



Ending Housing Segregation Step 1:

Step 1: Plan for desegregation and greater housing choice.

A. Develop projections of regional affordable housing needs.

Sec. 8-37t. State's consolidated plan for housing and community development. (a) The Commissioner of Housing, in consultation with the Connecticut Housing Finance Authority and other state agencies involved in the provision of housing to lower income populations, shall prepare the state's consolidated plan for housing and community development in accordance with 24 CFR Part 91, as amended from time to time, and Title VIII of the Civil Rights Act of 1968, 42 U.S.C. 3601–3619.

Change: Expands the applicability of the consolidated plan to agencies that are involved in the provision of housing, in addition to DOH and CHFA.

(b) The consolidated plan shall state specific housing production numerical regional recommendations for meeting the housing needs of demographic groups identified in accordance with 24 CFR Part 91 and also families with children, households in need of supportive housing, single-mother, single-father, and other caregiver one-parent households, and families with mobility disabilities as defined by the U.S. Census, (c) The consolidated plan shall delineate a strategy, including identifying dedicated resources, to meet the goals articulated in (b). For the purpose of this statute, regions shall be defined by the Department of Housing pursuant to section 8-37bb(d).

Change: Creates an obligation for DOH to generate fair share allocations by region and outline a strategy for reaching the identified goals.

B. Require towns to plan for reaching their recommended apportionment of regional housing need.

Sec. 8-23. Preparation, amendment or adoption of plan of conservation and development. (a)(1) At least once every ten years, the commission shall prepare or amend and shall adopt a plan of conservation and development for the municipality. Following adoption, the commission shall regularly review and maintain such plan. The commission may adopt such geographical, functional or other amendments to the plan or parts of the plan, in accordance with the provisions of this section, as it deems necessary. The commission may, at any time, prepare, amend and adopt plans for the redevelopment and improvement of districts or neighborhoods which, in its judgment, contain special problems or opportunities or show a trend toward lower land values.

(2) If a plan is not amended decennially, the chief elected official of the municipality shall submit a letter to the Secretary of the Office of Policy and Management and the Commissioners of Transportation, Environmental Protection and Economic and Community Development that explains why such plan was not amended. A copy of such letter shall be included in each application by the municipality for discretionary state funding submitted to any state agency.

(3) Notwithstanding any provision of subdivisions (1) and (2) of this subsection, no commission shall be obligated to prepare or amend a plan of conservation and development for such municipality from July 1, 2010, to June 30, 2014, inclusive.

(b) On and after the first day of July following the adoption of the state Conservation and Development Policies Plan 2013-2018, in accordance with section 16a-30, a municipality that fails to comply with the requirements of subdivisions (1) and (2) of subsection (a) of this section shall be ineligible for discretionary state funding unless such prohibition is expressly waived by the secretary, except that any municipality that does not prepare or amend a plan of conservation and development pursuant to subdivision (3) of subsection (a) of this section shall continue to be eligible for discretionary state funding unless such municipality fails to comply with the requirements of said subdivisions (1) and (2) on or after July 1, 2015.

(c) In the preparation of such plan, the commission may appoint one or more special committees to develop and make recommendations for the plan. The membership of any special committee may include: Residents of the municipality and representatives of local boards dealing with zoning, inland wetlands, conservation, recreation, education, public works, finance, redevelopment, general government and other municipal functions. In performing its duties under this section, the commission or any special committee may accept information from any source or solicit input from any organization or individual. The commission or any special committee may hold public informational meetings or organize other activities to inform residents about the process of preparing the plan.

(d) In preparing such plan, the commission or any special committee shall consider the following: (1) The community development action plan of the municipality, if any, (2) the need for affordable housing, (3) the need for protection of existing and potential public surface and ground drinking water supplies, (4) the use of cluster development and other development patterns to the extent consistent with soil types, terrain and infrastructure capacity within the municipality, (5) the state plan of conservation and development adopted pursuant to chapter 297, (6) the regional plan of conservation and development adopted pursuant to section 8-35a, (7) physical, social, economic and governmental conditions and trends, (8) the needs of the municipality including, but not limited to, human resources, education, health, housing, recreation, social services, public utilities, public protection, transportation and circulation and cultural and interpersonal communications, (9) the objectives of energy-efficient patterns of development, the use of solar and other renewable forms of energy and energy conservation, (10) protection and preservation of agriculture, and (11) sea level change scenarios published by the National Oceanic and Atmospheric Administration in Technical Report OAR CPO-1.

