

**A Case for Broadening**

**Housing Authority Jurisdiction in Connecticut**

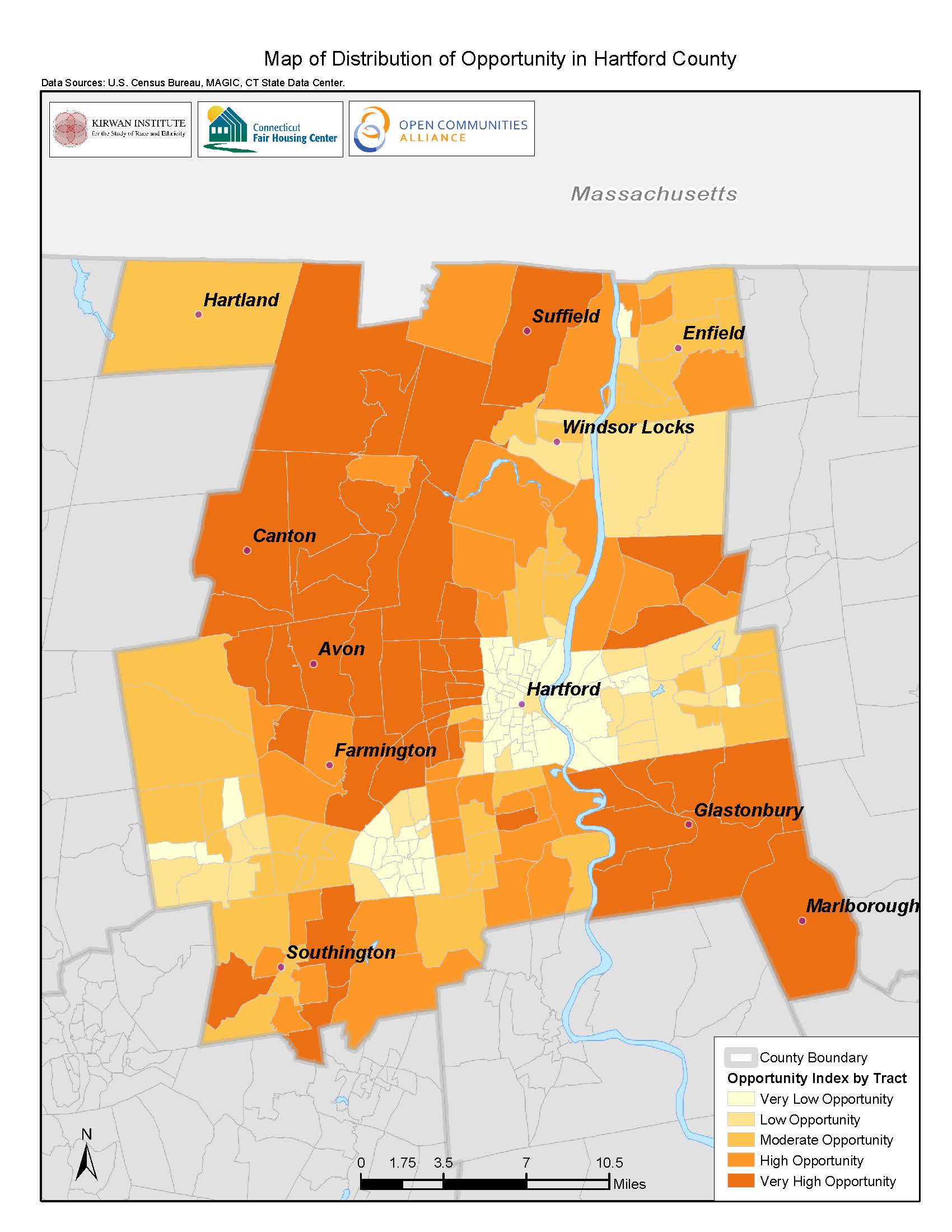
***February 2018***

Limitations on housing authority jurisdiction reinforce lines of segregation, reduce housing choices for households participating in programs administered by housing authorities, and disempower housing authorities from fully promoting affirmative fair housing policies. The design of federal housing programs present challenges to housing authorities interested in affirmatively furthering fair housing, but statutory changes at the state level can fundamentally transform the role that housing authorities can play in expanding housing choice.

***What are opportunity areas?***

Opportunity mapping identifies opportunity-rich and opportunity-isolated communities. Where you live affects your access to opportunity, and by mapping opportunity, we can better determine who has access to opportunity resources and how to remedy opportunity inequality. Factors defining opportunity include educational outcomes, employment access, poverty, crime rates and more. Opportunity is assessed across five levels, very high, high, moderate, low, and very low. In the map below higher opportunity areas are shaded with darker orange. More lightly shaded areas are lower opportunity.

*For more information, see Appendix A.*

Empowering housing authorities to be stronger partners in broadening housing choices is critical not only because of the federal obligation to affirmatively further fair housing,[[1]](#footnote-1) but also because of recent, definitive research confirming importance of access to opportunity – such as the resources available in thriving communities – to successful life outcomes.[[2]](#footnote-2) Poverty concentration has significant negative affects on family health, education, and economic well-being, not to mention the strength of Connecticut’s economy as a whole. Another benefit of broadened housing authority jurisdiction is voluntary poverty deconcentration, opening opportunities for our cities to revitalize.

Open Communities Alliance recommends that the state law limiting housing authority jurisdiction to municipal borders be amended to permit housing authorities the discretion to extend their jurisdictions to thriving communities within a certain radius of their town lines, permitting them to function regionally. We further recommend that housing authorities be empowered to adopt statewide jurisdiction if an appropriate reasonable accommodation for a household with a member with a disability.

Figure 1: Opportunity Map of the Hartford Region. Darker orange census tracts have greater to opportunity resources like high performing schools.

***Impact of Limits on Housing Authority Jurisdiction***

State limits on housing authority jurisdiction, combined with incentive structures in federal program, restrict a range of activities to the borders of the town within which a housing authority is located. These restricted activities include:

**What is the obligation to AFFH?**

According to the US Department of Housing and Urban Development, to “affirmatively further fair housing” means to take “meaningful actions [to] … address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws.”

*HUD Fact Sheet on Affirmatively Furthering Fair Housing, available at* [*http://www.huduser.gov/portal/sites/default/files/pdf/AFFH-Fact-Sheet.pdf*](http://www.huduser.gov/portal/sites/default/files/pdf/AFFH-Fact-Sheet.pdf)*. For more information, see Appendix B.*

* The administration of the tenant-based Housing Choice Voucher program.[[3]](#footnote-3)
* The placement of Project-based Vouchers.[[4]](#footnote-4)
* Where the housing authority may develop physical units of housing under its own name without creating a separate corporate entity to undertake development or partnering with another entity.

|  |  |
| --- | --- |
| Figure 2: Housing Choice Voucher  Recipients in Connecticut  *(as of 11/30/17)* | |
| Race and Ethnicity | |
| White Non-Latino (est.) | 20% |
| Black | 35% |
| Latino | 43% |
| Other Characteristics | |
| People with Disabilities | 38% |
| Female Headed Households with Children | 43% |

These restrictions have serious implications for the ability of housing authorities to provide their clients with true choices in housing location, especially the option to live in higher opportunity areas (see *Appendix A* for more information on opportunity designations). This, in turn, makes it very difficult for housing authorities, especially those in lower opportunity areas, to affirmatively further fair housing, as required by the U.S. Department of Housing and Urban Development (HUD) and state law (see sidebar explanation below, *What is the obligation to Affirmatively Further Fair Housing?*).

Increasing housing choices for housing authority program participants is particularly important considering the high percentage who are people of color, people with disabilities or in female-headed households and the extent to which voucher holders disproportionately live in disinvested poverty-concentrated lower opportunity areas.[[5]](#footnote-5) Almost 80% of voucher holders are people of color and 86% live in low and very low opportunity areas.[[6]](#footnote-6)

