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Submitted via Regulations.gov

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Re: Docket No. FR-6123-P-02: Affirmatively Furthering Fair Housing (RIN 2577-AA97)

Dear Office of General Counsel:

The Fair Housing Center writes in response to HUD's Proposed Rule "Affirmatively Furthering Fair Housing. You will find that our comments raise unique considerations, from the perspective of persons working on Fair Housing and Affirmatively Furthering Fair Housing in Ohio. This is not a pre-written "form" comment, and we ask that HUD please carefully review these comments and accompanying Exhibit A.

The Fair Housing Center strongly opposes the adoption of HUD's Proposed Affirmatively Further Fair Housing Rule as it will inhibit progress toward integration and Fair Housing Choice in Ohio.

As a preliminary point, the proposed changes to HUD's 2015 AFFH Rule are inconsistent with HUD's statutory obligation here. 42 U.S.C. § 3608. HUD must administer its programs "in a manner affirmatively to further *the purposes of this subchapter.*" *Id* (emphasis added). Despite this requirement, it appears the proposed regulation is not actually related to the purposes of Fair Housing. Fair Housing considerations are only mentioned in passing, if at all. Rather, it seems to focus on the expansion of affordable housing. While we strongly support expanding high-quality affordable housing opportunities, the Proposed Rule must relate to fair housing, and for purposes of affirmatively furthering, we suggest that must mean integration and expansion of housing choice. The "purpose of this subchapter" was never to simply increase affordable housing, but it was intended to end the powerful impacts of segregated housing patterns in the United States. We see no indication that the Proposed Rule in any way relates to that purpose. Therefore, we suggest that HUD should withdraw the Proposed Rule and instead focus on fully implementing the 2015 AFFH Rule which does clearly relate to the purpose of fair housing.

A. To Affirmatively Further Fair Housing in Ohio, the Proposed Rule Must Consider Segregation and a More Complete Picture of Housing Discrimination

In Ohio, segregated living patterns continue to present a critical Fair Housing concern, and any effort to affirmatively further Fair Housing must consider these issues. Yet, the Proposed Rule makes no effort to call on entitlement jurisdictions to consider, let alone work to address, segregated living patterns in their areas. In fact, the word “segregation” only appears in the Proposed Rule’s preamble description of the 2015 AFFH Rule. We must therefore strongly oppose HUD’s proposal to eliminate any discussion or analysis acknowledging the continuing role that residential segregation plays within communities across Ohio.

Based on its long history and experience, The Fair Housing Center knows the powerful impact of segregation in the Northwest Ohio region. As part of the local Analysis of Impediments to Fair Housing completed for the Toledo, Ohio jurisdiction, The Fair Housing Center has shown the ongoing effects of past and present housing segregation. We ask that HUD please review the Analysis of Impediments (AI) in its entirety provided here: <https://toledo.oh.gov/media/8386/city-of-toledo-2020-2025-analysis-of-impediments-and-fair-housing-action-plan.pdf>. We also attach a copy of the AI to these comments as Exhibit A.

Clearly, segregation remains a key fair housing issue that must be addressed. The Proposed Rule’s failure to address this is inconsistent with the concept of affirmatively furthering fair housing.¹ By requiring that jurisdictions and public housing authorities (PHAs) specifically consider fair housing issues such as segregation, the 2015 Rule ensures that HUD funding recipients are engaged in informed fair housing planning and goal-setting that incorporates HUD data, community input, and local historical context. Under the Proposed Rule, by contrast, a program participant could complete its AFFH certification without addressing (or even mentioning) the impact of housing segregation in a jurisdiction or region.

In addition, HUD’s Proposed Rule paints an incomplete picture of the prevalence of housing discrimination within jurisdictions and by PHAs. The AI document referenced above, Exhibit A, as just one example, provides statistics on the number of complaints of housing discrimination and other housing discrimination-related issues throughout the Toledo, Ohio area.

The “Risk Analysis” provided in the Proposed Rule fails to account for the important role of private fair housing enforcement, as the analysis only considers findings of civil rights violations in cases brought by HUD or the U.S. Department of Justice. Ignoring the role of private enforcement, including lawsuits brought under the FHA by private parties, does not present a complete picture about the state of fair housing in a given jurisdiction. We know that private enforcement in our area is often unseen by the general public, unless Fair Housing organizations work to highlight the issue. Currently, overt discrimination, in the form of explicit racist statements or policies, does not occur as frequently as discrimination that is hidden in some manner and thereby more difficult to uncover without investigation. Any analysis of risk should consider these kinds of discrimination, as part of the purpose of The Fair Housing Act.

Furthermore, the “inherent barriers” to fair housing choice included in the AFFH certification only consider one protected class – persons with disabilities.² However, it makes no further attempt to directly connect disparities in access to housing opportunities with longstanding patterns of segregation and discrimination against other protected classes, or to more fully explore housing barriers faced by persons with disabilities. As displayed through the AI, Exhibit A, referenced above, much more analysis is necessary to consider and address inherent barriers.

¹ In *N.A.A.C.P. v. Secretary of HUD*, for example, the court noted that the Fair Housing Act’s legislative history “suggests an intent that HUD do more than simply not discriminate itself; it reflects the desire to have HUD use its grant programs to assist in ending discrimination and segregation, to the point where the supply of genuinely open housing increases.” 817 F.2d 149, 155 (1st Cir. 1987) (emphasis added).

² See e.g., Proposed 24 C.F.R. § 91.225(a)(1)(i)(B) (local jurisdiction certification).

B. Community Engagement is Critically Important but the Proposed Rule Eliminates or Reduces Important Engagement Opportunities.

In Ohio, community engagement remains a critically important—indeed necessary—component of affirmatively furthering fair housing. In Ohio, the public benefits tremendously from education and outreach to better understand Fair Housing and the goals of the Fair Housing Act. Significant confusion and misunderstanding about both the Act and the need for integration and improved fair housing choice remains. The Analysis of Impediments referenced about contains a detailed discussion of the community engagement process used for that report, as an example.

It was very appropriate that the Assessment of Fair Housing (AFH) process created by the 2015 AFFH Rule emphasized local public engagement on important fair housing issues such as segregation, disparities in access to opportunity, and disproportionate housing needs. Of course, HUD states in the *AFFH Rule Guidebook*, “Community participation can have many benefits, including cost-effectiveness, instilling ownership and support of fair housing planning in the broader community, and building trust and relationships throughout the community.”³ The Proposed Rule appears to ignore these important requirements.

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³ HUD, *AFFH Rule Guidebook*, Version 1, at § 3.4 (Dec. 31, 2015).

C. Inherent Barriers to Fair Housing Must Be Determined After Appropriate Analysis and on a Local Level

From our experience working in Ohio, we know that different entitlement communities are different. The barriers to Fair Housing can change substantially from each town, city, or county. Moreover, the local capacity to address those barriers and potentially strategies can be radically different from area to area.

Yet, the Proposed Rule sets a nation-wide determination that certain issues are inherent barriers and assumes that every entitlement jurisdiction should be equally encouraged to resolve them regardless of any local conditions. In fact, some of the local resident protections the Rule opposes may improve fair housing choice, depending on the local conditions. Among these presumptive “inherent barriers” are “certain types of rent control,”⁴ “[a]rbitrary or unnecessary labor requirements,” and “[u]nduly burdensome wetland or environmental regulations.”

While jurisdictions are not required to select HUD’s pre-selected sixteen “inherent barriers,” it is clear that many jurisdictions will be incentivized to do so because no additional explanation is required when one of the pre-selected “barriers” is chosen by a jurisdiction.⁵ This will leave local residents in Ohio without any explanation as to how certain goals would address fair housing issues in their communities and in response to local circumstances. It may be better to categorize these designations as part of an effort to deregulate and not truly intended to increase affordable housing opportunities for members of protected classes.

We also find it problematic that HUD fails to define key terms (e.g., “labor requirements”), and includes terms that are inherently subjective (“unnecessary,” “unduly burdensome”).

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⁴ Proposed 24 C.F.R. § 91.225(a)(1)(i) (local jurisdictions). Regulations for states and consortia use the language “rent controls.” Proposed 24 C.F.R. § 91.325(a)(1)(i)(I) (states); Proposed 24 C.F.R. § 91.425(a)(1)(i)(A)(9) (consortia).

⁵ See e.g. Proposed 24 C.F.R. § 91.225(a)(1)(i) (local jurisdictions).

D. In Ohio, PHAs Play an Important Role in Expanding Housing Opportunities for Members of Protected Classes, but the Proposed Rule Significantly Reduces Their Involvement

In Ohio, Fair Housing organizations very frequently encounter PHAs in their day-to-day work. Especially in post-industrial cities in Ohio that rely substantially on federal dollars to develop housing opportunities and assist their neediest residents, PHAs play a central role in Fair Housing.

The previous 2015 AFFH Rule required PHAs to conduct a fair housing assessment to determine the extent to which their policies and practices were consistent with the PHA's overall AFFH obligation. Furthermore, the 2015 Rule requires that PHAs devise goals to address identified fair housing issues and contributing factors. Under the Proposed Rule, PHAs are not required to undertake a meaningful fair housing analysis to be submitted to HUD, nor are they required to devise goals and strategies to combat segregation and housing discrimination.

The proposed changes disregard how PHA policies and practices impact the ability of PHA program participants to access and maintain housing opportunities. Housing authorities set Voucher payment standards, evaluate reasonable accommodation requests, adopt admissions preferences, serve limited English proficient individuals and families, and serve survivors of domestic and sexual violence. Such decisions and policies, and how the public housing and the Housing Choice Voucher programs are administered, directly affect participating families, including members of protected classes. As one example, the AI referenced above, Exhibit A, spends considerable time evaluating the local voucher program administered by the Housing Authority. HUD's proposal simply discounts the importance of these PHA policies. These proposed changes are unacceptable.

In closing, we support HUD's 2015 AFFH Rule and strongly oppose HUD's proposed replacement of the 2015 Rule. The 2015 AFFH Rule provides HUD program participants with much-needed guidance and direction. HUD must ensure that meaningful fair housing analysis, informed by data and community participation, as well as the goal-setting resulting from that analysis, continues. Instead of focusing agency resources on implementing a new, substantially less effective Rule, HUD should instead resume full implementation of the 2015 AFFH Rule.

If you have any questions, please contact George Thomas at georgethomas@toledfhc.org.

Sincerely,

/s/ Marie Flannery

/s/ George Thomas

The Fair Housing Center

432 N. Superior St., Toledo, Ohio 43604

Exhibit A



CITY OF TOLEDO

ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

July 1, 2020 - June 30, 2025

PREPARED BY



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Introduction

Title VIII of the Civil Rights Act of 1968, commonly known as the Fair Housing Act,¹ states that “it is the policy of the United States to provide, within constitutional limitation, for fair housing throughout the United States.” This Act (and subsequent amendments) prohibits discrimination in the sale, rental, or financing of housing, or in the provision of brokerage services, including discriminatory advertising or otherwise making unavailable or denying a dwelling to any person because of race, color, religion, sex, national origin, disability or familial status. The Fair Housing Act further provides that the authority and responsibility for administering the Act falls on the Secretary of Housing and Urban Development (HUD). The Act goes on to state that the Secretary shall “administer the programs and activities relating to housing and urban development in a manner that affirmatively furthers the policies of the [Act],” and that all executive departments and agencies shall administer their programs and activities related to housing in a manner that affirmatively furthers the purposes of the Act, including any Federal agency having regulatory or supervisory authority over banking institutions.

In addition to prohibiting intentional, overt discrimination, the Act lays the groundwork for HUD and jurisdictions funded by it to “affirmatively further fair housing.” This means taking meaningful steps, in addition to addressing discrimination, to overcome patterns of segregation and foster inclusive communities free from impediments that reduce access to opportunity based on a person’s protected status.

Nationally, the enforcement of the Act is the responsibility of HUD’s Department of Fair Housing and Equal Opportunity (FHEO), while supervising the Community Development Block Grant (CDBG) and Home Investment Partnership Program (HOME) programs falls on HUD’s Office of Community Planning and Development (CPD). The CDBG and HOME programs require that each municipality receiving these grant dollars under Title I of the Housing and Community Development Act is required to affirmatively further fair housing and fair housing planning by conducting an Analysis of Impediments to Fair Housing Choice as part of its five-year Consolidated Plan process. Grantees, such as the City of Toledo, are also required to take appropriate actions to overcome the effects of any identified impediments.

This report is an assessment of the nature and extent of fair housing concerns and the impediments to fair housing choice that the residents in Toledo encounter. The City’s last Analysis of Impediments to Fair Housing Choice (AI) was conducted in 2015. This AI has been conducted in conjunction with the City’s Five-Year Consolidated Plan. Both documents are planning documents for the 2020-2025 program years.²

¹ See 42 U.S.C. 3601, *et seq.*

² Program years run from July 1 through June 30th. Thus, the AI and Consolidated Plan will cover the period of July 1, 2020 through June 30, 2025.

About the Consultant

The Fair Housing Center (the Center or TFHC) is a nonprofit civil rights agency dedicated to eliminating housing discrimination, promoting housing choice, advocating for anti-discriminatory housing policies, and creating inclusive communities of opportunity. The agency primarily serves Lucas and Wood Counties by undertaking education, outreach, investigation, and enforcement activities.

Since its founding in 1975, the Center has operated as one of the most progressive and effective proponents of fair housing, leading national efforts and setting precedents that have markedly improved the quality of life for millions of Americans.

Founded on the principles of community, tolerance, and justice, The Center was established to assist victims of housing discrimination. The Women of the Old West End, The League of Women Voters, and several other concerned citizens and community groups organized to fight blockbusting and other discriminatory practices that were destroying Toledo's neighborhoods.

Throughout its 45-year history, the Center has been a leader in fair housing enforcement, having investigated more than 12,000 complaints of discrimination and recovered in excess of \$33.3 million in damages for victims and neighborhood reinvestment. Enforcement efforts focus broadly on housing discrimination related to the sale or rental of housing, unfair or predatory lending policy and practices, and discriminatory insurance policy and practices.

Its staff has conducted workshops for fair housing organizations, government agencies, and housing industry professionals such as HUD, the Ohio Civil Rights Commission, the Federal Reserve Bank, the Center for Community Change, the Alliance of Allied Insurers, the National Fair Housing Alliance and a host of other fair housing, community, and housing industry organizations. In the late 1990s and early 2000s, the Center entered into partnerships with companies including State Farm, Allstate, Nationwide, Liberty Mutual, and Farmers Insurance. Through these agreements, insurers altered their underwriting guidelines, which had a disparate impact on African American and Latino neighborhoods. The partnerships have resulted in more than \$10 million in investments in Toledo's urban communities. In addition, the Center's staff has been called upon by the US Congress to submit testimony regarding discriminatory housing practices.

Landmark Cases Brought by The Fair Housing Center

Fair Housing Center v. First Federal Savings & Loan (1978)

TFHC and the Greater Toledo Housing Coalition filed the country's first challenge under the Community Reinvestment Act with the Federal Home Loan Bank Board. The protest filed against First Federal Savings and Loan prompted fair lending awareness among the banking community and resulted in a conditioned approval of the lender's application.

Shellhammer v. Lewallen (1983)

TFHC investigated and litigated the nation's first sexual harassment housing complaint. The complaint, successfully litigated by C. Thomas McCarter, clearly established sexual harassment as a violation of the Fair Housing Act.

The Old West End Association v. Buckeye Federal Savings & Loan (1987)

The standards for establishing a prima facie neighborhood redlining complaint were decided in this case, which was successfully litigated by Steve Dane.

Fair Housing Center v. Lexington Apartments (1988)

This case set a national precedent by providing free rental units for the homeless.

Fair Housing Center, et al. v. Nationwide Insurance Companies (1993)

The first complaint filed against an insurance company based on testing evidence. The complaint was settled in 1998.

National Fair Housing Alliance v. State Farm Insurance (1996)

TFHC joined the National Fair Housing Alliance to settle systemic complaints filed with HUD against the nation's largest homeowners' insurance agency. This precedent-setting agreement has changed the way homeowners' insurance is written throughout the country.

National Fair Housing Alliance v. Wells Fargo (2013)

TFHC joined the National Fair Housing Alliance and twelve additional fair housing organizations to enter into the first-ever agreement regarding the equal maintenance and marketing of Real Estate Owned (REO) homes. The complaint alleged that Wells Fargo's properties in white neighborhoods were better maintained and marketed than properties in African-American and Latino neighborhoods. Toledo received \$1.4 million in community relief funds, which TFHC used to establish the MLK Inclusive Communities Program. In an effort to preserve homeownership, the program included financial assistance for foreclosure prevention, a partnership with the Land Bank for roof replacements, and a partnership with the Ability Center for home accessibility modifications.

The Fair Housing Center v. KeyBank (2016)

TFHC uncovered inequities in KeyBank's lending patterns, resulting in an agreement to expand access to homeownership and banking services in Toledo's traditionally underserved communities. This long-term effort will help ensure that low-to-moderate income neighborhoods and communities of color have the chance to pursue the American Dream. The plan addresses our community's needs through a multifaceted approach that includes \$3 million in funding to Community Development Financial Institutions (CDFIs).

Part 1: Background and Community Profile

The Fair Housing Act, Affirmatively Furthering, and the Analysis of Impediments

Equal access to housing, or being free to live in housing of your choice, is vital to meeting essential needs and pursuing personal, educational, employment, or other goals. Recognizing fair housing as an essential right, federal, state, and local governments have established fair housing as a right protected by law.

In 1968, Congress passed a law that provided broad protections for marginalized groups in the United States. The Civil Rights Act of 1968 was signed into law on April 11, 1968, one week after the assassination of Rev. Dr. Martin Luther King Jr., and has been held as a cornerstone of human rights since. Article Eight of the Act is known as the Fair Housing Act.

Fair Housing protections aim to provide individuals of the same income level equal opportunity to housing choice, regardless of their membership in a protected class. After the federal Fair Housing Act was passed, states and municipalities developed their own Fair Housing laws and code sections to expand those protections to other groups of people not given federal protection. Below is a list of the bases of discrimination prohibited within the City of Toledo:

Federal:

- Race
- Color
- National Origin
- Sex
- Religion
- Familial Status
- Disability

State of Ohio:

All Federal Categories

- Military Status

City of Toledo:

All Federal and State Categories

- Sexual Orientation/Gender Identity

The federal Fair Housing Act prohibits actions based on a person's membership in a protected class, such as the following:

- Representing an available dwelling unit as unavailable
- Refusal or denial for sale or lease of a dwelling

- Discriminatory lending and insurance practices
- Discriminatory advertising of a dwelling
- Steering persons towards or away from communities, neighborhoods, or sections of a housing complex
- Discriminatory terms or privileges in the sale or lease of a dwelling
- Discrimination in the provision of services and facilities related to a dwelling
- In any way "making housing unavailable" based upon a protected basis

Ohio's Fair Housing laws include all the same prohibitions but add protection for military status. Additionally, while the federal Act makes allowances for the Mrs. Murphy Exemption (a multi-family dwelling of four or less units, in which the owner-landlord resides, may discriminate on the aforementioned grounds, except advertising), Ohio makes no such concession, regardless of the number of units or residency status of an owner-landlord.

The Toledo Municipal Code follows the general provisions given by the federal Fair Housing Act and the Ohio Revised Code but also adds protections for sexual orientation and gender identity.³

Since the passage of the Fair Housing Act, other legislation has been put into effect to expand fair housing protections.

Under President Ronald Reagan, the Fair Housing Amendments Act was signed into law in 1988. This act broadened authority granted to HUD to promote and effectively execute the Fair Housing Act. The Fair Housing Amendments Act also increased the responsibility and strengthened the enforcement role placed on the U.S. Department of Justice.

Under President George H.W. Bush's administration, the Americans With Disabilities Act was passed in 1990. Pieces from this act have helped to inform the accessibility requirements now incorporated into the Fair Housing Act and identified the elements for what is now considered to be housing discrimination against persons with disabilities. For example, under the Fair Housing Amendments Act, seven design and construction elements were identified to be incorporated into most multi-family properties built for first occupancy after March 13, 1991, in order to ensure that new properties are readily accessible to and usable by individuals with disabilities.⁴

³ Although the City of Toledo has identified these groups for additional fair housing protections, how one would enforce these provisions is not clear.

⁴ The Seven Design and Construction Requirements are: (1) accessible building entrance on an accessible route; (2) accessible and usable public and common use areas; (3) usable doors; (4)

In 1994, President Clinton signed Executive Order 12892 entitled, “Leadership and Coordination of Fair Housing in Federal Programs: Affirmatively Furthering Fair Housing.” The order was signed in an effort to advance the promotion of fair housing through all federal programs and activities related to housing and urban development. The Order reiterated the role of the Secretary of Housing and Urban Development to include the furthering of fair housing; it also underscored the responsibility of the head of each executive agency to ensure “its programs and activities relating to housing and urban development are administered in a manner to affirmatively further the goal of fair housing.” However, the concept of “affirmatively furthering fair housing” did not emanate from President Clinton’s Executive Order 12892. Rather, it is derived from the Fair Housing Act itself, which states that the Secretary of Housing and Urban Development shall “administer the programs and activities relating to housing and urban development in a manner affirmatively to further the policies of this title.”⁵

accessible route into and through the dwelling unit; (5) light switches, electrical outlets, thermostats and other environmental controls in accessible locations; reinforced walls for grab bars; and usable kitchens and bathrooms with adequate turning radiuses for an individual using a wheelchair.

⁵42 U.S.C. 3608(e)(5).

Direct Discrimination in the Toledo Area

Much of the discussion surrounding fair housing involves what is prohibited by the Act. The HUD Fair Housing Planning Guide defines impediments to fair housing as any action, omission, or decision taken, which restrict housing choices or the availability of housing choices, because of a person's membership in a protected class.

The Fair Housing Center receives the largest quantity of fair housing complaints made by consumers in the Toledo market. HUD and the Ohio Civil Rights Commission (OCRC) are other major recipients of complaints by those who allege housing discrimination. As a non-profit, community-based organization, TFHC often serves as the initial contact for consumers who believe their rights have been violated. Upon receiving a fair housing complaint, TFHC commences an investigation, which may involve interviewing witnesses, testing, conducting research, completing a site visit, and/or coordinating with other organizations, among other activities. Our investigations often provide substantiating evidence that the alleged behavior or practice has or is occurring. On the other hand, our investigations may not turn up corroborating evidence to support the allegation of discrimination.

Consumers alleging housing discrimination always have the right to file complaints with HUD or OCRC, who have a Memorandum of Understanding regarding the enforcement of the Fair Housing Act. As a substantially equivalent state agency, HUD contracts with OCRC under the Fair Housing Assistance Program (FHAP). As a FHAP agency, OCRC investigates allegations of housing discrimination for HUD, either directly or as cases are referred to them by HUD. All cases filed with OCRC based on federal protected categories are forwarded to HUD for information and monitoring purposes.

According to OCRC's 2018 Annual Report, which covers the period of July 1, 2017 through June 30, 2018, a total of 3,669 new discrimination charges were filed during this time, with 751 handled by the Toledo Regional Office. The number one basis of discrimination alleged continues to be race (1,570); however, allegations of disability discrimination also form a significant number of allegations at 1,127.⁶

⁶ Note: The Annual Report does not distinguish between housing and employment discrimination, but does note that just over 18% of the cases closed in 2018 were housing cases.

Following is an overview of TFHC's intakes and allegations from 2016 – 2019, reflecting only cases within the City of Toledo:

<u>Basis of Discrimination</u>	2016		2017		2018		2019		Total	
	Color	2	1%	5	4%	10	7%	1	1%	18
Disability	63	37%	58	42%	57	42%	37	52%	215	42%
Familial Status	12	7%	8	6%	13	9%	2	3%	35	7%
Military	1	1%							1	0%
National Origin	3	2%	9	7%	1	1%	6	8%	19	4%
Race	69	41%	47	34%	42	31%	20	28%	178	35%
Religion	5	3%			2	1%			7	1%
Sexual Orientation	3	2%	2	1%					5	1%
Sex	11	7%	9	7%	12	9%	5	7%	37	7%
Total new cases	169		138		137		71 ⁷		515	
<u>Persons impacted</u>	260		250		251		127		888	
<u>Systemic Cases</u>	31	18%	13	9%	17	12%	4	6%	65	13%
<u>Referrals</u>	624		719		888		946		3177	
<u>Race/Ethnicity</u>										
African American	75	44%	65	47%	53	39%	35	49%	228	44%
Caucasian	49	29%	52	38%	61	45%	31	44%	193	37%
Other (1)	14	8%	8	6%	7	5%	5	7%	34	7%
Hispanic	5	3%	8	6%	5	4%	4	6%	22	4%
<u>Discrimination Issue</u>										
Appraisal	1	1%			2	1%	1	1%	4	1%
Design & Construction					3	2%	1	1%	4	1%
Foreclosure Prevention	33	20%							33	6%
Harassment			13	9%	6	4%			19	4%

⁷ This total covers only a portion of 2019.

Insurance	1	1%			7	5%			8	2%
Lending	7	4%	6	4%	6	4%	2	3%	21	4%
Rental	106	63%	106	77%	109	80%	58	82%	379	74%
Retaliation	1	1%	2	1%					3	1%
Sales	18	11%	9	7%	3	2%	8	11%	38	7%
Zoning	2	1%	2	1%	1	1%	1	1%	6	1%

From 2016 – 2019, TFHC opened 515 new cases to investigate allegations of housing discrimination within the City of Toledo. Of these, Disability was the number one basis of discrimination at 42 percent, followed by Race at 35 percent, Sex and Familial Status both at 7 percent, and National Origin at 4 percent.

Rental complaints are the largest category of discrimination complaints, with 74 percent of our caseload focused on rental cases. Real estate sales cases are the next largest type of cases, at 7 percent.

Also noteworthy is the race and ethnicity of TFHC's clients. African-American/Black individuals accounted for 44 percent of all City of Toledo clients, with Whites accounting for 37 percent. Only 4 percent of TFHC clients identified as Hispanic.

Purpose and Methodology of Analysis

This Analysis of Impediments to Fair Housing Choice (“Analysis of Impediments” or “AI”) was developed by The Fair Housing Center in conjunction with the City of Toledo.

Jurisdictions that receive federal dollars, directly or indirectly, are required by the Department of Housing and Urban Development to complete an AI. The Analysis of Impediments process is prescribed and monitored by the federal Department of Housing and Urban Development and the State of Ohio’s Department of Development. Specifically, to receive HUD Community Planning and Development formula grants, a jurisdiction must (i) certify its commitment to actively further fair housing choice; (ii) maintain fair housing records; and (iii) conduct an Analysis of Impediments to Fair Housing Choice.

An AI is a comprehensive review of barriers that inhibit residents from acquiring the housing of their choice based on federal, state, and local characteristics: race, color, national origin, religion, sex, familial status, disability, military status, and sexual orientation.

The examination looks at issues in our community through a fair housing lens, including: community characteristics and demographics; income and poverty; transportation; employment; and public and private policies that impact protected groups and vulnerable populations, such as zoning, code enforcement, and real estate practices, among others.

Emerging, persisting, and worsening impediments discussed within these categories include the continuing effects of redlining and other forms of systemic discrimination; the indicators of low opportunity and health risks in neighborhoods of color; and the corresponding lack of housing mobility among occupants in neighborhoods of color. Other significant housing concerns are also illustrated, such as lead hazards; barriers faced by persons reentering the community after incarceration; and the emerging issue of discrimination based on source of income. The text also calls for affirmative programming and counseling to improve and inform housing choice and highlights the need for legislative changes to ensure the effectiveness of this programming.

The Analysis of Impediments is used as a catalyst for the City to develop and implement a Fair Housing Action Plan. The Fair Housing Action Plan will identify strategies that will be implemented in order to curtail and/or eliminate the impediments identified in the Analysis. The Analysis drives the Fair Housing Action Plan, which is the guiding document outlining the concrete steps that the City and its partners will take to address the impediments.

Compliance with HUD Requirements

The scope of this Analysis of Impediments adheres to the recommended content and format included in Volumes 1 and 2 of *The Fair Housing Planning Guide*, published by the Office of Fair Housing and Equal Opportunity at the U.S. Department of Housing and Urban Development (HUD).

HUD mandates that jurisdictions receiving federal funding for community development activities assess the status of fair housing in their community. As a direct recipient of Community Development Block Grant (CDBG) funds, the City of Toledo is required to prepare an Analysis of Impediments every five years, and report the findings and progress in its annual Consolidated and Performance Evaluation Report (CAPER) at the end of each program year. The City of Toledo's last AI was adopted in 2015. This AI is a comprehensive update of the 2015 AI, and will cover the Consolidated Plan period of July 1, 2020 through June 30, 2025. The scope, analysis, and formatting used in this AI adhere to recommendations contained in HUD's *Fair Housing Planning Guide*.

Community Characteristics

Toledo Historic Profile

The City of Toledo sits in Lucas County in northwestern Ohio, approximately 75 miles east of the Ohio-Indiana border. Toledo, which serves as the county seat, is located at the northernmost tip of Lucas County. Toledo covers an area of 81 square miles and borders Lake Erie to the east and the state of Michigan to the north. The Maumee River geographically divides Toledo in two, with the bulk of the city located to the west of the river and a small portion of Toledo situated to the east of the river.

The U.S. Census Bureau Population estimates indicate that Toledo has a population of 274,975 as of July 2018. Toledo is at the mid-range for Midwestern cities regarding population density, at 3,500 people per square mile.⁸ By contrast, Dayton, Ohio (population of just over 140,000) has a population density of 2,543 people per square mile. Cincinnati, with a comparable population to Toledo (301,301) has 3,810 people per square mile.

Toledo was first inhabited by many groups of indigenous people, including the Wyandot tribe. The first Europeans in the area arrived in 1615 with French explorer Etienne Brule. The French established trading posts in the area later in the 1600s, but the area was not settled until approximately 1795.

After suffering defeats at the Battle of Fallen Timbers, Indian tribes ceded parts of Ohio, including what is now Toledo, to the United States. European settlers continued to come to the area, though the War of 1812 caused many to leave. Once resettlement continued, the Miami and Erie Canal was authorized for construction, and later the Wabash and Erie Canal extension. Canals were used throughout the Great Lakes region to facilitate the shipment of goods utilizing the lakes and surrounding waterways. Towns sought to benefit from the canals, and in 1833 Port Lawrence and Vistula were merged to become more competitive; the resulting region was named Toledo. Although Toledo was not chosen as the location of the final canal terminus, it was chosen to be a side cut before the terminus. By the 1880s, Toledo's borders had expanded.

As railroads began to replace the canals, Toledo became a transportation hub and other industries took advantage of the area's resources, including furniture makers, breweries, and glass manufacturers, to name a few. As immigrants

⁸ In comparison, New York City is the most densely populated city in the United States, at 26,403 people per square mile. In the Midwest, Chicago has 11,960 people per square mile, Milwaukee has 6,225, and Cleveland has 5,107.

moved to the area to work in the growing factories, the city's population increased. By the end of the 1800s, Toledo was one of the largest cities in the state and enjoyed a robust manufacturing economy, with workers from Hungary, Poland, Italy, Czechoslovakia, Greece, and Germany fueling Toledo's industrial growth.

Like most major cities in the United States, Toledo experienced the deleterious effects of the Great Depression. However, several projects designed to reemploy residents such as expansions of the Toledo Museum of Art and the Toledo Zoo, along with the industrial boom associated with World War II, kickstarted Toledo's economy. The post-war baby boom meant that Toledo's population continued to grow into the 1970s.⁹

Like many Midwestern and Rust Belt cities, Toledo has struggled over the years to maintain its industrial and business base, including the associated wages which helped support city services, road repairs, and infrastructure. A March 25, 2013 article published in the Toledo Blade noted that "[O]nce considered a major hub in 1900 and then a powerhouse of business through the 1950s and early 1970s, Toledo now ranks among American cities with the highest concentrations of poverty and has struggled for years to keep companies and residents from fleeing to the suburbs."¹⁰ In 1960, Toledo was home to six Fortune 500 companies. Now, only Owens Corning survives.¹¹

However, Toledo – especially downtown – has benefitted in recent years from revitalization efforts. Many cultural and recreational opportunities are available in the City. The Toledo Museum of Art is a privately endowed, nonprofit institution. In 2001, the Museum of Art celebrated its 100th anniversary and in August of 2006, the Art Museum opened a 57,600 square foot Glass Pavilion, celebrating the City's designation as the Glass City. The Valentine Theatre boasts a 900-seat auditorium and is located downtown; the theatre serves as the home of the Toledo Symphony and the Toledo Ballet. Each year, the Valentine Theatre continues to host a variety of musical, dance, and theatrical productions.