(e) (1) Such plan of conservation and development shall (A) be a statement of policies, goals and standards for the physical and economic development of the municipality, (B) provide for a system of principal thoroughfares, parkways, bridges, streets, sidewalks, multipurpose trails and other public ways as appropriate, (C) be designed to promote, with the greatest efficiency and economy, the coordinated development of the municipality and the general welfare and prosperity of its people and identify areas where it is feasible and prudent (i) to have compact, transit accessible, pedestrian-oriented mixed use development patterns and land reuse, and (ii) to promote such development patterns and land reuse, (D) recommend the most desirable use of land within the municipality for residential, recreational, commercial, industrial, conservation, agricultural and other purposes and include a map showing such proposed land uses, (E) recommend the most desirable density of population in the several parts of the municipality, (F) note any inconsistencies with the following growth management principles: (i) Redevelopment and revitalization of commercial centers and areas of mixed land uses with existing or planned physical infrastructure; (ii) expansion of housing opportunities and design choices to accommodate a variety of household types and needs; (iii) concentration of development around transportation nodes and along major transportation corridors to support the viability of transportation options and land reuse; (iv)

conservation and restoration of the natural environment, cultural and historical resources and existing farmlands; (v) protection of environmental assets critical to public health and safety; and (vi) integration of planning across all levels of government to address issues on a local, regional and state-wide basis, (G) make provision for the development of housing opportunities, including opportunities for multifamily dwellings, consistent with soil types, terrain and infrastructure capacity, for all residents of the municipality and the planning region in which the municipality is located, as designated by the Secretary of the Office of Policy and Management under section 16a-4a, (H) promote housing choice and economic diversity in housing, including housing for both low and moderate income households, and encourage the development of housing which will meet the housing needs identified in the state's consolidated plan for housing and community development prepared pursuant to section 8-37t and in the housing component and the other components of the state plan of conservation and development prepared pursuant to chapter 297, and (I) consider allowing older adults and persons with a disability the ability to live in their homes and communities whenever possible. Such plan may: (i) Permit home sharing in single-family zones between up to four adult persons of any age with a disability or who are sixty years of age or older, whether or not related, who receive supportive services in the home; (ii) allow accessory apartments for persons with a disability or persons sixty years of age or older, or their caregivers, in all residential zones, subject to municipal zoning regulations concerning design and long-term use of the principal property after it is no longer in use by such persons; and (iii) expand the definition of "family" in single-family zones to allow for accessory apartments for persons sixty years of age or older, persons with a disability or their caregivers. In preparing such plan the commission shall consider focusing development and revitalization in areas with existing or planned physical infrastructure. For purposes of this subsection, "disability" has the same meaning as provided in section 46a-8.

(f) Any revision or updates made to municipal Plans of Conservation and Development after October 1, 2018, shall include (1) an assessment of municipal and regional racial and ethnic composition, (2) an assessment of an appropriate percentage of the regional affordable housing need that will be met within the municipality, (3) an assessment of an appropriate percentage of the regional handicapped or disability accessible or adaptable housing need, as defined by 42 USC 3602 and 42 USC 3604 that will be met within the municipality, (4) if the recommended percentage of the regional housing needs identified in (i)(a)(1) and (i)(a)(2) do not exist within the municipality, a delineation of the barriers to meeting that need and the steps and timeline the municipality will follow to overcome the identified barriers, meet the need, and affirmatively furthers fair housing within ten years in accordance with Title VIII of the Civil Rights Act of 1968, 42 U.S.C. 3601–3619.

Change: Adds additional requirements for municipal Plans of Conservation and Development to (1) report racial demographics, (2) assess an appropriate amount of the regional housing need to host, (3) outline a plan to reaching housing need goals, and (4) identify barriers to meeting that need.

C. Involve the state and other stakeholders in developing regional housing need estimates for towns.

Sec. 16a-35i. Plan to include goals for affirmatively furthering fair housing.

(a)The Office of Policy and Management, in consultation with the Department of Housing, regional Councils of Government, and state civil rights and housing experts, shall amend the state plan of conservation and development adopted pursuant to this chapter to include therein (1) an explicit statement of regional estimates for meeting the affordable housing needs of the state as defined in CGS Sec. 8-37t [AS AMENDED] and the need for handicapped accessible or adaptable housing as defined by 42 USC 3602 and 42 USC and (2) delineate specifically how the state will affirmatively further fair housing in compliance with Title VIII of the Civil Rights Act of 1968, 42 U.S.C. 3601–3619.

Change: Requires OPM, in consultation with DOH, Councils of Government, and civil rights and housing experts, to develop regional estimates and outline a plan for affirmatively furthering fair housing.



Ending Housing Segregation Step 2:

Balance where government-subsidized housing is located and ensure marketing happens across racial lines.

A. Assessment of Housing Need and Data Transparency on Subsidized Housing Investments

Sec. 8-37s. Commissioner to monitor housing needs and publish data on housing production. (a) The Commissioner of Housing shall monitor the progress of the public and private sector toward meeting housing needs and shall collect and annually publish data on housing production in the state. In order to ensure a steady flow of information for the purposes of this section, all municipalities shall submit to the commissioner a copy of the monthly federal Bureau of the Census report on building permits issued and public construction filed at the same time as such report is filed with the federal Bureau of the Census.

Change: Provides a subsection (a) to allow for further guidance in additional subsections.