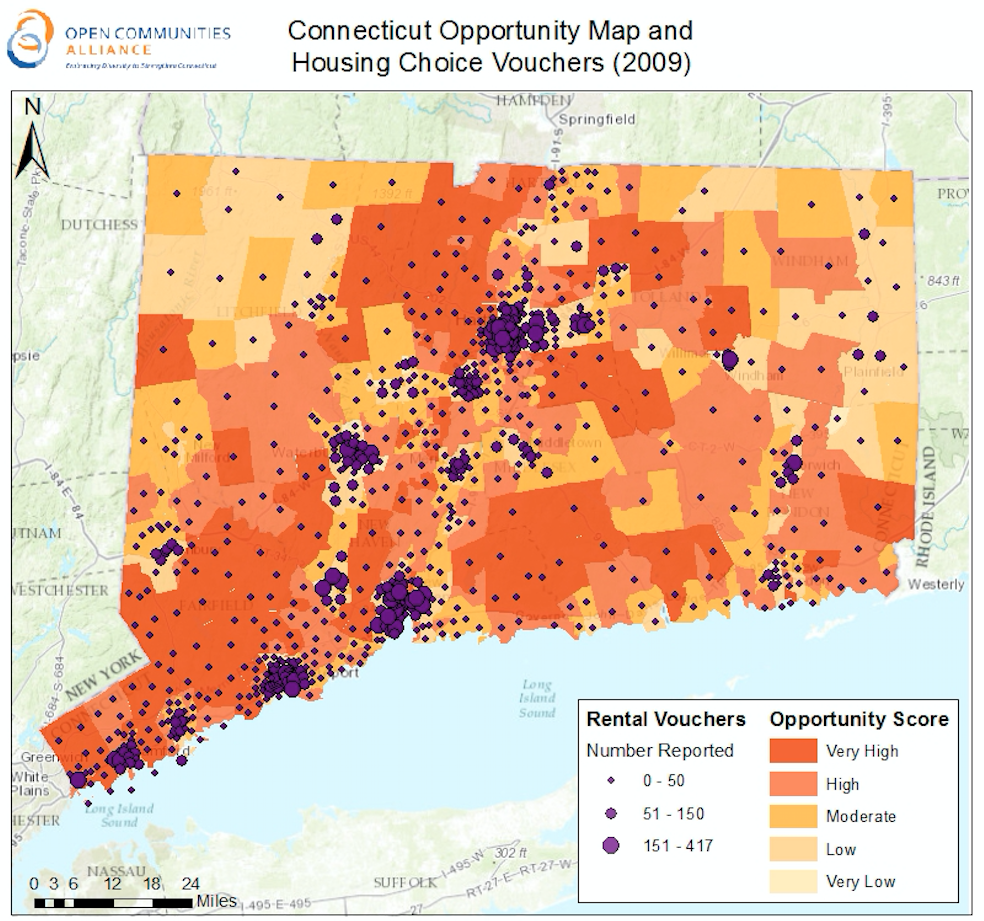
****

Figure 3: Opportunity map and Housing Choice Voucher locations (2015 mapping; 2009 HCV data)

***Legal Standards***

At the federal level, HUD defines housing authority jurisdiction as “[t]he area in which the PHA [Public Housing Authority] has authority under *State and local law* to administer the program.”[[7]](#footnote-7) The same regulations also apply to project-based voucher programs and other housing authority activities.[[8]](#footnote-8)

Connecticut law states, “[i]n each municipality of the state there is created a public body corporate and politic to be known as the ‘housing authority’ of the municipality….The area of operation of such authority shall include the municipalities for which such authority is created.”[[9]](#footnote-9)

***Cross-Jurisdictional Partnership Options and Disincentives***

Despite these jurisdictional restrictions at the federal and state levels, there are a few avenues to form partnerships that allow housing authorities to act cooperatively. Unfortunately, these are undermined by a number of disincentives and have never been established across racial lines.

Under state law, housing authority jurisdiction may only extend beyond municipal boundaries when:

*[T]he 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.[[10]](#footnote-10)*

Up through 2013, the Winsted Housing Authority (Winchester, CT) operated a Housing Choice Voucher program in partnership with 16 other Litchfield County towns, but that program was disbanded after litigation demonstrated that it illegally restricted applications to residents of the 17 Litchfield County partner towns, which were overwhelmingly White.[[11]](#footnote-11) Currently, Ansonia Housing Authority administers Housing Choice Vouchers in Ansonia, Shelton, and Seymour,[[12]](#footnote-12) and Mansfield Housing Authority administers Vouchers in Ashford, Chaplin, Coventry, Mansfield, and Willington. While these partnerships have been in place for so many years even the people currently administering them do not know how they are formalized, we suspect these are the result of agreements between their host municipalities and the neighboring towns in accordance with the state law.

At the federal level, HUD also recognizes the potential benefits of regional cooperation. One option offered by HUD is the ability for housing authorities to form consortia.[[13]](#footnote-13) A consortium is defined as “two or more PHAs that join together to perform planning, reporting, and other administrative or management functions for participating PHAs, as specified in a consortium agreement.”[[14]](#footnote-14) Based on interviews with housing authority directors, in Connecticut, housing authorities frequently do not pursue this option because of what they perceive to be a complex process associated with HUD approval and the potential loss of autonomy.

To become a HUD-approved consortium, a housing authority partnership must enter into a consortium agreement among the participating housing authorities, which includes specifying a “lead agency.” This means non-lead partner housing authorities must explicitly agree to a secondary role.[[15]](#footnote-15)

A consortium submits a joint PHA plan,[[16]](#footnote-16) with the lead agency being the point of contact for HUD, and generally functions as a single housing authority. While the process appears simple, feedback from housing authorities reveals that the perception of the process of gaining HUD approval for a consortium agreement is that it is cumbersome, and often overwhelming. Ceding control to another housing authority is also unappealing to agencies.

Perhaps more significant than the administrative barriers, it is also doubtful that higher opportunity, predominately White, municipalities would enter into such agreements with under-resourced poverty-concentrated urban areas that are predominately of color. This perspective is borne out by the history of cross-housing authority partnerships to date. To our knowledge, no housing authorities are operating as official HUD-approved consortia and there are no urban-suburban housing authority partnerships, as permitted under state law, that cross racial lines.

***Jurisdiction and the Housing Choice Voucher Program***

Limits on housing authority jurisdiction restrict choices for families participating in the Housing Choice Voucher program, a tenant-based subsidy program allowing program participants to rent housing on the open rental market. The program requires households, who must be at 50% of Area Median Income or below, to contribute about a third of their salary and the program covers the remainder of the rent up to a regional cap.

**Definitions**

**Initial PHA** – a public housing authority (PHA) which administers a Section 8 tenant-based voucher to a family that later decides to move out of the jurisdiction of that PHA.

**Receiving PHA** – a PHA that receives a family with a Section 8 tenant-based voucher from another PHA.

**Absorption** – the point at which a receiving PHA starts making assistance payments with funding under its consolidated ACC, rather than billing, the initial PHA.

**Portability (or porting out)** – renting a dwelling unit with Section 8 tenant-based assistance outside of the jurisdiction of the initial PHA.

Currently, even though it is not required by HUD,[[17]](#footnote-17) most housing authorities in Connecticut exercise their discretion to require participants in their tenant-based Housing Choice Voucher programs to reside within their jurisdiction for the first year they are on the program.[[18]](#footnote-18) Housing authorities do this because if they allow the program participant to leave their jurisdiction, the housing authority will lose a portion of their administrative fee from HUD.[[19]](#footnote-19) After the first year, program participants have the right to “port out” – that is, leave the jurisdiction regardless of the housing authority’s policy.

After the first year (or if a housing authority does not restrict where a program participant can live in the first year), if a voucher holder chooses to leave the town where they received the voucher, the housing authority will lose either 20% or 80% of its administrative fees – at the discretion of the *receiving* housing authority.

For example, if a voucher holder living in Fairfield, with a voucher from Fairfield Housing Authority, wishes to move to Bridgeport, the Bridgeport Housing Authority has the discretion to decide whether to “absorb” the voucher, and therefore take 80% of the corresponding administrative fees from Fairfield Housing Authority. If the Bridgeport Housing Authority decides not to absorb the voucher, the voucher holder may still move to Bridgeport, and Bridgeport

Housing Authority receives 20% of the corresponding administrative fees from Fairfield Housing Authority.[[20]](#footnote-20)

This incentive structure means that it is in the strong financial interest on the part of the housing authority to (1) limit where its program participants can live in the first year of the program and (2) avoid encouraging program participants to explore housing options outside its jurisdictional borders after the initial year.

Because the bulk of vouchers in the state of Connecticut are administered by housing authorities in lower opportunity areas, housing authorities are functionally co-opted into maintaining a system of segregation for program participants.[[21]](#footnote-21)

|  |  |  |
| --- | --- | --- |
| Figure 4: Housing Choice Voucher Households  by Administrating Authority (11/30/17) | | |
| Housing  Authority | # of Housing Choice Vouchers | % of Housing Choice Vouchers |
| All Municipal Housing Authorities | 33,300 | 80% |
| CT Dept. of Housing  *(statewide)* | 7,130 | 20% |
| Total | **41,430** | **100%** |

|  |  |  |
| --- | --- | --- |
| Figure 5: Municipal Housing Choice Voucher Households  Location by Opportunity (11/30/17) | | |
| Opportunity  Level | # of HCV Households | % of HCV Households\* |
| Lower  *(Low and Very Low)* | 28,050 | 68% |
| Moderate | 3,308 | 8% |
| Higher  *(High and Very High)* | 1,942 | 5% |

*\* These percentages add up to less than 100% because this analysis excludes the 20% of HCVs in the state administered by the state Department of Housing.*

**Connection to the Affordable Housing Appeals Act (8-30g)**

The current housing authority jurisdictional limits also mean that many higher opportunity towns are put at a distinct disadvantage when working to reach an affordable housing exemption under CGS 8-30g, the Affordable Housing Appeals Act. Connecticut General Statute Sec. 8-30g gives developers legal benefits in litigation if an affordable housing proposal is rejected by a municipality with less than 10% affordable units as defined by the statute. The presence of tenant based Housing Choice Voucher households in a town counts towards its CGS 8-30g 10% affordable housing threshold.

***Encouraging Mobility Counseling***

In addition to promoting the development of subsidized and affordable housing in a variety of locations and setting market-appropriate rents, one of the most important steps a housing authority can take to affirmatively further fair housing is to ensure that their voucher families have access to mobility counseling. Mobility counseling is a counseling intervention that ensures that voucher families have access to full information about the impact of neighborhood on children and assists families with locating available units, interfacing with landlords, and acclimating to a new community.