Toledo has long been regarded as a great place to raise a family and has no shortage of family-oriented activities. The Imagination Station, a nonprofit, interactive science museum, has reinvigorated the site previously occupied by the Columbus-based Center of Science and Industry (COSI) and the Portside

⁹ Much of the early history of Toledo contained in this report was found at worldpopulationreview.com, an apolitical data resource rated high by mediabiasfactcheck.com in its factual reporting and least biased based on providing data with minimal bias.

¹⁰ See <https://www.toledoblade.com/local/2013/03/24/Toledo-s-decline-misses-rock-bottom/stories/20130323149>.

¹¹ Id.

Festival Marketplace. It is conveniently located in downtown Toledo along the Maumee River and features both permanent and traveling exhibits.

The Toledo Zoo, owned and operated by the nonprofit Toledo Zoological Society, has received national attention for its many exhibitions. In 2000, the Zoo opened what was then its largest exhibit, the \$11.5 million Arctic Encounter, and in 2004 it unveiled the 12-acre Africa! Exhibit. In 2015, the Zoo debuted its newly remodeled Aquarium. The Aquarium building's historic WPA architecture was preserved during the construction phase, but the interior was completely remodeled. The newest addition to the Toledo Zoo is the ProMedica Museum of Natural History, which opened in 2019. The Museum boasts 74,500 square feet of historical exhibits, hands on attractions, and a Great Hall designed to host events of up to 200 people.

The City of Toledo owns and operates more than 140 parks covering over 2,367 acres. The City maintains 146 parks and facilities and mows 400+ boulevards, cul-de-sacs, and green spaces.

The City is also the home of the Toledo Mud Hens, a Class AAA professional baseball team whose parent club is the Detroit Tigers. In 2002, a new 10,000-seat County-owned baseball stadium for the Mud Hens opened in the Toledo Warehouse District and was touted as the best AAA ballpark in the country. Additionally, the City is the home of the Toledo Walleye, an East Coast Hockey League professional team affiliated with the Detroit Red Wings.

Toledo is the largest city in Lucas County, with an estimated population of 274,975 people, according to July 2018 Census Population Estimates. This makes Toledo the fourth largest city in Ohio and the 75th largest in the country. However, Toledo saw a 4.3 percent decrease in its population since April 2010.

Demographic Profile

According to the American Community Survey data, the City of Toledo has an estimated population of 279,455, with 51.7 percent of the population being female. The median age of Toledo residents is 35.2. Just over 23 percent of the population is under 18 years old; at the other end of the age spectrum, almost 17 percent of the population is over the age of 62. Three-quarters of Toledo's population are adults over the age of 18. Thus, it is estimated that 208,680 Toledo residents are of voting age. Children under ten years old account for 13.6 percent of the City's population. This is especially noteworthy in light of the high incidence of lead poisoning in Toledo's youngest residents. The effects of lead poisoning are most significant in children who experience elevated blood lead levels during early childhood, when their brain and central nervous systems are developing rapidly. Lead-based paint and its effects will be discussed in more detail later in this Analysis.

The City of Toledo has experienced steady population decline since the 1970s, while the surrounding suburbs, villages, and townships have, for the most part, experienced growth. Toledo's population in 1970 was 383,062. Between 1970 and the turn of the century, Toledo lost almost 70,000 residents, an 18 percent decline. Since 2000, an additional 31,306 residents have been lost. Overall, the City has experienced a 27 percent decline in its population since 1970.¹²

Lucas County has also experienced a decline in population, albeit at a much slower rate. From a population of 462,361 in 1970, to a population of 454,905 in 2000, to the 2018 estimated population of 429,899 (per the American Community Survey), the County has lost 7 percent of its population. This population trend is likely related to the City of Toledo's population loss, as nearly all of the municipalities in Lucas County have experienced growth.¹³ The following Lucas County municipalities have experienced greater than 20 percent growth from 1970 through 2018:

<u>Municipality</u>	<u>% of Growth</u>	<u>Population (1970 – 2018)</u>
City of Oregon	20.25	16,563 – 19,918 (+ 3,355)
City of Sylvania	63.22	12,031 – 19,030 (+ 6,999)
Village of Whitehouse	211.02	1,542 – 4,796 (+ 3,254)

¹² Today's population of 279,455 equals the population of the City in the mid to late 1920s. The population at the 1920 Census was 243,164; by the 1930 Census, the population had grown to 290,718. The first Census where Toledo topped 300,000 was 1950.

¹³ The following jurisdictions located in Lucas County have experienced population loss from 1970 through the 2010 census: Maumee (-9.98%); Village of Harbor View (-5.8%); Jerusalem Township (-8.58%); Spencer Township (-30%); and Swanton (-0.69%);

Harding Township* ¹⁴	30.88	719 – 941 (+ 222)
Monclova Township*	245.41	3,340 – 11,782 (+ 8,442)
Providence Township*	81.14	1,856 – 3,362 (+ 1,506)
Richfield Township*	49.18	1,218 – 1,817 (+ 599)
Springfield Township*	137.88	10,909 – 25,950 (+ 15,041)
Sylvania Township*	191.17	16,496 – 48,032 (+ 31,536)
Washington Township*	54.29	2,146 – 3,311 (+ 1,165)

Race

The 2015 AI noted that Toledo’s African American/Black population (hereafter identified as “Black”) has historically increased as White residents have left the City.¹⁵ (See 2015 AI, page 20.) This trend has continued. According to the American Community Survey 2013-2017 5-year Estimates, the majority of Toledo’s population is White/Non-Hispanic (59.6 percent). Blacks (alone or in combination with any other race) account for 30.6 percent of the population. The Latinx/Hispanic population¹⁶, which will be discussed in more detail later in this report, account for 8.3 percent of Toledo’s population.

According to the American Community Survey 2013-2017 5-year Estimates, Non-Hispanic Whites make up 60.4 percent of the total population nationwide; Blacks make up 13.4 percent of the United States population, with those of Latinx/Hispanic ethnicity accounting for 18.3 percent of the total population.

In Ohio, Non-Hispanic Whites account for 78.7 percent of the total population. Blacks make up 13 percent of the population, and those of Latinx/Hispanic ethnicity comprise 3.9 percent of the total population.

Lucas County has a larger Non-Hispanic White population than Toledo; 68.4 percent of its population is Non-Hispanic White. Blacks make up 20.3 percent of the population, and Latinx/Hispanic individuals make up 7.3 percent of the total population, according to the American Community Survey 2018 population estimates.

¹⁴ *The American Community Survey 2018 population estimate is not available. Accordingly, the population increase of jurisdiction marked with an asterisk was calculated utilizing 2010 census data.

¹⁵ The United States Census Bureau tracks five races (and combinations thereof): White; Black or African American; American Indian and Alaska Native; Asian; and Native Hawaiian and other Pacific Islander. Ethnicity is tracked as Hispanic or non-Hispanic.

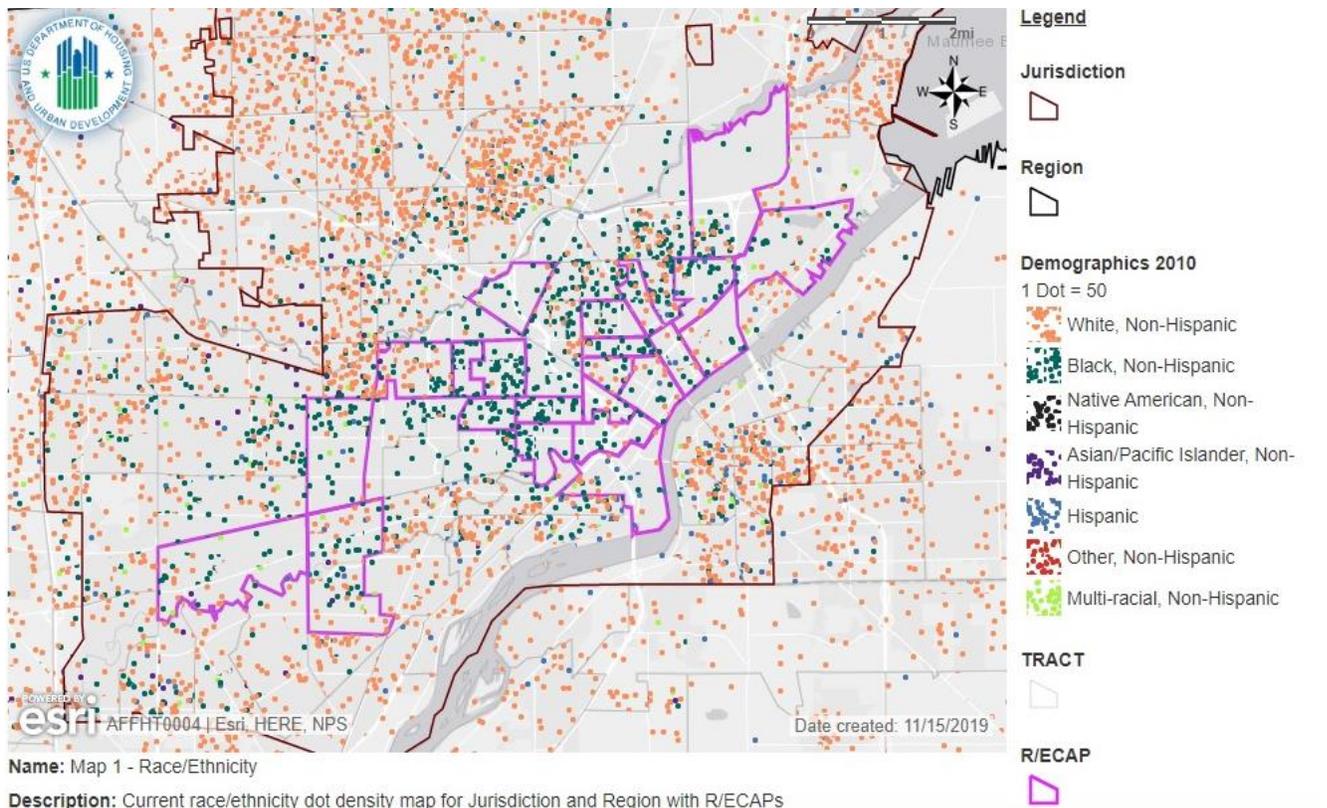
¹⁶ The term “Latinx” refers to people of Latin American origin, and is used as a gender-neutral or non-binary alternative to Latino or Latina.

As illustrated below, the populations of Toledo and Lucas County are predominantly Black and White. Other races make up a very small percentage of the population:

<u>Race</u>	<u>Toledo %</u>	<u>Lucas County %</u>	<u>Ohio %</u>	<u>United States %</u>
White (Non-Hispanic)	59.5	68.4	78.7	60.4
Black	30.6	20.3	13.0	13.4
Asian	1.5%	1.8%	2.5%	5.9%
American Indian/Alaska Native	0.3	0.4	0.3	1.3
Native Hawaiian/ other Pacific Islander	<0.1	0.1	0.1	0.2
Latinx/Hispanic	8.3	7.3	3.9	18.3

Segregated Living Patterns

As illustrated by the dot density map below,¹⁷ the City of Toledo continues to experience significant segregation by race. The orange dots represent White residents. The green dots represent Black residents. The concentrations of black residents are predominantly located in Toledo's urban core, and also in what are defined as Racially and Ethnically Concentrated Areas of Poverty, or R/ECAPS.¹⁸



Unfortunately, these segregated living patterns can be traced back to government policies and practices that began during the New Deal era, when the Home Owner's Loan Corporation (HOLC) created "Residential Security" maps

¹⁷ The data documentation for the HUD maps utilized herein can be found at <https://files.hudexchange.info/resources/documents/AFFH-T-Data-Documentation-AFFHT0004-November-2017.pdf>. The version of the mapping tool utilized throughout this document is AFFHT0004. As part of the suspension of its 2015 AFFH Rule, HUD's last update to the mapping tool in late 2017. Accordingly, these maps are utilized for visual illustration, only; actual data and sources utilized will be identified throughout this document.

¹⁸ HUD defines a R/ECAP as a census tract where the number of families in poverty is equal to or greater than 40% of all families, or an overall family poverty rate equal to or greater than three times the metropolitan poverty rate, and a non-white population, measured at greater than 50% of the population.

that determined whether government mortgage programs, such as the Federal Housing Administration's low interest/low down payment loans, were available in particular neighborhoods. This practice, known as redlining, rated neighborhoods based on certain risk factors such as the demographic makeup of the area. Areas colored in red meant that loans in that area were considered high risk.

Green areas ("Best") were considered most desirable for mortgage lending and were rated 'A'. These neighborhoods were typically located in newer, affluent suburbs or on the outskirts of cities. According to the FHA Underwriting Handbook of the time, green areas represented in-demand, up-and-coming neighborhoods where "professional men" lived. The neighborhoods were explicitly homogenous, lacking "a single foreigner or Negro."

Blue areas ("Still Desirable") were rated 'B.' According to the FHA Underwriting Handbook, these neighborhoods had "reached their peak" but were still thought to be stable due to a low risk of "infiltration" by non-white groups.

Yellow areas ("Definitely Declining") were given a 'C' and were also older neighborhoods considered to be "in decline," which typically meant that the neighborhoods were more integrated or that people of color had begun to move to the area. They were considered risky due to the "threat of infiltration of foreign-born, negro, or lower grade population."

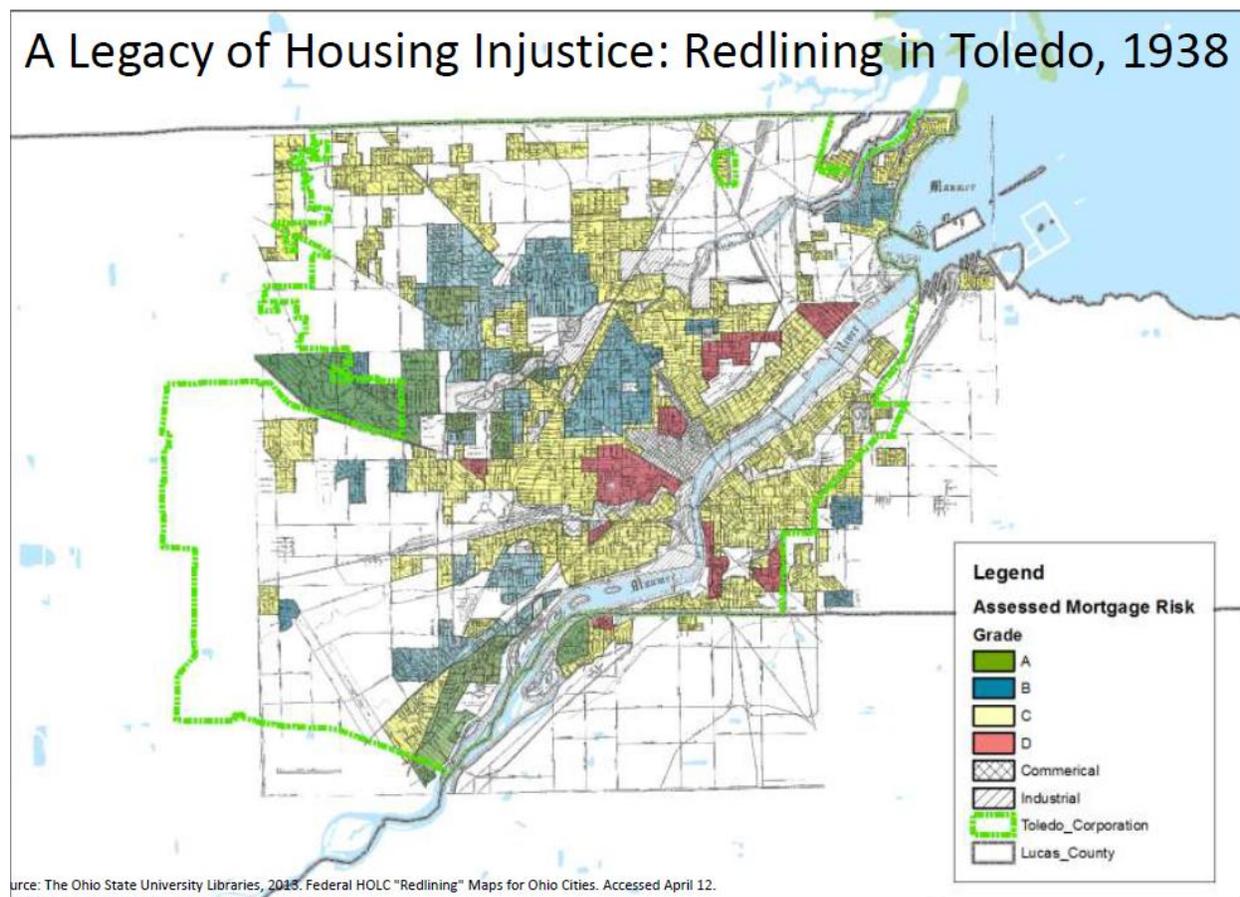
Red areas ("Hazardous"), given a 'D' grade, were considered the riskiest for mortgage lending. These neighborhoods tended to be in the older sections of a city and were most likely neighborhoods of color. These neighborhoods were described by HOLC as having an "undesirable population" and were ineligible for government backed mortgage loans.

In the Preface to his book, *The Color of Law*, Richard Rothstein discussed the common perception that racial segregation is *de facto*, the result of private practices and the desire to live with others similar to ourselves. Mr. Rothstein noted that while *de facto* segregation accounts for some of the problem, it is submerged by a more far-reaching truth:

[U]ntil the last quarter of the twentieth century, racially explicit policies of federal, state, and local governments defined where whites and African Americans should live. Today's residential segregation in the North, South, Midwest, and West is not the unintended consequence of individual choices and of otherwise well-meaning law or regulation but of unhidden public policy that explicitly segregated every metropolitan area in the United States. The policy was so systematic and forceful that its effects endure to the present time. Without our government's purposeful imposition of

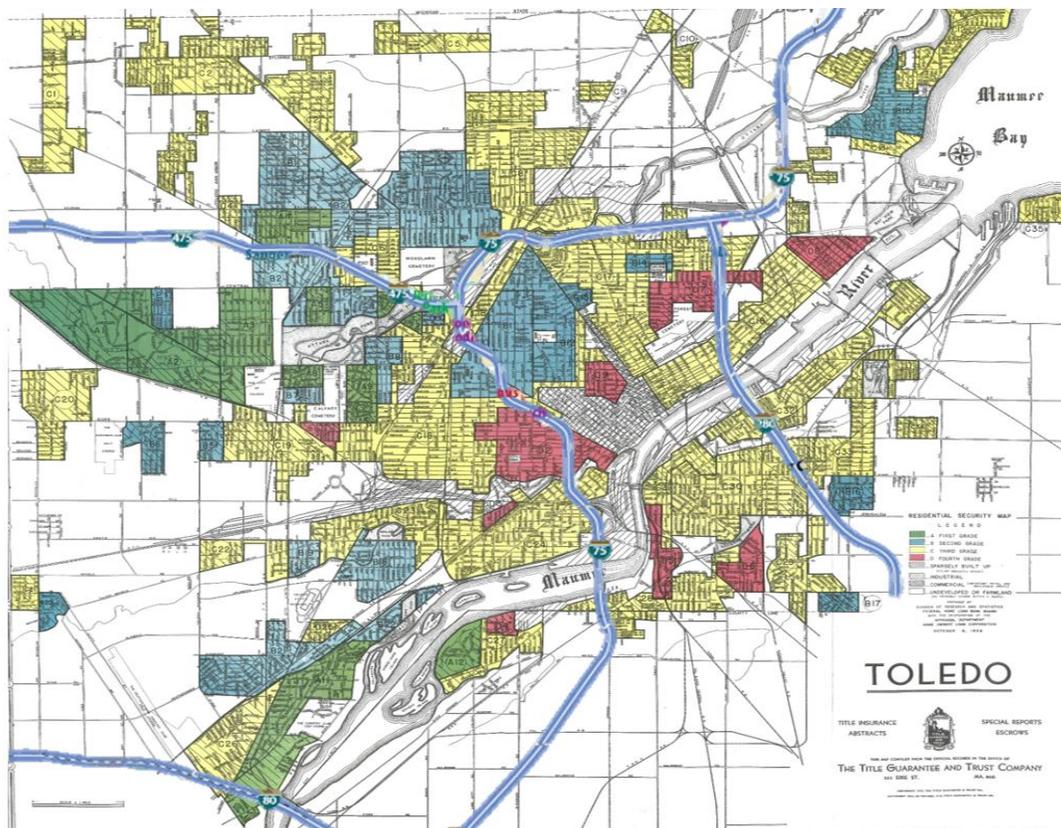
racial segregation, the other causes – private prejudice, white flight, real estate steering, bank redlining, income differences, and self-segregation – still would have existed but with far less opportunity for expression. Segregation by intentional government action is not de facto. Rather, it is what courts call de jure: segregation by law and public policy.¹⁹

As you can see from the HOLC map of the City of Toledo from 1938 (below), Toledo did not escape the long-term effects of redlining. In present day Toledo, Blacks still predominantly reside in the yellow and red areas, which make up what we typically think of as Toledo's urban core. It is also noteworthy that most of the R/ECAPS identified in the dot density map (above) are also located in these historically disinvested neighborhoods.



¹⁹ Rothstein, Richard. *The Color of Law: A Forgotten History of How Our Government Segregated America*. Liveright Publishing Corporation, a Division of W.W. Norton & Company, 2017, pgs vii-viii.

Redlining maps had impacts in other areas, as well. Initially, public housing was unlikely to be built in yellow or red areas, as such housing was constructed with the white, middle-class family in mind. Later, as President Eisenhower rolled out the Federal-Aid Highway Act of 1956, yellow and redlined neighborhoods were often targeted for demolition to make room for the new Interstate highways crisscrossing the country. As illustrated on the map below, which is an overlay of the current interstate highways running through Toledo onto the 1938 HOLC redlining map, Toledo does not seem to have escaped this trend, especially with the construction of I-75. Whether I-75 was constructed to avoid specific neighborhoods or target others is a matter of interpretation. What is obvious is that the construction of I-75 was not a matter of plotting the most obvious course from Point A to Point B.



The intentional policies and practices that lead to disinvestment and segregation in Toledo (and nationwide) can only be undone or remediated using intentional policies and practices. The City's 2020 Consolidated Plan and this Analysis of Impediments identify government and community-based strategies to reduce the lingering effects of residential segregation and discrimination and move the needle toward diverse and equitable neighborhoods of opportunity for all.

National Origin

An estimated 10,476 – or 3.7 percent – of Toledo's residents are foreign-born, meaning they were born outside of the United States to non-American parents. The table below uses ACS 2017 Five Year Estimates to show distribution of place of birth among Toledo residents. As reported by *The Blade* on August 21, 2019, a recent report by the New American Economy shows that immigrants in Toledo have significantly contributed to the local economy and their population is continuing to grow. The number of immigrants in Toledo has increased by 12.5 percent between 2012 and 2017.²⁰ The study further indicated that immigrant community members have partially offset the population loss in Toledo and Lucas County and have had a positive impact on the local economy.²¹

According to the report, the following countries account for the bulk of Toledo's immigrant population:

Mexico	14.8%
China	6.2%
Philippines	5.2%
Canada	4.4%
Lebanon	3.9%
India	3.3%

<i>Place of Birth</i>	<i>2017 Total</i>	<i>Percent of Total</i>
<i>Total Population</i>	279,455	100.0%
<i>US Native</i>	268,979	96.3%
<i>Born in US</i>	267,068	95.6%
<i>Born in Ohio</i>	215,711	77.2%

²⁰ See <https://www.toledoblade.com/real-estate/2019/08/21/immigration-key-to-offsetting-population-loss-study-finds>

²¹ <https://www.toledoblade.com/business/real-estate/2019/08/21/immigration-key-to-offsetting-population-loss-study-finds/stories/20190821111>

<i>Born in Other State</i>	51,357	18.4%
<i>Born in Puerto Rico, U.S. Islands, or Abroad to American Citizens</i>	1,911	0.7%
<i>Foreign-Born</i>	10,476	3.7%

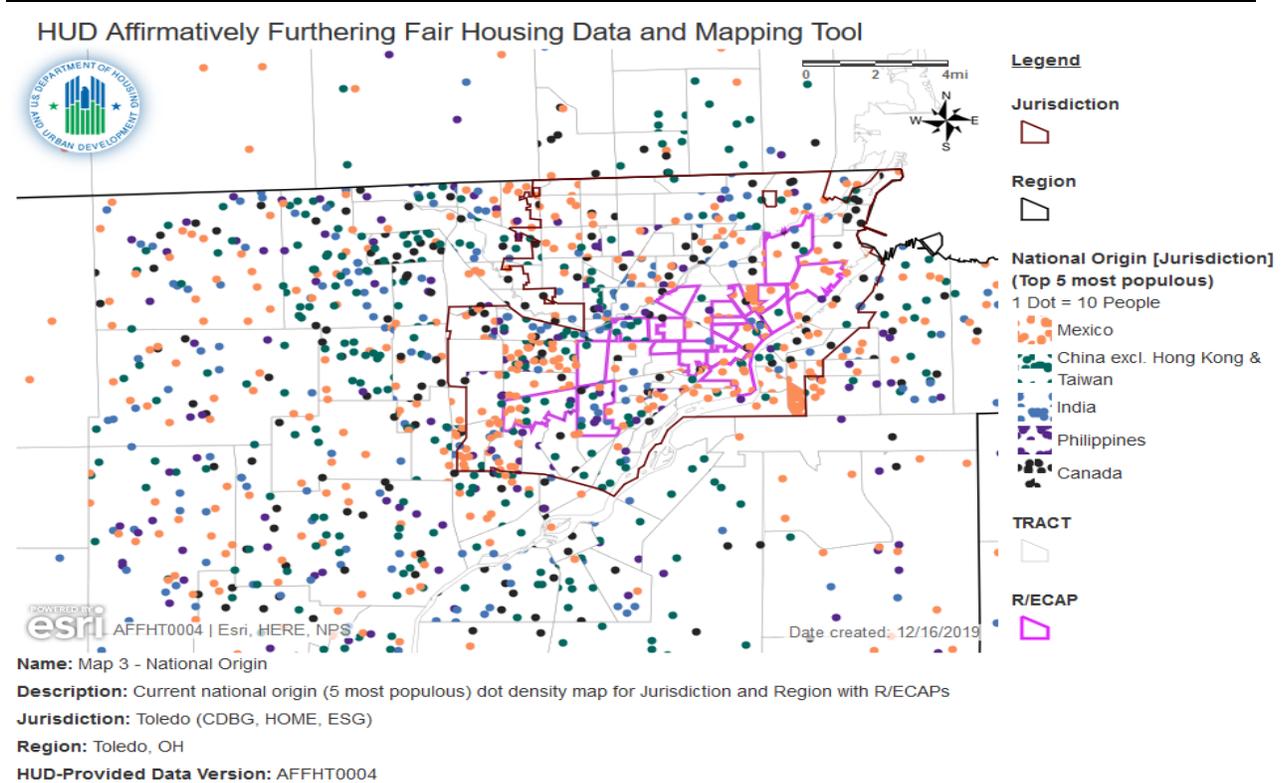
Source: American Community Survey 2017 Five-Year Estimates

The ACS 2017 Five-Year Estimates further reveal that of the 10,476 foreign born residents in Toledo, 44.1 percent are naturalized U.S. citizens. The remaining 55.9 percent are not U.S. citizens, but for the most part reside in Toledo legally, with green cards or various types of visas.

Undocumented immigrants make up a very small portion of Toledo's immigrant population. According to the March 2019 Hispanic Trends Report prepared by the Pew Research Center, Toledo is home to less than 5,000 undocumented immigrants (with a margin of error of +/-4,000), accounting for 0.5 percent of the total foreign-born population. This number has remained steady, as the report notes that the change in the undocumented immigrant population from 2007 to 2016 was not significant. Currently, Toledo ranks 165th out of the 182 Metropolitan Statistical Areas (MSAs) evaluated for the number of undocumented residents.²²

Below is a dot density map that shows the distribution of persons by National Origin, using the top five most populous groups.

²² See <https://www.pewresearch.org/hispanic/interactives/unauthorized-immigrants-by-metro-area-table/>



The next most populous heritages in Toledo listed by the ACS are Italian, American, Sub-Saharan African, and Hungarian. Each other heritage listed comprises less than 2 percent of Toledo's population.

English Proficiency

On August 11, 2000, President Clinton signed Executive Order 13166, titled "Improving Access to Services for Persons with Limited English Proficiency." The Executive Order mandates that all federal agencies evaluate the services they provide, identify any need for services for those with Limited English Proficiency ("LEP"), and develop and implement systems to provide those services to LEP populations so that they may have "meaningful access" to the program or service. The Executive Order also requires that recipients of federal financial assistance provide meaningful access to their LEP populations. As such, the City of Toledo is required to provide access to its programs and services to LEP populations.

According to data taken from the 2010 census, Lucas County has the third largest Hispanic population in Ohio.²³ Toledo ranks 76th out of 247 Ohio cities regarding languages other than English spoken at home.²⁴ The percent of the population speaking a language other than English at home has steadily trended upward. From 2007-2011, 6.2 percent of Toledo's population spoke a language other than English at home. From 2012 to 2016, that increased to 6.9 percent.²⁵

As noted in the chart below, just over 7 percent of the City's population speaks a language other than English. Of these, 6,499 people – or 2.5 percent of the City's population – speak English "less than very well."²⁶ Spanish is the number one language other than English spoken in Toledo, at 3.2 percent of the total population. Put another way, 44 percent of Toledo's LEP population speak Spanish.

²³ See <https://development.ohio.gov/files/research/p0007.pdf>

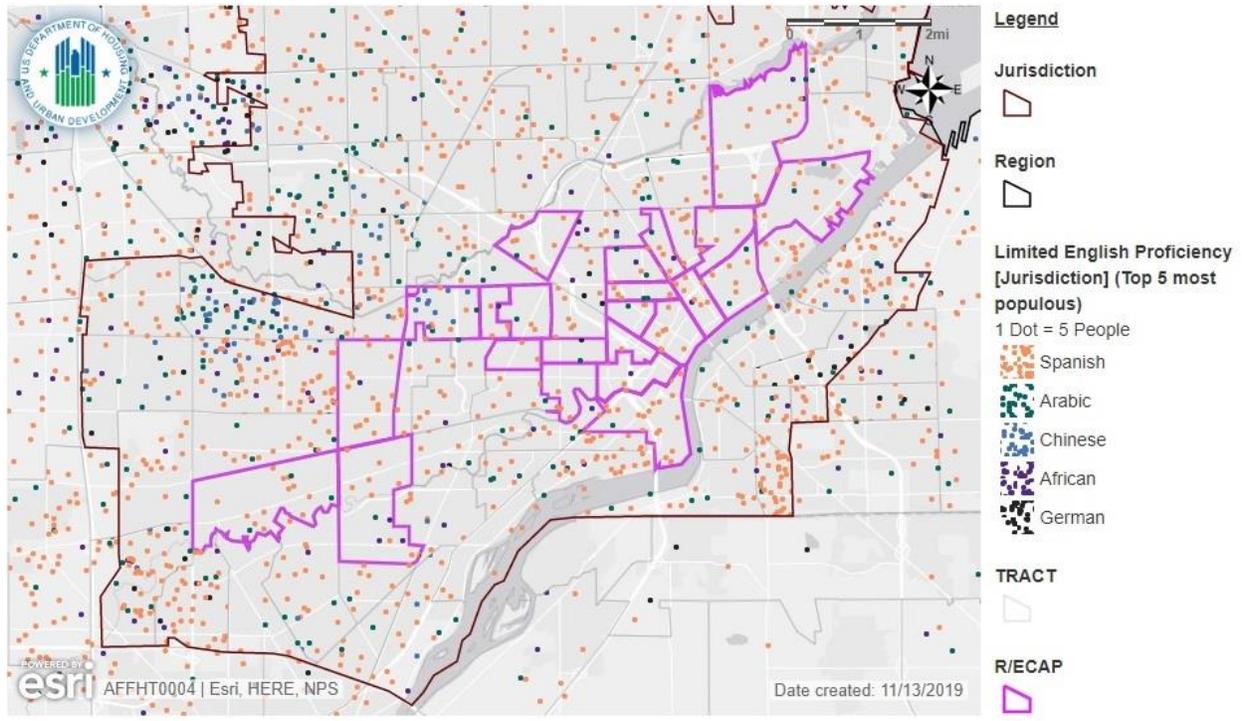
²⁴ See https://www.cleveland.com/datacentral/2017/12/ranking_every_ohio_city_county_1.html

²⁵ Id.