(b) In accordance with the federal Fair Housing Act, sections 8-37cc and 8-37ee and the reporting requirements of sections 8-37bb, 8-37ff, 8-37qqq and this section, the Commissioner shall, in cooperation with other state agencies providing or supporting housing, and, where possible, relevant federal agencies, shall annually produce in the Annual Action Plan submitted to the U.S Department of Housing and Urban Development or the report required under CGS Sec. 8-37bb information including: (1) A comprehensive list of all state and federally subsidized housing in the state; and (2) results of a housing needs assessment by income levels pursuant to subsection (a) of this section. The commissioner shall compile this data based upon the information gathered pursuant to subdivisions (1) through (3) of this sub-section.

Change: Makes clear that providing assistance in addition to funding also triggers reporting. So, for example, tax credit-supported developments are included.

Change: Provides guidance on *existing* requirements to produce a comprehensive list of subsidized housing and a housing needs assessment.

(c) The list of all state and federally subsidized housing described in subsection (b) of this act shall be divided into three types: (1) physical units owned by housing authorities, state or federal government; (2) units supported by other subsidy that is attached to the physical development, such as the US Housing and Urban Development Housing Choice Voucher Program Project Based Vouchers or similar state-supported programs; and (3) federal or state subsidy that is tenant-based.

Change: Describes the types of housing for which reporting is required – physical units owned by a government entity, government subsidy supported units, and tenant-based subsidies.

(d) For each housing development owned by the state or federal government described in subsection (b) and for each physical unit supported by other government assistance, described in subsection (b), the Commissioner shall report, by development, and unit type where necessary: (1) development, developer, and management company's names; (2) location by physical address and census tract;

Change: Describes the data that must be collected for physical units owned or supported by government entities.

(3) affordability income requirements by unit; (4) number of units; (5) number of bedrooms per unit; (6) population served, including elderly, non age restricted, disability or supportive; (7) the program through which the development is funded and amount of funding provided; (8) the years of allocation and construction; (9) the type of funding, including new construction, substantial rehabilitation, loan, purchase or rental assistance; (10) if rehabilitation, the number of affordable units with the same income restrictions the development will be adding or reducing or replacing compared to units that were previously in the development (10) identify those units that are accessible or adaptable for people with mobility challenges, as defined by 42 USC 3602, 42 USC 3604, in conjunction with item (3), (4), (5), and (6) under this section; (11) number and identity of unites that are handicapped or disability accessible or adaptable pursuant to 42 USC 3602, 42 USC 3604 and 24 CFR 100.20 as amended from time to time, (12) the percentage of units in the development that are supported by the US Department of Housing and Urban Development's Housing Choice Voucher Project Based Voucher Program; and (13) the percentage of units occupied by tenants using the US Department of Housing and Urban Development's tenant-based Housing Choice Vouchers.

(e) For federal and state tenant-based subsidies described in subsection (b), the following information will be reported, in a manner that does not provide personally identifiable information: (1) if relevant, development name, if said development has more than 10 units, (2) census tract of the unit, (3) household familial status of the unit's household, including the total number of household members and, if children are present, the number of children and ages, (4) whether any household member has a disability and, if so, specifically indicating if that disability includes challenges to mobility requiring an accessible unit, and (5) for each head of household, the (i) race; (ii) gender; (iii) ethnicity; (iv) income; (v) marital status; and (vi) age of such person.

Change: Describes the data that must be collected for tenant-based subsidies. Virtually all of these data are already required to be kept by HUD and are kept by DOH for the Rental Assistance Program. The one exception is that disability information may not currently include a designation for mobility challenges.

B. Affirmatively Market Across Lines of Race & Income and Set Goals for Balancing Subsidized Housing Location

Sec. 8-37bb. Annual report re fair housing choice and racial and economic integration. (a) On or before ~~July~~ December 31, 2013, and annually thereafter, ~~each housing agency, except the Department of Housing, the Department of Housing, working in partnership with the Connecticut Housing Finance Authority, and with the cooperation with other state agencies providing, assisting, or supporting, financially or otherwise, housing, and, where possible, relevant federal agencies,~~ shall submit to the General Assembly ~~and make public on its website,~~ a report, for the year ending the preceding ~~September thirtieth~~ June 30th, ~~or include a section of its Consolidated Plan described in 8-37t in the year it is published and in the Annual Action Plan submitted to the U.S. of Housing and Urban Development, which analyzes, by development, demographic data for income group,~~ households served by its housing construction, substantial rehabilitation, purchase and rental assistance programs. Each report shall analyze, ~~by development,~~ the households served under each program by ~~income group,~~ race ~~and ethnicity~~. The analysis shall provide ~~this~~ information by housing development, if applicable, and by program. Each analysis shall include data, ~~by development,~~ for all households (1) entering an agency program during the year ending the preceding ~~September thirtieth~~ June 30th, (2) in occupancy or receiving the benefits of an agency rental program the preceding ~~September thirtieth~~ June 30th and (3) ~~persons on the waiting list~~. The report of the ~~Connecticut Housing Finance Authority~~ shall also identify, by census tract, ~~and, where relevant, development,~~ the number, ~~race, and ethnicity~~ of households served in each program, ~~and the total amount of financial assistance provided to such households, and the sources of that assistance~~. Each report submitted under this section shall also analyze the efforts, and the results of such efforts, of each agency in promoting fair housing choice and racial and economic integration. The provisions of this section shall not be construed to require an occupant or applicant to disclose his race on an application or survey form.