Mobility counseling has proven an exceptionally important tool for affirmatively furthering fair housing elsewhere in the country, including in places like Dallas and Baltimore. Connecticut has a mobility counseling program administered by the Department of Housing through which counseling is available to DOH HCV households and Rental Assistance Program participants, *but with one exception in New Haven, no mobility counseling services are available to households receiving their vouchers through municipal housing authorities*. As described above, even if mobility counseling were available to the clients of municipal housing authorities, due to jurisdictional limits on housing authority operations, municipal housing authorities will in most cases be penalized financially if they connected their voucher families to mobility counseling services and this resulted in successful moves to other towns.

***Other Affects of Jurisdictional Limits***

In addition to tenant-based Housing Choice Voucher administration, the two other activities affected by housing authority jurisdiction are where housing authorities may “project-base” subsidies and where housing authorities may participate in development.

Project-Based Vouchers (PBVs) are a component of a housing authority’s HCV program that allows the housing authority to attach subsidies to certain units rather than to individual households. HUD currently permits housing authorities to project base subsidies in up to 20% of a development.[[22]](#footnote-22) Like HCVs, a housing authority may only project-base vouchers within its jurisdiction, defined by state law as its municipal borders.[[23]](#footnote-23) Thus, this potential avenue for supporting integration is literally “off limits” to housing authorities striving to increase housing choices.

Housing authorities in Connecticut have a range of development expertise with some housing authorities expressing no interest and having no experience with development and others engaging in sophisticated development deals. In theory, the limit on housing authority jurisdiction also restricts where housing authorities may engage in development activities. However, this limitation does not apply to an independent subsidiary development entity either partnering with or created by a housing authority. Thus, a change to housing authority jurisdictional limits would eliminate the bureaucratic barrier to regional development of creating a subsidiary entity, but it would not represent a sea change in the development opportunities available to housing authorities.

Limits on housing authority jurisdiction also create a disincentive for housing authorities to offer housing choice voucher holders with a member with a disability housing choices that will accommodated the households needs. While HUD requires housing authorities to waive the requirement that voucher households live in their jurisdiction during their first year if it is necessary for a family to find housing that accommodates a disability,[[24]](#footnote-24) the housing authority is still disincentivized from facilitating these moves by losing between 20%-80% of the administrative fees associated with the household should an out-of-jurisdiction move occur. It is for this reason that OCA recommends expanding housing authority jurisdiction to the entire state if necessary to respond to a request for reasonable accommodation.

***Summary of the Challenge***

Thus, the state limits on housing authority jurisdiction greatly limit the ability of housing authorities to regionally administer the Housing Choice Voucher program, in both its tenant-based and project-based form. This poses a particular problem for housing authorities operating in lower opportunity, poverty-concentrated areas that are disproportionately of color. These housing authorities administer 68% of the HCVs in the state. The current limitations also prevent project basing of vouchers outside of a housing authority’s jurisdiction and require housing authorities to create subsidiary entities to engage in development activities that cross town borders. Combined, these restrictions hobble housing authority latitude to affirmatively further fair housing.

***Solution***

There is a solution to this problem. The definition of housing authority jurisdiction could be changed at the state level to encompass broader geographical areas.

Open Communities Alliance recommends that housing authorities be given the discretion to adopt expanded areas of operation, extending their jurisdiction by 30 miles from each municipality’s borders but that lower and moderate opportunity towns that are already struggling to host their current lower income populations be excluded. Policymakers may want to consider alternative distances or alternative indicators (poverty, for example), but this proposal is based on the basic premise that housing authority jurisdiction be made more regional while safeguarding housing authority autonomy and protecting towns that are already poverty-concentrated from increased income inequality.

Such a change must be made carefully to avoid unintended consequences. Some issues that we have considered in developing this proposal include:

* **Avoiding deeper poverty concentration.** This proposal focuses on expanding housing

authority jurisdiction while avoiding the creation or increase of poverty concentration by restricting any housing authority’s expanded jurisdiction to only higher opportunity areas. This proposal explicitly does not apply to moderate opportunity areas. We do not recommend prioritizing moderate opportunity areas as part of a government program intended to expand affordable housing opportunities for several reasons.

First, moderate opportunity areas typically already have a sizable but sustainable proportion of people in poverty. Voucher holder will move to many moderate opportunity areas without any government guidance due to rent levels and the availability of multifamily housing. That said, a *government* policy promoting moves to and affordable housing development in such areas could undermine their stability. Applying this policy to moderate opportunity areas could quickly convert moderate opportunity communities into low or very low opportunity areas. By contrast, higher opportunity areas are in a better position to host slight increases in poverty. Historically, we know that in the absence of government guidance, voucher placements gravitate to areas with the most affordable housing stock and affordable housing development occurs in those areas less likely to mount resistance to proposals.

Second, higher opportunity areas, despite being homes to strong economies, employment opportunities, high performing schools and other amenities, do not host their fair share of affordable housing. While leaving intact local zoning authority, this proposal would generate an opportunity for housing authorities with development expertise to assist higher opportunity towns do their part to address the state’s affordable housing needs.

Third, the research on the impact of moves to lower poverty communities on the part of tenant-based voucher holders, typically in the context of mobility counseling, demonstrates that significant neighborhood change, such as a move from a very low to a high opportunity area, generates the greatest positive impact for children and families, especially in the short term.[[25]](#footnote-25)

Fourth, while it varies by funding program, moderate opportunity areas already host greater percentages of subsidized housing than higher opportunity areas, tend to have more naturally affordable housing stock, and, due to the lower cost of land, are in many cases optimally suited for market-driven multifamily investment in the future.

It is important to note that moderate opportunity areas are also home to a level of racial and ethnic diversity more consistent with what would be expected if a history of government policies and other factors did not generate housing segregation than other types of opportunity areas. Theoretically, without the forces of segregation and discrimination, each racial and ethnic group would be represented at the 20% level in each opportunity area, making some allowance for ethnic groupings and new immigrants with lower incomes.

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| **Figure 6: Poverty, Racial, and Ethnic Demographics by Opportunity in CT** | | | | | | |
|  | ***Entire State*** | ***Very Low*** | ***Low*** | ***Moderate*** | ***High*** | ***Very High*** |
| Poverty Rate | 10.5% | 30% | 12% | **6%** | 4.5% | 3% |
| Black Alone | 9.7% | 52% | 21% | **13%** | 9% | 5% |
| Latino | 15% | 50% | 22% | **12%** | 8% | 7% |
| Asian Alone | 4.2% | 14% | 21% | **19%** | 20% | 25% |
| Other | 2.4% | 26% | 22% | **18%** | 18% | 16% |
| White Alone | 68.7% | 9% | 17% | **22%** | 23% | 30% |

|  |  |
| --- | --- |
| Figure 7: Median Income by Opportunity Area | |
| Opportunity Area | Average Median Income |
| Very High | $128,565 |
| High | $93,496 |
| Moderate | $77,828 |
| Low | $58,253 |
| Very Low | $35,774 |
|  |  |
| State | $73,433 |
|  |  |
|  |  |

Moderate opportunity areas also have an average median income level that closely reflects that of the state and an average poverty rate that allows for municipal sustainability but approaches a level that put sustainability at risk (approximately 10%). Thus, it is prudent for moderated opportunity areas, and certainly those with poverty rates at or above the state average, to be exempt from this policy.

* **Program administration will work in large geographic areas.** Because after the initial briefing almost all business that is done between housing authorities and voucher holders is not done in person, but by phone or mail, a larger jurisdiction should not affect the administrative costs involved. However, if

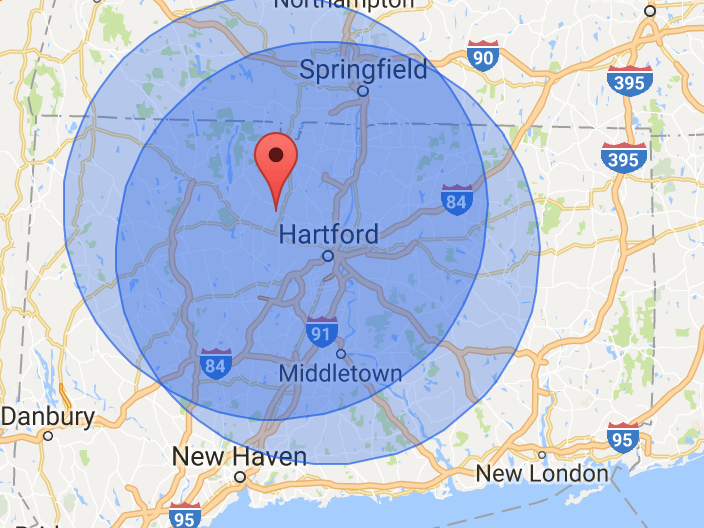
|  |  |
| --- | --- |
| Figure 8: Poverty by Opportunity Area | |
| Opportunity Area | **Poverty**  **Rate** |
| Very High | 3.4% |
| High | 4.5% |
| Moderate | 6.1% |
| Low | 11.9% |
| Very Low | 29.5% |
|  |  |
| State | 10.8% |

housing authorities are concerned that costs of administration will be prohibitive, they can opt not to adopt an expanded area. Also, larger geographic areas of administration might prompt housing authorities to jointly undertake some activities, like unit inspection.