²⁶ Data taken from the ACS 2018 population estimates.

<i>Language</i>	<i>Estimate</i>	<i>Percent of Total Population (5+)</i>	<i>Speaks English Less Than "Very Well"</i>	<i>Percent of Total Language Speakers</i>	<i>Percent of Total Population (5+)</i>
<i>Population 5 Years and Over</i>	260,300	X	X	X	X
<i>English Only</i>	241,681	92.8%	X	X	X
<i>Language Other Than English</i>	18,619	7.2%	6,499	34.9%	2.5%
<i>Spanish</i>	8,236	3.2%	2,617	31.8%	1.0%
<i>Indo-European</i>	3,822	1.5%	1,221	32.0%	0.5%
<i>Asian & Pacific Islander</i>	2,806	1.1%	1,429	50.9%	0.5%
<i>Other</i>	3,728	1.4%	1,232	33.1%	0.5%

As illustrated by the map below, Toledo is also home to significant Middle Eastern and Asian populations. Thus, Spanish, Arabic, and Chinese are the three most common languages other than English spoken by Toledo residents. In order to effectively reach these groups, in 2017 The Fair Housing Center translated its key brochures and advertisements into Spanish, Arabic, and Chinese and added a translation tool to its website. Brochures may be found on TFHC's website at <https://www.toledofhc.org/resources/>.



Age

Below is a table that breaks Toledo's population down by age group. Numbers and totals are taken from the American Community Survey 2017 Five Year Estimates and 2012 Five Year Estimates.

Age Group	2017 Total	Percent of Total	Percent Change Since 2012
Under 10	38,032	13.6%	-5.4%
10 – 19	35,887	12.8%	-10.4%
20 – 34	65,086	23.3%	-1.4%
35 – 44	32,211	11.5%	-8.6%
45 – 54	35,050	12.5%	-11.6%
55 – 64	34,591	12.4%	9.0%
65 – 74	21,349	7.6%	22.7%
75 – 84	11,175	4.0%	-9.8%
85+	5,717	2.1%	16.8%

The median age in Toledo is 35 years, which is approximately 10 percent lower than the Ohio average of 39. As noted in the above chart, the 20-34 age group is the largest group, at 23.3 percent of the population. It is also the group that lost the *least* number of individuals since 2012.

According to the U.S. Census Bureau's 2018 population estimates, 23.5 percent of Toledo's residents are aged 18 and younger. The under 5 years population is 6.8 percent of the total. This is significant given the large number of aged housing units in the City, which increases the risk of health problems such as lead poisoning. At the time of this writing, the City is in the process of implementing an amended lead-based paint ordinance²⁷ that will require all residential rental properties and family child care homes built before 1978 to obtain lead-safe certificates in a three-stage process, with the first group to be certified by June 30, 2020. The 45-54 age group, accounting for 12.5 percent of Toledo's total population, experienced the largest loss in population at minus 11.6 percent from 2012 to 2017.

Senior citizens 55+ make up a large segment of Toledo's population, at just over 26 percent. Seniors in the 65-74 age group have experienced the largest percentage of growth since 2012. This age group has increased 22.7 percent, according to 2012 and 2017 population estimates. As illustrated above, Toledo is experiencing a decline in its younger populations while the senior population is increasing. This will present additional housing challenges in the coming years, especially among seniors who wish to age in place while experiencing the health and disability issues that often accompany advancing years. A detailed discussion of the protected class of disability follows this section.

²⁷ The Ordinance (an amendment to Ch. 1760 of the Toledo Municipal Code) passed Council and was signed into law by Mayor Wade Kapszukiewicz on November 12, 2019.

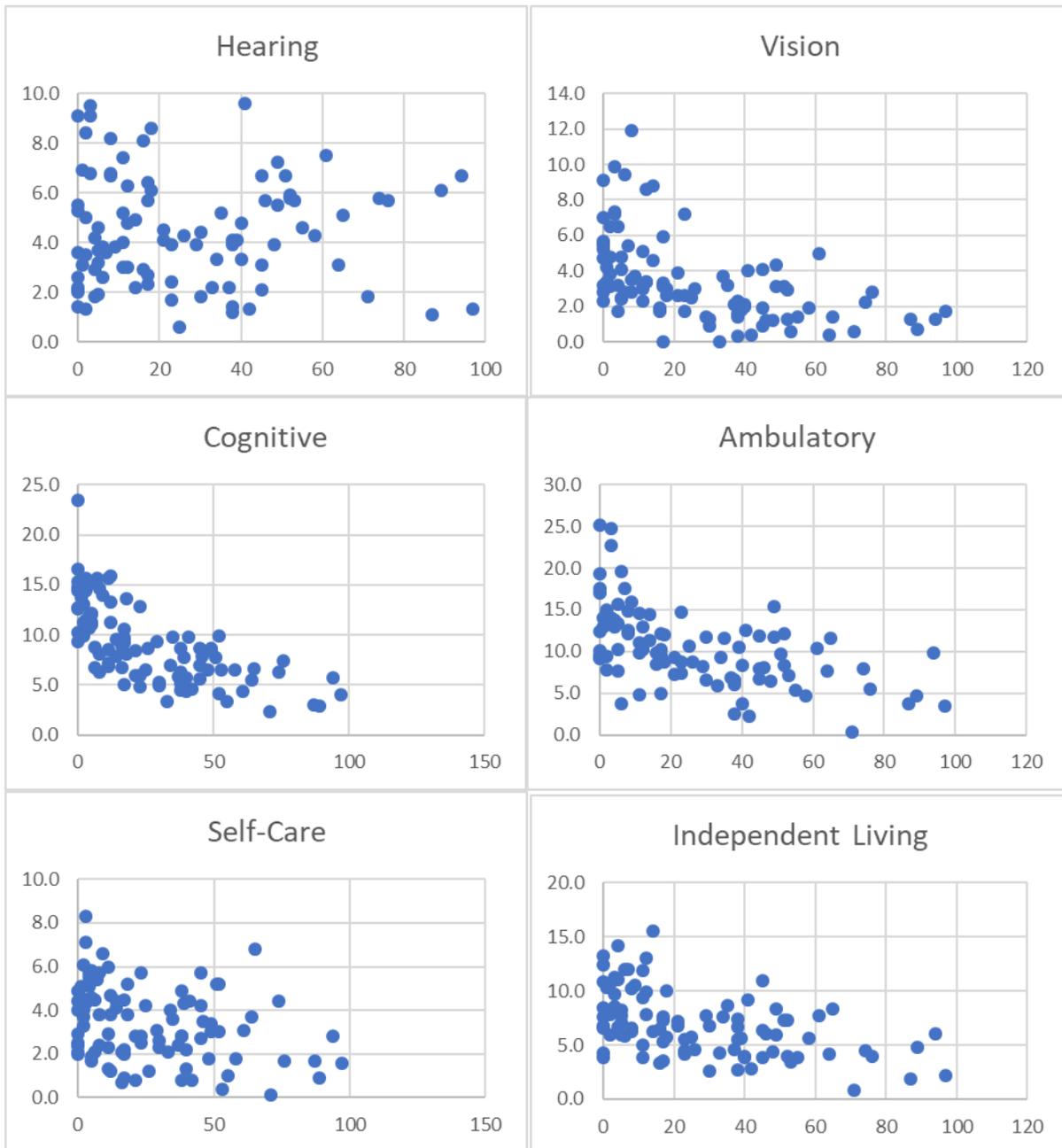
Disability

The table below shows the rate of Toledo civilian, noninstitutionalized persons with disability status by age.

<i>Age Group</i>	<i>Group Total</i>	<i>Percent of Total Population</i>	<i>Disability Group Total</i>	<i>Percent of Group Total</i>	<i>Percent of Disability Population</i>
<i>Total Population</i>	276,355	100.0%	47,673	17.3%	100.0%
<i>Under 18 Years</i>	65,443	23.7%	5,421	8.3%	11.4%
<i>18 to 64 Years</i>	173,552	62.8%	27,140	15.6%	56.9%
<i>65+ Years</i>	37,360	13.5%	15,112	40.4%	31.7%

ACS Five-Year-Estimates in 2017 report that approximately 17.3 percent of Toledo's civilian, noninstitutionalized population live with some sort of permanent disability. This is a very slight increase from the 2012 Five-Year-Estimates, which represented that 17.0 percent of Toledo's residents had a disability. As the table above shows, the frequency at which people experience disability increases with age. Since Toledo's population is getting older by proportion, it is foreseeable that the rate of disability would also rise.

Data taken from the HUD AFFH mapping tool also suggests that there is a correlation between poverty and the incidence of disability. The scatter plots in the following tables displays this trend. The low poverty index along the x-axis indicates the concentration of poverty for a given census tract (point on the graph). Lower low poverty index scores indicate a higher concentration of poverty (i.e., a score of 0 represents an area of extreme poverty where a score of 100 indicates concentrated wealth). The y-axis represents the percent of total population per census tract that live with that type of disability. In five of the six scatter plots, the trend appears to show that there is a higher incidence of disability in areas of lower income and opportunity.



Though it makes sense that those living with a disability might be subject to lower earnings --due to a possibly reduced capacity or inability to work because of a disability-- the issue remains that concentrated areas of poverty inherently have fewer resources and opportunities at their disposal. Put differently, those people who are already at a disadvantage due to their mental or physical limitations may be further limited by living in an area of poverty, which is, in itself, a place of limited opportunities.

Housing discrimination based on a person's disability presents itself in a variety of forms. In Toledo, disability discrimination is seen by and large in cases where a person with a disability needs a reasonable accommodation or modification to their home, housing community, or to a policy governing such community to enjoy their dwelling to the same extent as a person without such a disability could. In 2019, nearly 80 percent of the disability-based cases brought to The Fair Housing Center pertained to requests for reasonable accommodation and modification. The most common issues encountered by persons seeking such accommodations are born from a lack of knowledge and understanding of Fair Housing rights and obligations by the housing industry. However, reasonable accommodation issues also arise when physicians lack the knowledge of the legal requisites to establish a nexus between a person's disability and need for the accommodation. Additionally, city and township zoning ordinances that restrict such accommodations may also serve as a significant impediment to persons with disabilities. Impediments presented by zoning ordinances will be further elaborated on in the Zoning section of this report.

Other housing choice impediments to persons with a disability stem from the design and construction of homes. These are less common. However, newer properties are subject to HUD guidelines which dictate certain design and construction aspects for single and multifamily dwellings.

Sex, Gender Identity, & Sexual Orientation

According to ACS 2017 estimates, Toledo's population is 51.7 percent female and 48.3 percent male. These numbers are based on sex assigned at birth, not individual gender identity. Based on 2017 ACS median earnings estimates for full-time, year-round workers, women in Toledo earn 84 cents to every dollar made by men in the city. This is slightly better than the ACS national median estimates, which show women earning 80 cents for every dollar earned by their male counterparts.

Toledo appears to be a friendly housing market to the LGBTQ+ community. In fact, the Human Rights Campaign gave Toledo a score of 94 out of 100 in 2019 in its Municipal Equality Index. The Municipal Equality Index gives points for non-discrimination housing, employment, and public accommodations policies and laws specifically pertaining to LGBTQ+ protections. While federal and state fair housing laws do not yet afford protection to classes based on gender identity and sexual orientation, the Toledo Municipal Code does.

In effect, however, the protections provided for in the Toledo Municipal Code are scarcely enforced. To date, there are few or no prosecuted cases pursuant to the Municipal Code section pertaining to LGBTQ+ protections. Additionally, enforcement staff at The Fair Housing Center report that their complainants who make claims based on gender identity and sexual orientation discrimination receive little to no reaction upon reporting it to city authorities and, thus, are left with no recourse.

Family Status

ACS 2017 Five-Year Estimates reveal the following key facts about family households in Toledo:

- The average family size was 3 people
- 55.2 percent of all occupied housing units in Toledo were family households
- 54.6 percent of all family households were home to married-couple families
- 57.9 percent of homes with householder children under 18 were unmarried family households

A significant portion of Toledo's households of minor-aged children are headed by single parents. This is important when considering the particular vulnerability that single parents face in housing choice, especially single mothers of color. In Toledo, this issue is compounded by the fact that women accounted for 77.6 percent of all unmarried householders with minor-aged children. Additionally, 55.4 percent of births in Toledo within a 12-month span were given by unmarried women, contrasted with 39.4 percent state-wide and 34.7 percent nationally.

Grandparents also played a significant role in child rearing in 2017. Of the 5,920 grandparents that reported living with their minor-aged grandchildren, 45.2 percent reported that they were responsible for raising their grandchildren, and 47 percent of that population had done so for five or more years.

Community Profile

Education

Educational Attainment

According to 2017 ACS estimates, the percent of Toledo residents that have earned their high school diploma, graduate equivalency, or higher is nearly equivalent to the percent of the national total that achieved the same. Nationally, 87.3 percent of US residents had their high school diploma, or equivalency, or higher. In Toledo, 85.2 percent of residents were reported to have achieved the same. Where Toledo falls slightly behind, however, is in the realm of post-secondary education. While nationally, 39.2 percent of people had an Associate's Degree or higher, only 28.1 percent of Toledo residents had achieved the same.

Level Achieved	2017 Category Total	2017 Percent of Toledo Population	2017 Percent of US Population
Population 25 years +	183,202	100.0%	100.0%
Less than 9th grade	5,908	3.2%	5.4%
9th – 12th grade, no diploma	21,210	11.6%	7.2%
High School Graduate (includes equivalency)	59,798	32.6%	27.3%
Some college, no degree	44,872	24.5%	20.8%
Associate's degree	17,551	9.6%	8.3%
Bachelor's degree	21,935	12.0%	19.1%
Graduate or professional degree	11,928	6.5%	11.8%

School Proficiency

School proficiency in the Toledo area continues to show room for improvement. As reported in a September 2019 article from the [Toledo Blade](#), Toledo Public Schools' improvement from an F grade given by the Ohio Department of Education in 2018 to a D in 2019 was sufficient to remove the district from academic-distress status. Several public districts around the Greater Toledo Metropolitan earned higher grades: Anthony Wayne District, Perrysburg, and Sylvania all earned Bs, and Ottawa Hills earned an A. However, the three lowest graded public districts – Toledo Public, Washington Local, and Northwood Local – all earned D grades and account for half of all public-school students enrolled in the area.

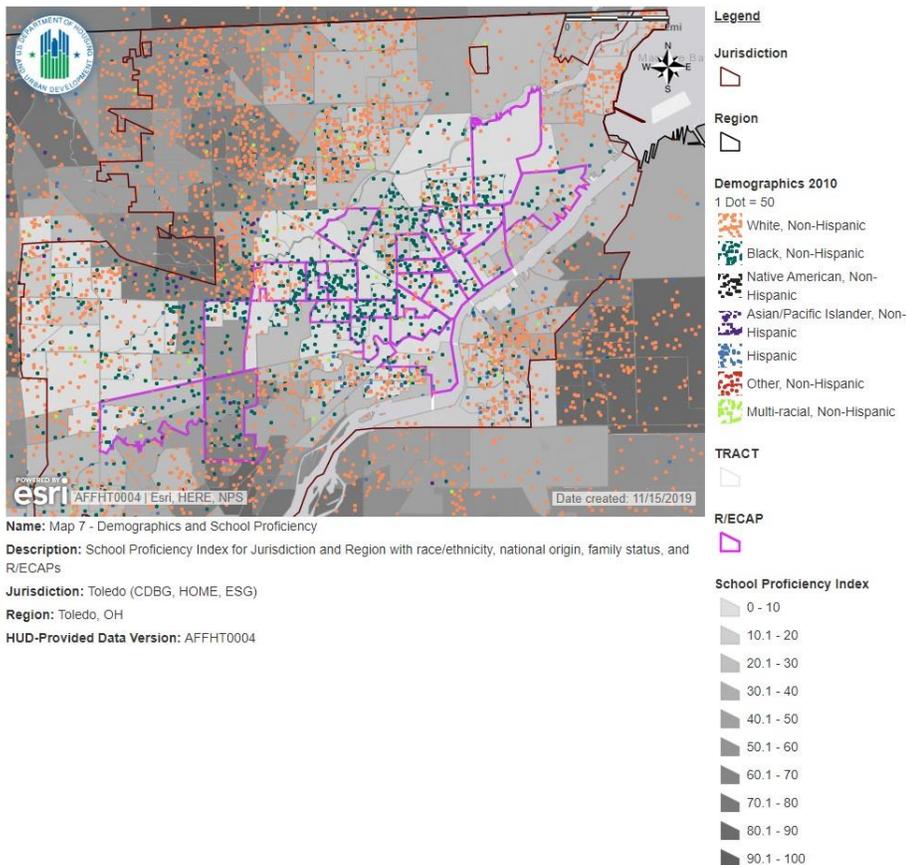
School proficiency can be measured by a variety of different metrics such as average test scores, year-to-year improvement (or learning rates), and graduation rate, among others. However, most measures tend to give the same overall results. In Toledo, the results from all three methods of measurement indicate that public-school students in the Toledo area are slightly behind the national averages.

The [Educational Opportunity Project](#) at Stanford University looks at average test scores and trends in test scores, as well as learning rates. In its report for Toledo Public Schools, the Educational Opportunity Project offered the following information:

- Average Test Scores
 - Average test scores in Toledo are 1.6 grade levels lower than the national average
 - Average test scores in Toledo are 0.1 grade levels lower than the average of districts with similar socioeconomic status
- Trends in Test Scores
 - Test scores in Toledo have decreased by an average of 0.04 grade levels each year from 2009 – 2016
 - Average scores have decreased by 0.05 grade levels less than those of districts with similar socioeconomic status
- Learning Rates
 - Toledo students learn 17 percent less each grade than the U.S. average
 - Toledo students learn 10 percent less each grade than the average of districts with similar socioeconomic status.

The report also points out that the average Toledo student's socioeconomic status is “far below” the national average.

School deficiency in Toledo may be attributed in large part to the fact that Toledo's schools and neighborhoods are still racially segregated. Below is a map taken from HUD's AFFH mapping tool that shows Toledo's racial distribution and school proficiency by census tract.



There is a strong correlation between racial segregation and school achievement gaps. As a report by the Stanford Center for Education Policy Analysis put it:

The association of racial segregation with achievement gaps is completely accounted for by racial differences in school poverty: racial segregation appears to be harmful because it concentrates minority students in high-poverty schools, which are, on average, less effective than lower-poverty schools.²⁸

Immediately following the *Brown v. Board of Education* decision, the US saw racial achievement gaps close substantially. However, as desegregation efforts began to lose steam in the 1980s and 1990s, our nation's neighborhoods – and therefore

²⁸ Reardon, et. al., Stanford Center for Education Policy Analysis, *Is Separate Still Unequal? New Evidence on School Segregation and Racial Academic Achievement Gaps* (2019), available at <https://cepa.stanford.edu/sites/default/files/wp19-06-v092019.pdf>.

schools – have reverted to high rates of segregation. Moreover, policies aiming to reignite desegregation efforts are met with apathy and a strict adherence to race-neutrality. To explain why and how segregation has an impact on racial achievement gaps the Center for Education Policy Analysis (CEPA) report said

Racial disparities in educational opportunities begin early in children's lives, as a result of large racial differences in average family income. These economic differences yield differences in educational resources that parents can provide at home, differences in neighborhood conditions that support learning, and differences in enrollment in high quality early childhood educational programs.²⁹

It is important to note that the racial achievement gap when discussing education refers specifically to test scores, which have been determined to reflect educational opportunities, and “not necessarily school quality, resources, experiences,” nor perceived “innate group differences in cognitive skills or genetic endowments.” The CEPA report explains

By ‘educational opportunities,’ we mean all experiences in a child's life, from birth onward, that provide opportunities for her to learn, including experiences in children's homes, child care settings, neighborhoods, peer groups, and their schools. This implies that test score gaps may result from unequal opportunities either in or out of school.³⁰

The racial achievement gap is one visible piece of evidence of how segregation harms communities. Segregated neighborhoods provide fewer educational opportunities because they concentrate marginalized groups of students in high-poverty schools, who are less effective because they lack the resources of wealthier, white districts. Meanwhile, studies described in the CEPA report show that racial integration helped close the achievement gap for minority students without harming the achievement rates for white students. However, simply integrating schools, but not neighborhoods, is not enough. Educational opportunities extend beyond school walls and are infused into most aspects of a student's life. To provide equal educational opportunities is to provide equal neighborhoods. The only way for a city's neighborhoods to become more equal is to become more integrated. Therefore, if Toledo is to close the educational achievement gap, it must strive for colorful, integrated, and revitalized neighborhoods.

²⁹ *Id.*

³⁰ *Id.*

School Enrollment

Grade Level	2017 Total	2017 Percent of Total Enrolled	2012 Total	2012 Percent of Total Population	Percent Change 2012-2017
Population 3 Year+, Enrolled in School	72,553	100.0%	82,427	100.0%	-12.0%
Nursery School, Preschool	3,915	5.4%	4,298	5.2%	-8.9%
Kindergarten	4,296	5.9%	4,029	4.9%	6.6%
Elementary School (grades 1- 8)	28,160	38.8%	29,942	36.3%	-6.0%
High School (grades 9- 12)	14,430	19.9%	16,355	19.8%	-11.8%
College or Graduate School	21,752	30.0%	27,803	33.7%	-21.8%

The chart above shows that overall school enrollment dropped from 2012 to 2017. However, it appears that this drop in enrollment is reflective of the decrease in Toledo's youth population than of any possible attendance issue. While the number of enrolled k – 12 students dropped 6.8 percent between 2012 and 2017, the population of persons ages 5 – 19 dropped by 8.4 percent in the same time span.

Regarding post-secondary education enrollment, a 2017 Toledo Blade article reported that most colleges and universities in the area saw a decline in enrollment in 2017. The easiest explanation for this trend is the mounting cost of college tuition, as most colleges and universities in the US are seeing the same trends.

Employment

Employment Status	Percent Labor Force Employed	Percent Labor Force Unemployed	Total Population Estimate	Percent Total Population
Population Age 16+			220,855	100.0%
Civilian Labor Force	89.2%	10.8%	135,729	61.5%
Armed Forces			88	0.0%
Not in Labor Force			85,038	38.5%

Toledo saw significant growth in its employment rates from 2012 to 2017. Even though the city's civilian labor force (both employed and unemployed) decreased by 5.5 percent in the five-year time span, 1.0 percent more people were working in Toledo in 2017 than in 2012. By contrast, employment increased nationally by 6.1 percent, but was helped by the fact that the total U.S. civilian labor force increased 3.0 percent between 2012 and 2017.

As stated above, wage inequality in Toledo continues, as women in 2017 earned 84 cents for every dollar earned by men.

Occupation breakdown

Occupation	Toledo	Lucas County	Ohio	US
Management, business, science, & arts	27.5%	33.7%	36.0%	34.7%
Service	22.3%	19.4%	17.3%	18.0%
Sales & office	23.2%	23.0%	23.3%	23.5%
Natural resources, construction, & maintenance	7.1%	7.0%	7.5%	8.9%
Production, transportation, and material moving	19.9%	16.9%	15.9%	12.2%

Industry breakdown

Industry	Toledo	Lucas County	Ohio	US
Agriculture, forestry, fishing & hunting, mining	0.6%	0.5%	1.0%	1.9%
Construction	4.4%	4.7%	5.2%	6.4%
Manufacturing	15.8%	15.7%	15.5%	10.3%
Wholesale Trade	2.6%	2.5%	2.7%	2.7%
Retail Trade	12.2%	11.6%	11.6%	11.4%
Transportation & warehousing, utilities	5.6%	5.2%	4.9%	5.1%
Information	1.5%	1.4%	1.7%	2.1%
Finance & Insurance, Real Estate, Rental & Leasing	3.7%	4.3%	6.4%	6.6%
Professional, Scientific, Management, Administrative, Waste Management	8.4%	9.2%	9.5%	11.3%
Educational Services, Health Care, Social Assistance	25.1%	26.3%	24.1%	23.1%
Arts, Entertainment, Recreation, Accommodation & Food Services	12.7%	11.0%	9.2%	9.7%
Other Services	4.5%	4.4%	4.4%	4.9%
Public Administration	3.0%	3.1%	3.8%	4.7%

Class of worker

Class of Worker	Toledo	Lucas County	Ohio	US
Private Wage & Salary	84.6%	83.8%	83.0%	80.0%
Government	11.0%	11.3%	12.0%	13.8%
Self-Employed	4.2%	4.8%	4.9%	6.0%
Unpaid Family Workers	0.2%	0.1%	0.1%	0.2%

Toledo's workforce make-up is reflective of its position in a midwestern state. Toledo's second-most occupied industry is manufacturing. The same is true for Lucas County and Ohio. This is not an unexpected result, as states in the US Midwest tend to provide a lot of manufacturing jobs. In Toledo, companies like Jeep, Chrysler, and Libbey Glass contribute to manufacturing's large share in the Toledo work force. The same was not true of the US, as most industry areas were a little more evenly spread than the city, county, or state. The most occupied job, however, was the same in Toledo, Lucas County, Ohio, and the US: education, health care, and social assistance services. This finding is also unsurprising because the job need for these areas are not regionalized. Educators and health care workers are needed everywhere.

Estimates provided by the ACS for class of worker make it appear as though worker-type distribution is nearly the same across the US. However, a deeper look into these categories would likely reveal something different. For instance, private wage and salary workers make up nearly 80 to 85 percent of the work force in all jurisdictions. However, the breadth of the category encompasses entry-level minimum wage jobs, to blue-collar median wage earners, to salaried white-collar earners of the top tax bracket. The types of workers that make up Toledo's nearly 85 percent in this category likely earn a lower average per year than the national average of the 80 percent that makes up the US in this category. Wages and earnings in Toledo will be further discussed in the Income & Poverty section of this report.

Transportation

In 2019, Lucas County formed a community task force to evaluate the state of public transportation services in the area. Leading up to formation of this task force, United Pastors for Social Empowerment, a local grassroots organization, had filed a civil rights complaint against the Toledo Area Regional Transportation Authority (TARTA) for alleged failure to comply with Federal Transit Administration requirements for compliance with Title VI of the Civil Rights Act. The task force ultimately issued a report that provides an overview of current transportation needs and offers recommendations for improvements to the regional transportation system.³¹

The report explains the tremendous need for and value of transportation in Northwest Ohio region:

There is ample evidence to support the notion that a vibrant public transportation system is essential to the success of a region, making positive contributions to the economy and facilitating the participation of residents to participate in all aspects of public life; these include work, social, commercial, and faith activities. Public transit is important for people without access to a personal vehicle, for individuals engaged in recreational activities, and as a tool of economic development. It certainly must serve communities in need. Decades of research has demonstrated that affordable transportation is a necessary ingredient for upward economic mobility. If Lucas County is truly a place for all to thrive, a strong transit system that meets the needs of the community is an essential component of public services.³²

The task force report further emphasizes the fact that communities in need are the core constituencies that use public transit services in the area:

To be sure, seniors, low-income individuals and persons with disabilities represent core transit constituencies to which an effective public transit system must be responsive. In and around Lucas County, the need for public transportation for individuals over the age of 65 and persons with disabilities cannot be overstated.³³

³¹ Community Task Force, *Public Transportation in Northwest Ohio (2019)*, available at http://tarta.com/wp-content/uploads/2019/10/TARTA-Taskforce-Report-2019-08-16_1.pdf.

³² Id.

³³ Id.

The American Community Survey's five-year estimates for 2013-2017 indicate the following breakdown by class for persons that use public transportation to travel to work in Lucas County:

Class	Total in class using public transportation for work	Total persons in class	Calculated percent
Black	1,658	82,399	2%
White	1,138	313,924	.03%
Asian	214	7,756	2%
Latinx	164	29,559	.05%
Persons with disability	552	12,556	4%

According to a survey conducted by the Ability Center of Greater Toledo in 2015, respondents required transportation services in the following breakdown:

- Medical appointments – 33 percent
- Shopping – 53 percent
- Work – 21percent

Over 70 percent of respondents to the Ability Center survey said that they were late or unable to schedule doctor appointments and 46 percent reported that they had difficulty getting home from activities due to inadequate public transportation.

The County task force's report specifically emphasizes the need for public transportation service in the Lucas County urban area as a function of the higher poverty rate in the area:

With the area's highest rate of poverty, there is no greater need for public transportation than Lucas County anywhere in the region. Based on data obtained from the 2016 U.S. Census Bureau's American Community Survey, the Ohio Development Services Agency (ODSA) in their 2018 Ohio Poverty Report noted that Lucas County is the poorest urban county in the State of Ohio. At 20.7%, Lucas County's poverty rate has increased 19.65% since ODSA published its 2009 report. Moreover, Lucas County's poverty rate is more than two percentage points higher than in Cuyahoga County, the urban Ohio county with the next highest rate.³⁴

³⁴ Id.

Housing Profile

The Toledo Housing Stock

In 2017, there were 138,242 total housing units standing in Toledo. Occupied units accounted for 85.5 percent of the total housing stock while the remaining 14.5 percent were vacant. Of the occupied units in Toledo, 51.9 percent were owner occupied and the remaining 48.1 percent were renter occupied.

At the time of the writing of the 2015 AI, the Lucas County Land Bank was using Attorney General settlement funds to take on and demolish vacant properties. By the latter half of 2019, however, those funds had mostly dried up and the Land Bank had acquired a waiting list which the Land Bank estimated will take three to four years to whittle down enough to allow for new acquisitions. This will likely be the case until the Land Bank can acquire a new source of funding to resume its activities. For now, however, this means that many vacant properties will continue to stand and deteriorate.

Home values

The Toledo median home value in 2017 was \$78,600. Toledo's housing stock continues to list at affordable prices, especially when contrasted with the 2017 national median home value, which was \$193,500. Toledo is frequently considered one of the cheapest cities of its size in the US, and owner-occupied housing prices largely contribute to that reputation. Rent in Toledo is also considered to be on the cheaper end, with median rent coming in at \$677 per month, contrasted with the national median rent rate of \$982 per month.

Financial burden

Financial experts consider housing cost to be a burden when it exceeds 30 percent of the occupant's monthly income. This includes all expenses associated with housing such as rent, mortgage payments, utilities, and property taxes.

In Toledo, 60.8 percent of all currently occupied, owner occupied units had a mortgage. The median cost per month of an owner-occupied property was \$394 without a mortgage payment and \$1,023 with a mortgage payment. In homes with a mortgage, 72.9 percent of owners were paying below 30 percent of their monthly income towards their housing, meaning that they were not considered to be financially burdened by their housing costs. The same was true for 85.9 percent of owners without a mortgage. Nationally, 70.6 percent of owners with a

mortgage and 86 percent of owners without a mortgage were considered financially unburdened by housing costs.

In rental housing, 49.0 percent of Toledo renters were paying 30 percent and under of their monthly income towards housing. This means that a slight majority, at 51 percent of all renters, were paying rates that were considered a financial burden. Nationally, the numbers were almost the exact same, with 49.4 percent of renters being financially unburdened and 50.6 percent being burdened.

Though housing in Toledo is significantly cheaper than the national mean, it is likely that the number of people still burdened by housing cost at city and national levels are nearly equal because of the difference in wages. Recall from the Income and Poverty section of this analysis that Toledo's median annual household income was far below the national median. Toledo workers do not earn income at the same level and rate as workers across the country. Therefore, housing must be cheaper for anyone to afford it. Still, there is a significant portion of residents in Toledo (nearly half of all renters, for instance) who are burdened by housing cost.

Age of properties

Toledo has a much older housing stock than what is available nationally. According to ACS 2017 estimates, while only 39 percent of the US housing stock was built in 1969 or earlier (making the home 50 years or older), the same is true for 74 percent of all of Toledo's housing stock. Further, homes built in 1979 or earlier present significant risk of lead and asbestos hazards. In Toledo, 86 percent of all housing units were built in 1979 or earlier. The same is true for only 55 percent of the nation's housing stock.

Older homes may present a variety of challenges, including the aforementioned risk of lead and asbestos hazards. Older homes often need more substantial and frequent repairs which might place financial burden on homeowners. Additionally, most older homes are not accessible, which carries implications for persons with disabilities as well as senior citizens who wish to age in place.