Change: Changes the reporting deadline to July to better align with the fiscal year and other data reporting deadlines for the HUD.

Change: Reinserts DOH as an entity to which this obligation applies. When most housing programs were at DECD, the agency removed itself from this obligation and this carried over to the new DOH. Functionally, this means that any housing that is created without CHFA funds will now be reported and tenant-based programs like Housing Choice Vouchers and RAP will be included.

Change: Expands the scope of agencies that must cooperate in collecting this data to other agencies involved in affordable housing provision.

Change: Includes the option to fold this report into other reports that DOH is already obligated to submit to HUD, thereby potentially generating a cost savings.

Change: Provides guidance on the manner in which reporting on race, ethnicity, and development location should be provided, such that a fair housing analysis can be done.

Change: Provides specifics on how a fair housing assessment should be carried out. Currently, no real assessment is provided in this report, even though it is required.

~~(b) Each report submitted under this section shall also document the efforts of the agency in promoting fair housing choice and racial and economic integration and shall include data on the racial composition of the occupants and persons on the waiting list of each housing project which is assisted under any housing program established by the general statutes or special act or which is supervised by the agency. The provisions of this subsection shall not be construed to require disclosure of such information by any occupant or person on a waiting list.~~

Change: Removes portions of the obligations under this section which are duplicative of subsection (a) and folds remaining obligations into an amended subsection (a).

(b) Each report submitted shall state the state's one, five, and ten year targets for prioritizing subsidized housing development in a manner consistent with Section 8-37ee and Title VIII of the Civil Rights Act of 1968, 42 U.S.C. 3601–3619, including stating specific percentages of the total state and federal subsidized housing units to be located across the state by opportunity area, as defined by section 8-348, with the goal of creating a balance of subsidized housing that assists with revitalizing struggling communities and creating housing choices in areas with lower levels of subsidized housing in a manner that affirmatively furthers fair housing.

Change: Requires the state to identify one-, five-, and ten-year targets to reach a goal of balanced subsidized housing placements that support various types of development in order to affirmatively further fair housing.

(c) Each report submitted under this section shall also analyze the state's efforts to promote fair housing choice and racial and economic integration, including but not limited to (i) providing an analysis of where state and federal affordable housing, identified in section 8-37t, is located by census tract poverty level, White non-Hispanic percentage, opportunity level as defined by Sec. 8-348, and status as a Racially and Ethnically Concentrated area of Poverty, as defined by census tracts with populations under 50% White non-Hispanic and with a poverty rate that is three times that of the state, (ii) by assessing the data delineated in subsection (a), determine whether each development, regardless of the demographic served, is successfully marketing to eligible persons within the region, as defined in subsection (c), who are least likely to apply, as defined by the regulations of the Department of Housing, by comparing progress over the most recent year in increasing the percentage of applicants, occupants, and persons on the waiting list least likely to apply to performance in previous available years and to the percentage of program-eligible persons of similar races and ethnicities living in the region. The provisions of this subsection shall not be construed to require disclosure of personally identifying information by any occupant or person on a waiting list.

Change: Provides guidance on metrics for assessing progress on fair housing goals, including the location of subsidized housing and outcomes of affirmative marketing.

Change: Requires the assessment affirmative marketing performance by race and ethnicity to regional demographics as defined by the Department of Housing.

(d) For the purposes of this statute, a development's region will be defined by the Department of Housing, but must include the Racially and Ethnically Concentrated areas of Poverty, as defined by census tracts with populations under 50% White non-Hispanic and with a poverty rate that is three times that of the state, closest to the development.

Change: Ensures that each region of the state, as defined by the Department of Housing, includes racially- and ethnically-concentrated areas of poverty.

Sec. 8-37ee. Establishment of affirmative duty for entities participating in programs assisted or supervised by state housing agencies to promote fair housing. (a) ~~Each entity participating in any program~~ Each state agency providing or supporting housing, ~~administered by a housing agency, as defined in section 8-37aa, under this title~~ shall have an affirmative duty to promote fair housing in each housing development that is assisted or supervised under any provision of this title.

Change: Ensures that the duty to affirmatively further fair housing extends to all state agencies providing or supporting housing. This would encompass agencies with housing programs beyond CHFA and DOH (the only agencies originally subject to the requirement), such as DCF (e.g. the CHAP Program) and DMHAS (e.g. 1600 units of Rental Assistance).

(b) Any entity ~~receiving applying for financial assistance~~ related to the creation, rehabilitation or support, financial or otherwise, of affordable housing under any program administered by a ~~state agency~~ housing agency established by this title shall submit an affirmative fair housing marketing plan to such ~~housing agency~~ for its approval. Such plan shall have provisions for recruitment of an applicant pool that reflects by race and ethnicity the percentage of the population of eligible households least likely to apply in the region, as defined by the Department of Housing. ~~includes residents of municipalities of relatively high concentrations of minority populations. The housing agency shall periodically review each plan to assure that to the extent practicable such an applicant pool is created and may require that a plan be revised by the entity submitting it.~~

Change: Expands affirmative marketing obligations to agencies that are involved in the delivery of affordable housing beyond just DOH and CHFA.

