28. The City is involved in cleaning up neighborhoods and promoting infill houses. The City is writing a re-development plan for the entire city and has targeted two areas to develop affordable housing.
29. Involvement of SWGA Housing Consortium in helping develop affordable housing in our community. Trying to recruit other developers to our community.
30. Our Housing Authority officials places posters throughout their complexes to inform residents about fair housing policies and procedures
31. GICH (Georgia Initiative for Community Housing) team is planning to work with local financial institutions to provide financial literacy and homeownership classes. Working with local government to provide quality housing in areas currently predominately non-owner occupied. Public awareness is growing. GICH plans to work with other teams and organizations on programs to promote fair and affordable housing to all of our citizens
32. City contracts with Metro Fair housing and Consumer Credit Counseling Service to provide financial literacy and Fair Housing education.
33. I believe the problem is not with the community to promote fair housing. The community can promote it but does the community care? I believe the community needs to be educated from within our school systems on these issues. It is BADLY needed there. We need to teach our children! Make a stronger family unit and it will grow from there. Our children are learning

racism and hate within their own families, does not matter what the ethnic group is. That is what this is all about. Help the family unit become stronger from within and I believe our problems with Fair Housing, etc. will fade.

34. Income and credit rating are the major issues in the county. The Chamber of Commerce is investigating strategies to increase the number of consumers that can financially qualify to receive a reasonable loan for purchase of a home. There is one builder in the community focusing upon low income housing construction.
35. That is done through community base meeting, to inform the public about existing fair market housing.
36. A collaboration between local government and private agencies to insure the fair distribution and accessibility of adequate fair housing options.
37. City of Brunswick advocates to identify barriers and create solutions to improve affordable housing choices in the area through a board, Community Housing Resource Assistance Board. Glynn County, which governs the area including the Islands and the outlying areas of the County and includes most of the areas of new development and increased property values, does not take any action at all, unless it is the NIMBY (not in my backyard) approach.
38. None known at this time.
39. On behalf of my group home business which serves the elderly, I have met with an Alpharetta zoning representative to explain why their new zoning practices effectively discriminate against the elderly and limit the elderly's housing choices.
40. None that I know of.
41. The Homeless Coalition in the community has discussed issues and needs, but not sure if anything has been presented to the authorities.
42. First time homeowners workshops Town hall meetings collaborations: various organizations on housing issues
43. There is no real active group or organization that I am aware of existing. If there is one, there is not an active voice or advocate.
44. NONE that I am aware of at this time.
45. The City Council has appointed a committee which is enrolled in the Georgia Initiative for Community Housing and seems to have a sincere interest in improving the availability and quality of affordable housing.
46. The City of Albany has a great fair housing program that reaches several counties in our region
47. There aren't any actions as of yet.
48. No actions yet.
49. I am currently on the committee for GICH and work with public housing to try to find housing that is affordable for those women and children who have left a domestic violent relationship and often have poor credit and limited income in identifying safe affordable housing.
50. There are several agencies that have teamed up to address multiple issues in our community to include the housing situation
51. unknown
52. In our community we work well with the local real estate agencies and the local rental properties. We have not experienced great results in placing individuals with disabilities in our community. We feel that our community promotes fair housing.
53. Frequently see Fair Housing notices against discrimination in housing and I believe consumers are educated about this. Our county has, I believe, the second highest foreclosure rate in the state. I think this has been an unintended consequence of anti-discrimination measures which promote minorities receiving mortgages that they may not be qualified for

simply to increase the number of minorities qualifying. Lenders and builders offer deals such as, "\$1.00 down and no payments for four months" which I believe was an incentive for lower income/more risky credit worthy people to purchase the homes. These neighborhoods quickly filled with minorities and then the foreclosures began. While this says nothing about minority homeowners, it says a lot about the loan programs that are sometimes offered to people who are not financially ready to become homeowners. In the end, we all pay for these poor decisions, minorities and the majority alike.