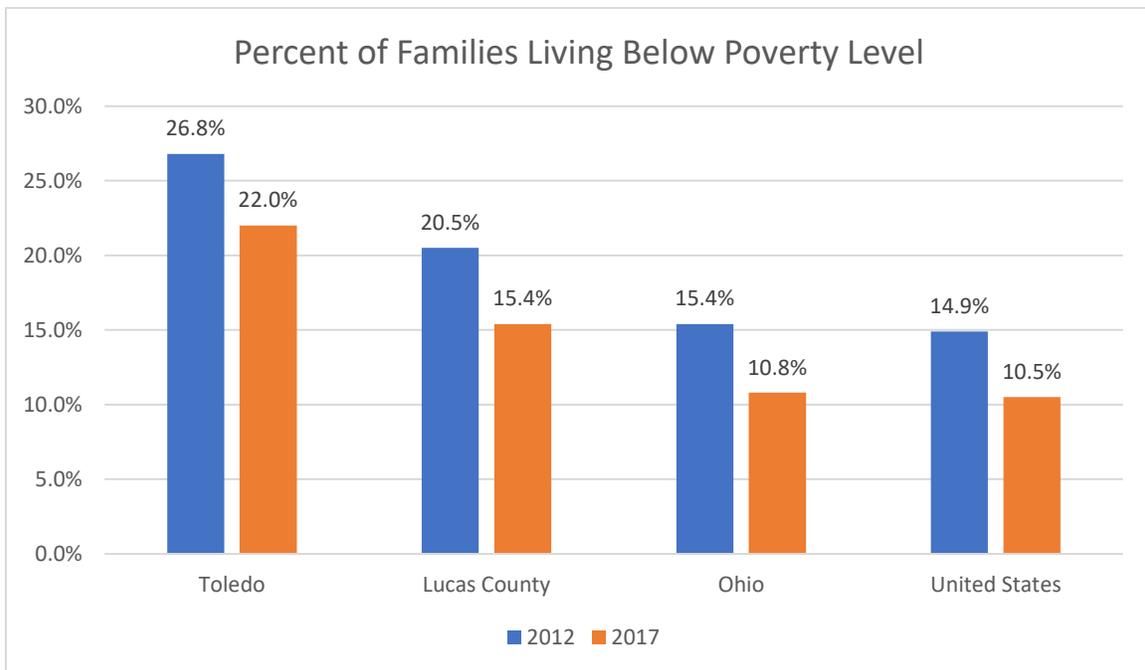
Housing Conditions

Substandard housing conditions was overwhelmingly noted in community focus groups as a primary barrier to accessing adequate housing. These conditions have resulted from poorly maintained rental properties and chronic disinvestment in the urban core, contributing to neighborhood disinvestment and limiting the availability of quality housing options that are safe, healthy, and habitable. Further, poorly maintained homes negatively impact the entire surrounding neighborhood by reducing property values, contributing to crime, creating health and safety hazards, and diminishing neighborhood pride.

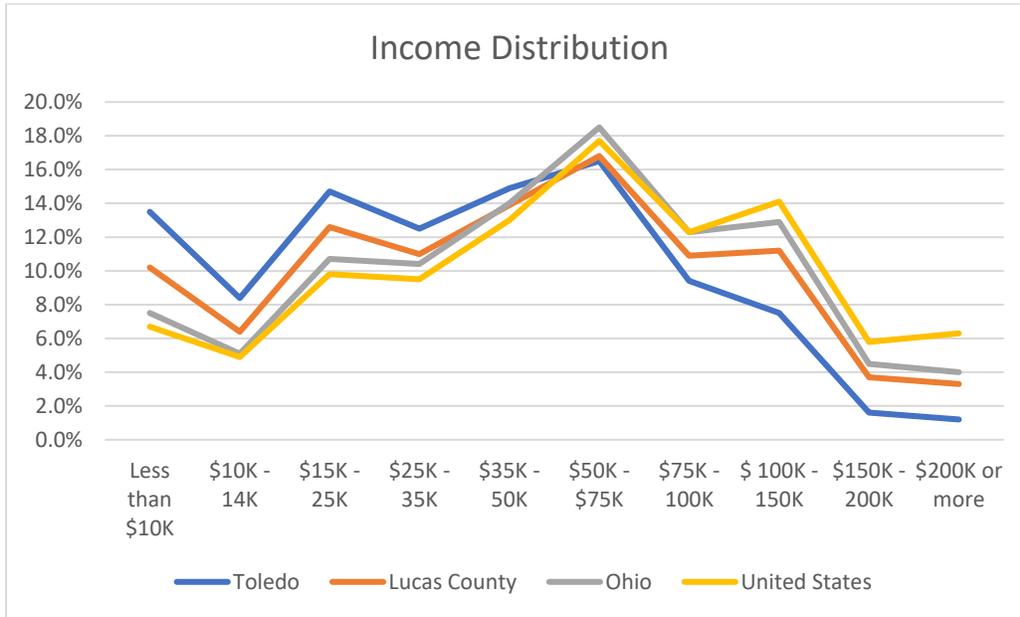
While housing conditions have an impact on the entire community, some people are disproportionately affected. People with a criminal history, eviction record, or other impediments that make it difficult to qualify for housing are often forced to live in places that are not safe, healthy, or habitable. They are reluctant to complain about poor housing conditions or make maintenance requests because they fear landlord retaliation (eviction) or don't believe they will be able to find other housing.

Income & Poverty

ACS estimates from 2012 and 2017 show that the rate of families living below the federal poverty level has decreased. In Toledo, the mean family household income grew 11.5 percent from 2012 to 2017, and the mean non-family income grew 11.7 percent in the same time span. While this is good news, however, the data shows that Toledo still lags behind county, state, and national income averages, leaving a greater proportion of Toledo families still living below poverty level. Toledo's mean household income in 2017 was \$48,634 per year; far below the national mean, which was \$81,283. This is slightly offset by the fact that Toledo is reputed to have a low cost of living. However, the fact that Toledo sees a higher rate of poverty than other places likely means that wages and salaries are not what they ought to be to afford a comfortable lifestyle, even when given cheaper living expenses than state and national averages.



Income Distribution



Of the four populations represented on the graph above, Toledo has the highest percentages on the low-income end of the scale and the lowest percentages of the on the high-income end of the four listed jurisdiction types. This suggests that Toledo experiences higher rates of poverty and lower rates of wealth than the county, state, and national averages.

Income Type	Toledo		Lucas County		Ohio		US	
	%	Mean \$	%	Mean \$	%	Mean \$	%	Mean \$
Earnings	72.1%	50,617	74.4%	66,544	75.8%	73,219	77.7%	83,186
Social Security	29.6%	16,377	30.5%	17,882	31.4%	18,056	30.6%	18,778
Retirement	19.4%	19,956	20.5%	22,614	21.3%	24,111	18.4%	25,798
Supplemental Security	9.7%	8,982	7.7%	9,326	5.9%	9,627	5.4%	9,743
Cash Assistance	4.4%	2,640	3.5%	2,640	3.1%	2,880	2.6%	3,230
Food Stamps/SNAP	25.8%	(X)	19.7%	(X)	14.2%	(X)	12.6%	(X)
Health Insurance	91.0%	(X)	92.7%	(X)	92.6%	(X)	89.5%	(X)

Part 2: Status of Impediments in the Previous Analysis

Based on the 2015 Analysis of Impediments, TFHC and representatives from the City of Toledo identified 20 areas that required particular attention and action to remedy barriers to Fair Housing. They are as follows:

- Rental
- Economic, Employment, and Transportation Issues
- Assisted Housing
- Housing Mobility and Expanding Housing Choice
- Source-of-income Protection
- Reentry and Housing
- Homeless Services
- Advertising
- New Immigrant Issues
- Housing for Persons with Disabilities
- Real Estate Sales
- Zoning Regulations and Occupancy Standards
- Other Local Public Policies that Affect Housing Choice
- Lead Poisoning
- Foreclosure
- Real Estate Owned Properties
- Homeowners' and Habitational Insurance
- Lending
- Fair Housing Awareness
- Appraisal

Based on these impediment areas, TFHC and the City determined goals, action steps, timelines, and the parties primarily accountable for such actions. The chart on the following pages provides a summary of the progress made on these areas.

Impediment Area	Goals/Objectives	Summary of Activities
Rental	Improve landlord-tenant relationship in order to promote long-term, sustainable housing of choice.	<p>A combination of factors, including the relocation of 2-1-1 services outside the local area and a reorganization of the Toledo Lucas County Homelessness Board, caused a disruption in these activities over the last few years. However, at the end of 2019, 2-1-1 relocated its services closer to the Toledo area, TLCHB announced a restructuring and hired a new Executive Director, and Lucas County launched the Housing First initiative, all of which should improve access to housing and related services for individuals experiencing homelessness.</p> <p>2-1-1 and TFHC receive numerous intake calls related to landlord-tenant issues and provide referrals for assistance, but the community's limited resources fail to effectively meet the need. Recognizing this gap in services, TFHC recently applied for and received grant funding from Lucas County and the Toledo Community Foundation to begin a landlord tenant mediation program that is expected to begin in February 2020. By educating both landlords and tenants and mediating disputes, the program aims to prevent evictions and alleviate housing instability.</p> <p>TFHC has scheduled a series of fair housing trainings in 2020 for homeless service providers.</p> <p>TFHC and LAWO routinely educate the community on housing rights and responsibilities by distributing materials, posting information on their websites and</p>

		social media pages, and conducting presentations throughout the local area.
Rental	Ensure equal access to housing regardless of protected class status/ membership.	TFHC routinely investigates allegations, conducts tests, and files complaints to combat housing discrimination in the rental industry. These activities are reported monthly to the City.
Rental	Encourage development of safe and affordable housing in high opportunity areas.	<p>Toledo has experienced a lack of LIHTC and other affordable housing development in recent years.</p> <p>TFHC and other housing advocates across Ohio have been engaged in ongoing discussions with OHFA, recommending revisions to its allocation process to ensure the availability of affordable housing in higher opportunity areas, increase housing development that can accommodate families, and distribute resources more equitably across all communities.</p>
Economic, Employment, & Transportation	Promote and ensure access to regional transportation.	<p>Numerous attempts have been made to introduce a sales tax ballot initiative that would modify TARTA's funding source and generate the additional revenue necessary to expand services and establish a county-wide transportation system. State law requires all current member jurisdictions to approve placement of this measure on the ballot, and Sylvania Township has repeatedly blocked this effort and prevented it from moving forward.</p> <p>For years, transportation advocates asked the owners of Franklin Park Mall to approve a fixed line bus stop on mall property, to better enable people with disabilities and others using public transportation to access the mall. In August 2018, Disability advocates from</p>

		<p>local groups including The Ability Center, The Fair Housing Center, Toledo Lucas County Commission on Disabilities (TLCCOD), and Community Advocates for Transportation Rights (CATR) came together for a news conference to announce a new TARTA bus stop at the mall.</p> <p>Both CATR and TLCCOD hold regular meetings and continue to work with the Ability Center and TFHC to improve transportation options.</p> <p>In December 2018, TARTA announced service cuts as a result of budget constraints. ABLE subsequently filed a civil rights complaint against TARTA, alleging the transit authority's process for considering and adopting the pending cuts was deficient and violated the FTA's implementing regulations and guidance for service cuts that disproportionately affect minority and low-income individuals.</p> <p>In 2019, the Lucas County Commissioners created a TARTA Taskforce comprised of representatives from the community and the group produced a report detailing transportation challenges, needs, and recommendations for the greater Toledo area.</p> <p>The City of Toledo Code Enforcement partnered with local organizations for a snow removal program to improve accessibility for people with disabilities on sidewalks and around bus stops.</p>
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Assisted Housing	Expand availability of Section 8 housing.	<p>LMHA regularly conducts outreach regarding the Housing Choice Opportunity Program in an effort to expand participation by private landlords.</p> <p>LMHA started issuing vouchers for the Housing First Initiative in July 2019.</p>
Housing Mobility	Establish and implement a mobility program.	<p>LMHA has continued to implement programs and services to its residents to help them. These classes include topics of managing financing and clearing up credit problems. LMHA expanded efforts to have residents participate in self-sufficiency education efforts. LMHA also received a grant from Sherwin Williams for a program that has been successful in training residents and placing them in the workplace.</p> <p>LMHA received a “high achiever” designation from HUD with regard to the HCVP. These efforts have resulted in an increase in the number of participating private landlords.</p>
Source-of-income Protection	Add Source of Income to the current list of protected classes at the City level.	Community advocates drafted an amendment to the City’s anti-discrimination ordinance to include source of income protection and other fair housing updates. The proposal was introduced to Toledo City Council in November 2018 and submitted to committee for further discussion and consideration.
Reentry and Housing	Promote access of the re-entry population to assisted housing opportunities.	Regular meetings have been occurring between LMHA and reentry advocates including representatives from the Reentry Coalition, ABLE, and TFHC to discuss and review LMHA’s policies and practices relative to the re-entry population, with the goal of making housing more accessible to those re-entering society after having been part of the justice system. As a result of these discussions,

		<p>LMHA adopted an amended criminal history screening policy in December 2019 that includes shorter look back periods, consideration of convictions only and not arrests, a review process to evaluate whether offenses demonstrate a risk to resident safety or property, and evaluation of supporting documentation regarding an applicant's rehabilitation efforts.</p> <p>ABLE drafted a model criminal history screening policy that could serve as a guide for housing providers seeking to adopt more inclusive criteria.</p> <p>Re-entry advocates have requested that LMHA allocate vouchers for the re-entry population. LMHA has worked with grant funders and community partners to create set-aside project-based vouchers for reentry.</p>
Homeless Services	Promote accessibility of homeless services and ensure homeless service providers are aware of fair housing and disability rights and responsibilities.	<p>A combination of factors, including the relocation of 2-1-1 services outside the local area and a reorganization of the Toledo Lucas County Homelessness Board, caused a disruption in these activities over the last few years. However, at the end of 2019, 2-1-1 relocated its services closer to the Toledo area, TLCHB announced a restructuring and hired a new Executive Director, and Lucas County launched the Housing First initiative, all of which should improve access to housing and related services for individuals experiencing homelessness.</p> <p>TFHC has been participating in the creation and implementation of the Housing First initiative and serves on the TLCHB. TFHC also has a series of fair</p>

		housing trainings scheduled in 2020 for homeless service providers.
Advertising	Decrease the presence, frequency, and dissemination of discriminatory language in the advertisement of housing.	TFHC regularly monitors housing advertisements and investigates fair housing violations.
New Immigrant Issues	Develop better partnerships and collaboration with organizations serving the immigrant community.	<p>TFHC has developed relationships with FLOC, the Hispanic Chamber of Commerce, Welcome Toledo Lucas County, and the Latino Alliance of Northwest Ohio by attending meetings, conducting presentations, and sharing fair housing educational materials with these organizations.</p> <p>TFHC engaged in education and outreach efforts to better serve LEP populations in the community. Activities included distribution of translated printed educational materials, creation and placement of translated advertisements, posting translated videos, and adding a translation tool to its website. Additionally, TFHC conducted a fair housing training in January 2018 for service providers and community organizations serving LEP populations, immigrants, refugees, and people of diverse faith and cultural backgrounds.</p> <p>In April 2019, Lucas County received a Certified Welcoming designation from Welcoming America, a national recognition of our area's best practices to welcome and build a more inclusive community for immigrants and refugees.</p>

<p>Housing for Persons with Disabilities</p>	<p>Ensure full enjoyment of housing units for disabled tenants.</p>	<p>TFHC regularly investigates complaints of housing discrimination based on disability. Activities include conducting intakes, managing investigations, and filing complaints. TFHC often assists tenants with obtaining reasonable accommodations and modifications to ensure their housing is accessible. These activities are reported monthly to the City.</p>
<p>Real Estate Sales</p>	<p>Educate consumers and real estate professionals about fair housing rights and responsibilities, and identify and address any potential fair housing violations, e.g. steering.</p>	<p>TFHC raises awareness of fair housing rights and responsibilities through ongoing education and outreach efforts that include conducting trainings and presentations, placing print, television, digital, and social media advertisements, distributing educational materials, creating PSA videos, and posting content on social media. These activities are reported monthly to the City.</p>
<p>Zoning & Occupancy Standards</p>	<p>Ensure that codes, policies, and practices do not impede those in protected classes from obtaining or remaining in the housing of their choice.</p>	<p>TFHC and The Ability Center regularly review permit applications provided by both the City’s building inspection department and the Toledo-Lucas County Plan Commission to evaluate the potential impact on housing for persons with disabilities.</p> <p>In 2019, the Plan Commission conducted a Study of Residential Drug and Alcohol Treatment Centers that was presented to Toledo City Council. The study was initiated as a result of concerns raised by Councilwoman Harper about the high concentration of recovery housing and treatment facilities in District 4 and a resulting moratorium on new projects. Representatives from TFHC, ABLE, and MHRSB expressed concerns about the City’s zoning policies, pointing out the additional and unnecessary regulations placed on housing for people with disabilities (including specific regulations pertaining to housing for people in</p>

		<p>recovery) that do not apply to other types of housing. Recommendations were made on ways to modify the City's zoning policies to reduce or eliminate restrictions and ensure better compliance with the FHA and ADA.</p> <p>TFHC met with the City and recommended modifying the language in §1745.07(b)(1)(H) by deleting the phrase "or the written rental agreement." After review, The Law Department and Plan Commission have both indicated they do not have any concerns or issues with the amendment. Next steps including drafting and introducing an ordinance to Toledo City Council.</p>
<p>Other Local Public Policies</p>	<p>Ensure that public employees are aware of fair housing and disability law.</p>	<p>The Ability Center hosts annual ADA seminars. These educational sessions provide government entities, building professionals, and business owners with information regarding ADA compliance.</p> <p>TFHC conducted disability-focused fair housing trainings to LMHA employees in June 2018 and again in July 2019.</p>
<p>Lead Poisoning</p>	<p>Develop and implement a primary preventative approach to significantly reduce lead poisoning in the City of Toledo.</p>	<p>Advocates representing various sectors across the community joined the Toledo Lead Poisoning Prevention Coalition (TLPPC) and urged the City to pass a lead ordinance that would proactively protect children from the life-altering effects of lead poisoning caused by lead paint. An ordinance requiring rental properties to be inspected and registered as lead-safe was initially introduced and passed by Toledo City Council in 2016. However, before the ordinance could be enforced, a lawsuit was filed alleging constitutional violations and an injunction was granted that put the ordinance on hold. A new version of the ordinance was drafted that circumvented the legal concerns raised in</p>

		<p>the lawsuit, and this revised legislation was introduced and passed by Toledo City Council in 2019. Subsequently, an appeals court ruling overturned the injunction and upheld the major components of the 2016 legislation.</p> <p>TLPPC met with the City at the end of 2019 and is committed to working with the City to ensure effective implementation and enforcement of the ordinance. The City is working to set up a rental registry, develop an education and outreach campaign, and determine the appropriate staffing and budget needs to execute the requirements of the ordinance.</p>
Foreclosure	Help to reduce and/or prevent foreclosures, thereby stabilizing area neighborhoods.	<p>TFHC terminated its Foreclosure Prevention Programs and Department due to lack of funding.</p> <p>NeighborWorks provides quarterly financial literacy trainings and housing counseling services.</p>
Foreclosure	Address issues faced by families who have been displaced due to foreclosure.	United Way 2-1-1 regularly provides referrals to connect people to community resources.
Foreclosure	Mitigate negative impact of foreclosures on targeted neighborhoods.	The Land Bank was awarded a grant in July 2016 to demolish or renovate 1,500 properties by 2020. In April 2019, a news conference was held to announce the Land Bank had completed its goal to renovate or demolish 1,500 properties ahead of schedule and plans to address 500 more properties before the deadline. Since 2016, the Land Bank has seen 222 homes and business properties renovated with another 184 in progress. In addition,

		1,284 blighted properties have been demolished.
Real-estate Owned Properties	Ensure that bank-owned properties are being maintained, marketed, and secured in the same manner in all communities.	TFHC joined the National Fair Housing Alliance and other fair housing agencies across the country to file national lawsuits against Fannie Mae, Deutsche Bank, and Bank of America. All cases allege racial discrimination for failure to maintain and market bank-owned foreclosed homes in communities of color, contributing to blight and economic deterioration in struggling neighborhoods. All of the cases are currently pending, and complainants have successfully defeated attempts by respondents to have the cases dismissed.
Homeowners' & Habitational Insurance	Ensure the opportunity for quality, affordable full-replacement cost insurance policies in historically underserved communities.	TFHC regularly conducts investigations in response to complaints of homeowners' insurance discrimination. These activities are reported monthly to the City.
Homeowners' & Habitational Insurance	Address insurance policies/terms that discourage landlords from renting to voucher-holding tenants.	Due to limited resources, TFHC has deferred to the leadership of the National Fair Housing Alliance (NFHA) in this area.
Lending	Increase community lending opportunities through Community Development Financial Institutions (CDFIs) and banks with community products.	<p>TFHC has been meeting regularly with lending institutions that serve the Toledo market, encouraging them to partner with CDFIs and adopt Model Bank criteria.</p> <p>TFHC hosted Model Bank and CDFI informational sessions in 2016 and 2017, inviting local banks and CDFIs to attend.</p> <p>Through quarterly advocacy with a local lender and a community benefits agreement reached with NCRC, a lender has worked with LISC to develop an initiative to preserve and continue tax</p>

		<p>credit properties for low- and moderate-income residents and to encourage home ownership.</p> <p>TFHC has participated in several meetings with LISC and KeyBank to discuss a new Low Interest Home Repair Loan Program to help Toledo residents maintain and improve their properties.</p>
<p>Lending</p>	<p>Expand banking and financing opportunities for the traditionally underserved and unbanked.</p>	<p>TFHC has been meeting regularly with lending institutions that serve the Toledo market and encouraging them to develop and improve community lending products and marketing strategies to better serve the credit needs of traditionally underserved communities. As a result of these conversations, a bank opened a new branch in a minority census tract, another bank eliminated their minimum loan value requirement, and several banks introduced new lending products or incentives.</p> <p>Model Bank criteria was developed and shared with local lenders during a 2016 informational session and lenders have been encouraged to adopt the recommended products and practices.</p> <p>TFHC regularly addresses allegations of lending discrimination by conducting investigations and filing complaints. These activities are reported monthly to the City.</p> <p>TFHC has submitted regulatory comments and participated in the negotiation of two major Community Benefits Plans as part of the mergers or acquisitions of banks. TFHC has also submitted comments to the Office of the Comptroller of the Currency regarding CRA compliance of area lenders and proposed changes to CRA regulations.</p>

		<p>TFHC routinely analyzes HMDA data and examines the lending patterns of major mortgage lenders in the Toledo area and has discovered continued patterns of disinvestment.</p>
Appraisal	<p>Ensure that discriminatory policies, practices, and/or effects do not impede people from obtaining the housing of their choice.</p>	<p>TFHC regularly addresses allegations of discriminatory appraisal practices by conducting investigations and filing complaints. These activities are reported monthly to the City.</p>
Fair Housing Awareness	<p>Increase awareness of fair housing laws and the entities responsible for their enforcement.</p>	<p>TFHC raises awareness of fair housing rights and responsibilities through ongoing education and outreach efforts that include conducting trainings and presentations, placing print, television, digital, and social media advertisements, distributing educational materials, creating PSA videos, and posting content on social media. These activities are reported monthly to the City.</p> <p>In September 2018, TFHC partnered with the Ohio Diversity Council to host a state-wide summit to commemorate the 50th anniversary of The Fair Housing Act. Drawing stakeholders across Ohio, the event provided a special opportunity to examine the persistent barriers to equal opportunity and share solutions for creating more diverse, vibrant communities. The event concluded with the launch of a state-wide initiative called Welcome In My BackYard, or WIMBY, a grassroots movement to foster more welcoming communities, raise awareness of diversity and inclusion, and encourage people to speak out against acts of intolerance. TFHC has encouraged the community's participation in the initiative</p>

		<p>by asking people to take the WIMBY pledge, distributing yard signs and window clings, creating a web page to share information, and establishing social media accounts to promote WIMBY.</p>
<p>Fair Housing Awareness</p>	<p>Promote more extensive collaboration and increase education and information-sharing.</p>	<p>In 2015 the City of Toledo and TFHC formed the Fair Housing Implementation Council (FHIC) to assist in furthering the goals of the action plan, establishing several sub-committees to focus on specific impediment areas. Membership included representatives from service organizations, for-profit businesses, government entities, and the housing industry. The first meeting of the whole occurred in September 2015 and a follow up meeting was held in June 2016 to provide an update on the work of the committees. Committees held regular meetings throughout 2015-2016 but have not been active recently.</p> <p>Realizing that many of the impediment areas are already being addressed through existing committees and coalitions in the community, and striving to avoid duplication of efforts, TFHC participates in many of these community coalitions and currently has staff representation on the following groups:</p> <ul style="list-style-type: none"> • Coalition of Organizations Protecting Elders (COPE) • Community Advocates for Transportation Rights (CATR) • Equality and Social Justice Subcommittee of the City of Toledo Human Relations Commission • Housing First Core Leadership Team • Interdenominational Ministerial Alliance (IMA) • Latino Alliance of Northwest Ohio

		<ul style="list-style-type: none"> • Mental Health and Recovery Services Board of Lucas County • MHR SB Diversity & Inclusion Council • NWO Hispanic Chamber of Commerce • Reentry Coalition Housing Committee • Reinvest Toledo • Scott High School Community Hub Team • Toledo Community Coalition • Toledo Lead Poisoning Prevention Coalition • Toledo Lucas County Homelessness Board • United Pastors for Social Empowerment (UPSE) • Welcome Toledo-Lucas County (Welcome TLC) • Year 16 Initiative
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Part 3: Identified Impediments

Citizen Participation

To inform the process of identifying impediments to Fair Housing, The Fair Housing Center conducted a citizen participation process. This process is in addition to the formal public comment period that will follow promulgation of this Analysis of Impediments by the City of Toledo in compliance with HUD's guidelines.³⁵

TFHC created and distributed an online community survey, via Survey Monkey, and collected responses over the course of one week during early December 2019. The survey was sent by email to TFHC's distribution list, posted on social media outlets, and shared with the City of Toledo and several community groups. Exactly 104 responses were received from community stakeholders, advocates, service providers, and housing industry professionals.

TFHC also conducted two focus groups on December 4, 2019, the first at 1:30 p.m. at Kent Branch Library and the second at 5:30 p.m. at the offices of ABLE/LAWO. The focus groups were advertised in print (Sojourner's Truth on November 27, The Blade on November 29, and La Prensa on November 29), posted on TFHC's social media pages (Facebook, Twitter, and Instagram), promoted on an appearance on Leading Edge with Jerry Anderson that aired on December 1, and shared via email with TFHC's distribution list on November 26, gaining approximately 166,000 impressions.

Twenty-three people attended the afternoon focus group session and ten people attended the evening session, representing various sectors of the community including nonprofit, government, housing industry, and residents. Marie Flannery, President and CEO of TFHC, delivered a brief presentation on the City of Toledo's obligation to Affirmatively Further Fair Housing by identifying and addressing barriers to fair housing choice, explaining how input from the community would be incorporated into the Analysis of Impediments and help to determine the City of Toledo's priorities for CDBG funding and activities over the next five years. A series of questions was proposed for discussion regarding the factors that prevent people from accessing safe, affordable, stable housing in neighborhoods of opportunity.

Below is a summary of the comments organized by topic.

³⁵ See U.S. Department of Housing and Urban Development, *Fair Housing Planning Guide, Volume 1*, available at <https://www.hud.gov/sites/documents/FHPPG.PDF>.

Housing Industry Barriers

Housing Conditions

Substandard housing conditions was overwhelmingly noted as a primary barrier to accessing adequate housing. These conditions have resulted from poorly maintained rental properties and chronic disinvestment in the urban core, contributing to neighborhood blight and limiting the availability of quality housing options that are safe, healthy, and habitable. Further, poorly maintained homes negatively impact the entire surrounding neighborhood by reducing property values, contributing to crime, creating health and safety hazards, and diminishing neighborhood pride.

City housing codes have not been sufficiently enforced, and several participants suggested mandatory inspections of rental properties and establishing a rental registry to ensure properties are properly maintained and meet basic habitability standards. Some residents noted that housing codes are not enforced equally for all residents or in all neighborhoods; code enforcement is more prevalent for private owner-occupied homes than for bank-owned foreclosed homes (REOs) and more prevalent in white neighborhoods than in neighborhoods of color.

The role of out of town investors was also frequently mentioned as a contributing factor to housing conditions, as this type of buyer is more likely to be interested in profit and less likely to be personally invested in the vitality of a neighborhood. Some suggested limiting the number of investor properties or requiring that investors live within the city.

While housing conditions have an impact on the entire community, some people are disproportionately affected. People with a criminal history, eviction record, or other impediments that make it difficult to qualify for housing are often forced to live in places that are not safe, healthy, or habitable. They are reluctant to complain about poor housing conditions or make maintenance requests because they fear landlord retaliation (eviction) or don't believe they will be able to find other housing.

Maintaining properties is the most obvious solution to address housing conditions, but this can often be cost prohibitive, especially for older, dilapidated housing stock. Property owners may require financial assistance in order to make improvements.

Many participants noted the large number of demolitions that have been completed by the Lucas County Land Bank. Some suggested that more properties should be rehabbed rather than demolished, or that affordable

housing should be put in place following the demolition, in order to avoid vacant lots. Others suggested that when Land Bank properties are sold, there should be a requirement that the homes are owner-occupied for a period of time and tax abatements should be offered as an incentive.

Affordable Housing

A large number of survey participants cited lack of sufficient income as a primary barrier preventing people from affording market rate housing. Even for those who are able to afford a monthly rent payment are often not able to meet the income criteria necessary to qualify for housing, especially if they have a disability and/or are on a fixed income.

Toledo has experienced very little affordable housing development in recent years, especially Low Income Housing Tax Credit (LIHTC) properties. Some think this is because our area is not profitable for developers and proposed projects often face public resistance.

Numerous barriers were detailed for those seeking subsidized housing, including long wait lists, cumbersome processes, and difficulty obtaining single occupancy units. There is not enough low-income housing located in higher opportunity areas, as suburbs often restrict low-income housing development or face resistance from residents.

Even applicants who can afford housing may be denied based on the source of their income, as landlords are reluctant to participate in the Housing Choice Voucher (HCV) program, especially in higher opportunity areas. Education and outreach is needed to help landlords understand the requirements of the HCV program, address misconceptions, and encourage greater participation. Mandatory rental inspections and consistent enforcement of housing codes and habitability standards for private housing would make more units eligible to participate in HCV program. In addition, the City of Toledo should recognize source of income protection to require landlords to accept vouchers and other non-traditional sources of rental payment.

Additional barriers to the HCV program include an insufficient supply to meet the demand, a need for vouchers for special populations including those who are homeless or have mental health disorders, and a tendency of landlords to charge higher than average rents in order to collect the full voucher subsidy. Utilizing the Small Area Fair Market Rate program was suggested as a way to increase voucher subsidies and enable people to access housing in higher opportunity areas where rents tend to be higher.

Also identified was the need for housing to meet the needs of particular populations, including options for seniors, permanent supportive housing for high-risk populations, housing that offers wrap around services, and group homes that are located in other areas of the city outside of the urban core. A demand additionally exists for those who may not qualify for subsidized housing but do not have adequate income to afford market rate housing.

As a barrier, people often lack proper ID to qualify for assistance programs or apply for housing or other services. Such persons may need assistance with locating housing options or completing necessary paperwork.

Evictions

People are often denied housing due to an eviction record, which significantly limits the availability of decent housing options. This has a disparate impact on people of color who are statistically more likely to be evicted.

Participants noted several legal impediments that contribute to the inequity and impact of evictions. Because evictions typically remain on a person's record for years, courts should consider policies that would seal eviction records for certain cases or after a certain number of years. Landlords are statistically more likely than tenants to have legal representation in housing court, creating an imbalance as evictions are more likely to be resolved in favor of landlords. In addition, landlords are currently able to file evictions against tenants without addressing pending code violations on their properties.

Several participants suggested providing training for both landlords and tenants to better ensure all parties understand their rights and fulfill their responsibilities.