(c) Each development's plan shall be posted on the Department of Housing's website and, pursuant to the analysis in section 8-37bb, the housing agency shall annually review each development's occupancy to assure that it reflects efforts to affirmatively further fair housing and effective marketing to the population of eligible households least likely to apply in the region, as defined by the Department of Housing. The results of the annual review will be included in the reports required under section 8-37bb or 8-37t.

Change: Requires posting of the affirmative marketing plans of housing providers receiving state funding on DOH's website to allow for transparency.

Change: Provides additional guidance on DOH and CHFA's existing obligations to assess affirmative marketing results and clarifies that this should occur annually.

(d) If a development's occupants do not reflect, by percentage, the population of eligible households least likely to apply in the region, as defined by the Department of Housing, in consultation with the Department of Housing the development shall submit an updated affirmative marketing plan designed to ensure effective marketing to those least likely to apply. The development will submit monthly tenant demographic reports to the Department of Housing until such time its occupancy reflects the demographics eligible households of the region by race and ethnicity. A development may obtain a waiver from this requirement if it can demonstrate it made a good faith effort to comply. The Department of Housing shall apply sanctions in accordance with its regulations if a development does not reach affirmatively marketing goals within three years and non-performance shall be a permissible reason for not funding or working with the development's developer or management company on future projects involving state support.

Change: Creates concrete regime for implementing affirmative marketing requirements in a robust manner, including defined penalties for non-compliance. This also provides a waiver if a developer finds it impossible to comply after making a good-faith effort.

C. Permit out-of-jurisdiction housing authority replacement housing when aligned with tenant wishes

Sec. 8-64a. Disposal of housing project by housing authority. No housing authority that receives or has received any state financial assistance may sell, lease, transfer or destroy, or contract to sell, lease, transfer or destroy, any housing project or portion thereof in any case where such project or portion thereof would no longer be available for the purpose of low or moderate income rental housing as a result of such sale, lease, transfer or destruction, except (a) if a desire for greater geographic housing choices is indicated by responses to a tenant survey, the housing authority may construct, purchase or support replacement units in high or very high opportunity census tracts within the state of Connecticut, as defined by section 8-348, within 30 miles of its municipal borders or

Change: Updates 2016 amendment to ensure that tenant desire for greater housing choices is considered when developing replacement housing, and authorize housing authorities to respond to this desire.

(b) the Commissioner of Housing may grant written approval for the sale, lease, transfer or destruction of a housing project if the commissioner finds, after a public hearing, that (1) the sale, lease, transfer or destruction is in the best interest of the state and the municipality in which the project is located, (2) an adequate supply of low or moderate income rental housing exists in the municipality in which the project is located, (3) the housing authority has developed a plan for the sale, lease, transfer or destruction of such project in consultation with the residents of such project and representatives of the municipality in which such project is situated and has made adequate provision for said residents' and representatives' participation in such plan, and (4) any person who is displaced as a result of the sale, lease, transfer or destruction will be relocated to a comparable dwelling unit of public or subsidized housing in the same municipality or will receive a tenant-based rental subsidy and will receive relocation assistance under chapter 135. The commissioner shall consider the extent to which the housing units that are to be sold, leased, transferred or destroyed will be replaced in ways that may include, but need not be limited to, newly constructed housing, rehabilitation of housing that is abandoned or has been vacant for at least one year, or new federal, state or local tenant-based or project-based rental subsidies. The commissioner shall give the residents of the housing project or portion thereof that is to be sold, leased, transferred or destroyed written notice of said public hearing by first class mail not less than ninety days before the date of the hearing. Said written approval shall contain a statement of facts supporting the findings of the

commissioner. This section shall not apply to the sale, lease, transfer or destruction of a housing project pursuant to the terms of any contract entered into before June 3, 1988. The commissioner shall not impose a one-for-one replacement requirement on King Court in East Hartford. This section shall not apply to phase I of Father Panik Village in Bridgeport, Elm Haven in New Haven, Pequonnock Gardens Project in Bridgeport, Evergreen Apartments in Bridgeport, Quinnipiac Terrace/Riverview in New Haven, Dutch Point in Hartford, William V. Begg Apartments in Waterbury, Southfield Village in Stamford and, upon approval by the United States Department of Housing and Urban Development of a HOPE VI revitalization application and a revitalization plan that includes at least the one-for-one replacement of low and moderate income units, Fairfield Court in Stamford.



Ending Housing Segregation Step 3: Design Tenant-based Subsidies to foster choices.