- 54.** Petition for more Section 8 vouchers; Change allocation procedures for Section 8; petitioning county and city to lower lot size requirements to increase affordable housing
- 55.** It is the policy of the local housing authority to continually promote fair housing in our public housing units, other housing programs that are in the public and the private sector
- 56.** REGARDLESS OF RACE, ORIGIN, THE INDIVIDUAL WILL BE ABLE TO LIVE IN THE AREA AS LONG AS ALL PAPERWORK IS SUBMITTED ON TIME AND EVERYTHING THAT HAS BEEN CHECKED OUT HAS CLEARED.
- 57.** Georgia Initiative for Community Housing Task Force in City of Newnan and Newnan Housing Authority.
- 58.** Legal service advocating for the mentally ill in shelters and subsidized housing.
- 59.** None. I would like to see the protection and advocacy agency for this state and the centers for independent living do fair housing training for people with disabilities. You could contact Cheri Mitchell 404-885-1234 at the protection and advocacy agency for the state of Georgia to make this happen.
- 60.** Making sure that we are operating under the fair housing policies.
- 61.** I am not aware of any taking place to address the homeless epidemic, nor those previously charged with sex crimes/registered sex offenders.
- 62.** The city is participating in GICH, we are developing a homebuyer assistance program and are seeking funds for downpayment and closing cost assistance. The city is working to demolish substandard housing and has an incentive program for property owners of substandard properties to relief some of the cost burden for those who will demo the property themselves.
- 63.** Follow the law and promote affordable housing.
- 64.** Do not know.
- 65.** As far as our agency, we publish public notices of fair housing through our policies and procedures and at public places on our properties. All announcements are posted with fair housing opportunity statements. I am not familiar with what other agencies within our jurisdiction are doing to promote fair housing. I see a growing need for accessible dwelling apartments in our area. I feel there is a need for elderly housing in our jurisdiction.
- 66.** A Fair Housing and Equal Opportunity poster is usually posted and visible to the public in every business establishment in our community.
- 67.** NONE !!!!!
- 68.** Emphasis on Fair Housing Month.
- 69.** Implementing a collaborative effort to improve housing issues.
- 70.** Unknown.
- 71.** Use of the fair housing logo in advertisements.
- 72.** THERE ARE CURRENTLY NO ACTIONS TAKING PLACE IN THE COMMUNITY TO PROMOTE FAIR HOUSING. SECTION 8 VOUCHERS HAVE NOT EVEN BEEN OFFERED IN 2 YEARS AND THOSE THAT HAVE VOUCHERS HAVE TO USE THEM IN RURAL AREAS. NO PROMOTION AT ALL IS TAKING PLACE HERE.
- 73.** Forums, affordable housing workgroups, housing counseling classes.
- 74.** Education of prospective homebuyers, current rental home seekers, and homeless persons. Investigation of discrimination complaints. Housing counseling of persons with disabilities to

seek reasonable accommodations and modifications as appropriate. Resources for the above are very limited.

75. Meetings and abject incorrect solutions are creeping to the fore. If a family does not make the least acceptable wage to own a house there is nothing to do but cry. Money will not remake itself where jobs do not exist!@
76. Educational workshops and information regarding fair housing law for public. Attendance at training workshops by real estate and housing professionals in community.
77. Our governments are regularly seeking grants to help people fix up old homes and are demolishing abandoned homes that are no longer livable. Also, there is a plentiful supply of public housing and private rental and owner homes for low income persons in the community. As a reporter, I have been told of no instance in which a person was not fairly treated concerning housing in the public or private sector and many neighborhoods have a diverse population.
78. We are building new homes available for low-to-moderate income families at affordable prices.
79. New low income housing being built in community.
80. We need a stronger fair housing initiative. The state office really needs to get interested in fair housing and take some initiative by: initiating cases, cooperating with the local fair housing councils and not making side deals with housing owners without consulting the fair housing council.
81. abc.
82. Don't know of anything.
83. A very limited amount of single family housing is being built in minority areas. Some nonprofits and other grassroots groups are promoting affordable housing (education, awareness, construction).
84. Annual funding to fair housing counseling group who resolves complaints, educates, advocates, counsels, etc. Problem is regional, racial segregation is regional. One jurisdiction in metro region is limited in what it can do.
85. I do know that one official has spoken openly about the changes needed to the inequitable distribution of housing opportunities. I have not seen any changes come about from this, however; recognizing the problem is perhaps the first step to actual change.
86. Fair Housing Education/Public Planning for Fair Housing/Utilizing HUD/Other Programs to Support Fair Housing Activities
87. Education to make sure that all citizens are aware of their rights to fair housing. Materials are posted prominently in the courthouse and city hall and the city works closely with a local housing non-profit organization to provide education to promote home ownership among minorities and fair housing.
88. Not aware of any.
89. None that I know of.
90. Not aware of any "specific" actions - conversely not aware of any actions that do not allow choice of available housing - housing choice is most often limited by income not race and/or ethnicity's that I know of.
91. City of Warner Robins contracts with Middle Georgia Technical College to teach fair housing to (English as Second Language) ESL classes.
92. Unknown at this time... new into area.
93. The Marketek consulting firm is currently gathering data for a Housing Needs Assessment and they will probably also update our local Analysis of Impediments to Fair Housing Choice. Both of these documents will be updated in the next 2-6 months. We will also

organize an Affordable Housing Task Force to address this issue as our Homeless Task Force is addressing homeless issues.