Lending/Homeownership

Redlining continues to pose a significant barrier to homeownership, particularly in low income neighborhoods and communities of color. Banks often impose minimum loan requirements, making it impossible to buy homes in areas with lower home values. Bank branches do not exist in some neighborhoods, and many people do not have adequate access to reliable banking products or services, so rely instead on predatory payday lenders that can lead to a cycle of debt.

Some have suggested a connection between lending practices and the prevalence of investor rental properties, asserting that a lack of adequate lending options for lower value homes means they are more likely to be purchased by out of town investors, who turn properties into rentals that are often not properly maintained.

Lending is another area where the prevalence of older and neglected housing stock plays a role. Financing is necessary not only for home purchase, but also for home rehab and repair so homes can be better maintained and preserve their market value. In communities of color, banks sometimes initiate the foreclosure process but then fail to take possession of the property, leaving the properties to deteriorate after the owner vacates.

Further, a decline in home values has contributed to several issues. Home buyers are unable to finance homes where the sale price exceeds the appraised value, and many homeowners are underwater, owing more money than their home is worth and unable to build equity or invest in repairs.

A lack of education and awareness means many first-time homebuyers are unprepared for the responsibilities of home ownership, unaware of lending products that might meet their needs, or do not know how to successfully navigate the home buying process.

Although programs exist to provide financial assistance, they can often create additional roadblocks. For example, many participants mentioned that the City of Toledo's down payment assistance program takes so long to process and approve (up to 90 days) that many times the buyer loses the house because the seller does not want to wait that long. It was noted that the City's new housing commissioner is working towards a goal of 21-day turnaround to address this problem.

Several suggestions were offered to help make homeownership more accessible, including:

- Providing financial counseling and savings accounts to low-income renters to prepare them for homeownership
- Utilizing CDBG funding for home purchase and repair
- Offering loan products for lower-priced homes
- Setting more flexible credit criteria
- Making it easier for residents to purchase Land Bank or REO properties

Insurance

In urban core neighborhoods where it is already difficult to obtain a home loan, the burden is further compounded by the inability to obtain homeowners insurance. In many cases, the cost of insurance is prohibitive and does not align with the mortgage value, especially in historic districts.

For those who are able to obtain insurance, coverage can be cancelled if the homeowner is unable to maintain the property.

Financial

Poor credit was cited as a substantial barrier that disqualifies people from obtaining housing or prohibits them from accessing quality housing, both for rental and home purchase. Debt was also mentioned as a disqualifying factor, especially if money is owed to LMHA or utility companies. Many participants conveyed a need for financial education and counseling so people can save money for housing and repair their credit.

Many residents lack the money needed for a deposit or down payment, so although they can afford a monthly rental or mortgage payment, they can't afford the money needed up front to secure housing.

Barriers for People with Specific Housing Needs

Disability

Toledo's prevalence of older housing stock means that most homes are not accessible. Accessibility is not only important for people with disabilities, but also allows seniors to age in place which helps to maintain neighborhood stability. Modifications are required in order to ensure physical accessibility, but are often expensive, especially in private housing where tenants are responsible for the cost. Many identified financial assistance as a way to alleviate this barrier.

Some suggested ways to improve accessibility in owner-occupied homes, including:

- Providing subsidies for Land Bank homes
- Requiring homes to meet basic accessibility requirements when they are sold
- Offering financial incentives (such as tax abatement or waiving permit fees) to homeowners who make accessibility improvements.

Accessibility is commonly an impediment in the rental industry, where landlords are often reluctant to comply with reasonable accommodation or modification requests or ask intrusive questions about the nature of a person's disability. People with mental health disorders face unique challenges, as they may be denied housing that is designated for people with disabilities or they may require special accommodations that housing providers are unfamiliar with and unwilling to provide. Common reasonable accommodation and modification requests include ramps, handicapped parking spaces, and assistance animals. Some recommended implementing standard accessibility guidelines for all subsidized housing.

Participants stressed the need to educate landlords so they are better informed about their Fair Housing responsibilities. They also suggested educating medical professionals about how to provide documentation to support a reasonable accommodation or modification request.

Accessibility is not only a barrier with current housing stock, but is often an issue with new housing development as well. Newly constructed housing does not always comply with accessibility standards and is not monitored for ADA/FHA compliance as part of the local inspection and permit process. Some suggested providing ADA/FHA guidelines to anyone requesting a permit application to better inform developers about their responsibilities. In addition, most new

accessible housing developments are multi-family, but many people would prefer to live in single family homes.

Public awareness needs to be raised regarding the high demand and low availability of accessible housing, to encourage both landlords and developers to meet the need.

While recovery housing is necessary to provide adequate support for those with alcohol and substance use disorders, it often faces public resistance from residents when new facilities are proposed and providers apply for the necessary permits.

Reentry/Criminal History

People with criminal histories are often denied housing, even if the offense is not recent or does not demonstrate a risk to the property or other tenants. This barrier particularly affects registered sex offenders who are not likely to meet the screening criteria for most housing providers. Using criminal history to determine applicant eligibility has a disparate impact on people of color due to racial disparities in the criminal justice system.

Homelessness

Homeless individuals will often get denied housing because they lack documented rental history that is required by most housing providers. Supportive programs can be helpful, but sometimes require a long processing time before individuals are actually placed in housing.

Familial Status

Landlords will often deny housing to families with children or women who are pregnant, particularly if multiple children are in the household. More subtle forms of discrimination include denying access to particular areas of an apartment complex such as upper floors or not allowing children to play outside. Landlords may be reluctant to rent to families due to concern about children being unsupervised or damaging property.

Families often struggle with finding housing that suits their needs, as there are not enough units with multiple bedrooms that can accommodate larger families and occupancy guidelines can significantly limit the number of people who can live in a dwelling.

In addition, families expressed a need for assistance with childcare.

Domestic Violence

Victims of DV may be forced to leave their homes to find alternative housing but then face legal repercussions for breaking their lease early.

LGBTQ+

People are denied housing and other resources due to their LGBTQ status, which is not recognized as a protected class at the state or federal level.

Barriers Transcending Housing

Transportation

A lack of reliable, expansive public transportation in the Toledo area prevents people from accessing higher opportunity areas and resources such as jobs, shopping, healthcare, and quality housing options. TARTA is particularly challenging for those relying on public transportation for employment, especially for anyone who works third shift, works outside Toledo, or works in the service industry and requires transportation on weekends and holidays. People living in food deserts seeking healthy food options may have to take multiple buses just to access a grocery store. Lack of transportation also blocks access to healthcare, which means people are more likely to visit emergency rooms which are more expensive. Some participants also shared that TARTA is not user-friendly because it is difficult to navigate.

TARTA's recent service cuts and fare increases have been detrimental. For the public transportation system to effectively meet the needs of the community, TARTA should increase hours of operation, offer more affordable fares, and expand routes into areas where it is not currently available.

However, a lack of adequate funding has prevented TARTA from making necessary improvements. Numerous attempts have been made to introduce a sales tax ballot initiative that would generate increased revenue necessary to expand TARTA's services and establish a county-wide transportation system. State law requires all current member jurisdictions to approve placement of this measure on the ballot, and Sylvania Township has repeatedly blocked this effort and prevented it from moving forward. Suburban areas have historically restricted access to public transportation as a way to maintain exclusivity and prevent marginalized people from coming into their communities, making it crucial to create a regional system with equitable access to all areas. Further, it can be difficult to foster community support for public transportation when the public believes that it only exists to serve certain populations (ex. low-income residents).

Some participants suggested that the community should offer alternatives to TARTA, including ride share services, shuttles, and bike routes.

Employment

Participants identified low paying jobs as the primary barrier to accessing viable employment. Many jobs only pay minimum wage, creating a demand for jobs with better wages and benefits as well as the appropriate training to ensure

people are qualified for higher paying jobs. By establishing a higher minimum wage, the City could require employers to pay higher wages.

Since attending college can incur debt and many good jobs do not require a college degree, some suggested job training that is specifically tailored to this type of employment, possibly offered by the employers who are looking to fill such positions. In addition, people need assistance with writing resumes and preparing for job interviews.

The lack of reliable, affordable public transportation was identified as another significant factor impacting employment. Because bus routes do not extend into many areas, people can't take advantage of job opportunities even when they are available. This problem not only makes it difficult for workers, but also discourages employers who might otherwise consider relocating to Toledo. As a potential solution, some suggested that jobs should be located closer to the urban core where many people live who have difficulty accessing transportation. Others urged employers to locate jobs closer to public transportation routes or provide transportation for employees, especially for larger companies.

Many recommendations were made to incentivize new businesses to open, including:

- Offering tax breaks
- Removing vacant buildings to make room for large employers
- Assisting small businesses by streamlining the inspection and permit process and providing resources and support
- Offering specific incentives to businesses that open in traditionally underserved areas of the city

For many residents in Toledo, access to job opportunities is restricted because they cannot meet the criminal history screening criteria or pass a drug screening.

Education

Education is a crucial component to ensure people can qualify for higher paying, more stable jobs.

Underfunded and historically receiving poor performance ratings, TPS schools lack the necessary resources for improvements and cannot compete with surrounding school districts. Although charter schools do not necessarily have great track records, they fill a need and draw resources away from the public school system. Suggestions for improving the school system include:

- Paying teachers higher salaries
- Reducing suspensions and expulsions
- Offering counseling to address mental health and social issues
- Improving school security by reducing weapons and placing more resource officers in schools
- Reducing class sizes
- Improving school attendance

Housing instability can lead to problems in school, especially if children must change schools. Some suggested that more schools should offer wrap-around services (similar to Hubs) to help with issues outside of school that affect performance: health/nutrition, stable housing, financial security. In addition, after school programs could be a way to engage kids in positive activities and deter problematic behavior.

Diversity and inclusion should also be taken into consideration. Teachers and administrators should reflect the demographics of the students they're teaching and receive cultural competency training. Schools should examine and address racial disparities in discipline practices and provide support for LGBTQ+ students.

Schools are also recognized as a way to provide early financial literacy education so children are prepared prior to adulthood.

Health

Substandard housing conditions were identified as a primary cause of several health-related issues including asthma, pests/rodents, and mold. In addition, older and poorly maintained housing is more likely to contain lead paint and cause lead poisoning in children, who experience not only a permanent impact on their health, but also life-long educational, social, and economic effects that impair their life outcomes and ability to succeed.

Residents in many areas of the city are living in food deserts without access to fresh, healthy food. Quality, affordable grocery stores are not located within walking distance and are not easily accessible by bus. These areas are also not likely to have adequate access to healthcare facilities.

Participants offered several solutions to address the lack of grocery stores and healthcare facilities, including:

- Modifying streets/pathways to make them more easily accessible for people to walk or bike

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- Offering tax breaks or other incentives for grocery stores to open in food desert areas
 - Offering cooking or nutrition classes and hosting them at public housing complexes.
 - Opening more urgent care centers so people can access non-emergency medical care
 - Bringing fresh, healthy food to underserved areas where people live – possibly a pop-up clinic or mobile farmers market
 - Adopting less restrictive city policies to allow vacant lots to be repurposed for urban farming or community gardens
 - Amending zoning practices to make it easier for suppliers of healthy food to open in underserved areas and more restrictive for less favorable options such as convenience stores, dollar stores, and liquor stores

Housing instability was also mentioned as a contributing factor to infant mortality.

Safety

Neighborhoods are struggling with crime and drug and alcohol use.

Zoning

Zoning regulations can serve as a significant barrier to housing for people with disabilities. Zoning boards may not grant reasonable accommodation or modification requests made by people seeking exemptions to zoning regulations that restrict or prohibit accessible housing. In particular, zoning regulations are too restrictive for group homes, permanent supportive housing, and recovery housing. To address these barriers, it was suggested that the City adopt amendments to its zoning code to expand siting opportunities, redefine the different types of housing under the group living use category so they are not based on particular types of disabilities, and differentiate between residential treatment facilities and other types of family/group homes.

For developers, complex processes imposed by the Planning Commission can be cumbersome and some suggested that incentives should be offered to make residential and commercial development more attainable.

Neighborhood/Community

Residents should be empowered to play a meaningful role in the revitalization of their own neighborhoods. This could include creative place-making that celebrates the identity of a neighborhood and fosters neighborhood pride. In addition, the City should seek input from established neighborhoods that have

active, engaged residents (Old West End, Junction, Uptown, Vistula, etc.) and ask them to participate in neighborhood redevelopment and revitalization efforts.

Housing Mobility and Diversity/Inclusion

It can be difficult for marginalized groups to be accepted when they move into higher opportunity areas, as they may face intolerance and discrimination. Participants offered possible solutions, including:

- Hosting cultural competency and/or diversity and inclusion training
- Offering support and resources to help people reestablish themselves when they move into a new neighborhood
- Turning neighborhood block watch groups into welcoming committees
- Hosting community forums/dialogues, social activities, and other opportunities to engage residents and foster understanding
- Creating a city-wide awareness campaign to promote inclusion
- Encouraging mixed-income housing development

I. Housing Opportunity

The following two sections are divided into Housing Opportunity and Housing Stability. This demarcation developed organically through the process of identifying impediments, with Housing Opportunity referring to the ability to access housing, and Housing Stability referring to issues related to the ability for persons to equitably use and enjoy housing.

Criminal History Screening

HUD's guidance on screening applicants based on criminal records

One of the most pervasive forms of discrimination nationally and in the Toledo area is criminal history screening. Most housing providers screen applicants based on their past criminal record. But frequently this screening process includes a review of criminal issues that bear no relevance to whether the tenant-applicant is qualified as to rent the unit. Some housing providers screen out applicants for minor misdemeanors that are wholly unrelated to whether they are qualified to live a tenant in the property.

The U.S. Department of Housing and Urban Development issued guidance on criminal history screening and Fair Housing Act liability in April 2016.³⁶ The guidance explains that minorities are convicted disproportionately and therefore screening out these applicants based on criminal history may violate the Fair Housing Act:

Across the United States, African Americans and Hispanics are arrested, convicted and incarcerated at rates disproportionate to their share of the general population. Consequently, criminal records-based barriers to housing are likely to have a disproportionate impact on minority home seekers. While having a criminal record is not a protected characteristic under the Fair Housing Act, criminal history-based restrictions on housing opportunities violate the Act if, without justification, their burden falls more often on renters or other housing market participants of one race or national origin over another (i.e., discriminatory effects liability). Additionally, intentional discrimination in violation of the Act

³⁶ U.S. Department of Housing and Urban Development, *Office of General Counsel Guidance on Application of Fair Housing Act Standards to the Use of Criminal Records by Providers of Housing and Real Estate-Related Transactions* (April 4, 2016), available at https://www.hud.gov/sites/documents/HUD_OGCGUIDAPPFHASTANDCR.PDF.

occurs if a housing provider treats individuals with comparable criminal history differently because of their race, national origin or other protected characteristic (i.e., disparate treatment liability).

National statistics on this issue show the breadth of this issue as a disparate impact on minorities:

Nationally, racial and ethnic minorities face disproportionately high rates of arrest and incarceration. For example, in 2013, African Americans were arrested at a rate more than double their proportion of the general population. Moreover, in 2014, African Americans comprised approximately 36 percent of the total prison population in the United States, but only about 12 percent of the country's total population. In other words, African Americans were incarcerated at a rate nearly three times their proportion of the general population. Hispanics were similarly incarcerated at a rate disproportionate to their share of the general population, with Hispanic individuals comprising approximately 22 percent of the prison population, but only about 17 percent of the total U.S. population. In contrast, non-Hispanic Whites comprised approximately 62 percent of the total U.S. population but only about 34 percent of the prison population in 2014. Across all age groups, the imprisonment rates for African American males is almost six times greater than for White males, and for Hispanic males, it is over twice that for non-Hispanic White males.³⁷

Housing providers must be careful not to screen out applicants based on criminal history without evidence that the alleged crime actually occurred and truly presents a “demonstrable risk to resident safety and/or property and criminal conduct that does not.”³⁸ Furthermore, housing providers should include an individualized assessment of “relevant mitigating information beyond that contained in an individual’s criminal record” which will have “a less discriminatory effect than categorical exclusions that do not take such additional information into account.”³⁹

In short, criminal history disparately impacts minorities, therefore housing providers should:

1. Use a tailored policy that only excludes individuals would with certain types of convictions and distinguishes between criminal conduct that indicates a demonstrable risk to resident safety and/or property and criminal conduct that does not; and

³⁷ *Id.*

³⁸ *Id.*

³⁹ *Id.*

2. Provide an individualized assessment of relevant mitigating information beyond that contained in a criminal record instead of relying on categorical exclusions that do not take such information into account.

Local efforts to address criminal history screening

In Toledo, the Reentry Coalition of Northwest Ohio, the Fair Housing Center, and others advocated for changes to the Lucas Metro Housing Authority's Admissions and Continued Occupancy Plan in order to reduce barriers for ex-offenders seeking affordable housing and align its policies with HUD's guidance as described above. This advocacy took place throughout the last Analysis of Impediments reporting period of 2015 to 2020. Finally, in December 2019, LMHA adopted amendments to its ACOP consistent with recommendations requested by the Reentry Coalition and others.

However, many housing providers still screen applicants based on criminal history in violation of the Fair Housing Act. This issue continues to be one of the most critical Fair Housing concerns in the Northwest Ohio area. Countless persons in need of housing are unable to access decent and affordable housing opportunities because of past criminal offenses that bear no relation to their current qualifications as a tenant.

Local ban the box policies

To address screening based on criminal records, many local governments have adopted ban the box policies or laws. These policies include bans on screening out applicants for employment as well as housing.

According to the National Employment Law Project, 35 states, the District of Columbia, and over 150 cities and counties have adopted ban-the-box, sometimes called "fair-chance," policies of some kind, which protect employment applicants and in many cases housing applicants as well. Many of these policies apply only to the state's own hiring practices but demonstrate a growing movement to address this issue through local government. States that have adopted these laws include:

Arizona (2017),
California (2017, 2013, 2010),
Colorado (2012),
Connecticut (2016, 2010),
Delaware (2014),
Georgia (2015),
Hawaii (1998),
Illinois (2014, 2013),

Nebraska (2014),
Nevada (2017),
New Jersey (2014),
New Mexico (2010, 2019),
New York (2015),
North Dakota (2019),
Ohio (2015),
Oklahoma (2016),

Indiana (2017),
Kansas (2018),
Kentucky (2017),
Louisiana (2016),
Maine (2019),
Maryland (2013),
Massachusetts (2010),
Michigan (2018),
Minnesota (2013, 2009),
Missouri (2016),

Oregon (2015),
Pennsylvania (2017),
Rhode Island (2013),
Tennessee (2016),
Utah (2017),
Vermont (2016, 2015),
Virginia (2015),
Washington (2018), and
Wisconsin (2016).

According to the National Employment Project, three-fourths of the U.S. population live in a jurisdiction that has banned the box.⁴⁰

Recently, Seattle, Washington enacted a progressive local Fair Housing law that prohibits housing providers from screening applicants based on criminal history and creates liability for housing providers who violate the law.

According to the National Housing Law Project, an increasing number of cities and counties are passing ordinances that prohibit discrimination against individuals with an arrest or conviction record in the housing context. The following cities have passed local ordinances that expand housing opportunities for people who have come in contact with the criminal justice system. These cities include:⁴¹

Richmond, CA
Seattle, WA
San Francisco, CA
New York, NY
Newark, NJ

Urbana, IL
Champaign, IL
Madison, WI
Dane County, WI
Washington, DC

Toledo should consider a similar local law, amending its local Fair Housing ordinance, and providing similar “ban the box” protections.

⁴⁰ Beth Avery, National Employment Law Project, *Ban the Box: U.S. Cities, Counties and States Adopt Fair-Chance Policies to Advance Employment Opportunities for People with Past Convictions* (2019), available at <https://s27147.pcdn.co/wp-content/uploads/Ban-the-Box-Fair-Chance-State-and-Local-Guide-July-2019.pdf>

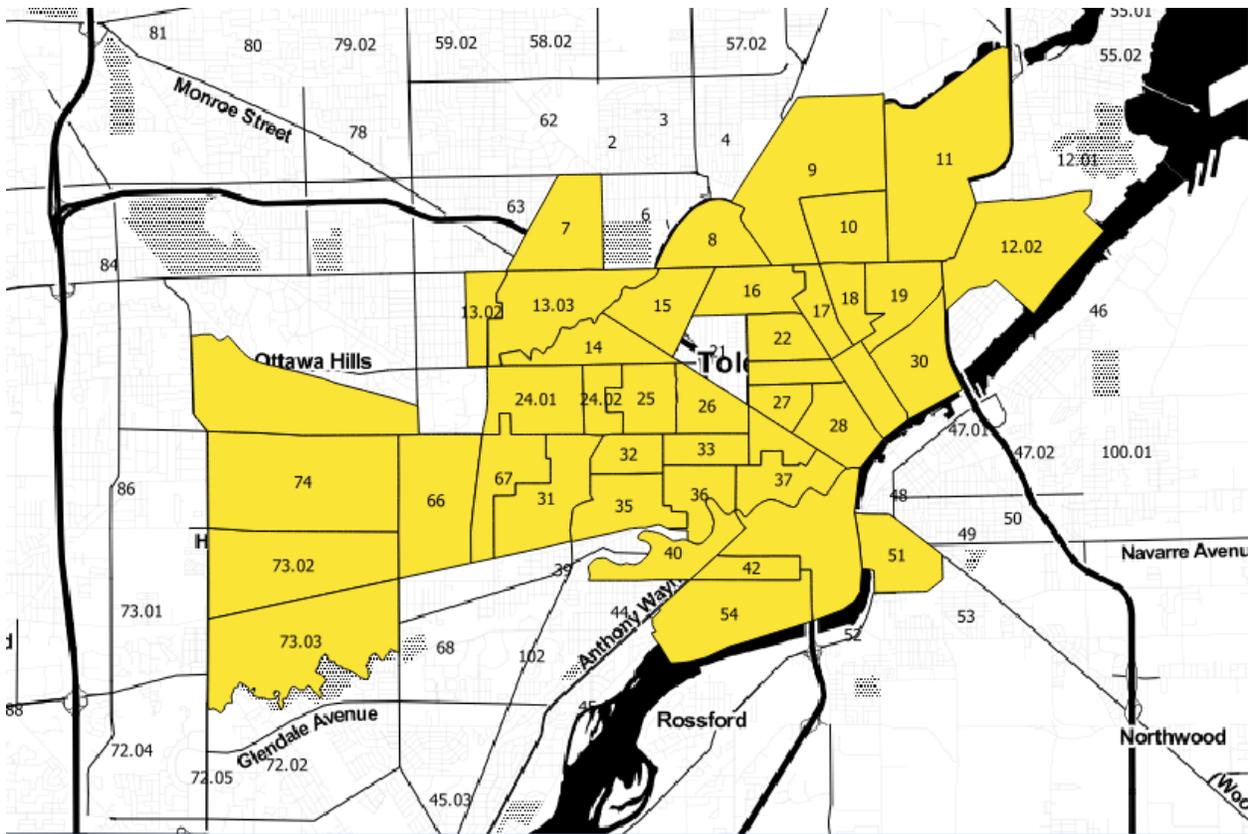
⁴¹ National Housing Law Project, *Local Anti-Discrimination Reentry Policies* (2019), available at <https://www.nhlp.org/initiatives/housing-opportunities-for-people-reentering/lifetime-registered-sex-offenders/>

Homeownership: Lending and Insurance

Lending and Appraisal

Patterns of lending disinvestment and redlining based on neighborhood racial composition:

Patterns of disinvestment and redlining in census tracts of color have persisted since the Great Recession. The Fair Housing Center has found that the major lenders in the Toledo MSA stopped making a proportional number of their home purchase loans in 40 census tracts identified as predominately minority. The shaded tracts are less than 50 percent white alone, not Hispanic, according to the most recently completed ACS estimates:



Approximately 9.0 percent of the owner-occupied housing units in the Toledo MSA are located in these 40 tracts and so one would anticipate that lenders would originate approximately 9.0 percent of their home purchase loans there. While lenders were close to this level of loan origination prior to the recession, lenders have not invested in home purchase loans to that degree since then. In looking at the most recent aggregate HMDA data for 2018, The Fair Housing

Center found that only 4.1% of the 7,389 home purchase loans in Toledo were originated in the 40 census tracts of color.

Evidence of highly qualified loan applicants of color denied home purchase loans and other home financing:

The Fair Housing Center has received complaints from well-qualified individuals of color who have been denied financing despite credit scores exceeding 800 and appraisals which are equal to the sales price. Such cases generally appear to be violations of the Fair Housing Act.

Evidence of highly qualified individuals applying for home financing in communities of color being denied:

The Fair Housing Center has received complaints in which well qualified individuals seeking financing in communities of color have inexplicably been denied financing. Yet other lenders have found these individuals to be qualified for financing. Again, such cases generally appear to be violations of the Fair Housing Act.

Other Examples of Fair Lending and Appraisal Impediments:

1. TFHC cases and investigations have identified concerns of prescreening in which loan applicants may be discouraged from pursuing a loan for discriminatory reasons. These instances are not recorded by the lender and so regulators are not aware of the problem.
2. Through complaints and investigations, the Fair Housing Center has become aware of some lenders verbally discouraging buyers from purchasing homes in minority neighborhoods.
3. TFHC's investigation of fair lending allegations has identified a problem with loan officers not providing complete and appropriate information to applicants about loan products which meet the applicant's needs.
4. TFHC has observed lenders discouraging applicants from seeking financing due to lower mortgage amounts. In some instances, lenders have implemented minimum loan amount requirements which is particularly detrimental to low and moderate-income areas and communities of color.
5. Lenders are not properly disclosing the race and/or ethnicity of loan applicants who are denied financing thereby masking evidence of discrimination.
6. Many lenders have adopted underwriting overlays which are more restrictive than the underwriting requirements of the Government Sponsored Enterprises (GSEs) Fannie Mae or Freddie Mac, making it more difficult to make loans in minority neighborhoods.
7. Many lenders have adopted second review committees purportedly to prevent improper loan denials. However, in TFHC case investigations, the Center has found that the Review Committees have missed opportunities to correct loan denials and/or offer other appropriate financing.

8. Lenders often unnecessarily require second appraisals and do not properly review the second appraisals.
9. Lenders who have foreclosed on properties in the Toledo MSA have not maintained properties in minority neighborhoods with the same care given to properties foreclosed in predominately white neighborhoods. Poorly maintained homes can invite neighborhood decline and harm not only the individual homes but also harm the overall community.
10. Lenders in the Toledo MSA have closed branches in integrated and minority census tracts. One lender, First Federal did open a new branch in a community of color; however, the overall number of branches serving communities of color has declined in recent years.
11. In Community Reinvestment Act (CRA) Evaluations, regulators do not always do complete assessments in smaller markets such as the Toledo market. Knowing this, a lender can do a good job lending in its home office MSA and do little in the Toledo market.
12. Another impediment is the lack of regulatory analysis and evaluation based on racial composition of census tracts. The Fair Housing Center has observed lenders who have made proportional numbers of loans in predominately white low and moderate-income census tracts but have made only one or two loans in Toledo's 40 census tracts of color.
13. Regulatory reliance on market share to evaluate fair housing compliance can miss discrimination. For example, if all lenders decided to redline communities of color, then a 0.0 percent market share in these areas would be justifiable. Historically, using percentage of owner-occupied housing units as a comparative measure is more appropriate.

Insurance

The Fair Housing Center has identified the following impediments to fair and equal access to homeowners, rental, and investment property insurance. The following concerns have been identified through complaints, investigations, community meetings, and public forums.

Historically, residents in communities of color have not been given access to replacement cost homeowner insurance. Instead, they were only offered fire policies or market value policies. Since many residents have had the same insurance company and policy for decades, their coverage may be inadequate and may never have been updated. As a result, in the event of a major loss, many residents in communities of color may lack sufficient coverage to rebuild their homes.

Significant issues remain in the insurance industry. These include:

1. Marketing and office locations: Insurance offices are predominately located in white neighborhoods and suburbs.
2. Agent responsiveness: Many potential customers for insurance on homes located in integrated and minority neighborhoods do not receive quotes or follow up information from agents. Through testing and assistance to complainants, The Fair Housing Center has found this to be a very common problem.

Product Availability

Many agents do not disclose the full assortment of policies available to prospective customers and may quote inferior policies in integrated and minority neighborhoods versus the policies quoted in predominately white neighborhoods and suburbs. Consumers may be unaware that other options existed. TFHC has found some evidence of steering to different insurance companies based on the racial composition of a neighborhood.

TFHC continues to receive complaints from customers residing in integrated and minority communities stating that they are being denied access to replacement cost coverage or replacement cost plus coverage due to discriminatory underwriting criteria such as the age of the dwelling, the purchase price, ratios of market value to replacement cost, and/or the square footage of the property. Not only the consumer, but the entire neighborhood and tax jurisdiction experiences a loss when a property cannot be rebuilt due to a shortfall of insurance.

1. Insurance companies that require customers to obtain both auto and home insurance policies prevent many customers from applying. Such policies may have a discriminatory impact on individuals with disabilities and low and moderate-income communities of color.
2. Insurance company policies which prevent agents from writing policies for individuals who have not had recent coverage can have a discriminatory impact.

Pricing

1. Discounts: Agents may question consumers differently and apply discounts differently based on the characteristics of the applicant and/or the neighborhood where the property is located.
2. Algorithms: Insurance companies use credit and insurance scores to price insurance. Algorithms used to price insurance are not transparent and may have discriminatory factors incorporated in them. The risk associated with a lower credit score may be overstated for individuals and communities of color.

Inspections

1. Some insurance companies are conducting proportionally more condition inspections in integrated and minority neighborhoods than white neighborhoods.
2. Some insurance companies are cancelling and non-renewing properties due to condition without providing the homeowner with the opportunity to correct the condition. Further, some insurance companies are treating their customers differently in this regard based on the demographic characteristics of the neighborhood. For example, residents in white neighborhoods may receive written notification regarding a concern with their roof and a three-month period in which to correct the problem. In contrast, residents in a minority neighborhood may simply be cancelled or non-renewed without notice.
3. Housing condition criteria has been more strictly enforced in minority neighborhoods than predominately white neighborhoods. The Center has received complaints from residents of minority neighborhoods who have been threatened with non-renewal of insurance policies over small amounts of peeling paint. Also, in one case, The Center found that one company routinely threatened to cancel policies in minority neighborhoods in which airing decks lacked updated railings but did not enforce the rule in white neighborhoods.

Non-Renewal and Policy Cancellations

1. Some insurance companies may arbitrarily non-renew or cancel existing policies of long-standing customers in minority neighborhoods.
2. Some insurance companies may suddenly eliminate entire lines of insurance. In situations in which minority customers have been historically segregated into particular lines of insurance, this can have a discriminatory impact.

Claims

1. The Fair Housing Center has received complaints in which unusually strict documentation standards have been required of residents in urban neighborhoods compared to white suburban areas. For example, after a resident in a minority neighborhood experienced a burglary, an insurance company refused to cover the loss of a basic television set because the consumer did not have the receipt.
2. Delays in payments of claims for properties in integrated and minority neighborhoods. Persons of color may also be subject to depositions prior to payment and may be forced to hire advocates to help get their claims paid. Complaints to The Fair Housing Center in this area have involved persons of color and/or neighborhoods of color.
3. Non-payment of claims in integrated neighborhoods and communities of color has also been an issue The Center has identified.

Availability of Insurance for homes to receive rehab grants

Many homes needing rehab grants are located in older urban neighborhoods. In some cases a Catch 22 situation exists in which a home has a significant need for rehab such as needing a new roof. However, in order to qualify for the grant, the home must be insured and the insurance company will not provide coverage until the roof has been replaced.

Habitational Insurance

Habitational insurance refers to property and liability coverage for multi-family apartment buildings. Some habitational insurance policies prohibit coverage for properties with Section 8 voucher holders, cap Section 8 residents to a certain percentage of all tenants (e.g. 25 percent) and/or charge higher premiums on properties where Section 8 voucher holders reside. Such policies may have a

disparate impact on persons of color, families with children, women and persons with disabilities.

Sales

Real estate sales cases represent a relatively small percentage of the overall allegations of housing discrimination filed with The Fair Housing Center. This can be attributed in part to the fact that real estate agents licensed by the State of Ohio must complete a three-hour continuing education course in civil rights and Fair Housing every three years to maintain their license. While The Fair Housing Center has been able to form very productive partnerships with the Toledo Regional Association of REALTORS® and members of the real estate community, barriers still remain that impede fair housing goals. They include:

- 1) A relative absence of real estate offices and realtors in underserved communities;
- 2) Commission scales;
- 3) Steering practices; and
- 4) Inadequate or understated diversity goals.