A. Create optional expanded housing authority jurisdiction

Sec. 8-40. Creation of housing authorities. In each municipality of the state there is created a public body corporate and politic to be known as the “housing authority” of the municipality; provided such authority shall not transact any business or exercise its powers hereunder until the governing body of the municipality by resolution declares that there is need for a housing authority in the municipality, provided it shall find (1) that insanitary or unsafe inhabited dwelling accommodations exist in the municipality or (2) that there is a shortage of safe or sanitary dwelling accommodations in the municipality available to families of low income at rentals they can afford or (3) that there is a shortage of safe or sanitary dwelling accommodations in the municipality available to families of moderate income at rentals they can afford. In determining whether dwelling accommodations are unsafe or insanitary, said governing body may take into consideration the degree of overcrowding, the percentage of land coverage, the light, air, space and access available to the inhabitants of such dwelling accommodations, the size and arrangement of the rooms, the sanitary facilities and the extent to which conditions exist in such buildings which endanger life or property by fire or other causes. The governing bodies of two or more municipalities may create a regional housing authority, which shall have all the powers, duties and responsibilities conferred upon housing authorities by this chapter and chapter 130. The area of operation of such authority shall include the municipalities for which such authority is created. Such authority shall act through a board of commissioners composed of two representatives from each municipality appointed for terms of four years in the manner provided in section 8-41. [Any housing authority may opt to adopt extended authority including any high or very high opportunity census tract within the state of Connecticut, as defined by section 8-348, within 30 miles of its municipal borders.](#)

Change: Provides an option for housing authorities to expand their jurisdiction, as defined by state law, to high and very high opportunity areas, as defined by the Department of Housing, within 30 miles of their town borders.

This will allow housing authorities to:

- (1) Encourage tenant-based Housing Choice Voucher holders to consider a broader geographic diversity of housing options without causing the housing authorities to lose administrative fees when tenants leave the town.
- (2) Expand the potential locations of project-based Housing Choice Vouchers.
- (3) Reduce the red tape housing authorities must contend with in order to undertake development outside of their towns (something that they can currently do by creating a subsidiary corporation or working with a partner).

B. Fully fund mobility counseling and include access to security deposit guarantees

Sec. 8-348. Residence mobility counseling program. (a) The Department of Housing shall, ~~within existing resources of the department~~ establish a comprehensive and effective residence mobility counseling program serving at least 7% of program participants with children annually and following best practices to assist individuals or families in relocating their residences to higher opportunity areas through education and support services. This program shall include access to security deposit guarantees through the state's program. The commissioner may contract with one or more nonprofit corporations to provide such residence mobility counseling. Individuals and families eligible for the residence mobility counseling program shall currently have a certificate or voucher from either: (1) The federal Housing and Urban Development Section 8 program, or (2) the state rental assistance program. For purposes of this subsection, "opportunity areas" means those areas designated as such using opportunity mapping analysis that includes census tract level assessment of educational, economic and neighborhood characteristics, including education data and crime rates. The Department of Housing shall make such opportunity mapping analysis available on the Internet web site of the Department of Housing.

(b) Counseling provided pursuant to this section shall include, but need not be limited to, (1) providing information regarding communities, schools, employment opportunities and community services available in various areas, (2) assisting with locating rental housing that meets the individual's or family's needs, (3) facilitating a relocation by negotiating with the current landlord about the transfer of rental assistance certificates or vouchers, and with the new landlord about security deposits, rental payments and acceptance of rental assistance certificates or vouchers, and (4) acting as a liaison between the individual or family and the landlord to encourage a successful transition and housing stability.

(c) Annually, the Commissioner of Housing shall submit a report on the program to the General Assembly, in accordance with section 8-37qqq.

Change: Requires full funding to allow the state's mobility counseling program to serve 7% of the families with children within the federal Housing Choice Voucher and state Rental Assistance Program effectively and consistent with national best practices. Mobility counseling is one of the most effective strategies available to connect tenant-based government housing subsidy holders to housing in high-resource neighborhoods. According to a comprehensive study long-term study by Harvard University, it produces life-transforming results for low-income children, including significant increases in life-time earnings, increased likelihood of attending high quality colleges and greater likelihood of being in long term stable relationships, as compared with children who remained in high poverty environments.

C. Launch an Open Choice Vouchers pilot program

Sec. 8-345. (Formerly Sec. 17b-812). Rental assistance for low-income families living in privately-owned rental housing. Regulations. Hearing. (a) The Commissioner of Housing shall implement and administer a program of rental assistance for low-income families living in privately-owned rental housing. For the purposes of this section, a low-income family is one whose income does not exceed fifty per cent of the median family income for the area of the state in which such family lives, as determined by the commissioner.

(b) Housing eligible for participation in the program shall comply with applicable state and local health, housing, building and safety codes.

(c) In addition to an element in which rental assistance certificates are made available to qualified tenants, to be used in eligible housing which such tenants are able to locate, the program may include a housing support element in which rental assistance for tenants is linked to participation by the property owner in other municipal, state or federal housing repair, rehabilitation or financing programs. The commissioner shall use rental assistance under this section so as to encourage the preservation of existing housing and the revitalization of neighborhoods or the creation of additional rental housing.