* **Potential confusion among program participants about their “home” housing authority can be managed.** Any potential confusion about whether the local housing authority or another housing authority is administering the voucher can be managed. This can happen through clear and careful notice to participants and implementing a streamlined system for redirecting erroneous inquiries. Because the state currently administers a statewide voucher program and HUD currently permits voucher porting, there are existing structures in place to help voucher holders understand the appropriate housing authority with which to communicate.
* **Full housing authority powers should be restricted in the extended jurisdiction.** Housing authorities have the power of eminent domain and the power to create their own police force. These powers will be excluded from the expanded jurisdiction, both in order to make the proposal more politically feasible and to prevent confusion between the roles of housing authorities in overlapping jurisdictions. These powers will be unchanged in a housing authority’s home jurisdiction.
  + **Greater competition between housing authorities for affordable units will be limited.** In certain instances, housing authorities in higher opportunity areas may experience increased competition for the affordable units in their town when voucher holders from nearby lower opportunity areas have expanded search areas. This will likely be balanced, however, by a greater number of units newly available to all housing authorities in higher opportunity areas in nearby towns that were previously out of their jurisdiction and the enhanced ability of all housing authorities to develop affordable units.

For example, assuming housing authorities require voucher holders to live within their jurisdiction for the first year, new voucher holders receiving vouchers from the Hartford Housing Authority will be able to look for housing within a 30-mile radius, including Simsbury. However, Hartford voucher holders will not be able to move over 30 miles from Hartford. Simsbury Housing Authority voucher holders will be able to look in Simsbury, but also the nearby higher opportunity areas, some of which may be outside of Hartford’s radius. Voucher holders from neither town may look in East Hartford because it is lower opportunity. Currently, in any case neither Hartford nor Simsbury new voucher holders may seek housing in East Hartford because it is outside of their municipal borders. All this proposal does is make towns with greater levels of resources available to voucher holders if they are able to locate housing there.

Figure 9: 30-mile radius from Hartford and Simsbury. Red-bordered circle indicates the Simsbury radius. The blue-bordered circle indicates the Hartford radius. Areas outside of CT would not be included.



**Simsbury**

A full listing of the opportunity levels of census tracts in Connecticut by town is available in Appendix D. To explore the implications of radiuses set at various distances, please see the Open Communities Alliance website: <http://www.ctoca.org/expanded_housing_authority_jurisdiction>.

***Benefits***

The benefits of this new policy include:

1. Removal of some artificial barriers to housing choice.
2. Increased Housing Choice Voucher utilization rates for housing authorities.
3. Increased access for families with disabilities to a wider array of units that fit their needs.
4. Support of housing integration.
5. A greater ability for housing authorities to administer their programs unconstrained by geographic limitations that prevent them from affirmatively furthering fair housing.

***Proposed Language***

A full version of proposed language is available in Appendix F but the two key provisions are:

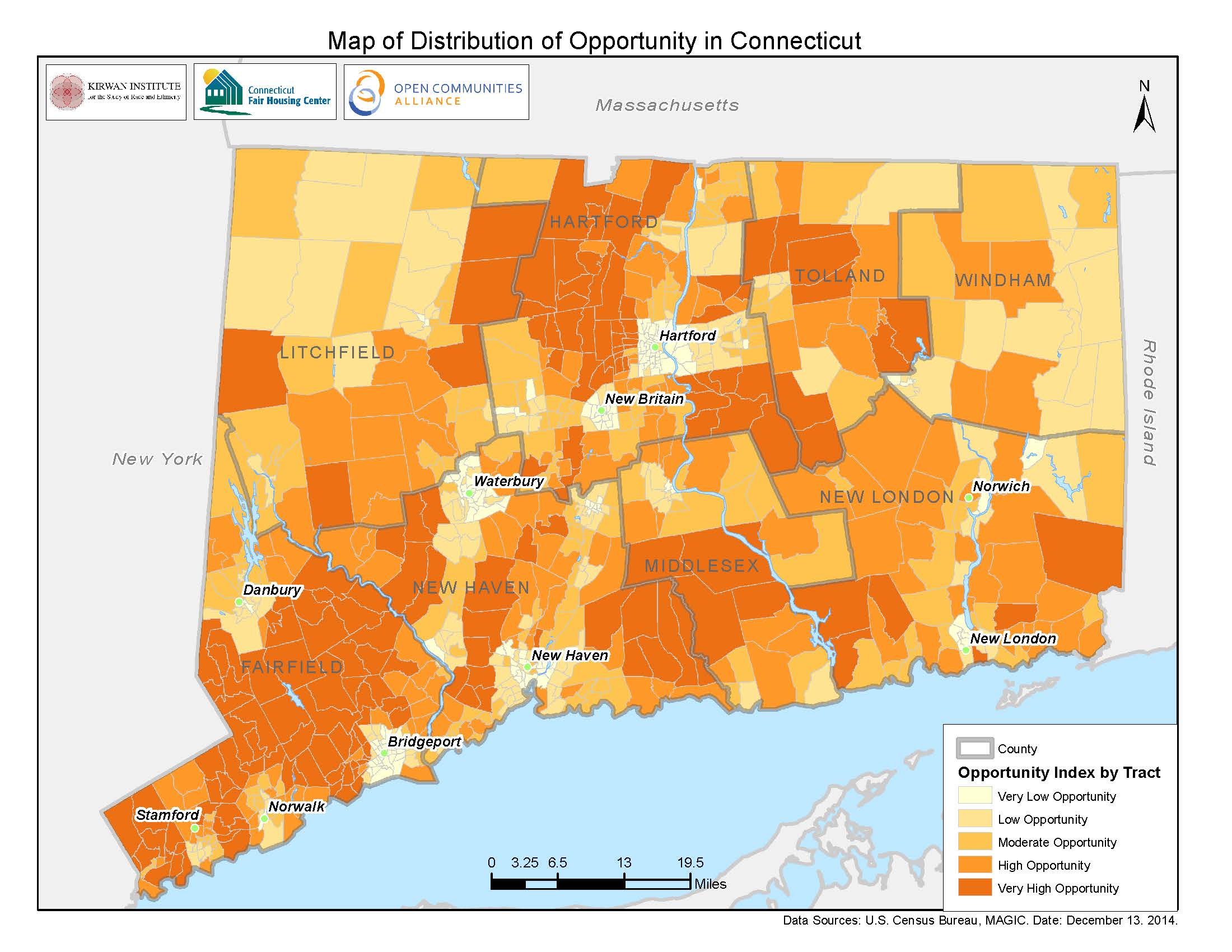
1. A new definition of “Expanded Area of Operation” in CGS 8-39 to define them as ”high and very opportunity census tracts, as defined by as defined by section 8-348, within 30 miles of the housing authority’s municipal borders.”
2. An addition to the end of CGS 8-40 to state, “Any housing authority may opt to adopt an expanded area of operation.”

**Conclusion**

Limits on the jurisdiction of housing authorities effectively reduce choices for families relying on their services. Restrictions on jurisdiction act as a disincentive for housing authorities to engage in mobility counseling and promote cross-jurisdictional choices in other ways. It restricts where project-based voucher benefits can be located and it requires housing authorities to undertake development through more complex subsidiary and partner agreements than would otherwise be necessary. Expanding jurisdiction to be more regional while imposing measures that prevent further poverty concentration in struggling communities will enhance choice and allow housing authorities to be fuller partners in affirmatively further fair housing.

# Appendix A – Opportunity Mapping

Where you live affects your access to resources like thriving schools, safe streets, and healthy food.  Unfortunately, in Connecticut, all too often zip code determines destiny.  The state has great outcome gaps by race, ethnicity and income in outcomes such as education, health, incarceration, and employment.  All of these can be traced back to a fundamental “opportunity gap” based on the geographic availability of opportunity.



It is critical to understand opportunity in this way because neighborhood opportunity has a deep impact on the potential for individuals and families to thrive.  Neighborhood opportunity shapes education, health, and career outcomes.  For example, recent research from Harvard scholar Raj Chetty reveals that a child in a low-income family who moves before age 8 to a high opportunity area will earn $302,000 more over the span of his lifetime than if he had stayed in a lower opportunity area.

For more information, see: <http://www.ctoca.org/introduction_to_opportunity_mapping>

# Appendix B – Affirmatively Furthering Fair Housing

On July 16, 2015, the US Department of Housing and Urban Development released its final rule on Affirmatively Furthering Fair Housing – 47 years after passage of the Fair Housing Act that it is intended to implement.

Affirmatively Furthering Fair Housing means:

Taking meaningful actions [to] … address significant disparities in housing needs and in access to opportunity, replacing segregated living patterns with truly integrated and balanced living patterns, transforming racially and ethnically concentrated areas of poverty into areas of opportunity, and fostering and maintaining compliance with civil rights and fair housing laws.

At its core, the new rule replaces the current weak and somewhat vague obligations certain HUD grantees have to assess and remediate barriers to fair housing with a more targeted reporting and action step process. Under the new rule, grantees must submit an Assessment of Fair Housing (AFH), which is informed by a public engagement process and must rely on housing and community indicator data provided by HUD. The AFH must include specific goals for addressing fair housing barriers that result in meaningful actions and are adjusted to reflect progress made and obstacles encountered.

Significantly, the new rule requires a regional approach to housing planning and that fair housing goals be incorporated into other planning instruments.