94. There is always TALK, TALK and More Talk about affordable housing but my clients can't afford home ownership when there first coming off the streets and most transitional housing is for 24 months and that is too short a time to undo there bad credit history which in it's self hinders the families success in getting home ownership. However when the landlords do a credit check on the family they won't rent the apartment the family wanted so they have to go to the less expensive and poorly kept housing that won't worry about a credit reference or report.....
95. We have notices displayed outside of the office and have had an AI completed for our community. We also have a fair housing ordinance.
96. Blank space.
97. WE HAVE POSTER IN THE LOBBY OF OUR BUILDING TO INFORM PEOPLE WHAT THE LAWS ARE AND OUR CITY COUNCIL OVERSEES THE PROCESS.
98. Community Land Trust to provide permanent, affordable, controlled housing for low-to-moderate income families or person and to promote revitalization of the county neighborhood we operate
99. Attend public hearings and forums, give statistics to United Way. Active in community work group. Housing Stabilization Committee.
100. Education provided through both Pre- and Post Purchase Housing Work shops, newspaper articles, provision of Tenant Rights Handbook to all service area agencies, education workshop with service area agencies and direct assistance to households as needed.
101. Our agency in particular provides in its homebuyer education class a presentation on Fair Housing from a presenter of a Fair Housing Agency.
102. I am new in the community and not aware of many of the fair housing situations in the area. This is a learning process for me.
103. Housing educational opportunities, e.g., housing fair in spring and summer. GICH Committee meetings address the promotion of fair housing.

PART IIIb: Fair Housing Actions. (30)

If applicable, please explain the fair housing actions you identified in this section.

1. While the area has improved in the 20 years I have been here, progress is too slow and too bound up in red tape to help most people.
2. We have been working diligently to clean up our south side Atlanta neighborhoods.
3. Our community is making some strides to address fair housing in the zoning code but there are still issues with the building codes that make housing less affordable.
4. We have only just begun to address these issues. We could use some help.
5. Gwinnett Village, CID Consumer Credit Counseling is a leader in education regarding fair housing.
6. Cobb and Douglas Housing Coalitions Cobb and Douglas County United Affiliates.
7. We have obtained a grant to up grade the housing in a neighborhood of all black neighborhood.

- 8.** Many of these outreach and education programs have had only small interest from consumers in the past however with the increase in public awareness and the overall increase in local programs to counter problems it is expected that this will change.
- 9.** Metro Fair Housing provides above mentioned services for the city.
- 10.** HUD has a great plan in place to educate the public about fair housing issues.
- 11.** Georgia Legal Services has to turn down many more than they are able to serve. More funding for outreach, education and information programs,
- 12.** Alpharetta zoning representative, Lynn Pierson, told me in a meeting on April 14, 2008: "Fair Housing isn't something I need to know or understand--I'm in zoning". This statement was witnessed by me and one other person.
- 13.** #7 Community may provide programs customized to this population and advertise to them only. #9 Programs need to be structured to the educational level of the minority population. Education levels of minority population limit their ability to understand the programs intent. Minorities feel inferior when they cannot relate to what is being said.
- 14.** 2. There is aggressive marketing of the availability of mortgages and home improvement loans in minority and low-income communities. Sure there is, but many are debt traps with unfair rates and agreements.
- 15.** Our community is working together to build a transitional housing shelter for families similar to Nicholas House in DeKalb. I think people are very willing to help and I don't hear much, if any, of the Not in My Backyard mentality here.
- 16.** Local Community Development Programs--Cam Jordan Director for the City of Fitzgerald. Housing Counseling, Money Smart----local lending institutions.
- 17.** None of these things have happened for people with disabilities. If they had the centers for independent living, the GA protection and advocacy agency and the governor's council would all be involved. They are not.
- 18.** Poverty seminars are on-going to education the community and civic leaders. Neighborhood revitalization programs are encouraged by the city and the city is conducting its own neighborhood cleanup.
- 19.** GICH (Georgia Initiative for Community Housing).
- 20.** Little to no advertisement of housing laws, development or encouragement of housing developments other than in economically depressed neighborhoods.
- 21.** Community Development of the City of Albany is actively pursuing neighborhood revitalization activities. New affordable housing for the elderly (Section 202) is being developed in the community. A mixed income development was completed in 2005.
- 22.** According to a recent NCRC study, African-Americans in Savannah are three (3) times more likely to be steering toward a high interest loan product. Hope VI in Savannah is beginning to provide mixed-income neighborhoods, but there is not sufficient offset for displaced low-income tenants. Georgia has only two full-service fair housing organizations (SCFHC in Savannah, Metro Fair Housing in Atlanta) which investigate complaints, and provide education and outreach.