(d) The commissioner may designate a portion of the rental assistance available under the program for tenant-based and project-based supportive housing units. To the extent practicable rental assistance for supportive housing shall adhere to the requirements of the federal Housing Choice Voucher Program, 42 USC 1437f(o), relative to calculating the tenant's share of the rent to be paid.

(e) The commissioner shall administer the program under this section to promote housing choice for certificate holders and encourage racial and economic integration. The commissioner shall establish maximum rent levels for each municipality in a manner that promotes the use of the program in all municipalities. Any certificate issued pursuant to this section may be used for housing in any municipality in the state. The commissioner shall inform certificate holders that a certificate may be used in any municipality and, to the extent practicable, the commissioner shall assist certificate holders in finding housing in the municipality of their choice.

(f) Nothing in this section shall give any person a right to continued receipt of rental assistance at any time that the program is not funded.

(g) The commissioner shall adopt regulations in accordance with the provisions of chapter 54 to carry out the purposes of this section. The regulations shall establish maximum income eligibility guidelines for such rental assistance and criteria for determining the amount of rental assistance which shall be provided to eligible families.

(h) Any person aggrieved by a decision of the commissioner or the commissioner's agent pursuant to the program under this section shall have the right to a hearing in accordance with the provisions of chapter 54. Section 1.

(i) The commissioner of housing, in consultation with the commissioner of education, shall develop a pilot program to provide rental assistance certificates authorized under this section to families with children participating in interdistrict school programs receiving grants under section 10-266j of the general statutes, to enable such families to live in the town where their children attend school.

Change: Creates a pilot program for families participating in the Open Choice Program who income-qualify for tenant-based housing subsidies and would like to move to the community where their children are attending school.



Ending Housing Segregation Step 4: Make desegregation obligations meaningful.

A. Expand the duty to reverse segregation to all state agencies that provide or support housing

Sec. 8-37cc. Housing agencies to serve households with incomes less than fifty per cent of area median income and to promote fair housing choice and racial and economic integration. (a) Each housing agency, as defined in section 8-37aa, shall, within available resources and to the extent practicable, serve households with incomes less than fifty per cent of the area median income, including households with incomes less than twenty-five per cent of the area median income. In administering its programs each housing agency shall attempt to serve households in the lower range of the income group for which the housing program was developed.

(b) In addition to those housing agencies defined in section 8-37aa, each housing state agency providing or supporting, financially or otherwise, affordable housing shall affirmatively promote fair housing choice and racial and economic integration in all programs administered or supervised by such housing agency.

This statute was stripped of its enforceability as the result of a 2006 CT Supreme Court case, *Asylum Hill v. King*, which asserted that the statute needed to include explicit language giving it a private right of action. Taking the statute's legislative history in context at the time it was passed, it was clearly intended to be enforceable.

Change: Expands the applicability of the affirmatively furthering obligation to agencies beyond CHFA and DOH that are involved in the provision of affordable housing. These agencies could include, for example, DMHAS, DSS, and OPM.

B. Reinsert a private right of action to the state duty to affirmatively further fair housing

Sec. 46a-98a. Discriminatory housing practice or breach of conciliation agreement: Cause of action; relief. Any person claiming to be aggrieved by a violation of section 8-37cc, 46a-64c or 46a-81e or by a breach of a conciliation agreement entered into pursuant to this chapter, may bring an action in the Superior Court, or the housing session of said court if appropriate within one year of the date of the alleged discriminatory practice or of a breach of a conciliation agreement entered into pursuant to this chapter. No action pursuant to this section may be brought in the Superior Court regarding the alleged discriminatory practice after the commission has obtained a conciliation agreement pursuant to section 46a-83 or commenced a hearing pursuant to section 46a-84, except for an action to enforce the conciliation agreement. The court shall have the power to grant relief, by injunction or otherwise, as it deems just and suitable. In addition to the penalties provided for under subsection (g) of section 46a-64c or subsection (f) of section 46a-81e, the court may grant any relief which a presiding officer may grant in a proceeding under section 46a-86 or which the court may grant in a proceeding under section 46a-89. The commission, through commission legal counsel or the Attorney General, may intervene as a matter of right in any action brought pursuant to this section without permission of the court or the parties.

Change: Adds the obligation to affirmatively further fair housing to the causes of action that are entitled to relief under state fair housing laws.



Ending Housing Segregation Step 5: Support investments in struggling communities

Sec. 8-37pp. Affordable housing. State assistance authorized. Terms and conditions. Regulations. (a) For purposes of this section:

(1) “Affordable housing” means affordable housing, as defined in section 8-39a, except that investments that promote homeownership in very low opportunity areas, as defined by 8-348, shall qualify without income limits if they contain at least one rental unit that is deed restricted to be affordable under this section. If a program participant’s employer provides an employee assistance homeownership program, the Department of Housing may opt to treat that as source of matching funding;

Change: Allows homeownership program funding to be spent on promoting non-income-capped homeownership in struggling communities if such housing contains a deed-restricted affordable rental unit.