For more information, see <http://www.ctoca.org/affh>

# Appendix C – Housing Authority Distribution of Vouchers, 11/30/17

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Housing Authority | # of Vouchers | % of Vouchers | Opportunity Level | Opportunity Level - Grouped |
| CT001 - Bridgeport Housing Authority | 3063 | 7.39% | Very Low | Lower |
| CT003 - Hartford Housing Authority | 2289 | 5.52% | Very Low-Low | Lower |
| CT004 - New Haven Housing Authority | 4840 | 11.68% | Very Low-Low | Lower |
| CT005 - New Britain Housing Authority | 851 | 2.05% | Very Low | Lower |
| CT006 - Waterbury Housing Authority | 2680 | 6.47% | Very Low | Lower |
| CT009 - Middletown Housing Authority | 1364 | 3.29% | Low-Moderate | Lower |
| CT010 - Willimantic Housing Authority (Windham) | 506 | 1.22% | Low | Lower |
| CT011 - Meriden Housing Authority | 865 | 2.09% | Low | Lower |
| CT013 - East Hartford Housing Authority | 431 | 1.04% | Very Low | Lower |
| CT015 - Ansonia Housing Authority | 798 | 1.93% | Low | Lower |
| CT017 - Derby Housing Authority | 278 | 0.67% | Low | Lower |
| CT018 - Norwich Housing Authority | 514 | 1.24% | Low | Lower |
| CT020 - Danbury Housing Authority | 803 | 1.94% | Low-Moderate | Lower |
| CT023 - Bristol Housing Authority | 679 | 1.64% | Low | Lower |
| CT024 - Putnam Housing Authority | 34 | 0.08% | Low | Lower |
| CT026 - Manchester Housing Authority | 504 | 1.22% | Low | Lower |
| CT028 - Vernon Housing Authority | 437 | 1.05% | Low-Moderate | Lower |
| CT029 - West Haven Housing Authority | 1188 | 2.87% | Low | Lower |
| CT031 - Torrington Housing Authority | 305 | 0.74% | Low | Lower |
| CT032 - Windsor Locks HA | 127 | 0.31% | Low | Lower |
| CT047 - Naugatuck Housing Authority | 249 | 0.60% | Low | Lower |
| CT051 - City of Hartford HA | 4917 | 11.87% | Very Low-Low | Lower |
| CT058 - Plainfield Housing Authority | 197 | 0.48% | Low | Lower |
| CT061 - Killingly Housing Authority | 85 | 0.21% | Low | Lower |
| CT063 - East Haven Housing Authority | 46 | 0.11% | Low | Lower |
| ALL LOWER OPPORTUNITY HAs | 28050 | 68% |  |  |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Housing Authority | # of Vouchers | % of Vouchers | Opportunity Level | Opportunity Level - Grouped |
| CT002 - Norwalk Housing Authority | 888 | 2.14% | Moderate (Low-High) | Moderate |
| CT007 - Charter Oak Communities (Stamford) | 1434 | 3.46% | Moderate-High | Moderate |
| CT008 - Enfield Housing Authority | 136 | 0.33% | Moderate | Moderate |
| CT027 - Stratford Housing Authority | 281 | 0.68% | Moderate | Moderate |
| CT030 - Milford Redev and Hsg Partnership | 267 | 0.64% | Moderate-High | Moderate |
| CT048 - Windsor Housing Authority | 158 | 0.38% | Moderate | Moderate |
| CT049 - Newington Housing Authority | 30 | 0.07% | Moderate-High | Moderate |
| CT067 - Wallingford Housing Authority | 114 | 0.28% | Moderate | Moderate |
| ALL MODERATE OPPORTUNITY HAs | 3308 | 8% |  |  |
| CT019 - Greenwich Housing Authority | 343 | 0.83% | Very High | Higher |
| CT033 - South Windsor Housing Authority | 35 | 0.08% | Very High | Higher |
| CT036 - Portland Housing Authority | 86 | 0.21% | High | Higher |
| CT038 - Mansfield Housing Authority | 149 | 0.36% | High-Very High | Higher |
| CT039 - West Hartford Housing Authority | 670 | 1.62% | High-Very High | Higher |
| CT040 - Glastonbury Housing Authority | 33 | 0.08% | Very High | Higher |
| CT041 - Farmington Housing Authority | 90 | 0.22% | High-Very High | Higher |
| CT042 - Hamden Housing Authority | 305 | 0.74% | High | Higher |
| CT052 - Fairfield Housing Authority | 171 | 0.41% | Very High | Higher |
| CT053 - Wethersfield Housing Authority | 46 | 0.11% | High | Higher |
| CT068 - Canton Housing Authority | 14 | 0.03% | Very High | Higher |
| ALL HIGHER OPPORTUNITY HAs | 1942 | 5% |  |  |
| CT901 - CT Dept of Housing | 8130 | 20% |  |  |
| CT - TOTAL | 41430 | 100.00% |  |  |

Appendix D – High and Very High Opportunity Census Tracts by Town

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Town** | **County** | **Census**  **Tract** | **Opportunity**  **Level** |  | **Town County** | **Census Tract** | **Opportunity**  **Level** |
| Avon | Hartford | 4621.02 | Very High |  | Easton Fairfield | 1051 | Very High |
| Avon | Hartford | 4622.02 | Very High |  | Easton Fairfield | 1052 | Very High |
| Avon | Hartford | 4622.01 | Very High |  | Ellington Tolland | 5351 | Very High |
| Avon | Hartford | 4621.01 | Very High |  | Ellington Tolland | 5352 | Very High |
| Barkhamsted | Litchfield | 2901 | Very High |  | Enfield Hartford | 4804 | High |
| Berlin | Hartford | 4002 | High |  | Enfield Hartford | 4805 | High |
| Berlin | Hartford | 4003 | High |  | Enfield Hartford | 4810 | High |
| Bethany | New Haven | 1611 | Very High |  | Essex Middlesex | 6301 | High |
| Bethel | Fairfield | 2002 | Very High |  | Fairfield Fairfield | 613 | Very High |
| Bethel | Fairfield | 2003.02 | Very High |  | Fairfield Fairfield | 615 | Very High |
| Bethel | Fairfield | 2003.01 | Very High |  | Fairfield Fairfield | 604 | Very High |
| Bethel | Fairfield | 2001 | High |  | Fairfield Fairfield | 612 | Very High |
| Bethlehem | Litchfield | 3421 | High |  | Fairfield Fairfield | 606 | Very High |
| Bloomfield | Hartford | 4713 | Very High |  | Fairfield Fairfield | 607 | Very High |
| Bloomfield | Hartford | 4714 | Very High |  | Fairfield Fairfield | 611 | Very High |
| Bloomfield | Hartford | 4712 | High |  | Fairfield Fairfield | 602 | Very High |
| Bloomfield | Hartford | 4715 | High |  | Fairfield Fairfield | 603 | Very High |
| Bolton | Tolland | 5291 | High |  | Fairfield Fairfield | 616 | Very High |
| Bozrah | New London | 7131 | High |  | Fairfield Fairfield | 605 | Very High |
| Branford | New Haven | 1842 | High |  | Fairfield Fairfield | 608 | Very High |
| Bridgewater | Litchfield | 2501 | High |  | Fairfield Fairfield | 609 | Very High |
| Brookfield | Fairfield | 2051 | High |  | Fairfield Fairfield | 601 | Very High |
| Brookfield | Fairfield | 2053 | High |  | Fairfield Fairfield | 614 | High |
| Brookfield | Fairfield | 2052 | High |  | Fairfield Fairfield | 610 | High |
| Canterbury | Windham | 9061 | High |  | Farmington Hartford | 4602.02 | Very High |
| Canton | Hartford | 4641.01 | Very High |  | Farmington Hartford | 4601 | Very High |
| Canton | Hartford | 4641.02 | Very High |  | Farmington Hartford | 4603.01 | Very High |
| Cheshire | New Haven | 3431.02 | Very High |  | Farmington Hartford | 4602.03 | High |
| Cheshire | New Haven | 3434 | Very High |  | Farmington Hartford | 4602.04 | High |
| Cheshire | New Haven | 3433 | High |  | Farmington Hartford | 4603.02 | High |
| Cheshire | New Haven | 3431.01 | High |  | Franklin New London | 7121 | High |
| Cheshire | New Haven | 3432 | High |  | Glastonbury Hartford | 5203.01 | Very High |
| Chester | Middlesex | 6001 | Very High |  | Glastonbury Hartford | 5203.02 | Very High |
| Clinton | Middlesex | 6104 | High |  | Glastonbury Hartford | 5205.01 | Very High |
| Colchester | New London | 7141.04 | High |  | Glastonbury Hartford | 5202.02 | Very High |
| Colchester | New London | 7141.03 | High |  | Glastonbury Hartford | 5201 | Very High |
| Coventry | Tolland | 8502 | High |  | Glastonbury Hartford | 5202.01 | Very High |
| Coventry | Tolland | 8501 | High |  | Glastonbury Hartford | 5204 | Very High |
| Cromwell | Middlesex | 5703 | High |  | Granby Hartford | 4681.02 | Very High |
| Cromwell | Middlesex | 5701 | High |  | Granby Hartford | 4681.01 | Very High |
| Cromwell | Middlesex | 5702 | High |  | Greenwich Fairfield | 101.01 | Very High |
| Darien | Fairfield | 302 | Very High |  | Greenwich Fairfield | 101.02 | Very High |
| Darien | Fairfield | 303 | Very High |  | Greenwich Fairfield | 109 | Very High |
| Darien | Fairfield | 304 | Very High |  | Greenwich Fairfield | 112 | Very High |
| Darien | Fairfield | 305 | Very High |  | Greenwich Fairfield | 108 | Very High |
| Darien | Fairfield | 301 | Very High |  | Greenwich Fairfield | 104 | Very High |
| Deep River | Middlesex | 6201 | High |  | Greenwich Fairfield | 102.01 | Very High |