While The Fair Housing Center, the Ohio Civil Rights Commission and HUD have worked diligently to encourage lenders and insurers to open offices and establish a presence in urban communities, real estate companies have, for the most part, been left out of these “expansion” efforts.

Currently, most real estate companies in the Toledo area are located away from the urban center. This has contributed to a lack of marketing by real estate professionals in the urban core. Unfamiliarity with the urban center only worsens the already poor promotion of neighborhoods in and adjacent to the core. Since real estate companies do not locate offices in the central city, other than in “downtown” business districts, and many agents do not live in central city neighborhoods, it stands to reason that they would be unfamiliar with urban districts. If an agent is unfamiliar with an area, he or she is unlikely to market that area.

The perception of real estate companies that business and opportunities are lacking in urban centers is one of the principle factors motivating them to locate elsewhere. For example, housing values tend to be lower in central city communities. Specializing in lower-income areas, many agents reason, is not economically viable based on the commission scale. Typically, an agent makes a five to seven percent commission on the sale of a property. If there is more than one agent involved, the agents split the commission. Because of the commission payment structure, many agents want to focus on higher priced

homes because their sale will result in a higher commission for the agent. As a result, few agents are available who are dedicated and willing to serve in central city areas. This, in turn, decreases competition, which further drives down property values.

According to the Toledo Regional Association of REALTORS' 2018 year-end report, sales of single-family homes in Lucas County have risen by 3.8 percent since 2017. Median sales prices have risen 3.6 percent.⁴² The Toledo Regional Association of REALTORS® reports that there were 6,403 home sales in 2018 in the Lucas County and Upper Wood County area with a median sales price of \$124,185. Houses in the price range under \$50,000 comprised approximately 18 percent of the houses sold in 2018, a significant decrease from the 25 percent of the houses under \$50,000 sold in 2014.⁴³ Additionally, only 1.8 percent of the 2018 home sales in the Toledo MSA occurred in the 40 census tracts that The Fair Housing Center has identified as majority minority.⁴⁴ This fact demonstrates that there is an unmet need in the affordable housing market and presents strong support for the consideration of some incentive to promote the sale of affordable homes within the City of Toledo. Another fact that emphasizes this unmet need is highlighted in the Lucas County census information, which states that 60 percent of Lucas County residents live in homes they own, and 40 percent are renters.⁴⁵ The same document also notes that the per capita income of Lucas County is less than the Ohio state average.⁴⁶ According to the U.S. Census Bureau's 2013-2017 estimates, owner-occupied homes in the City of Toledo have a median value of \$78,600.00 and that 51.9 percent of available housing units are owner-occupied. One conclusion that can be drawn from this data is that a focus on real estate sales and marketing in the lower range of housing prices could have a high impact in increasing the rate of homeownership in Toledo and alleviating slum and blight in the urban core, particularly the majority-minority census tracts identified in the map provided above.

The table below from TRAR's 2018 Housing Report shows that the highest home price range and lowest range saw the most significant decrease in sales. The lowest range comprises houses that cost between \$0 and \$49,000 and the highest

⁴² Source <http://toledorealtors.com/img/pdf/housing-statistics/2018/LocalMarketUpdateYearEnd2018v1.pdf>

⁴³ <http://toledorealtors.com/img/pdf/housing-statistics/2018/LocalMarketUpdateYearEnd2018v1.pdf>. A copy of this report is also attached at Appendix 1.

⁴⁴ This information is based on publicly reported HMDA data. A map of minority census tracts is provided further above.

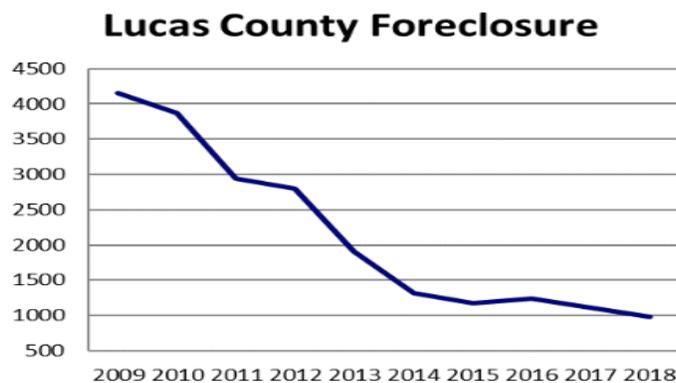
⁴⁵ Source <https://www.census.gov/quickfacts/fact/table/lucascountyohio/HCN010212>

⁴⁶ Source <https://www.census.gov/quickfacts/OH>

range comprises houses that cost more than \$500,000.⁴⁷ This lowest range portion of the housing market saw a 7 percent decrease in sales between 2014 and 2018. This trend was preceded by a 10 percent decrease in sales in the same portion of the housing market in 2013.⁴⁸ Meanwhile, overall sales saw almost a 24 percent increase between 2014 and 2018.

	\$0 - \$49,999	\$50,000 - \$99,999	\$100,000 - \$199,999	\$200,000 - \$299,999	\$300,000 - \$399,999	\$400,000 - \$499,999	\$500,000+
Sold	1,156	1,413	2,171	981	446	149	87
% change	-3.1%	+4.1%	-0.2%	+8.3%	+34.7%	+28.4%	-3.3%

This is essentially a complete reversal of the trend that the 2010 AI observed, in which houses in the price range under \$50,000 experienced the greatest increase in sales and comprised approximately one third of the houses sold in 2009. At the time, real estate professionals ascribed the situation that the 2010 AI discussed to the increased frequency of foreclosures and the distressed transactions that were occurring when the owner's debt was greater than the market value of the home (i.e. when the consumer was upside down or underwater). In the Toledo area, such properties made up nearly 50 percent of all sales listings. The larger proportion of buyers who desired to become first time homeowners, as the probable result of the incentives offered via the federal tax credits, also contributed to these circumstances, as first-time buyers generally enter the housing market in the lower price ranges. It is noteworthy that foreclosure rates in Lucas County have dropped steadily since 2009 and are now at the lowest rate since that time at less than 1,000 foreclosures for 2018.⁴⁹



⁴⁷ <http://toledorealtors.com/img/pdf/housing-statistics/2018/LocalMarketUpdateYearEnd2018v1.pdf>

⁴⁸ <https://toledo.oh.gov/media/2198/fh-analysis-of-impediments-plan-part-2.pdf> page 161

⁴⁹ See <http://toledorealtors.com/img/pdf/housing-statistics/2018/LocalMarketUpdateYearEnd2018v1.pdf>, page 10

The 2010 AI was written during a time in which the housing market was a “buyer’s market,” meaning that the supply of available homes for sale exceeds the demand or number of buyers seeking to purchase homes. This type of market benefits home buyers in that they may be able to purchase a home for a lower cost. Since the previous AI, the Toledo real estate market has shifted and is now considered a “seller’s market,” meaning there are more buyers seeking to purchase homes than there are available homes on the market. This shift in the housing market tends to increase home values. During a seller’s market, buyers have little room to negotiate price because demand is high. Seller’s markets usually occur when the economy is good and there is a low housing inventory available in the area.⁵⁰ Yet the Toledo MSA still saw a significant decrease in the percentage of home sales under \$50,000 as well as little or no change in the value of those homes.

Steering is another practice that negatively impacts urban communities and communities of color. Steering occurs when a real estate agent guides a particular customer to a community or neighborhood based upon the demographics of the consumer and the neighborhood. For example, when an agent only shows White client’s homes in predominately White neighborhoods, the agent is steering that consumer to that neighborhood.

Unfortunately, steering persists in Toledo and Lucas County. Testing conducted by the Toledo Fair Housing Center reveals that White testers are rarely shown housing in integrated or predominately Black communities, even when they specifically ask to see houses in neighborhoods like Westmoreland and the Old West End. Steering is not only illegal under the Fair Housing Act, but it also has a devastating impact on urban communities that do not benefit from full access to the marketplace. There are a large number of buyers who could afford homes in central city neighborhoods but are never shown those homes or are discouraged from seeing them because the agent assumes that the client would not want to live in those communities.

One way to combat some of the barriers mentioned above is for real estate companies to recruit a more diverse partnership of agents. Although the number of Black agents was increasing prior to the 2008 foreclosure crisis, the percentage of Black agents remains far below the percentage of the Black population as a whole. Moreover, there are only a small number of Latinx/Hispanic, Asian, or Arabic real estate agents in the Toledo area.

In addition to the observations noted above, language barriers and other difficulties experienced by clients who require multi-lingual services, documents, and other support currently act as obstacles to the efficient, successful provision

⁵⁰ <https://www.bankrate.com/glossary/s/sellers-market/>

of services and execution of real estate transactions. The fact that few real estate agents in Lucas County are able to speak languages other than English creates a situation in which people who speak English as a second language or do not speak English at all do not have equal access to the services often needed to successfully navigate the home purchase process.

As part of our analysis of this issue, TFHC talked to real estate professionals during our community outreach and engagement process. Real estate agents in attendance at the December 4th focus groups believed that the troublingly poor maintenance and overall condition of the affordable housing stock is primarily the result of a structure's age, general neglect, the denial of coverage for insurable loss, shoddy and/or incomplete repairs, and/or the limited ability of elderly and/or low-income residents to properly maintain the property or secure home improvement loans. From April 1, 2014 to December 18, 2020, the Lucas County Land Bank received a \$29,001,457 grant for the demolition of more than 2,800 condemned properties.⁵¹ While the demolition of dilapidated properties is sometimes necessary, this creates an entirely new situation in which some neighborhoods are "ghost towns", with perhaps one or two houses on entire blocks. Residents present at the focus groups noted that due to the typically small lot sizes in the urban core, infill development of just one vacant lot can be challenging, and that such development works best when there are two contiguous lots available.

In addition, real estate professionals voiced concerns regarding a lack of consumer education in terms of shopping for loans and how credit is scored. Lending practices, once again, as well as the accessibility of capital for community lending products and lending to underserved areas were the primary issues noted in the 2010, 2015 and 2020 AI forums. While prior participants mainly highlighted predatory lending as a major issue, those who attended the 2020 AI forums were more concerned with the lack of community products and amount of time it takes to participate in such City-sponsored products (such as the First Time Home Buyer program), the lack of presence in low/mod income neighborhoods, and difficulty accessing credit in general.

Similarly, the comments of participants in the 2020 forums also focused on the need for community/local lending, lending for underserved areas and absence of brick and mortar banks in those areas, stronger regulation of lending practices, and the cooperation of banks in efforts to market community loan programs. Thus, the interrelatedness of financial institutions, economic conditions, and real estate, especially on the local level, remain exceedingly apparent. This further emphasizes the need to achieve better collaboration among local government, businesses, lenders, agencies, and organizations, which all play a role in

⁵¹ <https://lucascountylandbank.org/services/demolition>

determining local outcomes and experience, including the effects the policies and practices of an individual entity have on the individuals and families who need their services.

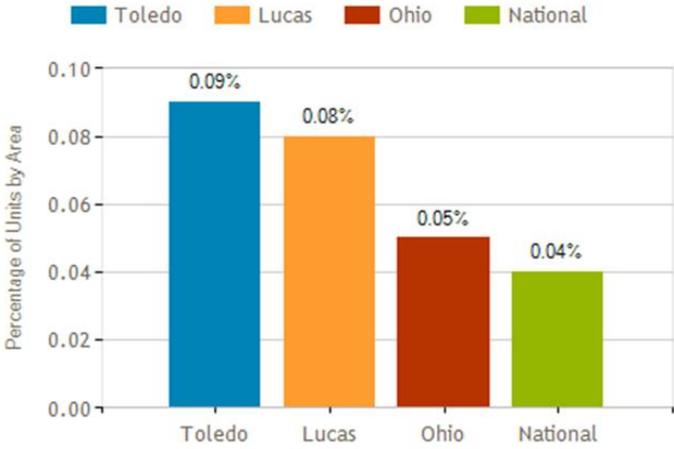
Real Estate Owned (REO) Practices

As detailed in the Community Profile section of this AI, Toledo was historically a bustling city due to significant industrial activities and being a transportation hub for shipping goods. However, like most urban areas throughout the United States, Toledo experienced a gradual economic downturn throughout the 1970s through the 1990s and early 2000s, culminating in the foreclosure crisis of 2007-2008 (and beyond). Nationwide, banking institutions and mortgage lenders often originated high-cost subprime loans to Black and Latinx borrowers, even when these same borrowers could have qualified for loans with far more favorable terms. These discriminatory, predatory lending practices played a significant role in how the foreclosure crisis impacted Toledo.

The Toledo region is not the only one to experience this crisis. A 2009 National Fair Housing Alliance (NFHA) study looked at neighborhoods across the United States and noticed a striking correlation between the existence of predatory lending practices in African American and Latinx neighborhoods and the higher concentration of foreclosures in those same neighborhoods. The study states, “foreclosures are not evenly distributed throughout our country’s neighborhoods, but rather are excessively concentrated in communities of color,” and, “African American borrowers and the communities in which they live have suffered devastating setbacks as foreclosures caused by unaffordable and unsustainable loans have stripped many residents of homeownership and depleted their other wealth as well.”

Unfortunately, this is also Toledo’s story and the majority of homes that have been demolished in Toledo following the foreclosure crisis are in predominantly Black and Latinx neighborhoods.

Toledo is still suffering from the effects of the foreclosure crisis. Many of the banks that repossessed the homes of those who were unable to remain in them have failed to properly maintain, secure, and market these properties. According to Realty Trac in November 2019, Toledo’s foreclosure rates remain well above that of national, state and county numbers, as displayed in the graph on the following page.



Accessibility for Persons with Disabilities

There is a significant need for more accessible housing in the Toledo area. The previous Analysis of Impediments identified this issue as an important impediment, and this continues as an important trend.

Enforcement of existing accessibility rules

The City's efforts to address accessibility must ensure that new construction as well as significant renovation projects include appropriate plans for accessibility. Under the Fair Housing Act, housing constructed after March 1991, must comply with the Act's accessibility requirements.

In Ohio, under state law, older buildings that undergo significant renovations are also required to include a plan for accessibility even if they were built before 1991.

In Toledo, local law requires that housing constructed with federal subsidies must be "visitable," meaning that it is accessible within certain standards set forth at TMC 1347.

Important opportunities to address the accessibility impediment are available through ensuring compliance with these laws.

Additional opportunities to address accessibility

In addition to the current visitability ordinance, the City should consider requiring similar accessibility requirements in its contracts or grants to developers as well as including these requirements as a condition to receiving tax incentives and similar programs. For example, businesses that benefit from Tax Increment Financing or Opportunity Zone tax incentives should commit to visitability.

Source of Income Discrimination

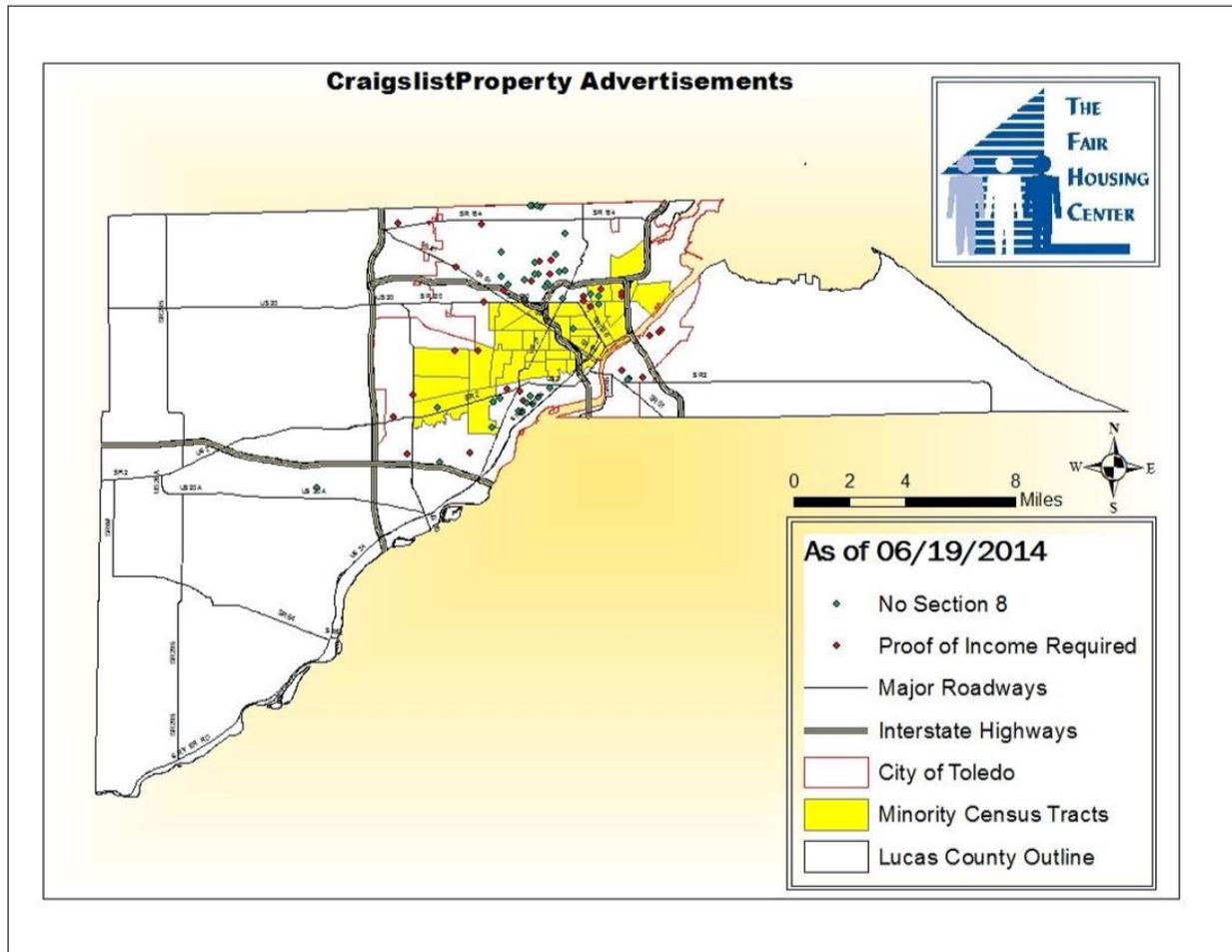
Background

Since the passage of the Fair Housing Act, Fair Housing advocates have fought to remove barriers that perpetuate segregation and impede fair housing choice. Despite these efforts, many families, especially low-income families, face significant challenges to securing decent, safe, and affordable housing opportunities. Some neighborhoods, usually those of the highest opportunity, are closed off, and low-income minority families often remain concentrated in central-city areas without the benefit of the community assets that exist in other neighborhoods.

In 1974, HUD began the rollout of the housing choice voucher program. The program intends to give low-income families greater choice in housing by allowing them to participate in the private housing market. Under the program, families receive a voucher for assistance, which they may take to any private landlord. The rental unit must pass a basic housing quality standards review and must be affordable within local fair market rent standards. Once the unit is approved, the landlord receives monthly payments from the local Housing Authority to subsidize rent for the family.

While the housing choice voucher program intends to give low-income families more options in housing, some landlords are unwilling to participate. Many of the historic patterns of housing segregation remain for families with vouchers due to the unwillingness of some landlords to participate in the program.¹

The map below, for example, shows a sampling of Craigslist advertisements over several months that explicitly excluded voucher-holders from available housing units. The majority of the ads are for housing located outside predominantly minority census tracts and in higher-opportunity areas. Voucher-holders who search for housing opportunities in these areas receive a strong message -- "You're not welcome here" -- with "here" being higher-opportunity areas largely populated by white residents.



Map created by Jason Clay, FHC volunteer and intern with Craigslist as data gathered by intern Chelsea Meister

In the decades following the rollout of the housing choice voucher program, local jurisdictions have implemented source of income discrimination laws. PRRAC provides a comprehensive list of local jurisdictions that have implemented source of income discrimination laws. The laws generally prevent potential landlords from denying an applicant merely because of their source of income, which might include Social Security, Veterans Benefits, Section 8 Vouchers, etc.

A full list of all states, cities, and other jurisdictions that have adopted source of income discrimination laws is available at <https://prrac.org/pdf/AppendixB.pdf>.

Efforts in Ohio and Toledo to address Source of Income Discrimination

In 2009, the City of Wickliffe became the first city in Ohio to ban source of income discrimination in housing. The City of Wickliffe included source of income as a protected class, and thus a basis for potential discrimination, in its local housing discrimination ordinance.⁵²

Several other Ohio cities have also recently followed suit and banned source of income discrimination in housing. These Ohio cities include Linndale, South Euclid, City of University Heights, and City of Warrensville Heights.⁵³ These ordinances encourage the goals of the voucher system and allows voucher recipients to fully participate in the rental marketplace.

In Toledo, City Council has introduced an ordinance to prohibit discrimination based on source of income. See O-498-18. As of the date of this report, the Ordinance is in committee and has not yet been voted on for final passage. However, a number of local publications have spoken favorably of the proposal.⁵⁴

Adopting a local source of income discrimination policy

Toledo has an important opportunity now to address the impediments of source of income discrimination by moving forward with the already proposed ordinance. Next steps to move forward with this proposal could include coordinating with the Housing First initiative, the Toledo-Lucas County Homelessness Board, the Lucas Metro Housing Authority, area landlords, and other institutions. Improvements to the processes for inspection of properties by LMHA may be necessary to make it easier for landlords to accept voucher recipients. LMHA and the City should consider assigning staff to specifically work on education, outreach, and successful implementation of the proposed ordinance.

⁵² See City of Wickliffe, Ohio Municipal Code Ch. 1103.

⁵³ See Linndale, Ohio Municipal Code Ch. 515; South Euclid, Ohio Municipal Code Ch. 1408; City of University Heights, Ohio Municipal Code Ch. 820, and City of Warrensville Heights, Ohio Municipal Code Ch. 113.

⁵⁴ See e.g. <http://www.thetruthtoledo.com/story/2019/011619/Perryman.htm>.

Voucher Mobility

In addition to banning discrimination based on source of income, there are other local policies that can be improved to increase the mobility and opportunities of Housing Choice Voucher recipients. “Voucher mobility” refers to how easily a voucher recipient can find the housing they need and near opportunities like jobs, healthy food, and transportation.

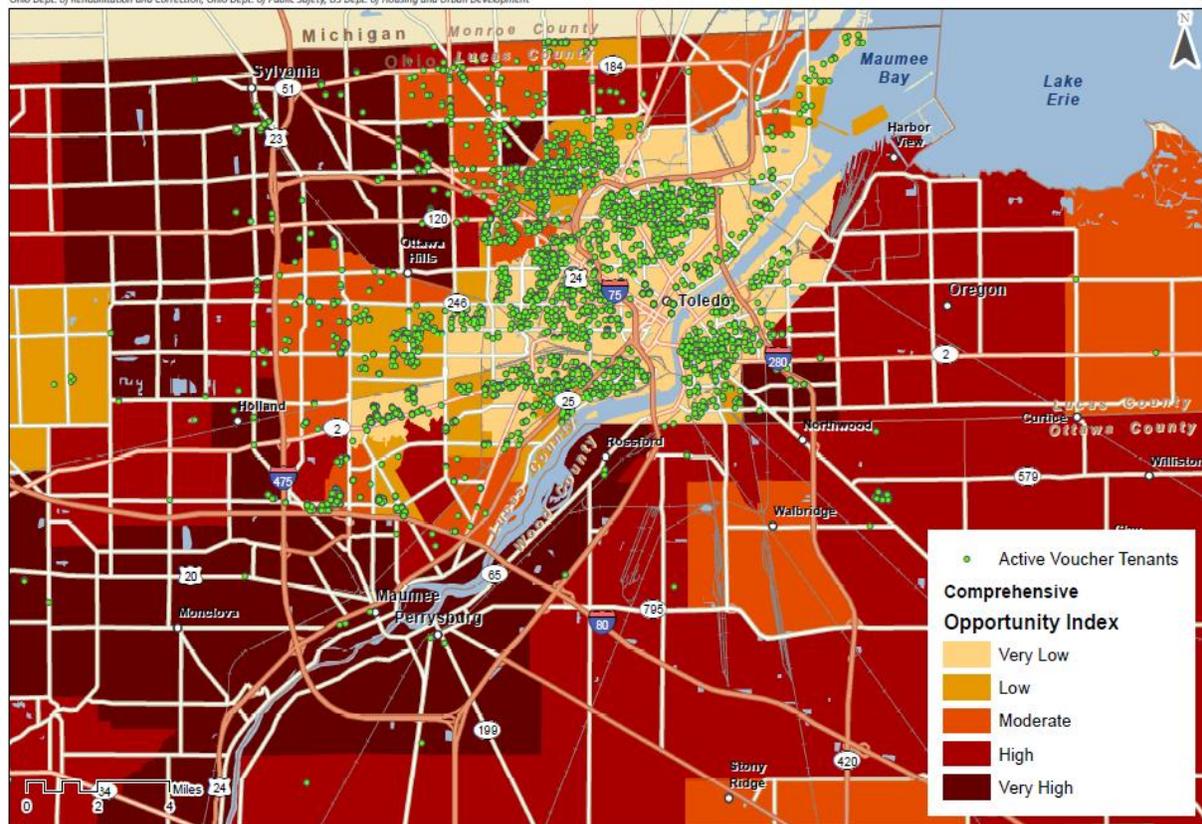
In Toledo, Housing Choice Vouchers are heavily concentrated in low-opportunity areas according to data gathered by the Kirwan Institute at the Ohio State University. The following map displays households that use vouchers to pay for rent over census tracts shaded by an opportunity index:

Opportunity and Active Housing Voucher Tenants in Toledo, Ohio



Description: This map displays the spatial pattern of distribution of opportunity in Ohio based on Education, Economic & Mobility, Housing & Neighborhood, Public Health and Public Safety & Criminal Justice indicators. Overlaid on the Opportunity layer are the locations of active housing choice voucher tenants.

Source(s): Ohio Dept. of Education, State Library of Ohio, American Community Survey, ESRI Business Analyst, Zip Code Business Patterns, Census 2010, Ohio Dept. of Rehabilitation and Correction, Ohio Dept. of Public Safety, US Dept. of Housing and Urban Development



Vouchers are heavily concentrated in very low opportunity areas.

Research gathered by the Poverty Race Research Action Council (PRRAC) explains the importance of voucher mobility in accessing opportunity.⁵⁵ PRRAC and the Urban Institute provide a series of suggestions, many of which can be implemented locally, to improve voucher mobility. These are provided in the Expanding Choice publication at <https://www.prrac.org/pdf/ExpandingChoice.pdf>. This guidance is directed to Public Housing Authorities to assist them as they implement Housing Choice Voucher mobility programs. The following chart from the publication summarizes many of these suggestions for Public Housing Authorities to implement.

FIGURE 2. PROGRAM ACTIVITIES CHECKLIST

ACTIVITY	BASIC	STANDARD	ENHANCED
Landlord development	<ul style="list-style-type: none"> • Contact landlords from local publications, databases, and trade groups • Offer responsive, convenient landlord services 	<ul style="list-style-type: none"> • Maintain up-to-date listings in opportunity neighborhoods • Cultivate other opportunities to interact with landlords 	<ul style="list-style-type: none"> • Make personal appeals • Plan a media campaign • Invest in technology to streamline processes • Offer financial incentives
Target population outreach	<ul style="list-style-type: none"> • Promote housing mobility at all points of contact 	<ul style="list-style-type: none"> • Diversify your promotional materials • Hold events to attract interest and attention 	<ul style="list-style-type: none"> • Organize tours to opportunity neighborhoods • Offer financial incentives
Pre-search counseling	<ul style="list-style-type: none"> • Help anticipate mobility barriers at voucher briefings 	<ul style="list-style-type: none"> • Interview and enroll program participants • Offer workshops 	<ul style="list-style-type: none"> • Perform in-depth assessment • Extend individualized support to remediate barriers to mobility
Housing search assistance	<ul style="list-style-type: none"> • Use voucher briefings to arm households with the tools they need 	<ul style="list-style-type: none"> • Provide support at key moments • Offer help with transportation 	<ul style="list-style-type: none"> • Connect landlords with households at events in opportunity neighborhoods • Provide intensive one-on-one assistance
Post-move support	<ul style="list-style-type: none"> • Check in before voucher recertification 	<ul style="list-style-type: none"> • Provide information about resources to support household transition • Check in shortly after move 	<ul style="list-style-type: none"> • Connect throughout the voucher term

⁵⁵ See e.g. the Urban Institute, Poverty & Race Research Action Council, *Expanding Choice: Practical Strategies for Building a Successful Housing Mobility Program*, available at <https://www.prrac.org/pdf/ExpandingChoice.pdf>.

In addition, Public Housing Authorities have the option of implementing a Small Area Fair Market Rents program. This program bases voucher rental payment standards on zip code instead of using county-level data. This approach is preferable because it makes the rental payment standard more accurate for the area where the person lives. This allows voucher recipients to pay more for rents in a higher-opportunity area thus improving the mobility of the voucher recipient.

Considering the heavy concentration of voucher recipients in low-opportunity areas in the Toledo market, LMHA should carefully review suggestions to increase voucher mobility and make a plan to implement these suggestions where possible. In addition, LMHA should strongly consider entering the small area FMR program to further improve voucher mobility.

Land Use and Zoning

Local land use and zoning laws can present significant impediments to fair housing choice and opportunities to affirmatively further the goals of the Fair Housing Act.

Local governments, including Toledo, must ensure compliance with Fair Housing law. In 2016, the U.S. Department of Justice and the U.S. Department of Housing and Urban Development issued a joint statement providing guidance on compliance with the Fair Housing Act related specifically to local zoning and land use laws. See U.S. Department of Housing and Urban Development and U.S. Department of Justice, *Joint Statement of the Department of Housing and Urban Development and the Department of Justice, Local Land Use Laws and Practices and the Application of the Fair Housing Act (2016)* (hereafter “Joint Statement”).⁵⁶

According to the Joint Statement, examples of state and local land use and zoning laws or practices that may violate the Act include:

- Prohibiting or restricting the development of housing based on the belief that the residents will be members of a particular protected class, such as race, disability, or familial status, by, for example, *placing a moratorium on the development of multifamily housing because of concerns that the residents will include members of a particular protected class.* (Emphasis added.)
- Imposing restrictions or additional conditions on group housing for persons with disabilities that are not imposed on families or other groups of unrelated individuals, by, for example, requiring an occupancy permit for persons with disabilities to live in a single-family home while not requiring a permit for other residents of single-family homes.
- Imposing restrictions on housing because of alleged public safety concerns that are based on stereotypes about the residents’ or anticipated residents’ membership in a protected class, by, for example, requiring a proposed development to provide additional security measures based on a belief that persons of a particular protected class are more likely to engage in criminal activity.
- Enforcing otherwise neutral laws or policies differently because of the residents’ protected characteristics, by, for example, citing individuals who

⁵⁶ The Joint Statement is available at <https://www.justice.gov/crt/page/file/909956/download>.

are members of a particular protected class for violating code requirements for property upkeep while not citing other residents for similar violations.

- Refusing to provide reasonable accommodations to land use or zoning policies when such accommodations may be necessary to allow persons with disabilities to have an equal opportunity to use and enjoy the housing, by, for example, denying a request to modify a setback requirement so an accessible sidewalk or ramp can be provided for one or more persons with mobility disabilities.

Restrictions on housing for persons recovering from a substance use disorder

In 2019, efforts were made in Toledo to limit or prohibit certain kinds of recovery housing, such as residential drug and alcohol treatment centers. These efforts included a moratorium that prohibited establishment of these facilities entirely in one City Council district. According to a report conducted by the Toledo Lucas County Planning Commission, Toledo is the only city in Ohio that explicitly identifies these kinds of housing providers for different more restrictive treatment. Persons recovering from a substance use disorder are persons with a disability and therefore explicitly treating housing for them differently through local zoning laws runs contrary to the Fair Housing Act and presents an impediment to fair housing choice. This restrictive scheme also parallels the first example of a violation of the Fair Housing Act as provided from the Joint Statement, above. Local zoning rules should avoid treating housing for persons with disabilities differently.

Other considerations for local zoning laws

In addition to local efforts to restrict or eliminate housing for persons recovering from a substance use disorder, Toledo should review its local zoning laws and processes to look for opportunities to eliminate other impediments to fair housing choice.