(2) “Commissioner” means the Commissioner of Housing;

(3) “Department” means the Department of Housing;

(4) “Eligible applicant” means: (A) A nonprofit entity; (B) a municipality; (C) a housing authority; (D) a business corporation incorporated pursuant to chapter 601 or any predecessor statutes thereto or authorized to do business pursuant to said chapter 601 having as one of its purposes the construction, financing, acquisition, rehabilitation or operation of affordable housing, and having a certificate or articles of incorporation approved by the commissioner; (E) any partnership, limited partnership, limited liability company, joint venture, sole proprietorship, trust or association having as one of its purposes the construction, financing, acquisition, rehabilitation or operation of affordable housing, and having basic documents of organization approved by the commissioner; or (F) any combination thereof;

Change: Authorizes DOH to use this expanded authorization to leverage employer investments to foster homeownership in struggling communities.

(5) “Eligible costs” means costs relating to the planning, implementation and completion of an eligible project; and

(6) “Eligible project” means a project designed for the purpose of providing affordable housing, and shall include, but not be limited to, (A) acquisition, construction, rehabilitation, repair and maintenance of residential or mixed use structures, (B) acquisition, construction, rehabilitation, repair and maintenance of related infrastructure, facilities and amenities incidental and pertinent to the provision of affordable housing and intended primarily to serve the residents of the affordable housing project, that may include, but not be limited to, a community room, laundry, day care space, computer center, management office or playground, or (C) demolition, renovation or redevelopment of vacant buildings or related infrastructure.

(b) The state, acting by and in the discretion of the commissioner, may enter into a contract for state financial assistance for any eligible project in the form determined by the commissioner, including, but not limited to, a grant, loan, loan guarantee, deferred loan or any combination thereof.

(c) An application for financial assistance shall be in the form and manner prescribed by the commissioner. In determining whether and to what extent to fund an application received from eligible applicants, the commissioner may consider relevant factors including, but not limited to, the following: (A) The ability of the project to affirmatively further racial and economic integration, including expanding multifamily rental housing opportunities in suburban and rural communities; (B) the ability of the project to

meet the housing needs of the lowest income populations; (C) the ability of the project to revitalize urban neighborhoods, including expanding homeownership and increasing multifamily rehabilitation in the central cities; (D) the ability of the project to provide a full range of supportive housing options for people with special needs or who are at risk of becoming homeless; (E) impact of the project on the local neighborhood, region and the state; (F) short-term and long-term benefits of the project; (G) impact on affordable housing needs of the neighborhood, community, municipality and region; (H) project feasibility; (I) potential for leveraging other public and private investments; (J) applicant's ability to implement the project in a timely manner; (K) the relative need for the project; (L) the applicant's financial commitment to the project, except in the case of a nonprofit entity or a housing authority created pursuant to section 8-40; and (M) the extent to which the project will advance the public purposes set forth in this subdivision.

(d) The commissioner shall review and approve the site and the estimated total development budget, including the nature and amount of financial assistance to be provided from all sources and by the state. The commissioner may review and approve any additional factors determined to be necessary or appropriate to protect the state's interests. Upon determination by the commissioner that the eligible costs are necessary and reasonable, and, in the case of financial assistance provided from the proceeds of the state's bonds upon preliminary approval by the State Bond Commission pursuant to the provisions of section 3-20 or, in the case of financial assistance provided from a funding source other than the state's bonds upon the approval by the Governor of an allotment for such purpose, the state, acting by and through the commissioner, may provide the financial assistance for such eligible costs.

(e) Financial assistance provided shall be upon terms and conditions not inconsistent with the provisions of this section which the commissioner shall establish as prudent and necessary to protect the state's interests. Such terms and conditions may include, separately or in combination, without limitation: (1) The requirements of funds from other sources, including, without limitation, financing obtained from quasi-public agencies, as defined in section 1-120, federal and local government agencies and private for-profit and not-for-profit institutions; (2) participation interests; (3) subsidy recapture provisions; and (4) resale and prepayment, job retention, residency, use and affordability restrictions. Such terms and conditions and compliance with such terms and conditions may be documented and secured as the commissioner shall determine.

(f) (1) The commissioner may take all reasonable steps and exercise all available remedies necessary or desirable to protect the obligations or interests of the state, including, but not limited to, amending any term or condition of a contract or agreement, provided such amendment is allowed or agreed to pursuant to such contract or agreement, or purchasing or redeeming, pursuant to foreclosure proceedings, bankruptcy proceedings or in other judicial proceedings, any property on which such commissioner or the department holds a mortgage or other lien, or in which such commissioner or the department has an interest.

(2) The commissioner may request, inspect and audit reports, books and records and any other financial or project-related information with respect to eligible applicants that receive financial assistance, including, without limitation, resident or employment information, financial and operating statements and audits. The commissioner may investigate the accuracy and completeness of such reports, books and records.

(3) Notwithstanding any provision of the general statutes, the commissioner is authorized, for purposes of the program established under this section, to assess and collect application fees of no more than two hundred fifty dollars to recover all or part of the costs or expenses incurred by the state in reviewing applications for financial assistance.

(g) The commissioner may adopt such regulations, in accordance with chapter 54, as are necessary for the implementation of this section.