Neither organization is sufficiently funded. Both have been laid off staff in the past year, and both are in danger of further reductions in services.

23. One Athens program.

24. The city is very supportive of affordable housing development and revitalization of deteriorated neighborhoods. Support is in the form of zoning variances, financial contributions and in-kind infrastructure improvements.

25. #9. These outreach efforts are from regional or state agencies outside of the county.

26. Our jurisdiction does the minimum.

27. There have been several meeting recently with local representatives keeping us informed on the status of housing issues.

28. The City of Rome uses Entitlement CDBG funds and DCA's CHIP program to provide down payment assistance funds to low/mod persons. We also partner with the NW GA Housing Authority to provide credit counseling, home buyer education and similar services in an effort to get l/m persons into home ownership and avoid foreclosure. We have a Minor Repair Program to assist very low income home owners improve their homes and we have numerous ongoing neighborhood revitalization activities.

29. 3-Through the provision of services provided by DeKalb County Community Development.
4-Through the DeKalb County Government. 8&9-Through services of Metro Fair Housing.

30. Housing Assessment Study has been completed. CDBG & CHIP applications have been submitted. Urban Redevelopment Plan has been completed.

APPENDIX B

Oral Comments from Public Hearings May 6-8, 2008

While preparing the state's FFY2008-FFY2012 Analysis of Impediments to Fair Housing Choice, input on fair housing issues was received at public hearings held in three locations – Albany, Statesboro and Atlanta. The following is a summary of the comments and/or questions received at each location. Responses by the state, as necessary, are provided immediately following the respective comment or question.

Tuesday, May 6, 2008
Albany/ Arthur K William Micro Enterprise Center

Attendees: 4

1. Question. Why do you think the numbers of fair housing complaints are down for the whole state?

Response. Often people are not aware of their rights under the fair housing law. Also, people can be intimidated by the filing process, for example, as part of the process, a person needs a notarized statement. This can discourage people from initiating the complaint process. We are working to educate people about their rights under the fair housing law and assisting people with the complaint process.

2. Comment. It seems that people do not even know about fair housing.

Response. We are trying to get the word out but budget constraints and staff funding allows us only limited opportunities. If you contact the State of Georgia Civil Rights Department/Georgia Council for Equal Opportunity (GCRD-GCEO), the complaint forms will be sent to you.

3. Comment. Small communities do not have access to anything. People have to drive to a large city to get any assistance.

Response. Please contact the GCRD-GCEO. We will contact you and will meet with your community to educate and assist.

4. Question. Is there someplace in Georgia that keeps track of predatory lenders?

Response. HUD has a list of lenders that were disbarred that is located on their website.

5. Comment on location of housing. People live in communities that are impacted by educational choices for their children. I would be willing to improve my home if I knew that the educational facilities in the community were good.

No response.

6. Comment. At the public housing in my area, the majority of residents are African-American but the people in authority, the people who have authority, are white. These people in authority take actions without meeting with residents. HUD provides funding; HUD should require public meetings to include residents.

Response. If you know a specific resident who is having a problem, please contact GCRD-GCEO or you can initiate a complaint on their behalf.

7. Comment. People feel that they don't have choice. A person rents a property without a contract and then has issues with safety hazards with no recourse.

Response. There is a distinction between Fair Housing and Tenant Rights. Contact GCRD-GCEO in order to initiate an investigation.

8. Comment. Education and Outreach is important for Fair Housing.

Response. GCRD-GCEO is happy to attend an education workshop held in your community.

9. Comment. Where is the Analysis of Impediments to Fair Housing Choice (AI) document?

Response. The current document is available on-line on the DCA website at: www.dca.state.ga.us. A draft of the revised document will be available on-line on the DCA website at the end of May. Please send any additional comments to us so that they may be incorporated into the updated AI.

10. Question. What are the two other Fair Housing agencies in Georgia.

Response. Metro Fair Housing Services in East Point and the Savannah-Chatham County Fair Housing Council, Inc. in Savannah.

Wednesday, May 7, 2008

Statesboro/ Bulloch Co Board of Commissioner's Annex Building Community Room

Attendees: 5

1. Question. What is familial status?

Response. Households that include children under the age of 18 with parents as legal custodians, pregnant women or people securing custody of children under the age of 18.

2. Question. Are same sex complaints covered?

Response. No. Sexual orientation is not covered. However, it could be covered by a local government ordinance, e.g., as it is in Fulton County.

3. Question. What are terms and conditions?

Response. For rental, the actual contract; e.g., the landlord requests a larger than normal deposit because of race or national origin. For homeownership, the seller could request a higher sales amount or the lender set a higher rate because of disability status

4. Question. Why did number of fair housing complaints in Georgia go down after 2004?

Response. Funding restraints limited outreach efforts and staffing to promote awareness.

5. Question. What are disability claims?

Response. Disability claims may involve an accessibility issue, such as when landlord will not make a reasonable accommodation, or will not allow modifications or permit service or companion animals.

6. Question. How can a person verify the need for a companion animal?

Response. A landlord could ask the tenant to provide a notice from a medical doctor. A landlord cannot require an additional deposit for a companion animal, but the tenant is responsible for any damages.

7. Question. What action can be taken against a landlord who will not rent a substandard property to white people but will rent the same substandard property to minority groups?

Response. A complaint can be filed. If you know of specific case, please contact GCRD-GCEO

8. Question. Who does building code enforcement in Georgia?

Response. Local governments.

9. Comment. I think that the word on fair housing is getting out but the public housing authorities and local realtors need to be involved.

No response.

10. Comment. You need to use conferences like the recent Georgia Planning Association conference in Decatur or the upcoming housing fair in Statesboro to get the word out.

Response. Please send us the agenda for the housing fair and we will make a determination of attendance.

Thursday, May 8, 2008

Atlanta/ Georgia Department of Community Affairs, Board Room

Attendees: 8

1. Comment. The City of Dalton has a large Latino population and there is a lack of affordable housing that is causing a problem with overcrowding. The City and County are aware of the problem but don't know how to deal with it and avoid actions that could be viewed as discriminatory.

Response. HUD has a policy of two persons per bedroom. You want to make sure that the city government is aware of the number of people in the household to avoid discrimination based on familial status.

1st Comment follow-up. Ethnicity is not so much the issue as is overcrowding, parking for too many cars, 15 people in a three-bedroom house, also other residents in the neighborhood concerned with devaluation of property. The concern is that prohibiting occupancy will increase housing costs.

2nd Comment follow-up. Other jurisdictions are trying to deal with the issue of too many in one house also.

3rd Comment follow-up. Overcrowding also has health and public safety issues.

2. Comment.

(1) Mothers coming out of projects to mixed income units are being displaced because they have a family member who makes them ineligible, e.g., due to a felony conviction of their child, where can they go?

(2) Women coming out of prison, e.g., they might have had to kill a boyfriend or significant other, but when they move from transitional to regular housing, when people find out that the person is an ex-con, then they will discriminate against them.

Response. May be able to file a discriminatory complaint based on sex or children.

3. Comment. Problem is that people are intimidated by the process, particularly the immigrant population. They are afraid of the government and will not file.

No response.

4. Comment. Can you file a complaint if you are an immigrant?

Response. Yes.

5. Comment. Seller or landlord has rules in contract that require a credit and background check.

Response. Georgia Housing Search is a free on-line service that lists landlords who will rent properties without requiring a credit or background check at: www.GeorgiaHousingSearch.org.

6. Comment. It would be good if DCA could send someone to talk to students in a property management class at UGA taught by Andy Carswell.

Response. Please provide your contact information.

7. Comment. Household with work visa purchased a house. Can they do that?

Response. It is possible for someone other than the applicant to check off the box declaring citizenship on the application form. So even if the applicant did not check off the box, it may be checked off without the applicant's knowledge during processing. Action to verify a person's citizenship has been lax. It is discrimination that people who have work visas and are not citizens cannot buy a house.

8. Comment. The Latino population is targeted for mortgage fraud by Realtors, lenders and appraisers.

Response. Contact GCEO for complaint form if there is a specific incident that you know. Georgia Legal Services or some churches could help provide assistance.

Written Comments from Public Hearings May 6-8, 2008

Written public comments were also accepted during the public hearings. Two comments were received and are included below.

Wednesday, May 7, 2008

Statesboro/ Bulloch Co Board of Commissioner's Annex Building Community Room

Comment #1:

On behalf of the Savannah-Chatman Fair Housing Council, Inc., we are providing prepared comments on the State of Georgia FFY 2008 Analysis of Impediments to Fair Housing Choice Study. Specifically, we confine our discussion to the State's duty to "*Affirmatively Further Fair Housing*" (*hereinafter AFFH*)

Section 104(b)2 of the Housing and Community Development Act of 1974, as amended, and Section 105(b)3 of the National Affordable Housing Act (NAHA) of 1990 require Community Development Block Grant recipients to certify that they will '*affirmatively further fair housing.*' The Consolidated Plan regulations at 24 CFR 91.225 and 91.325 establish specific requirements for the Fair Housing Act, which apply to the CDBG program. The certification identifies (1) that recipients will conduct an Analysis to identify Impediments (e.g., AI) to fair housing choice; (2) that recipients will take appropriate action to overcome the effects of the identified barriers; and (3) that recipients will maintain records to document the analysis and actions taken.

The US Department of Housing and Urban Development (HUD) has issued guidance to CBDG recipients on February 9, 2007 and January 11, 2008. The initial document clarifies the Department's position on the use of CDBG funds to support fair housing activities, and the latter clarifies the definition of fair housing organizations. These documents are attached

Our recollection is that the State most recently updated its findings in 2003, and is currently in the process of updating the document. However, this Report states, "*The State does not allocated (sic) funding for continued fair housing activity.*" This lack of funding for fair housing activities is problematic for several reasons:

1. The State of Georgia has only two fair housing organizations¹, which provide comprehensive fair housing services, including education and enforcement. These are Metro Fair Housing Services (MFHS) in Atlanta and Savannah-Chatmen County Fair Housing Council (SCFHC) in Savannah. Each of these groups exists on diverse, but Spartan resources. The State's sheer geography makes it impossible to provide comprehensive services to all Georgia citizens.
2. The Georgia Commission on Equal Opportunity (GCEO) implements the Georgia Fair Housing Law, which has been recognized by HUD as substantially equivalent to federal Fair Housing Act. This organization performs a valuable, but separate and distinct function from private fair housing organizations. For example, both MFHS and SCFHC were recognized by HUD to participate in the decennial housing discrimination study (e.g., HDS) last conducted in 2000. This research study specifically involved conducting mixed-pair test to monitor discriminatory housing practices. GCEO does not perform the valuable investigative tool of testing. ***MFHS and SCFHC are the only capable organizations to perform this function.***
3. In a recent HUD Memorandum (see Attached) jointly issued by its Community Planning Division and Fair Housing and Equal Opportunity Divisions, the Department identifies eligible fair housing cost "includes enforcement, education... and other appropriate activities, including testing [emphasis added]". The Memorandum continues, "One major method for achieving these purposes is funding of local fair housing agencies..." While the GCEO receives dedicated funding from the State and Federal government, the aforementioned groups must compete annually for funding with over 100 similar groups throughout the country.
4. As previously noted, GCEO and MFHS/SCFHC perform separate functions. According to GCEO staff, their policy is to provide only the complaint form to potential victims of discrimination. In addition, GCEO has implemented a policy of requiring complainants to respond to complicated, voluminous Interrogatories and Document Production Request. Individuals/organizations accused of discriminatory acts generally has access to legal counsel which routinely perform these tasks. Persons who believe they have experienced discrimination do not customarily enjoy access to such benefits. This underlies the increased importance of fair housing organizations who can counsel complainants in the investigative process.
5. Collectively, MFHS and SCFHC are only able to effectively serve less than fifteen counties. However, both agencies routinely receive requests from rural communities, which fall far outside their services capacity. Certainly, all Georgians deserve equal services to equal opportunity.

There is a documented need for increased enforcement of fair housing laws in the State of Georgia. This need can only be met by two fair housing organizations, which exist on speculative and sparse funding. Despite the best efforts of public agencies, certain functions are best performed by private agencies with recognized, demonstrated success in specific areas, such as testing. HUD authorizes and encourages the use of CDBG funds for fair housing groups. At present, the State of Georgia – by its own admission—allocates no funding to fair housing activities. We respectfully ask that the Georgia Department of Community Affairs allocate CDBG funding for ***qualified fair housing organizations*** to serve Georgians who live outside of current entitlement communities.

Response: (See amended prepared comments **Submitted on July 14, 2008**).