Attention to issues in neighborhoods that experienced redlining and other forms of discrimination.

Local zoning laws and processes should be considerate of disinvestment in neighborhoods that have historically experienced redlining or other forms of discrimination. For example, residents in some historically disinvested areas may oppose the development of a dollar store or other types of businesses because they feel it will decrease the value of their homes or make it more difficult to

access fresh produce and other opportunities in their neighborhood. The City should take these perspectives into consideration as it contemplates approval of certain kinds of developments in these neighborhoods, and consider whether the proposal is truly consistent with any available neighborhood plans for the area such as those created by the Toledo Design Collective.

Providing reasonable accommodations for persons with disabilities

Toledo's current zoning laws regulate certain group living and group rental situations. These regulations may be acceptable under the Fair Housing Act but do present a point for caution. The City should grant reasonable accommodations for persons with disabilities who may seek group living arrangements.

The Joint Statement explains:

Neutral laws that govern groups of unrelated persons who live together do not violate the Act so long as (1) those laws do not intentionally discriminate against persons on the basis of disability (or other protected class), (2) those laws do not have an unjustified discriminatory effect on the basis of disability (or other protected class), and (3) state and local governments make reasonable accommodations when such accommodations may be necessary for a person with a disability to have an equal opportunity to use and enjoy a dwelling.

Toledo currently provides a reasonable accommodation policy that allows exceptions to current zoning standards at TMC 1111.1809. However, an impediment to fair housing choice may arise where persons are unaware of the availability of this administrative procedure. In other words, this accommodation may exist, but if persons with disabilities are left unaware or lack the wherewithal to make the request, restrictions on group living may still present an impediment to fair housing choice.

LGBTQIA+

As explained in Part 1, federal law offers limited protections for LGBTQIA+ housing discrimination. The City of Toledo has adopted a progressive local law that protects against discrimination based on “sexual orientation” and “gender identity,”⁵⁷ However, this law is rarely, if ever, enforced.

It's important for the City of Toledo to invest appropriate resources to respond to allegations of housing discrimination based on sexual orientation and gender identity. These cases should be properly investigated and prosecuted where appropriate.

Moreover, Chapter 554 of the Toledo Municipal Code could be expanded to include all members of the LGBTQIA+ community, as not all persons of this protected class may be represented by “sexual orientation” and “gender identity” labels. The City should evaluate this issue and consider appropriate expansion of these protected classes.

⁵⁷ See TMC 554.

Homelessness and affordable housing

Homelessness disparately impacts minority residents. However, opportunities are available to build new affordable housing to reduce homelessness as an impediment to Fair Housing.

Directing more discretionary resources toward affordable housing

Discretionary funding sources, such as HOME and CDBG, should be evaluated to determine if a larger portion of those funds can be directed toward the development of affordable housing in the Toledo area.

Development of new housing resources must be cognizant of whether the location of the development will truly provide for access to transportation and other resources necessary to help the residents succeed.

Supporting the new Housing First “No Barriers Housing” Initiative

A Housing First initiative is moving forward in the Toledo area. Public policy and available public resources should be directed to support this effort.

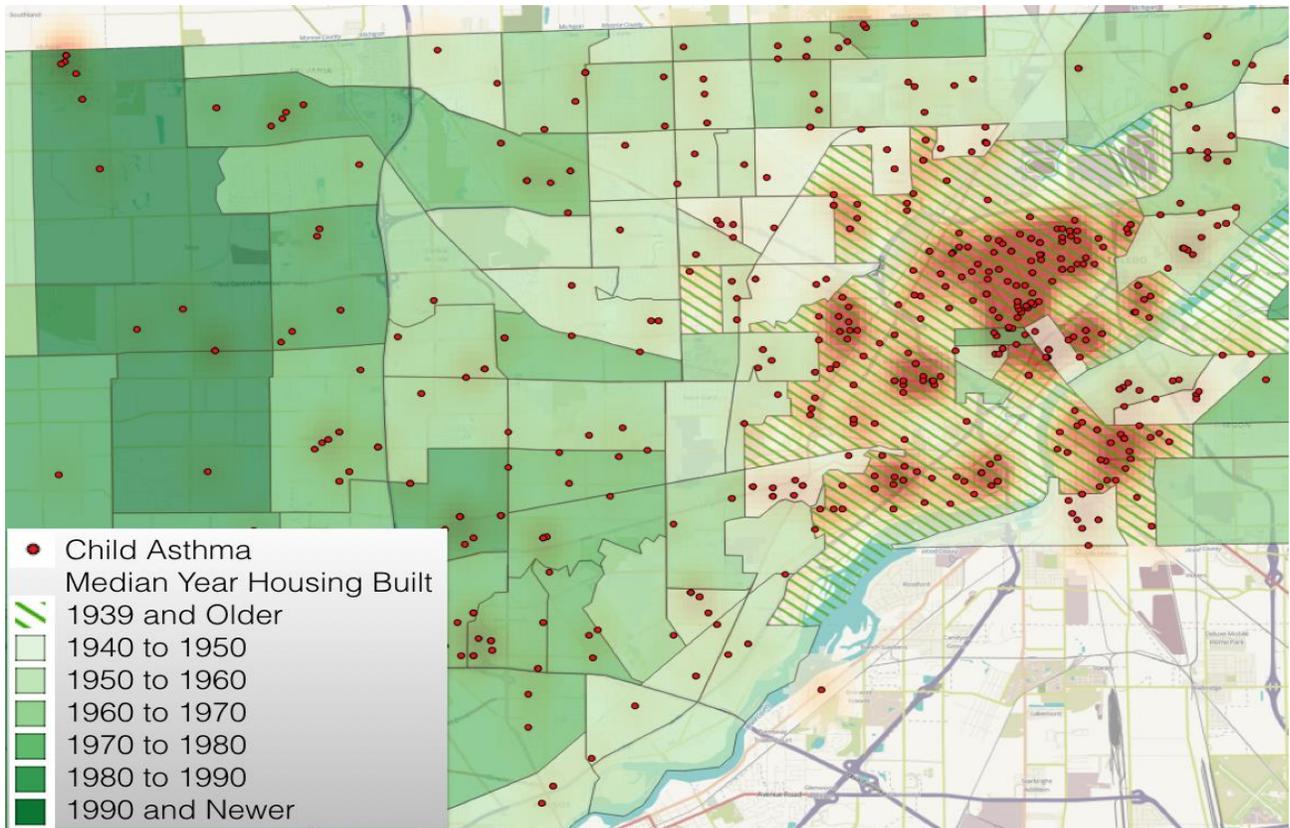
II. Housing Stability

This section covers impediments in the local housing market.

Housing Conditions

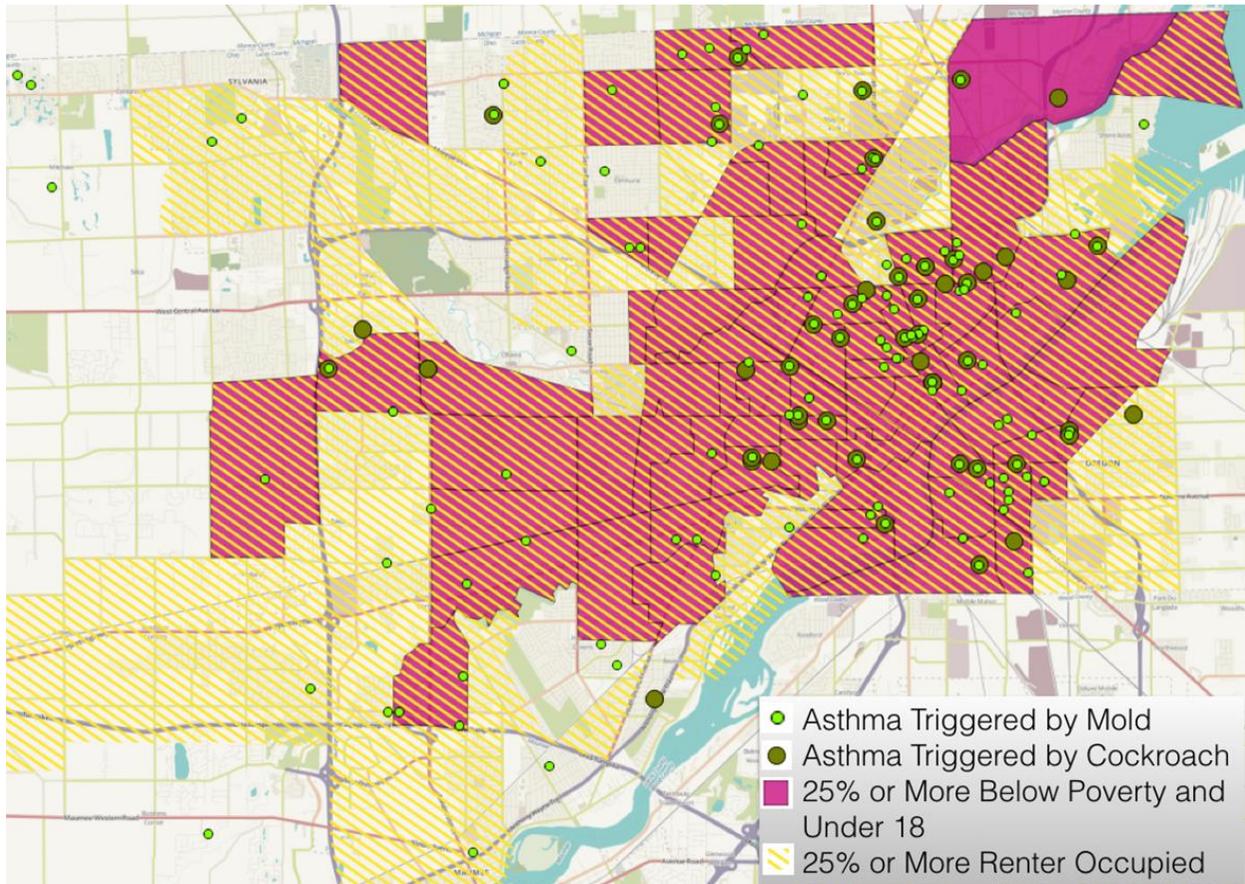
One of the most prevalent issues identified in feedback from the local community was housing conditions. Residents are often concerned with housing conditions within rental units, and in older housing stock in the Toledo area. This issue presents a critical impediment in Toledo.

As an example, child asthma incidents are much more likely to occur in areas with older housing stock and higher concentrations of minority residents with low-income in R/ECAP areas. The following map images of Toledo are taken from a study conducted documenting concentrations of child asthma incidents in the Toledo area.⁵⁸



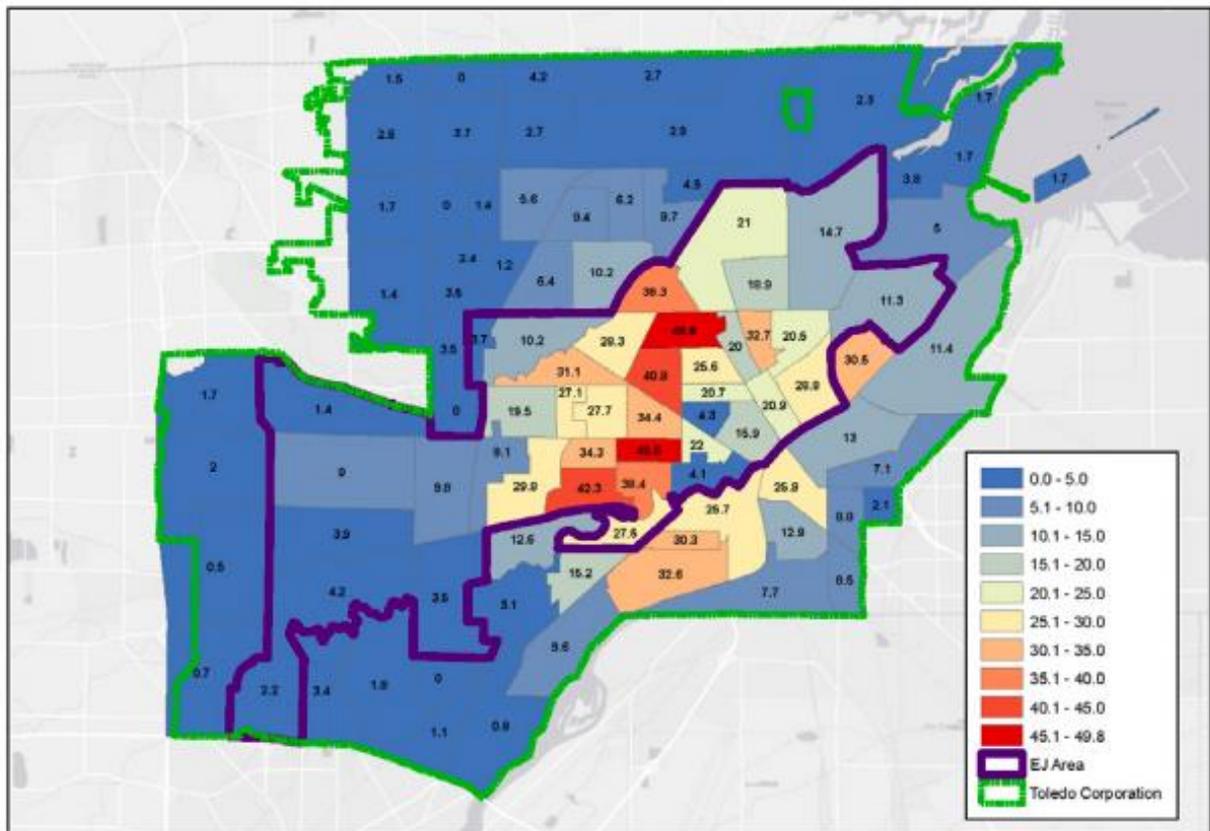
⁵⁸ See Healthy Lucas County, 2016/2017 Community Health Needs Assessment (2017), available at <https://lucascountyhealth.com/wp-content/uploads/2017/10/2016-2017-CHA.pdf>. This research was conducted by Ramalinga Reddy MD, MBA, George Thomas, Esq, Dawn Bolyard ,RN, MSN, Nancy Buderer, MS.

Indeed, this research reveals that asthma triggered by housing conditions such as mold and cockroaches may occur more frequently in central-city neighborhoods where renters with low-income live.



As another example, lead poisoning from deteriorated lead paint, caused very frequently by the lack of maintenance in rental units, significantly concentrates in these same areas. The following map image is taken from a review of child lead poisoning incidents in the Toledo area.⁵⁹

Lead Poisoning and Environmental Justice Population:
 Confirmed Venous Puncture BLLs per 1,000 Children under 6



⁵⁹ The Toledo Lead Poisoning Prevention Coalition, *the Effects of Lead Poisoning on African-American and Low-Income Families in Toledo, Ohio (2016)*, available at <http://kirwaninstitute.osu.edu/wp-content/uploads/2017/05/2016-04-04-TLPPC-Lead-Report.pdf>. This report was prepared by David Norris and Robert Cole.

Focusing code enforcement on housing conditions as an impediment

The City expends significant resources, especially from Community Development Block Grant funds, for code enforcement activities. However, powerful opportunities to address housing condition issues remain. For example, the City of Toledo does not enforce local housing codes to address internal conditions inside rental units. Instead, Toledo focuses housing code enforcement on “external” issues, especially visible issues about which neighbors or other residents may complain. These may include, for example, issues with uncut grass or dilapidated building structures.

The lack of focus and attention on “internal” housing conditions — most often the issues with which renters are concerned — presents an important impediment to fair housing choice. Housing conditions can powerfully impact the health and living conditions of renters and these issues disparately impact minorities in the Toledo area.

Issues like lead poisoning and asthma are often caused by the lack of maintenance of rental units, and by extension the lack of housing code enforcement to address these kinds of code violations. The City has a significant opportunity to address this impediment by shifting the way that its current housing code enforcement system focuses on “external” nuisances rather than “internal” housing conditions issues. Local housing and building codes undoubtedly give the City authority to investigate and enforce standards to address housing conditions, and many tenants would be more than willing to provide access to their rental units for inspectors to address housing code issues. Many other cities, including cities in Ohio, provide housing code enforcement to address housing conditions that impact the health and safety of renters. As the City continues to invest significant resources into housing code enforcement, including CDBG funds, it should consider how best to implement these resources to address this impediment, including a reevaluation of how it implements housing code enforcement.

In addition, the current vacant property registry at TMC Chapter 1767 should be enforced to address blight in areas that have traditionally experienced disinvestment. Specifically, the registry should be enforced against mortgage companies that foreclose on houses, and then may or may not complete the foreclosure process, leading to abandoned “zombie” liens. Toledo would not need to change its current vacant property registry as it already applies to mortgagees. The code specifically defines registrant as follows:

“‘Registrant’ means any person who holds legal or equitable title to the building, is a **mortgagee**, a land installment contract vendee/vendor-in-possession, assignee of rents, receiver, executor, administrator, trustee, lessee, agent, or any other person, firm, corporation, limited liability company, partnership, trust or other business association that is directly or indirectly in control of a building subject to the provisions of this section, and as set forth below including, but not limited to **any mortgagee that has filed an action in foreclosure on the particular premises at issue, until title to the premises is transferred to a third party**. Under this definition, there may be more than one registrant of a building and any owner as defined under Section 1726.01. “Registrant” does not include the State of Ohio or a political subdivision of the State of Ohio, including, but not limited to, the Lucas County Land Reutilization Corporation, the Lucas County Treasurer or the City of Toledo.”

Enforcement of this provision could be accomplished by simply checking whether any foreclosure actions were filed related to a vacant property, and by providing education and outreach to mortgage companies that frequently file foreclosures.

The new lead ordinance

The passage of a new lead ordinance will help address lead poisoning as one of the most significant local impediments to Fair Housing. The City has a unique opportunity to address this impediment by investing the successful implementation of this ordinance.

Grants and other resources to assist in addressing housing conditions

The City currently administers programs that provide grants to residents to improve housing conditions, such as HUD's Lead-based Paint Hazard Reduction Demonstration Grant. The City also directs HOME funds into a grant program to assist residents in addressing housing conditions.

It is critically important that these programs are designed, marketed, and directed in a way that allows minority and low-income residents to access these resources, especially those in R/ECAP areas. For example, the City likely has opportunities to reduce requirements and processes necessary to obtain these funds that may be a barrier to residents, such as any requirements that the resident provide that they have an insurance policy for their home.

Public transportation

Without access to transportation, housing in many areas often has little or no value, and without transportation many residents cannot access the housing they need. For many of the most vulnerable residents in the Toledo area, transportation from their home is necessary to work, to buy groceries, to access healthcare and other necessities.

Public transportation has always been a centerpiece of the Civil Rights movement. But in Lucas County, bus services end at arbitrary suburban boundary lines. Residents that rely on public transit, simply cannot access jobs and other opportunities in our region.

In recent years, the Toledo Area Regional Transit Authority decided to make cuts to its service that would disparately impact minorities. These included, for example, ending weekend routes, as well early morning and late evening routes. Minorities are more likely to work nontraditional job hours and would be particularly harmed by these significant service reductions. These service reductions have been deeply harmful to minorities, persons with disabilities, and families with low-income.

According to the County's task force report, further regionalization of TARTA's services is critically important for the stabilization of the Transit Authority and expansion of new services. Specifically, the Transit Authority must be able to operate county-wide and based on sales tax financing, instead of property tax levies.

Impediments in Rental Housing

The Fair Housing Center investigates allegations of housing discrimination, but as a housing leader in the community, we also receive calls from community members who experience other issues which prevent them from accessing the housing of their choice. The Fair Housing Center has identified impediments in the following areas of private rental relationships through complaints and inquiries from renters in the community and also through outreach surveys and community round table events which were conducted in order to obtain input from the community for this AI. Impediments relating to subsidized housing and the Housing Choice Voucher program are covered in other sections of the AI. TFHC continues to receive more landlord-tenant complaints every year, and since 2014, we have received 2,890 landlord-tenant complaints from renters that did not involve issues of discrimination.⁶⁰

Applying and qualifying for a rental agreement/lease:

The limited availability of more affordable subsidized housing in the Toledo area means that many renters who qualify for low-income housing have to seek housing in the private rental market. Subsidized housing providers are those that receive some sort of subsidized funding from the federal government, usually through HUD, but also through other programs, such as the Low-Income Housing Tax Credit (LIHTC) program administered by the Treasury Department. Subsidized housing providers are often required to base eligibility and rental amounts on the income of the applicant. Individuals with no income also qualify for certain types of subsidized housing.

Private landlords, on the other hand, are not required to comply with HUD income qualifications or guidelines and have more freedom to set qualifications for applicants seeking to rent their units. Private landlords often have higher income criteria, stricter requirements regarding credit history, and may require a larger deposit in order to rent a property. These issues were identified and discussed in the City of Toledo's 2015 Analysis of Impediments to Fair Housing Choice, and community members continue to report these issues as barriers to obtaining private rental housing.

In the Toledo area, those seeking rental housing are often prevented from accessing housing offered for rent by private landlords because they cannot overcome the strict leasing qualifications. Private landlords may have strict income requirements, and often require applicants to prove that they have income equal to or greater than three times the rent amount. Low-income

⁶⁰ TFHC referrals, 2014-2019, City of Toledo, renters only.

applicants or individuals with no income are automatically excluded from a large portion of market-rate rental housing because of income requirements.

Private housing providers often require that applicants cannot have any past evictions. In Toledo, eviction records are publicly available on the Toledo Municipal Court website, and potential landlords can easily search the record of past eviction filings against an applicant. Private housing providers often define this broadly and may not consider any applicant who has had an eviction proceeding filed against them in the past, regardless of whether an eviction judgment was granted or the case was dismissed. Toledo Municipal Court records are updated frequently, and eviction records are publicly available less than a week after a landlord files a complaint.

Private housing providers may also require tenants to meet certain credit qualifications. Applicants may be disqualified for failing to pass a credit check, for past due accounts that resulted in judgments, for low credit scores, past bankruptcies, or because of an inability to pay the larger deposit often charged due to negative credit history. Applicants are also often disqualified due to a criminal background, which is often based on the existence of an arrest or citation, regardless of whether a conviction occurred. For more information on impediments to fair housing regarding criminal backgrounds and the re-entry population, this report dedicates an entire section to that issue as a prevalent impediment in this area. Applicants who are disqualified from a private rental because of credit issues or criminal backgrounds often report that they are not able to obtain quality housing.

When these renters cannot access more desirable private rentals because they cannot meet the strict eligibility requirements, they are forced to search for housing providers who will overlook past credit and criminal history issues. Unfortunately, oftentimes this leads tenants to lower quality housing that may cause health problems, such as exposure to lead-based paint, mold, or other hazards. Renters report that they are often reluctant to complain about poor housing conditions because they fear landlord retaliation and eviction, and that alternative housing options will be even worse.

The method that a private housing provider chooses to process rental applications may also serve as an impediment to accessing and qualifying for housing. For example, if a housing provider chooses to only advertise and accept applications, application fees, and deposits through an online website or app rather than in person or in an office setting, then applicants who do not have access to the internet, or who do not utilize traditional banking tools like checking accounts and credit/debit cards, may face additional hurdles and barriers to accessing housing in the private rental market.

Viewing units

If an applicant is able to meet the rental qualifications, their ability or inability to view the unit may still be an impediment to obtaining safe and affordable housing. While some housing providers may choose to offer only online applications, other housing providers may still require applicants to complete a paper application. People who do not drive or who utilize public transportation are limited in their ability to look at available housing and complete applications. Someone who does not have a car simply cannot visit as many units as someone who does. These renters may have no options but to search for alternative housing close to where they presently reside, which limits housing mobility and access to neighborhoods of higher opportunity.⁶¹

The in-person meeting to view the unit may also be an opportunity for a landlord to make improper assumptions about an applicant or otherwise screen out qualified applicants. It is at this point that a landlord may screen out an otherwise qualified applicant because of their protected status, which violates state and federal fair housing laws. An individual in the middle of a home search, however, may not have the time or energy to contact TFHC, OCRC, or HUD to report suspected discrimination. This is assuming they are aware of the possible discrimination and understand how to enforce their rights. Oftentimes, discrimination is subtle and individuals do not realize their rights are being violated.

Renters in the community are also challenged to access private rentals when landlords do not give them the opportunity to view a unit before signing the rental agreement. TFHC has received numerous reports of situations like this. When a renter has limited housing options, whether because of income and price constraints, limited or no funds for security deposits, past evictions or credit judgments, they may feel constrained to rent any unit they can find, even without seeing the unit first.

Lease/Rental Agreements

A renter may face barriers to housing in the rental market by the terms of the lease they are offered by the landlord. A renter will often sign a one-year lease when initially renting a unit. A lease for a term like this provides protection to both the renter and landlord, because both are required to comply with the terms of the agreement. Issues may arise when renters do not read and review the terms of the lease before signing. Private landlords may require renter's insurance, charge

⁶¹ This report also separately dedicates a section to voucher mobility and source of income discrimination.

pet rent or deposits, or there may be additional fees not discussed in detail prior to the lease signing. Unless unconscionable and/or legally unenforceable, renters are bound by the terms of a lease. Even where lease terms are actually illegal and unenforceable, a tenant may not know or understand that, and such lease provision can still have an effect on whether renters understand and assert their rights.

If a lease is not renewed at the end of the lease term, an automatic month-to-month rental agreement takes effect under Ohio law. A landlord may prefer to continue the rental agreement on a month-to-month basis, as they could then terminate that agreement with just a 30-day written notice to the tenant, so long as the reason for termination does not violate fair housing laws. In this situation, the renter is at a disadvantage, as they will no longer have the security of a lease for a specific term and the landlord may legally end the tenancy at any time. Other times, a private landlord may insist on a new lease at the expiration of the initial lease term, and may charge additional rent or fees should the rental agreement default to a month-to-month tenancy.

As described above, the contractual relationship between a landlord and a tenant tends to inure to the benefit of the landlord, whether it be by terms or availability of resources, such as access to legal guidance when drafting the terms of the rental agreement between the parties. While tenants may have access to low/no cost legal services during an eviction or when negotiating a reasonable accommodation (both of which are discussed in more detail below), few are likely in a position to consult an attorney prior to entering into the rental contract.

Eviction

“Eviction isn't just a condition of poverty; it's a cause of poverty. Eviction is a direct cause of homelessness, but it also is a cause of residential instability, school instability [and] community instability.”

Matthew Desmond, Author, *Evicted: Poverty and Profit in the American City*⁶²

Mr. Desmond estimates that 2.3 million evictions were filed in the U.S. in 2016 – a rate of four per minute. As discussed below, the eviction crisis has not escaped Northwest Ohio.

The eviction process lends itself to the imbalance of power described in the preceding section. The housing provider, who usually has access to legal counsel

⁶² Desmond, Matthew. 2016. *Evicted: Poverty and Profit in the American City*. New York: Crown.

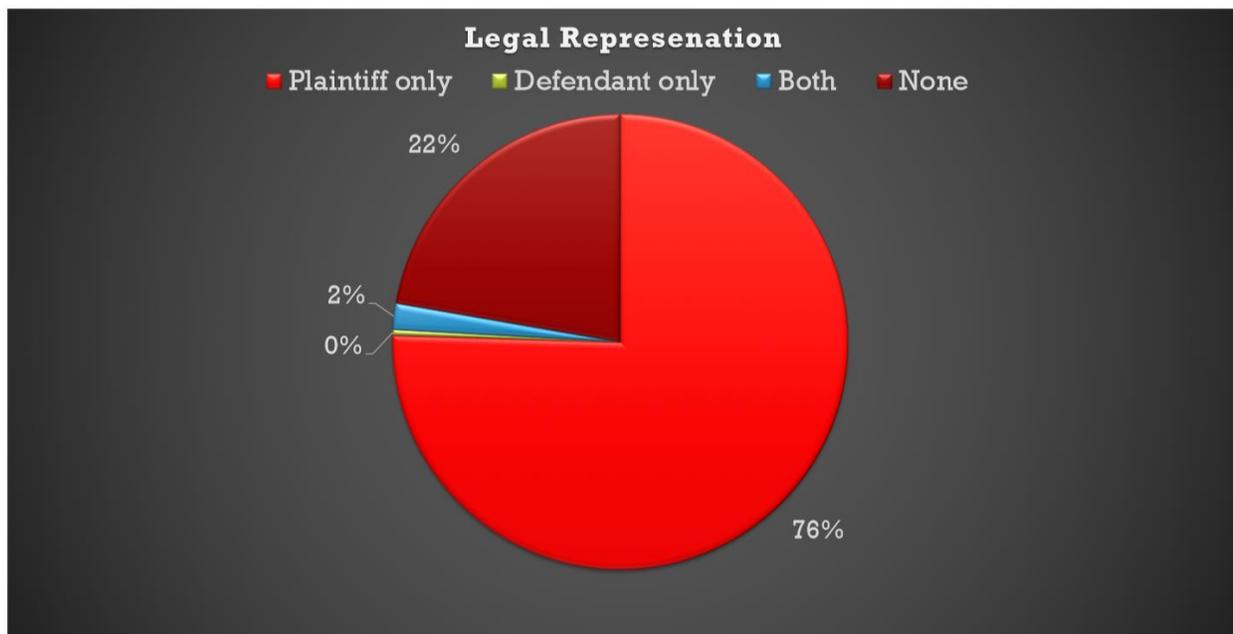
and is usually more knowledgeable about the eviction process, has a definite advantage over the tenant, who is generally not represented by counsel and is less knowledgeable about the eviction process. Ohio Revised Code § 5321.03 specifies the procedures that landlords must follow to seek an eviction judgment against a tenant. The landlord is required to provide a written notice stating that the tenant is in default of the rental agreement prior to filing an eviction action in court.

When a tenant receives a notice of lease termination they are often unsure of what the notice means or how to respond. In some instances, renters follow the notice instructions and leave the premises, regardless of whether the notice of lease termination was valid or unfounded. In other instances, a renter will wait for the landlord to file an eviction with the Toledo Municipal Court. After the eviction is filed, a tenant receives notice from the Court, and will also be provided information on how to contact Legal Aid of Western Ohio (LAWO) to seek the advice and representation of an attorney. However, LAWO has limited funding and staff, and does not have the capacity to provide representation to all low-income tenants facing eviction. At times, LAWO limits eligibility for representation to those who are facing eviction from subsidized housing providers; other times, LAWO has such a large caseload that they are unable to accept new cases for a period of time.

According to data from the Toledo Municipal Court,⁶³ between September 2014 and September 2018, about 24,000 evictions were filed in the Toledo Municipal Court. This number constitutes roughly 10% of the total population of Toledo.

⁶³ This data was collected from the Toledo Municipal Court and analyzed by George Thomas with Advocates for Basic Legal Equality.

This data also illustrates the extraordinary disparity in legal representation between housing providers and tenants. Landlords were represented by counsel 76% of the time during this period, while tenants had legal representation in about 2% of cases. In 22% of cases, neither the landlord nor the tenant were represented by an attorney.



It is noteworthy that many low to moderate income housing providers in Toledo and Lucas County filed the largest number of evictions in the 2014 to 2018 time period. During that time frame, Lucas Metropolitan Housing Authority filed more than 1,800 eviction cases.⁶⁴ Vistula Management, which manages federally subsidized housing, filed more than 700.