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Town County Census Opportunity**  **Tract Level** | | | |  | **Town County Census Opportunity**  **Tract Level** | | | |
| Durham | Middlesex | 5851 | Very High |  | Greenwich | Fairfield | 103 | Very High |
| East Granby | Hartford | 4701 | Very High |  | Greenwich | Fairfield | 110 | Very High |
| East Haddam | Middlesex | 5951.02 | High |  | Greenwich | Fairfield | 102.02 | Very High |
| East Lyme | New London | 7161.02 | Very High |  | Greenwich | Fairfield | 111 | Very High |
| East Lyme | New London | 7161.01 | High |  | Greenwich | Fairfield | 113 | High |
| Eastford | Windham | 9022 | High |  | Greenwich | Fairfield | 107 | High |
| Groton | New London | 7026 | Very High |  | New Canaan | Fairfield | 351 | Very High |
| Groton | New London | 7021 | Very High |  | New Canaan | Fairfield | 354 | Very High |
| Groton | New London | 7028 | High |  | New Canaan | Fairfield | 353 | Very High |
| Groton | New London | 7030 | High |  | New Canaan | Fairfield | 352 | Very High |
| Groton | New London | 7024 | High |  | New Fairfield | Fairfield | 2202 | High |
| Guilford | New Haven | 1903.02 | Very High |  | New Fairfield | Fairfield | 2201 | High |
| Guilford | New Haven | 1903.03 | Very High |  | New Hartford | Litchfield | 3061 | Very High |
| Guilford | New Haven | 1903.01 | Very High |  | New Haven | New Haven | 1419 | High |
| Guilford | New Haven | 1901 | High |  | New Haven | New Haven | 1428 | High |
| Guilford | New Haven | 1902 | High |  | Newington | Hartford | 4943 | High |
| Haddam | Middlesex | 5901 | Very High |  | Newington | Hartford | 4946 | High |
| Hamden | New Haven | 1652 | Very High |  | Newington | Hartford | 4945 | High |
| Hamden | New Haven | 1654 | High |  | Newtown | Fairfield | 2305.01 | Very High |
| Hamden | New Haven | 1657 | High |  | Newtown | Fairfield | 2305.02 | Very High |
| Hamden | New Haven | 1653 | High |  | Newtown | Fairfield | 2303 | Very High |
| Hamden | New Haven | 1659 | High |  | Newtown | Fairfield | 2304 | Very High |
| Hamden | New Haven | 1660.02 | High |  | Newtown | Fairfield | 2301 | Very High |
| Hamden | New Haven | 1658.02 | High |  | Newtown | Fairfield | 2302 | Very High |
| Harwinton | Litchfield | 2984 | Very High |  | North Branford | New Haven | 1862 | Very High |
| Hebron | Tolland | 5261.02 | Very High |  | North Branford | New Haven | 1861 | High |
| Hebron | Tolland | 5261.01 | Very High |  | North Haven | New Haven | 1671 | High |
| Kent | Litchfield | 2661 | Very High |  | North Stonington | New London | 7071 | Very High |
| Killingworth | Middlesex | 6401 | Very High |  | Norwalk | Fairfield | 436 | High |
| Lebanon | New London | 8701 | High |  | Norwalk | Fairfield | 446 | High |
| Ledyard | New London | 7012 | High |  | Norwalk | Fairfield | 428 | High |
| Ledyard | New London | 7011 | High |  | Norwalk | Fairfield | 435 | High |
| Lisbon | New London | 7101 | High |  | Norwalk | Fairfield | 431 | High |
| Litchfield | Litchfield | 3005 | High |  | Norwalk | Fairfield | 439 | High |
| Litchfield | Litchfield | 3004 | High |  | Norwalk | Fairfield | 425 | High |
| Lyme | New London | 6501 | Very High |  | Norwalk | Fairfield | 429 | High |
| Madison | New Haven | 1942.01 | Very High |  | Norwich | New London | 6963 | High |
| Madison | New Haven | 1942.02 | Very High |  | Old Lyme | New London | 6601.01 | Very High |
| Madison | New Haven | 1941 | High |  | Orange | New Haven | 1571 | Very High |
| Mansfield | Tolland | 8811 | Very High |  | Orange | New Haven | 1574 | Very High |
| Mansfield | Tolland | 8815 | Very High |  | Orange | New Haven | 1573 | Very High |
| Mansfield | Tolland | 8812 | High |  | Orange | New Haven | 1572 | Very High |
| Mansfield | Tolland | 8813 | High |  | Oxford | New Haven | 3461.01 | Very High |
| Marlborough | Hartford | 5241 | Very High |  | Oxford | New Haven | 3461.02 | Very High |
| Middlebury | New Haven | 3441 | Very High |  | Pomfret | Windham | 9025 | High |
| Middlebury | New Haven | 3442 | Very High |  | Portland | Middlesex | 5601 | High |
| Middlefield | Middlesex | 5801 | High |  | Preston | New London | 7001 | High |

|  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- |
| **Town** | **County** | **Census**  **Tract** | **Opportunity**  **Level** |  | **Town County** | **Census**  **Tract** | **Opportunity**  **Level** |
| Middletown | Middlesex | 5422 | High |  | Prospect New Haven | 3472 | High |
| Milford | New Haven | 1506 | High |  | Prospect New Haven | 3471 | High |
| Milford | New Haven | 1509 | High |  | Redding Fairfield | 2401 | Very High |
| Milford | New Haven | 1511 | High |  | Redding Fairfield | 2402 | Very High |
| Milford | New Haven | 1507 | High |  | Ridgefield Fairfield | 2453 | Very High |
| Monroe | Fairfield | 1001 | Very High |  | Ridgefield Fairfield | 2456 | Very High |
| Monroe | Fairfield | 1003 | Very High |  | Ridgefield Fairfield | 2452 | Very High |
| Monroe | Fairfield | 1002 | Very High |  | Ridgefield Fairfield | 2455 | Very High |
| Montville | New London | 6952.02 | High |  | Ridgefield Fairfield | 2451 | Very High |
| Montville | New London | 8705.01 | High |  | Ridgefield Fairfield | 2454 | Very High |
| Morris | Litchfield | 3031 | High |  | Rocky Hill Hartford | 5242 | High |
| Rocky Hill | Hartford | 4903.02 | High |  | Stonington New London | 7051.01 | High |
| Roxbury | Litchfield | 2681 | Very High |  | Stonington New London | 7054 | High |
| Salem | New London | 7151 | High |  | Stonington New London | 7052 | High |
| Scotland | Windham | 8250 | High |  | Stonington New London | 7053 | High |
| Shelton | Fairfield | 1105 | Very High |  | Stamford Fairfield | 210 | High |
| Shelton | Fairfield | 1103.01 | High |  | Stamford Fairfield | 212 | High |
| Shelton | Fairfield | 1103.02 | High |  | Stamford Fairfield | 203 | High |
| Shelton | Fairfield | 1102.02 | High |  | Stamford Fairfield | 204 | High |
| Shelton | Fairfield | 1104 | High |  | Stamford Fairfield | 206 | High |
| Shelton | Fairfield | 1106 | High |  | Stamford Fairfield | 202 | High |
| Simsbury | Hartford | 4661.01 | Very High |  | Stamford Fairfield | 205 | High |
| Simsbury | Hartford | 4664 | Very High |  | Stamford Fairfield | 207 | Very High |
| Simsbury | Hartford | 4663 | Very High |  | Stamford Fairfield | 208 | Very High |
| Simsbury | Hartford | 4661.02 | Very High |  | Stamford Fairfield | 211 | High |
| Simsbury | Hartford | 4662.02 | Very High |  | Stamford Fairfield | 213 | High |
| Simsbury | Hartford | 4662.01 | High |  | Stratford Fairfield | 805 | High |
| Somers | Tolland | 5382.02 | High |  | Stratford Fairfield | 812 | High |
| South Windsor | Hartford | 4871 | Very High |  | Stratford Fairfield | 813 | High |
| South Windsor | Hartford | 4875 | Very High |  | Stratford Fairfield | 808 | High |
| South Windsor | Hartford | 4872.02 | Very High |  | Stratford Fairfield | 811 | High |
| South Windsor | Hartford | 4873 | High |  | Suffield Hartford | 4771.01 | Very High |
| South Windsor | Hartford | 4872.01 | High |  | Suffield Hartford | 4771.02 | High |
| South Windsor | Hartford | 4874 | High |  | Suffield Hartford | 4772 | High |
| Southbury | New Haven | 3481.22 | Very High |  | Thomaston Litchfield | 3491 | High |
| Southbury | New Haven | 3481.11 | High |  | Tolland Tolland | 5331.01 | Very High |
| Southington | Hartford | 4303.01 | Very High |  | Tolland Tolland | 5331.02 | Very High |
| Southington | Hartford | 4302.02 | Very High |  | Trumbull Fairfield | 905 | Very High |
| Southington | Hartford | 4305 | Very High |  | Trumbull Fairfield | 906 | Very High |
| Southington | Hartford | 4302.01 | High |  | Trumbull Fairfield | 907 | Very High |
| Southington | Hartford | 4306.02 | High |  | Trumbull Fairfield | 903 | Very High |
| Southington | Hartford | 4303.02 | High |  | Trumbull Fairfield | 901 | Very High |
| Southington | Hartford | 4302.03 | High |  | Trumbull Fairfield | 902 | Very High |
| Southbury | New Haven | 3481.25 | High |  | Trumbull Fairfield | 904 | High |
| Southbury | New Haven | 3481.23 | High |  | Wallingford New Haven | 1760 | High |
| Southbury | New Haven | 3481.24 | High |  | Wallingford New Haven | 1755 | High |
| Stamford | Fairfield | 224 | High |  | Wallingford New Haven | 1758 | High |

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Town County Census Opportunity**  **Tract Level** | | | |  | **Town County Census Opportunity**  **Tract** **Level** | | | |
| Washington | Litchfield | 2671 | High |  | Westport | Fairfield | 502 | Very High |
| Waterford | New London | 6933 | High |  | Westport | Fairfield | 504 | High |
| Waterford | New London | 6935 | High |  | Westport | Fairfield | 505 | High |
| Waterford | New London | 6936 | High |  | Westport | Fairfield | 506 | High |
| Watertown | Litchfield | 3602 | High |  | Wethersfield | Hartford | 4925 | Very High |
| West Hartford | Hartford | 4963 | Very High |  | Wethersfield | Hartford | 4926 | High |
| West Hartford | Hartford | 4976 | Very High |  | Wethersfield | Hartford | 4924 | High |
| West Hartford | Hartford | 4971 | Very High |  | Wethersfield | Hartford | 4922 | High |
| West Hartford | Hartford | 4975 | Very High |  | Wethersfield | Hartford | 4921 | High |
| West Hartford | Hartford | 4974 | Very High |  | Willington | Tolland | 8401 | High |
| West Hartford | Hartford | 4977 | Very High |  | Wilton | Fairfield | 451.02 | Very High |
| West Hartford | Hartford | 4966 | Very High |  | Wilton | Fairfield | 453 | Very High |
| West Hartford | Hartford | 4973 | Very High |  | Wilton | Fairfield | 451.01 | Very High |
| West Hartford | Hartford | 4972 | Very High |  | Wilton | Fairfield | 452 | Very High |
| West Hartford | Hartford | 4965 | Very High |  | Wilton | Fairfield | 454 | Very High |
| West Hartford | Hartford | 4964 | Very High |  | Windsor | Hartford | 4735.01 | High |
| West Hartford | Hartford | 4970 | Very High |  | Windsor | Hartford | 4735.02 | High |
| West Hartford | Hartford | 4968 | High |  | Windsor | Hartford | 4736.01 | High |
| West Hartford | Hartford | 4967 | High |  | Wolcott | New Haven | 3611 | High |
| West Hartford | Hartford | 4962 | High |  | Wolcott | New Haven | 3612 | High |
| Westbrook | Middlesex | 6801 | High |  | Woodbridge | New Haven | 1601 | Very High |
| Weston | Fairfield | 551 | Very High |  | Woodbridge | New Haven | 1602 | Very High |
| Weston | Fairfield | 552 | Very High |  | Woodbury | Litchfield | 3621.02 | High |
| Westport | Fairfield | 503 | Very High |  | Woodbury | Litchfield | 3621.01 | High |
| Westport | Fairfield | 501 | Very High |  |  |  |  |  |

Appendix E – Towns with Less Than 5% Affordable Housing (Conn. Gen. Stat. 8-30g) that Contain a Moderate Opportunity Census Tract

|  |
| --- |
| Ashford |
| Beacon Falls |
| Branford |
| Burlington |
| Chaplin |
| Clinton |
| Colebrook |
| Columbia |
| East Haddam |
| East Hampton |
| Goshen |
| Hartland |
| Harwinton |
| New Fairfield |
| New Milford |
| Old Lyme |
| Old Saybrook |
| Rocky Hill |
| Salisbury |
| Sherman |
| Voluntown |
| Wallingford |
| Warren |
| Waterford |
| Watertown |
| Woodstock |

Appendix F – Proposed Language

**Sec. 8-39. Definitions.** The following terms, wherever used or referred to in this chapter, shall have the following respective meanings, unless a different meaning clearly appears from the context:

1. “Area of operation” includes the municipality in which a housing authority is created under the provisions of this chapter and may include a neighboring municipality, provided the governing body of such neighboring municipality agrees by proper resolution to the extension of the area of operation to include such neighboring municipality.
2. “Expanded Area of Operation” includes high and very high opportunity census tracts in the state of Connecticut, as designated pursuant to section 8-348, any part of which is within 30 miles of the housing authority’s municipal borders.

“Reasonable Accommodation Expanded Area of Operation” includes the entire state of Connecticut and may be employed by a housing authority when providing a reasonable accommodation to a person with a disability under any of the following laws or related regulations: the federal Fair Housing Act, 42 U.S.C. §§ 3601, *et seq*., Section 504 of the Rehabilitation Act, 29 U.S.C. §§ 701 *et seq*., the Americans with Disabilities Act, 42 U.S.C. §§ 12131 *et seq*., and CGS Sec. 46a-64b.

[RENUMBER BELOW]

(c) “Authority” or “housing authority” means any of the public corporations created by section 8-40, and the Connecticut Housing Authority when exercising the rights, powers, duties or privileges of, or subject to the immunities or limitations of, housing authorities pursuant to section 8-121.

(d) “Bonds” means any bonds, including refunding bonds, notes, interim certificates, debentures or other obligations issued by the authority pursuant to this chapter.

(e) “Clerk” means the clerk of the particular city, borough or town for which a particular housing authority is created.

(f) “Families of low income” means families who lack the amount of income which is necessary, as determined by the authority undertaking the housing project, to enable them, without financial assistance, to live in decent, safe and sanitary dwellings, without overcrowding.

(g) “Families of low and moderate income” means families who lack the amount of income which is necessary, as determined by the Commissioner of Housing, to enable them to rent or purchase moderate cost housing without financial assistance as provided by this part and parts II and III of this chapter.

(h) “Federal government” includes the United States of America, the federal emergency administration of public works or any other agency or instrumentality, corporate or otherwise, of the United States of America.

(i) “Governing body” means, for towns having a town council, the council; for other towns, the selectmen; for cities, the common council or other similar body of officials; and for boroughs, the warden and burgesses.

(j) “Housing project” means any work or undertaking (1) to demolish, clear or remove buildings from any slum area, which work or undertaking may embrace the adaptation of such area to public purposes, including parks or other recreational or community purposes; or (2) to provide decent, safe and sanitary urban or rural dwellings, apartments or other living accommodations for families of low or moderate income, which work or undertaking may include buildings, land, equipment, facilities and other real or personal property for necessary, convenient or desirable appurtenances, streets, sewers, water service, parks, site preparation, gardening, administrative, community, recreational, commercial or welfare purposes and may include the acquisition and rehabilitation of existing dwelling units or structures to be used for moderate or low rental units; or (3) to accomplish a combination of the foregoing. The term “housing project” also may be applied to the planning of the buildings and improvements, the acquisition of property, the demolition of existing structures, the construction, reconstruction, alteration and repair of the improvements and all other work in connection therewith and may include the reconstruction, rehabilitation, alteration, or major repair of existing buildings or improvements which were undertaken pursuant to parts II and VI of this chapter.

(k) “Mayor” means, for cities, the mayor and, for boroughs, the warden.

(l) “Moderate rental” means a rental which, as determined by an authority with the concurrence of the Commissioner of Housing, is below the level at which private enterprise is currently building a needed volume of safe and sanitary dwellings for rental in the locality involved; and “moderate rental housing project” means a housing project, receiving state aid in the form of loans or grants, for families unable to pay more than moderate rental. Such project may include the reconstruction, rehabilitation, alteration, or major repair of existing buildings or improvements which were undertaken pursuant to parts II or VI of this chapter.

(m) “Municipality” means any city, borough or town. “The municipality” means the particular municipality for which a particular housing authority is created.

(n) “Obligee of the authority” or “obligee” includes any bondholder, trustee or trustees for any bondholders, or lessor demising to the authority property used in connection with a housing project, or any assignee or assignees of such lessor's interest or any part thereof, and the state or federal government when it is a party to any contract with the authority.

(o) “Real property” includes all lands, including improvements and fixtures thereon, and property of any nature appurtenant thereto, or used in connection therewith, and every estate, interest and right, legal or equitable, therein, including terms for years and liens by way of judgment, mortgage or otherwise and the indebtedness secured by such liens.

(p) “Rent” means the entire amount paid to an authority for any dwelling unit.

(q) “Shelter rent” means rent less any charges made by an authority for water, heat, gas and electricity.

(q) “Slum” means any area where dwellings predominate which, by reason of dilapidation, overcrowding, faulty arrangement or design, lack of ventilation, light or sanitary facilities, or any combination of these factors, are detrimental to safety, health and morals.

(r) “State public body” means any city, borough, town, municipal corporation, district or other subdivision of the state.

(s) “Veteran” has the meaning assigned by section 27-103 and includes any officer of the United States Public Health Service detailed by proper authority to duty with any of the armed forces and the spouse or widow or widower of such veteran, provided such veteran shall have served for a period of ninety days or more in time of war after December 7, 1941, and shall have resided in this state at any time continuously for two years.

(t) “Family” means a household consisting of one or more persons.

(u) “Eligible developer” or “developer” means (1) a nonprofit corporation; (2) any business corporation incorporated pursuant to chapter 601 or any predecessor statutes thereto, having as one of its purposes the construction, rehabilitation, ownership or operation of housing, and having articles of incorporation approved by the commissioner in accordance with regulations adopted pursuant to section 8-79a or 8-84; (3) any partnership, limited partnership, joint venture, trust, limited liability company or association having as one of its purposes the construction, rehabilitation, ownership or operation of housing, and having basic documents of organization approved by the commissioner in accordance with regulations adopted pursuant to section 8-79a or 8-84; (4) a housing authority; (5) a family or person approved by the commissioner as qualified to own, construct, rehabilitate, manage and maintain housing under a mortgage loan made or insured under an agreement entered into pursuant to the provisions of this chapter; or (6) a municipal developer.

(v) “Mortgage” means a mortgage deed, deed of trust, or other instrument which shall constitute a lien, whether first or second, on real estate or on a leasehold under a lease having a remaining term, at the time such mortgage is acquired, which does not expire for at least that number of years beyond the maturity date of the obligation secured by such mortgage as is equal to the number of years remaining until the maturity date of such obligation.

(w) “Nonprofit corporation” means a nonprofit corporation incorporated pursuant to chapter 602 or any predecessor statutes thereto, having as one of its purposes the construction, rehabilitation, ownership or operation of housing and having articles of incorporation approved by the Commissioner of Housing in accordance with regulations adopted pursuant to section 8-79a or 8-84.

(x) “Municipal developer” means a municipality, as defined in subsection (l) of this section, which has not declared by resolution a need for a housing authority pursuant to section 8-40, acting by and through its legislative body, except that in any town in which a town meeting or representative town meeting is the legislative body, “municipal developer” means the board of selectmen if such board is authorized to act as the municipal developer by the town meeting or representative town meeting.

***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 an expanded area of operation.

**Sec. 8-44b. Housing authority police force.** (a) Any housing authority created by section 8-40 shall have the power to establish a housing authority police force, the members of which shall be employees of such housing authority and shall be known as housing authority police officers. Housing authority police officers shall be appointed by the local board, agency or person empowered to appoint municipal police officers, subject to approval of the housing authority. The requirements for appointment as a police officer in the municipality in which the housing authority is located, except for age and physical qualifications, shall be mandatory for housing authority police officers in such municipality. No person shall be appointed to such housing authority police force unless he has been awarded a certificate attesting to his successful completion of an approved municipal police basic training program, as provided in section 7-294e. The initial appointment shall be for a probationary term upon completion of which the appointing authority may promote such probationary officers to permanent status; provided such promotion shall be in accordance with procedures applicable to municipal police officers in the municipality and shall be made subject to the approval of the housing authority. Housing authority police officers shall have and exercise the powers and authority conferred upon municipal police officers and shall be subject to the ultimate supervision and control of the chief of police of the municipality in which the housing authority operates.

1. Notwithstanding the provisions of subsection (a) of this section, any housing authority police force which existed prior to October 1, 1970, pursuant to Title 1 of Public Law 89-754, 80 Stat. 1255, the Demonstration Cities and Metropolitan Development Act of 1966, and which, for any reason, does not constitute a housing authority police force pursuant to subsection (a) of this section, shall constitute a housing authority police force pursuant to this subsection and the members of such police forces may exercise the powers granted to such members pursuant to this subsection. The members of such police force may act, at the expense of the municipality, as special police officers upon property owned or managed by any housing authority. Such special police officers: (1) May arrest, without previous complaint and warrant, any person for any offense in their jurisdiction, when such person is taken or apprehended in the act or on the speedy information of others; (2) when in the immediate pursuit of one who may be arrested under the provisions of this subsection, may pursue such offender outside of their jurisdiction into any part of the municipality to effect an arrest; (3) shall be peace officers as defined in subdivision (9) of section 53a-3; (4) shall have the authority to serve criminal process within their jurisdiction; (5) shall, when on duty, wear a uniform, distinct in color from that worn by the police officers of the municipality; (6) shall, when on duty, wear in plain view a shield, distinct in shape from that worn by the police officers of the municipality which shall bear the words “special police”; (7) shall complete a forty-hour basic training program provided by the municipality within one hundred eighty days of June 27, 1983; (8) shall take an oath of office.
2. Housing authorities shall not have the power to establish or maintain a housing authority police force in an expanded area of operation.

**Sec. 8-50. Eminent domain.** An authority shall have the right to acquire by the exercise of the power of eminent domain any real property which it deems necessary for its purposes under this chapter after the adoption by it of a resolution declaring that the acquisition of such real property described therein is necessary for such purposes. An authority, in its own name and at its own expense and cost, may prefer a petition and exercise the power of eminent domain in the manner provided in section 48-12 and acts supplementary thereto. Property already devoted to a public use may be acquired, provided no real property belonging to the municipality, the state or any political subdivision thereof may be acquired without its consent. Any housing authority may opt to adopt an expanded area of operation or a reasonable accommodation expanded area of operation.

1. 42 U.S.C. §§ 3601-3619. [↑](#footnote-ref-1)
2. Chetty, R., Hendren, N., & Katz, L. (2016). The Effects of Exposure to Better Neighborhoods on Children: New Evidence from the Moving to Opportunity Experiment, *American Economic Review 106(4)*, 855-902. Retrieved from <http://www.equality-of-opportunity.org/assets/documents/mto_paper.pdf>. (Hereinafter Chetty et al., 2016). This research focuses on neighborhood poverty rate as a proxy for opportunity. [↑](#footnote-ref-2)
3. The Housing Choice Voucher program is a program that provides payments from the government to a housing provider to make rent affordable for people who are low income. These payments move with the tenant. Connecticut Analysis of Impediments to Fair Housing Choice 2015, at 52. [↑](#footnote-ref-3)
4. Project-based Vouchers are subsidy contracts attached to certain buildings that reduces the rental payment owed by the tenant. The voucher remains with the unit, not the tenant. Connecticut Analysis of Impediments to Fair Housing Choice 2015, at 157. [↑](#footnote-ref-4)
5. Connecticut Analysis of Impediments to Fair Housing Choice 2015, at 55. [↑](#footnote-ref-5)
6. Erin Boggs and Lisa Dabrowski, *Out of Balance: Subsidized Housing, Segregation and Opportunity in Connecticut*, Open Communities Alliance, September 2017, available at <http://www.ctoca.org/outofbalance>. [↑](#footnote-ref-6)
7. 24 C.F.R. § 982.4(b) (emphasis added). [↑](#footnote-ref-7)
8. 24 C.F.R. § 983.2. [↑](#footnote-ref-8)
9. Conn. Gen. Stat. § 8-40. [↑](#footnote-ref-9)
10. Conn. Gen. Stat. § 8-40. Chapters 128 and 130 authorize housing authorities to construct, acquire, and operate housing developments within its jurisdiction, and to promote the creation of affordable housing for low- and moderate-income persons and families. [↑](#footnote-ref-10)
11. http://www.registercitizen.com/article/RC/20130905/NEWS/130909806 [↑](#footnote-ref-11)
12. Ansonia is 66% Non-Hispanic White, while Seymour is 84% and Shelton is 89%. [↑](#footnote-ref-12)
13. 24 C.F.R. § 982.4; 42 U.S.C. 1437k; 24 CFR 943.118. [↑](#footnote-ref-13)
14. 24 CFR § 943.118. [↑](#footnote-ref-14)
15. 24 C.F.R. § 943.122. [↑](#footnote-ref-15)
16. Id. [↑](#footnote-ref-16)
17. 24 C.F.R. § 982.353(c). [↑](#footnote-ref-17)
18. There are exceptions to this. For example, the City of Hartford does not use a residency preference in the voucher program. https://www.hud.gov/offices/pih/pha/approved/pdf/02/ct051v01.pdf [↑](#footnote-ref-18)
19. After twelve months, the voucher can become portable by applying to the proposed new housing authority that would oversee the voucher. [↑](#footnote-ref-19)
20. 24 C.F.R. § 982.355(e). [↑](#footnote-ref-20)
21. For more information on the distribution of vouchers by housing authority and opportunity level, see Appendix C. [↑](#footnote-ref-21)
22. See U.S. Department of Housing and Urban Development, *Project Based Vouchers* at <https://www.hud.gov/program_offices/public_indian_housing/programs/hcv/project>. Under limited circumstances (e.g. where a census tract’s poverty rate is 20% or less) housing authorities may project base an additional 10% of units in a development. [↑](#footnote-ref-22)
23. 24 C.F.R. § 983.2. [↑](#footnote-ref-23)
24. See Emily Cooper and Lisa Sloane, *Section 8 Made Simple*, Technical Assistance Collaborative (2016), pg. 27, available at <http://www.tacinc.org/media/58886/S8MS%20Full%20Book.pdf>. [↑](#footnote-ref-24)
25. Patrick Sharkey, *Stuck In Place: Urban Neighborhoods and the End of Progress Towards Racial Equity*, University of Chicago Press, 2013. [↑](#footnote-ref-25)