Thursday, May 8, 2008

Atlanta/ Georgia Department of Community Affairs, Board Room

Comment #2:

PADV (Partnership Against Domestic Violence), Atlanta, Georgia

¹ Several other organizations have been funded by US Department of Housing and Urban Development, but are not recognized by the National Fair Housing Alliance as providing comprehensive fair housing services.

I have some issues I would like to point out and seek your assistance on these issues. There is a need for affordable safe rental properties for women and children transitional out of shelters. There should be protection provided for women who have been forced out of residences because of domestic violence issues (batterer in stalking, damaging property). Additionally, assistance would unquestionably aid women who sue former rental properties, causing them financial barriers in locating and or securing new safe housing. There is also a need to expedite Section 8 applications for domestic violence victims.

Response:

Affordable rental properties can be located using a DCA sponsored on-line service, www.GeorgiaHousingSearch.org or calling 1-877-428-8844. This is a free service that allows the user to search by location, rent range, number of bedrooms, proximity to public transit and schools, security deposit, etc.

DCA will continue its efforts to support and assist children and adult victims of domestic violence, dating violence, sexual assault, and stalking and will continue to establish collaborative programs with domestic violence service providers. With respect to the Housing Choice Voucher program:

1. Any information provided by the victim will be kept confidential and will not be shared with other related agencies unless requested or consented to by the victim in writing, required for use in an eviction proceeding of an abuser, stalker or perpetrator of domestic violence, or is otherwise required by applicable law.
2. DCA will allow such victim(s) an opportunity to explain negative rental, financial or criminal history and lease violations, which were caused by such violence, prior to taking final adverse action against the victim such as denial into the program or termination/eviction.
3. DCA does not deny admission or terminate assistance, tenancy or occupancy rights of such victims and their immediate family members when the reason for denial/termination is directly related to such violence, unless the member is the perpetrator.
4. An incident or incidents of actual or threatened domestic violence, dating violence, or stalking will not be considered to be a “serious or repeated” violation of the lease by the victim or threatened victim of that violence and will not be good cause for terminating the tenancy or occupancy rights of the victim of that violence.
5. Tenancy will not be terminated if the head of household or an immediate family member is the victim of criminal activity that is directly related to domestic violence, dating violence or stalking engaged in by a member of the household, a guest or another person under the control of the head of household.

Currently, the Rental Assistance Division of DCA has committed and utilized 57 housing vouchers (project based) in Hearthstone Landing in Canton GA. Families and singles that are in an abusive relationship are referred by an area battered women’s shelter. The contact person is Meg Rogers, Executive Director of the Cherokee Family Violence Center.

**Comments to the Georgia Department of Community Affairs
For Inclusion in the
FFY 2008 Analysis of Impediments to Fair Housing Choice
Submitted on July 14, 2008**

On behalf of the Savannah-Chatman Fair Housing Council, Inc., we are providing *amended* prepared comments on the Draft State of Georgia FFY 2008 Analysis of Impediments to Fair Housing Choice Study. These comments incorporate the original comments which were provided at the May 8, 2008 Public Hearing in Statesboro, GA.

Specifically, we confine our discussion to the State's duty to 'Affirmatively Further Fair Housing' (*hereafter AFFH*). Section 104(b)2 of the Housing and Community Development Act of 1974, as amended, and Section 105(b)3 of the National Affordable Housing Act (NAHA) of 1990 require Community Development Block Grant recipients to certify that they will 'affirmatively further fair housing.' The Consolidated Plan regulations at 24 CFR 91.225 and 91.325 establish specific requirements for the Fair Housing Act which apply to the CDBG program. The certification identifies three components to which grantees must comply: (1) that recipients will conduct an Analysis to identify Impediments (e.g., AI) to fair housing choice, (2) that recipients will take appropriate action to overcome the effects of the identified barriers, and (3) that recipients will maintain records to document the analysis and actions taken.

The US Department of Housing and Urban Development (HUD) has issued guidance to CBDG recipients on February 9, 2007 and January 11, 2008. The initial document clarifies the Department's position on the use of CDBG funds to support fair housing activities, and the latter clarifies the definition of fair housing organizations. These documents are attached.

The State Department of Community Affairs has updated its Analysis of Impediments (AI) Study. The Report cites a number of collaborations which are contemplated for the period 2008 – 2012. Among the groups included for collaboration are the Georgia Cooperative Extension Service (GCES), Georgia Commission on Equal Opportunity (GCEO), Georgia Legal Services Program (GLSP), Georgia Housing & Redevelopment Authorities, Georgia Municipal Association (GMA), the Association of County Commissioners of Georgia (ACCG), and the Brain & Spinal Cord Injury Trust Fund (BSITF). However, absent from planned collaboration were the State's only comprehensive fair housing organizations, Savannah-Chatham County Fair Housing Council, Inc. (SCFHC) and Metro Fair Housing Services, Inc. (MFHS) *We feel that it is essential that the plan include collaboration with SCFHC and Metro Fair Housing.*

Also absent from the Plan was any support for these organizations. This lack of funding for fair housing activities is problematic for several reasons:

1. The State of Georgia has only two fair housing organizations¹, which provide comprehensive fair housing services, including education and enforcement. These are Metro Fair Housing Services (MFHS) in Atlanta and Savannah-Chatham County Fair Housing Council (SCFHC) in Savannah. Each of these groups exists on diverse, but spartan resources. The State's sheer geography makes it impossible to provide comprehensive services to all Georgia citizens.
2. The Georgia Commission on Equal Opportunity (GCEO) implements the Georgia Fair Housing Law, which has been recognized by HUD as substantially equivalent to federal Fair Housing Act.

¹ Several other organizations have been funded by US Department of Housing and Urban Development, but are not recognized by the National Fair Housing Alliance as providing comprehensive fair housing services.

3. This organization performs a valuable, but separate and distinct function from private fair housing organizations. For example, both MFHS and SCFHC were recognized by HUD to participate in the decennial housing discrimination study (e.g., HDS) last conducted in 2000. This research study specifically involved conducting mixed-pair tests to monitor discriminatory housing practices. GCEO does not perform the valuable investigative tool of testing. ***MFHS and SCFHC are the only capable organizations to perform this function.***
4. In a recent HUD Memorandum (see Attached) jointly issued by its Community Planning Division and Fair Housing and Equal Opportunity Divisions, the Department identifies eligible fair housing costs “*includes enforcement, education...and other appropriate activities, including testing [emphasis added]*”. The Memorandum continues, “*One major method for achieving these purposes is funding of local fair housing agencies...*” While the GCEO receives dedicated funding from the State and Federal government, the aforementioned groups must compete annually for funding with over 100 similar groups throughout the country.
5. As previously noted, GCEO and MFHS/SCFHC perform separate functions. According to GCEO staff, their policy is to provide only the complaint form to potential victims of discrimination. In addition, GCEO has implemented a policy of requiring complainants to respond to complicated, voluminous Interrogatories and Document Production Requests. Individuals/organizations accused of discriminatory acts generally has access to legal counsel which routinely perform these tasks. Persons who believe they have experienced discrimination do not customarily enjoy access to such benefits. This underlies the increased important of fair housing organizations who can counsel complainants in the investigative process.
6. Collectively, MFHS and SCFHC are only able to effectively serve less than fifteen counties. However, both agencies routinely receive requests from rural communities, which fall far outside their service capacity. Certainly, **all Georgians deserve equal services to equal opportunity.**

There is a documented need for increased enforcement of fair housing laws in the State of Georgia. This need can only be met by two fair housing organizations, which exist on speculative and sparse funding. Despite the best efforts of public agencies, certain functions are best performed by private agencies with recognized, demonstrated success in specific areas, such as testing. HUD authorizes and encourages the use of CDBG funds for fair housing groups. At present, the State of Georgia – by its own admission— allocates no funding to fair housing activities. ***We respectfully ask that the Georgia Department of Community Affairs allocate CDBG funding for qualified fair housing organizations to serve Georgians who live outside of current entitlement communities.***

Response:

DCA is dedicated to the objective of promoting fair housing choice in an affirmative manner. Primarily, DCA takes action within its own programs to promote compliance with the federal and state fair housing laws. It also strives to educate and inform the citizens of Georgia of their fair housing rights. DCA can affirmatively further fair housing by meeting with the Savannah-Chatham County Fair Housing Council, Inc. (SCFHC) to discuss collaboration on the promotion of fair housing choice in an affirmative manner and funding issues. The SCFHC also can coordinate educational activities to promote fair housing choice with DCA fair housing educational activities, and meet and encourage local governments to apply for CDBG funding to support affirmative fair housing activities within their jurisdiction.

Georgia Department of Community Affairs

60 Executive Park South, N.E.
Atlanta, Georgia 30329-2231
(404) 679-4940
www.dca.state.ga.us



An Equal Opportunity Employer

If you are disabled and would like to receive this publication in an alternative format, please contact the Georgia Department of Community Affairs at (404) 679-4950, or (404) 679-4915 (TDD) or 1 (800) 736-1155 (TDD).