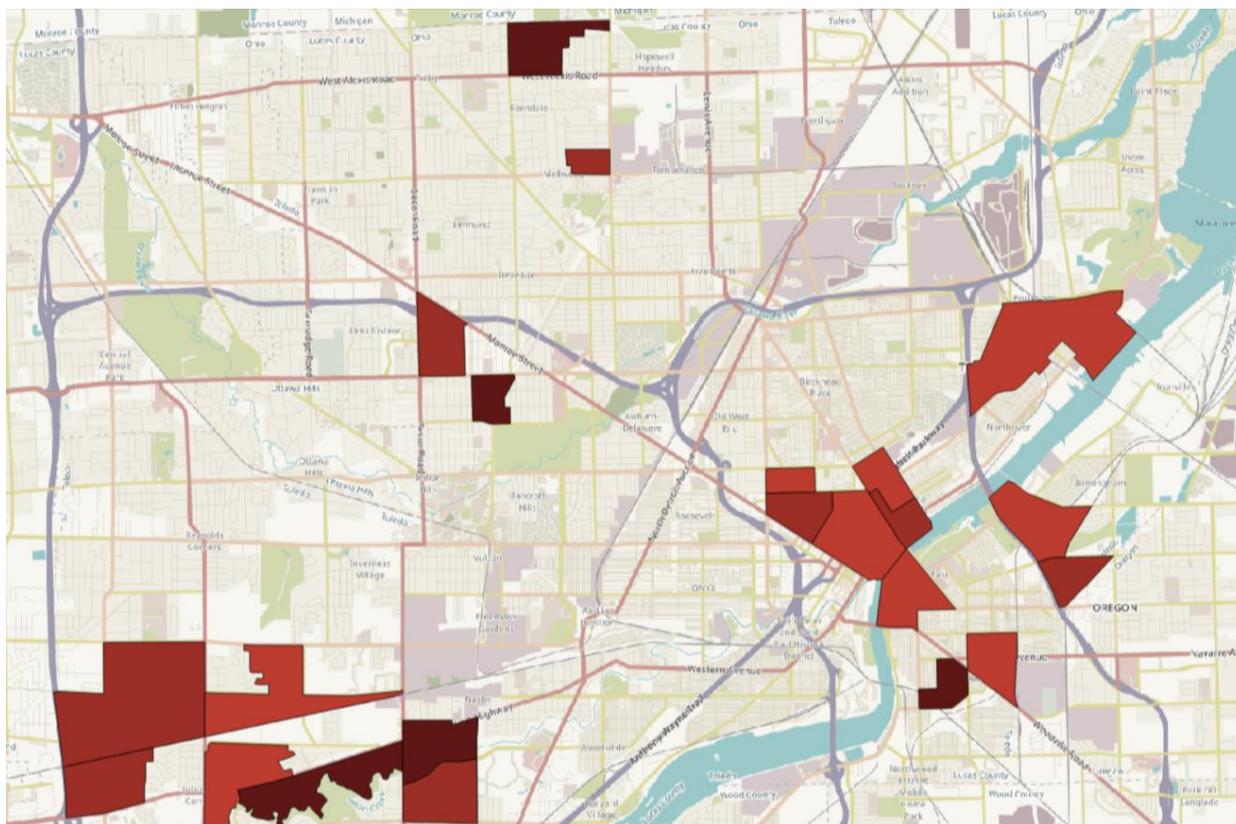
In addition, housing providers that are not necessarily federally subsidized but often provide housing for persons with low-income filed a significant number of evictions. Beal Properties filed more than 400. Kenwood Gardens filed more than 400 as well, as did Flex Realty filed 435. Hunter's Ridge filed more than 300.

Additional research indicates heavy concentrations of evictions in certain neighborhoods and those neighborhoods were more likely to be low-income and minority areas of concentration.⁶⁵ The data also shows that evictions were heavily

⁶⁴ Id. Please note that LMHA is the top provider of low to moderate income housing units in our area, so it is not unexpected that the number of evictions they filed would be higher. Per George Thomas, Esq., no analysis was done of the percent of units by provider that were subject to evictions.

⁶⁵ Id. The rate of evictions per population in census tracts correlates to .51 for African-Americans, .27 for Hispanics and -.54 for Whites.

concentrated in certain low-income neighborhoods, and that individuals facing eviction were more likely to be black or Latinx than white. In the map below, census block groups where more than 200 evictions occurred are shaded, and in the darkest areas, more than 500 evictions occurred.



Reasonable Accommodations/Modifications

Under the Fair Housing Act and Ohio's laws against discrimination, persons with disabilities have the right to request reasonable accommodations to the usual rules, policies, or procedures of housing providers if necessary to accommodate a disability. Similarly, persons with disabilities may also request permission to make modifications to the premises, such as grab bars, ramps, and the like⁶⁶ to allow them to fully use and enjoy the premises.

A classic example of a reasonable accommodation is a request that a landlord waive a "no pet" policy to allow a tenant to keep a service or assistance animal.

⁶⁶ For a thorough discussion of reasonable accommodations and modifications, please see the HUD/DOJ Joint Statements which can be found at <https://www.hud.gov/sites/dfiles/FHEO/documents/huddojstatement.pdf> and https://www.hud.gov/sites/dfiles/FHEO/documents/reasonable_modifications_mar08.pdf.

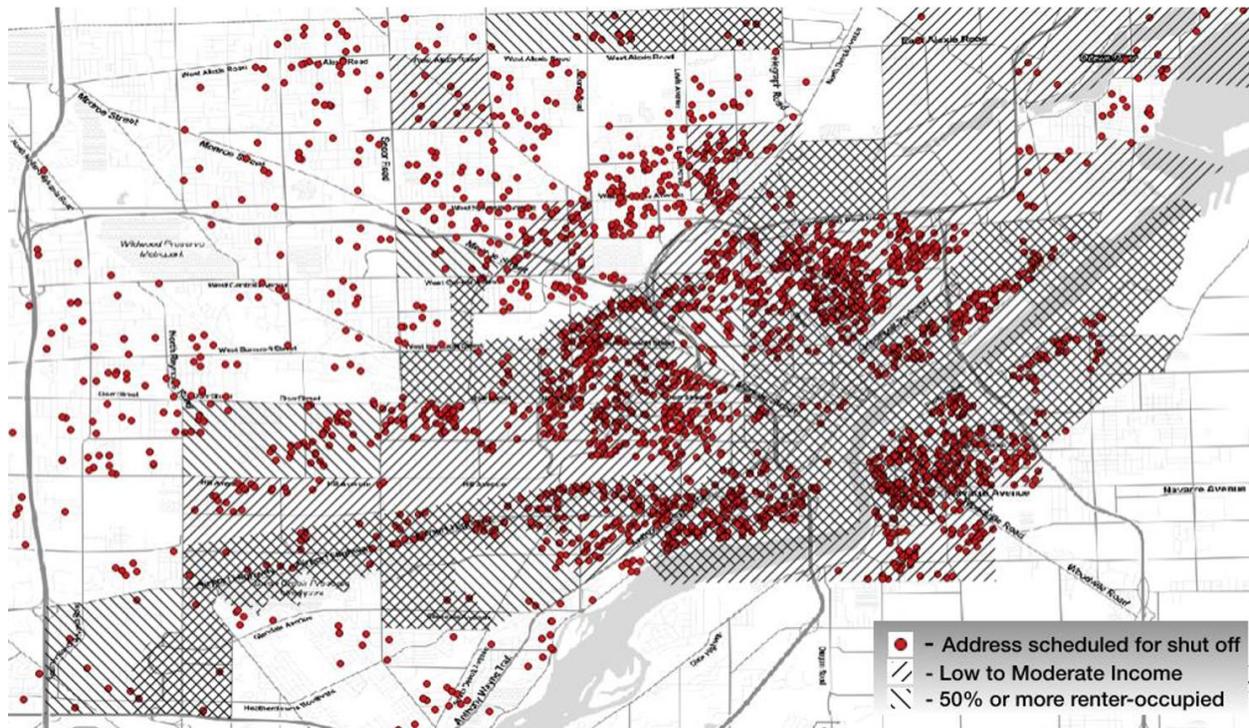
Subsidized housing providers are often more educated on these responsibilities than private landlords, because subsidized housing providers use guidance from HUD and the federal government and are often better educated on how to comply with the Fair Housing Act than private housing providers.

Despite ongoing efforts by The Fair Housing Center to educate housing providers throughout the Toledo area, many private landlords do not realize they are subject to and must comply with the Fair Housing Act. Consequently, renters of private housing may also be unaware of their rights and may therefore be prevented from accessing housing of their choice due to the need for reasonable accommodations or modifications. TFHC developed a detailed resource for housing providers titled *Fair Housing for Housing Professionals*, which can be found on our website at <https://www.toledofhc.org/resources>.

Access to water services

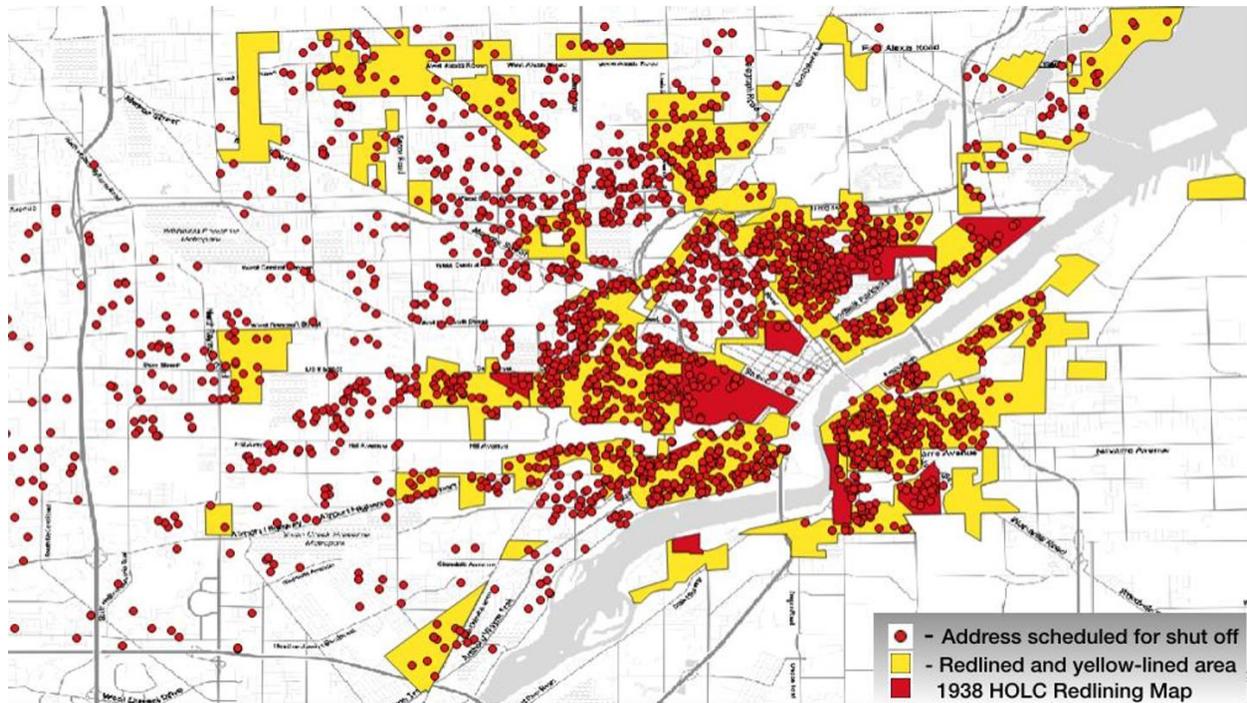
Access to water and other essential utilities necessary to enjoy the benefits of housing is a Fair Housing issue. See e.g. *Kennedy v. City of Zanesville*, No. 2:03-cv-1047 (S.D. Ohio).

In the Toledo area water accounts scheduled for disconnection of services during a recent six-month period of 2019 concentrated primarily in R/ECAP low-income and minority neighborhoods.⁶⁷



⁶⁷ This data was provided through a public records request. The addresses scheduled for shut-off were not necessarily terminated from services. Some residents may have made arrangements to avoid the shut-off after the account was scheduled for termination but before the shut-off occurred.

These accounts scheduled for shut-off are concentrated in the same areas that have experienced historic disinvestment based on redlining.



Recently, the City passed a resolution that recognizes the importance of this issue and creates a committee that will work with the City to address access to water services and other consumer policies for low-income consumers.

Remedies

Public awareness is one impediment in the identification and enforcement of fair housing laws. Both those seeking housing and housing providers may be unaware that Fair Housing Laws exist and/or how to exercise their rights under those laws.

When an individual believes they may have been the victim of housing discrimination, the first step is to report the incident to the proper authority. The Fair Housing Center (TFHC), the Ohio Civil Rights Commission (OCRC) and HUD work diligently to investigate allegations of housing discrimination in any housing related transactions. In the state of Ohio, an individual must file a charge within one year of the date the act of discrimination occurred.

Private Fair Housing Programs, such as The Fair Housing Center, work in many areas related to housing in order to expand housing choice for individuals. Through educational programs, outreach, advocacy and enforcement activities The Fair Housing Center has been a leading force for anti-discriminatory housing policies.

Victims of housing discrimination may also choose to retain legal counsel and file a complaint directly with the courts. In Ohio, one must file a complaint in state court within one year of the date the act of discrimination occurred. An individual must file a complaint in federal court within two years of the date the act of discrimination occurred.

The following links will connect individuals to agencies who handle housing discrimination complaints.

<https://www.toledofhc.org/>

<https://crc.ohio.gov/FilingaCharge/Housing.aspx>

<https://portalapps.hud.gov/FHEO903/Form903/Form903Start.action>

Part 4: Call to Action and Action Plan

Many of the impediments identified in the 2015 through 2020 Analysis of Impediments represent ongoing themes that continue into this Analysis. The progress described in Part 2 above continues in many areas, while this Analysis also identifies and focuses on new impediments.

One striking aspect of this analysis is its connection to the historic HOLC Redlining Map as described in Part 1. Many of the maps displaying current impediments align very closely with the historic Redlining Map. These include housing conditions issues, like lead poisoning and asthma, that result from decades of disinvestment following redlining discrimination, as well as current trends in evictions and home loan originations.

These trends will continue for decades to come without an action plan with identified steps to address these issues. Indeed, HUD's guidance explains that entitlement jurisdictions, like Toledo, should make concrete plans to address the identified impediments:

"The jurisdiction should define a clear set of objectives with measurable results that it intends to achieve. The sole measure of success for FHP is the achievement of results. These objectives should be directly related to the conclusions and recommendations contained in the AI.

For each objective, the jurisdiction should have a set of goals. These might be the completion of one or more discrete actions, or set of actions, which serve as milestones toward achieving each objective."⁶⁸

HUD's guidance further explains the role of the entitlement jurisdiction, working with its partners, to move forward with actions to address the impediments:

"In order to bring the hard work of planning and analysis to fruition, it is essential that the jurisdiction implement its fair housing actions. The jurisdiction can more readily achieve effective implementation of the actions, if it has:

- Defined objectives with measurable results

⁶⁸ U.S. Department of Housing and Urban Development, *Fair Housing Planning Guide, Volume 1*, available at <https://www.hud.gov/sites/documents/FHPG.PDF>.

- Designed achievable actions, supported by all key elements in the community and designed to address real fair housing problems;
- Assessed its FHP activities on a regular basis to assure consistent oversight of, and interest in, the efforts of all individuals and organizations engaged in fair housing actions.

Government officials should exercise an appropriate level of leadership, as may be required, to resolve conflicts and oversee the implementation of corrective actions, changes, or additions in fair housing actions."⁶⁹

⁶⁹ *Id.*

Fair Housing Action Plan

According to HUD's guidance, the plan to address the impediments should:

- List fair housing action(s) to be completed for each objective.
- Determine the time period for completion.
- Identify resources from local, State, and Federal agencies or programs as well as from financial, nonprofit, and other organizations that have agreed to finance or otherwise support fair housing actions.
- Identify individuals, groups, and organizations to be involved in each action and define their responsibilities. Obtain written commitments from all involved, as a formal recognition of their agreement to participate in the effort in the manner indicated. HUD recommends that jurisdictions specify these commitments in the appropriate contracts that may arise in connection with the fair housing actions.
- Set priorities. Schedule actions for a time period which is consistent with the Consolidated Plan cycle.⁷⁰

Consistent with HUD's guidelines, the action plan provided here will help guide the City of Toledo to address the identified local impediments to fair housing.

Action Plan Format and Explanation

The action plan provided on the following pages is organized into charts covering each of the identified goals to address Fair Housing Impediments. Each chart provides objectives as required by HUD's guidelines, City departments with appropriate responsibilities, information about the potential involvement of other partner institutions including The Fair Housing Center, and suggested deadlines for completion. Under chart, space is provided for discussion. As the City moves forward, this "discussion" space will provide notes on progress made or potential changes, or suggestions for changes, to the action plan.

⁷⁰ *Id.*

Fair Housing Issue: Criminal History Screening
Goal: Ban the box policy

Measurable Objectives	City Department Responsible	Other Institutions	TFHC's role	Deadline
Complete initial meeting	City staff should consult with City Council and then schedule an initial meeting to evaluate	RCNO	TFHC will attend initial meeting	First half of FY 2020
Develop schedule for next steps in evaluation	Leadership, meeting space, encouragement	RCNO, other groups as determined	TFHC will provide technical assistance and support	Second half of FY 2020
Draft legislation	City's law department will assist		TFHC may provide review and technical assistance	Second half of FY 2020
Introduce legislation to City Council	City Council and Mayor's office seeks introduction			First quarter of 2021
Complete hearings and final council vote on the issue	City Council	RCNO and other groups to provide public support	TFHC may provide support and technical assistance	First quarter of 2022

Discussion:

Fair Housing Issue: Criminal History Screening

Goal: Set aside affordable housing opportunities

Measurable objectives	City Department Responsible	Other Institutions	TFHC's role	Deadline
Complete initial meeting	City staff to schedule meeting and review potential for unit set asides with LMHA	LMHA	TFHC will attend initial meeting	First half of FY 2020
Develop schedule for next steps in evaluation	City staff to provide assistance and follow through to ensure progress	LMHA	TFHC may provide assistance in determining next steps	Second half of FY 2020
Determine number of hard units and vouchers to be set aside	In consultation with LMHA, determine a projection for potential set aside of units and vouchers	LMHA		Second half of FY 2020
Set target time for roll out of set aside	City staff to track	LMHA	TFHC may also monitor	First quarter of 2021

Discussion:

Fair Housing Issue: Criminal History Screening
Goal: Private housing provider compliance

Measurable objective	City Department Responsible	Other Institutions	TFHC's role	Deadline
Develop and review plans for outreach	Provide support to TFHC	LMHA	With available resources, will perform outreach	Second half of FY 2020
Develop and implement plans for enforcement	Provide support to TFHC		With available resources, enforce Fair Housing laws	Second half of FY 2020

Discussion:

Fair Housing Issue: Homeownership: Lending and Insurance

Goal: Encourage private lenders to provide credit opportunities in minority and low-income neighborhoods

Measurable Objective	City Department Responsible	Other Institutions	TFHC's role	Deadline
Develop and review plans for outreach	Provide support to TFHC		With available resources, will perform outreach	Second half of FY 2020
Develop and implement plans for enforcement	Provide support to TFHC		With available resources, enforce Fair Housing laws	Second half of FY 2020

Discussion:

Fair Housing Issue: Homeownership: Lending and Insurance
Goal: Address insurance discrimination issues

Measurable Objective	City Department Responsible	Other Institutions	TFHC's role	Deadline
Develop and review plans for outreach	Provide support to TFHC		With available resources, will perform outreach	Second half of FY 2020
Develop and implement plans for enforcement	Provide support to TFHC		With available resources, enforce Fair Housing laws	Second half of FY 2020

Discussion:

Fair Housing Issue: Homeownership: Lending and Insurance
Goal: Coordinate with local banks to create a loan product to address credit needs in minority neighborhoods

Measurable Objective	City Department Responsible	Other Institutions	TFHC's role	Deadline
Complete initial meeting	City staff should consult with TFHC to identify appropriate next steps for outreach and models from other cities		TFHC will attend meeting	Second half of FY 2020
Develop schedule for next steps in evaluation	Research models from other cities for coordination to encourage improved loan products		TFHC may assist with technical support as needed	Second half of FY 2020
Convene meetings with banks as appropriate	Discuss potential product collaborations with banks		TFHC can be available if needed	First half of 2021
Set time frame for roll out of new loan products	Consults with banks to determine this		TFHC reviews, discusses with city	First half of 2021

Discussion:

Fair Housing Issue: Accessibility for persons with disabilities

Goal: Enforce current visitability and accessibility rules

Measurable Objective	City Department Responsible	Other Institutions	TFHC's role	Deadline
Collect information on current enforcement efforts	City staff may help provide information on current enforcement of accessibility rules		TFHC will help collect information	Second half of FY 2020
Develop and review plans for outreach	Provide support to TFHC		With available resources, will perform outreach	Second half of FY 2020
Develop and implement plans for enforcement	Provide support to TFHC		With available resources, enforce Fair Housing laws	Second half of FY 2020

Discussion:

Fair Housing Issue: Accessibility for persons with disabilities

Goal: Encourage developers to increase accessibility

Measurable Objective	City Department Responsible	Other Institutions	TFHC's role	Deadline
Review current advocacy efforts	Consult with Ability Center	Ability Center	TFHC may engage in discussion as well	First half of FY 2020
Develop schedule for next steps in evaluation	Consult with Ability Center in this schedule	Ability Center		Second half of FY 2020
Draft legislation or other policy	Completed in consultation with Ability Center	Ability Center		Second half of FY 2020
Set timeframe for implementation of legislation or policy	Completed in consultation with Ability Center	Ability Center		First quarter of 2021

Discussion:

Fair Housing Issue: Source of income discrimination and voucher mobility

Goal: Enact local source of income discrimination protections

Measurable Objective	City Department Responsible	Other Institutions	TFHC's role	Deadline
Review status of local ordinance with Council	City to conduct this review		TFHC will attend initial meetings as needed	First half of FY 2020
Determine barriers to implementation of legislation	City to complete this review with Council	Possibly LMHA	TFHC can assist in discussions	Second half of FY 2020
Develop plan to address barriers if needed with clear timeframe for progress	City in consultation with others	LMHA	TFHC to assist	Second half of FY 2020
Complete vote to approve legislation	City Council			First quarter of 2021
Complete hearings and final council vote on the issue	City Council		TFHC to provide support	First quarter of 2022

Discussion:

Fair Housing Issue: Source of income discrimination and voucher mobility

Goal: Increase voucher mobility

Measurable Objective	City Department Responsible	Other Institutions	TFHC's role	Deadline
Discuss voucher mobility improvements and what support the PHA may need	City to offer support and convene discussions as appropriate to review issues	LMHA	TFHC will attend discussions	First half of FY 2020
Develop schedule for next steps in evaluation	In consultation with LMHA, determine if SAFMR is feasible or if other mobility improvements are possible	LMHA	TFHC to provide technical support if needed	Second half of FY 2020
Implement strategies	Providing support as needed	LMHA	TFHC to provide support if possible	Second half of 2021

Discussion:

Goal: Enforce Fair Housing protections

Measurable Objective	City Department Responsible	Other Institutions	TFHC's role	Deadline
TFHC to enforce Fair Housing Act	City to provide assistance and resources as appropriate to support enforcement work		TFHC will implement its enforcement work through direct client representation and in other matters	Ongoing

Discussion:

Fair Housing Issue: Increase awareness of fair housing rights and responsibilities

Goal: Engage in education and outreach activities

Measurable Objective	City Department Responsible	Other Institutions	TFHC's role	Deadline
Conduct fair housing trainings and presentations	Department of Neighborhoods will distribute information to CDBG partners as appropriate	Northwest Ohio REALTORS® (NOR), Property Investors Network (PIN), Real Estate Investors Association (REIA)	TFHC will coordinate and manage	Ongoing, reported quarterly
Distribute fair housing educational materials	Department of Neighborhoods will distribute information to CDBG partners as appropriate	Northwest Ohio REALTORS® (NOR), Property Investors Network (PIN), Real Estate Investors Association (REIA)	TFHC will coordinate and manage	Ongoing, reported quarterly
Place advertisements and seek media coverage of fair housing issues		Local media outlets, including print, television, radio, and digital	TFHC will coordinate and manage	Ongoing, reported quarterly
Participate in outreach events			TFHC will coordinate and manage	Ongoing, reported quarterly
Post fair housing information on website and social media	Mayor's office will share content as appropriate		TFHC will coordinate and manage	Ongoing, reported quarterly

Goal: LMHA should adopt the Poverty Race Research Action Council's recommendations to increase voucher mobility

Fair Housing Issue: Voucher Mobility

Goal: LMHA should adopt the Poverty Race Research Action Council's recommendations to increase voucher mobility

Measurable objectives	City Department Responsible	Other Institutions	TFHC's role	Deadline
Landlord development	Department of Neighborhoods will distribute information to CDBG partners as appropriate	LMHA, Northwest Ohio REALTORS® (NOR), Property Investors Network (PIN), Real Estate Investors Association (REIA)	Advocacy for policies that support the HCV program, provide education to housing providers	Ongoing, reported quarterly
Target population outreach	Department of Neighborhoods will distribute information to CDBG partners as appropriate	LMHA	Advocacy for policies that support the HCV program, provide education to housing providers	Ongoing, reported quarterly
Pre-search counseling	Department of Neighborhoods will distribute information to CDBG partners as appropriate	LMHA	Connect clients to resources through the Landlord Tenant Mediation Program	Ongoing, reported quarterly
Housing search assistance	Department of Neighborhoods will distribute information to CDBG partners as appropriate	LMHA	Connect clients to resources through the Landlord Tenant Mediation Program	Ongoing, reported quarterly
Post-move support	Department of Neighborhoods will distribute information to CDBG partners as appropriate	LMHA	Connect clients to resources through the Landlord Tenant Mediation Program	Ongoing, reported quarterly
Explore Small Area Fair Market Rents (SAFMRs)	Department of Neighborhoods will distribute information to CDBG partners as appropriate	LMHA	Advocacy for policies that support the HCV program	Ongoing, reported quarterly

Discussion:

Goal: Change policies to welcome the development of affordable, group, permanent supportive, and recovery housing

Fair Housing Issue: Land Use and Zoning

Goal: Change policies to welcome the development of affordable, group, permanent supportive, and recovery housing

Measurable objective	City Department Responsible	Other Institutions	TFHC's role	Deadline
Review current policies and recommend changes	Plan Commission	MHR SB	Provide input on policy revisions	First half of FY 2020
Present proposed changes for approval	Plan Commission, City Council	MHR SB	Advocate for policy changes during public hearings	Second half of FY 2020
Consider neighborhood input on proposed projects that negatively impact historically disinvested areas	Plan Commission, City Council	MHR SB	Advocate for policy changes during public hearings	Ongoing, reported quarterly
Grant reasonable accommodations when applicable	Plan Commission, City Council	MHR SB	Advocacy and support for persons requesting accommodations	Ongoing, reported quarterly
Educate the public about the City's reasonable accommodation policy	Plan Commission, Department of Neighborhoods	Ability Center	Educate tenants and landlords	Ongoing, reported quarterly

Discussion:

Fair Housing Issue: LGBTQIA+

Goal: Adopt changes to policies and practices to ensure adequate protections for LGBTQIA+ individuals

Measurable Objective	City Department Responsible	Other Institutions	TFHC's role	Deadline
Establish an effective enforcement process to address complaints	City Council	Equality Toledo	Provide input on policy changes	Second half of FY 2020
Present proposed changes for approval	City Council	Equality Toledo	Advocate for policy changes during public hearings	Second half of FY 2020
Utilize enforcement process to address complaints	City administration	Equality Toledo	Advocacy and support for victims of discrimination	Ongoing, reported quarterly

Discussion:

Goal: Coordinate with private and government partners to create affordable housing and advance No Barriers Housing

Fair Housing Issue: Homelessness and Affordable Housing

Goal: Coordinate with private and government partners to create affordable housing and advance No Barriers Housing

Measurable Objective	City Department Responsible	Other Institutions	TFHC's role	Deadline
Identify incentives to encourage affordable housing development	City administration, Department of Neighborhoods	LISC, LMHA	Advocacy for projects that support local housing needs	Ongoing, reported quarterly
Direct discretionary funds toward affordable housing	Department of Neighborhoods, City Council		Advocacy for projects that support local housing needs	Ongoing, reported quarterly
Provide administrative support for the "No Barriers Housing" initiative	Department of Neighborhoods, City administration	TLCHB, MHR SB, LMHA, Lucas County Commissioners	Participate in committee meetings	Ongoing, reported quarterly
Provide financial support for the "No Barriers Housing" initiative	Department of Neighborhoods, City Council	TLCHB, MHR SB, LMHA, Lucas County Commissioners	Advocacy for funding that supports local housing needs	Ongoing, reported quarterly

Discussion:

Fair Housing Issue: Housing Conditions

Goal: Change policies and practices to ensure access to housing that is safe, healthy, and habitable

Measurable Objective	City Department Responsible	Other Institutions	TFHC's role	Deadline
Enforce housing code violations	Department of Neighborhoods	Housing Court	Connect clients to resources through the Landlord Tenant Mediation Program	Ongoing, reported quarterly
Secure staff and resources needed to implement the lead ordinance	City administration, Department of Neighborhoods	TLPPC, Health Department	Advocacy for effective implementation	First half of FY 2020
Effective enforcement of the lead ordinance	City administration, Department of Neighborhoods	TLPPC, Health Department	Education and outreach to tenants and housing providers	Ongoing, reported quarterly
Eliminate barriers to accessing grant funding for home rehab/repairs	Department of Neighborhoods		Advocacy for policy changes that improve access to housing assistance	Ongoing, reported quarterly

Discussion:

Fair Housing Issue: Public Transportation

Goal: Lead efforts to adopt and expand county-wide transportation system

Measurable Objective	City Department Responsible	Other Institutions	TFHC's role	Deadline
Outreach to suburban jurisdictions to encourage participation	City Council, City administration	TARTA, Lucas County Commissioners, Chamber of Commerce, CATR, Ability Center	Advocacy for expansion of transportation	Ongoing, reported quarterly
Support sales tax ballot initiative to increase funding and expand TARTA services	City Council, City administration	TARTA, Lucas County Commissioners, Chamber of Commerce, CATR, Ability Center	Advocacy for expansion of transportation	Ongoing, reported quarterly
Offer alternative transportation options	City administration	TARTA, Lucas County Commissioners, Chamber of Commerce, CATR, Ability Center	Advocacy for expansion of transportation	Ongoing, reported quarterly

Discussion:

Fair Housing Issue: Impediments in Rental Housing
Goal: Address the eviction crisis in Toledo

Measurable Objective	City Department Responsible	Other Institutions	TFHC's role	Deadline
Educate tenants and housing providers about rights and responsibilities	Department of Neighborhoods will distribute information to CDBG partners as appropriate	LAWO	Assist clients through the Landlord Tenant Mediation Program	Ongoing, reported quarterly
Provide emergency housing and financial assistance for those displaced due to eviction	City Council, Department of Neighborhoods	2-1-1, Pathway, Catholic Charities, Salvation Army, TLCHB, LMHA	Connect clients to community resources	Ongoing, reported quarterly
Increase legal representation for tenants in Housing Court		LAWO	Assist clients through the Landlord Tenant Mediation Program	Ongoing, reported quarterly
Stricter enforcement of housing code violations	Department of Neighborhoods	Housing Court	Assist clients through the Landlord Tenant Mediation Program	Ongoing, reported quarterly

Discussion:

Fair Housing Issue: Impediments in Rental Housing

Goal: Ensure access to reasonable accommodations and modifications to improve housing accessibility

Measurable Objective	City Department Responsible	Other Institutions	TFHC's role	Deadline
Educate tenants and housing providers about rights and responsibilities	Department of Neighborhoods will distribute information to CDBG partners as appropriate	Ability Center	Conduct trainings, distribute educational materials, place advertisements	Ongoing, reported quarterly
Enforce Fair Housing Act violations		Ability Center	Assist victims, conduct investigations, file complaints	Ongoing, reported quarterly
Provide funding for accessibility modifications	Department of Neighborhoods	Ability Center	Advocacy for funding that supports housing needs	Ongoing, reported quarterly

Discussion:

Fair Housing Issue: Access to Water Services

Goal: Adopt policy and practice improvements through Water Affordability and Consumer Protection Committee

Measurable Objective	City Department Responsible	Other Institutions	TFHC's role	Deadline
Review and revise consumer policies and programs as needed	Department of Public Utilities, City administration, City Council	UPSE, Junction Coalition, Freshwater Future, Ohio Environmental Council	Participate in committee meetings and offer input	Ongoing, reported quarterly
Collect and analyze data related to water access and affordability	Department of Public Utilities, City administration, City Council	UPSE, Junction Coalition, Freshwater Future, Ohio Environmental Council	Participate in committee meetings and offer input	Ongoing, reported quarterly
Educate consumers about assistance programs	Department of Public Utilities, City administration, City Council	UPSE, Junction Coalition, Freshwater Future, Ohio Environmental Council	Connect clients to community resources	Ongoing, reported quarterly
Outreach to residents and neighborhood groups to seek input on water access and affordability	Department of Public Utilities, City administration, City Council	UPSE, Junction Coalition, Freshwater Future, Ohio Environmental Council	Advocacy for policies that support housing needs	Ongoing, reported quarterly

Discussion: