

FINAL DRAFT

Analysis of Impediments to Fair Housing Choice

The City of Erie, Pennsylvania

2011



PREPARED BY

CITY OF ERIE, PENNSYLVANIA

ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

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1. INTRODUCTION

A. Introduction

The City of Erie has prepared an Analysis of Impediments to Fair Housing Choice to satisfy requirements of the Housing and Community Development Act of 1974, as amended. This Act requires that each community receiving Community Development Block Grant (CDBG) and HOME funds certifies to HUD that it will affirmatively further fair housing.

Communities receiving CDBG entitlement funds are required to:

- Examine and attempt to alleviate housing discrimination within their jurisdiction
- Promote fair housing choice for all persons
- Provide opportunities for all persons to reside in any given housing development, regardless of race, color, religion, sex, disability, familial status, or national origin
- Promote housing that is accessible to and usable by persons with disabilities, and
- Comply with the non-discrimination requirements of the Fair Housing Act.

These requirements can be achieved through the preparation of an Analysis of Impediments to Fair Housing Choice.

The Analysis of Impediments to Fair Housing Choice (AI) is a review of a jurisdiction's laws, regulations, and administrative policies, procedures, and practices affecting the location, availability, and accessibility of housing, as well as an assessment of conditions, both public and private, affecting fair housing choice.

B. Fair Housing Choice

Equal and free access to residential housing (housing choice) is fundamental to meeting essential needs and pursuing personal, educational, employment or other goals. Because housing choice is so critical, fair housing is a goal that government, public officials and private citizens must achieve if equality of opportunity is to become a reality.

Under federal law, fair housing choice is defined as the ability of persons, regardless of race, color, religion, sex, disability, familial status, or national origin, of similar income levels to have available to them the same housing choices. Persons who are protected from discrimination by fair housing laws are referred to as members of the protected classes.

This Analysis encompasses the following six areas related to fair housing choice:

- The sale or rental of dwellings (public and private)
- The provision of housing brokerage services
- The provision of financing assistance for dwellings

- Public policies and actions affecting the approval of sites and other building requirements used in the approval process for the construction of publicly assisted housing
- The administrative policies concerning community development and housing activities, which affect opportunities of minority households to select housing inside or outside areas of minority or ethnic concentration, and
- Where there is a determination of unlawful segregation or other housing discrimination by a court or a finding of noncompliance by the U.S. Department of Housing and Urban Development (HUD) regarding assisted housing in a recipient's jurisdiction, an analysis of the actions which could be taken by the recipient to remedy the discriminatory condition, including actions involving the expenditure of funds made available under 24 CFR Part 570 (i.e., the CDBG program regulations).

As a federal entitlement community, the City of Erie has specific fair housing planning responsibilities. These include:

- Conducting an Analysis of Impediments to Fair Housing Choice
- Developing actions to overcome the effects of identified impediments to fair housing, and
- Maintaining records to support the City's initiatives to affirmatively further fair housing.

HUD interprets these three certifying elements to include:

- Analyzing housing discrimination in a jurisdiction and working toward its elimination
- Promoting fair housing choice for all people
- Providing racially and ethnically inclusive patterns of housing occupancy
- Promoting housing that is physically accessible to, and usable by, all people, particularly individuals with disabilities, and
- Fostering compliance with the nondiscrimination provisions of the Fair Housing Act.

This Analysis will:

- Evaluate population, household, income and housing characteristics by protected classes
- Evaluate public and private sector policies that impact fair housing choice
- Identify blatant or de facto impediments to fair housing choice, where any may exist, and
- Recommend specific strategies to overcome the effects of any identified impediments.

HUD defines an impediment to fair housing choice as any actions, omissions, or decisions that restrict, or have the effect of restricting, the availability of housing choices, based on race, color, religion, sex, disability, familial status, or national origin.

This Analysis serves as the basis for fair housing planning, provides essential information to policy makers, administrative staff, housing providers, lenders, and fair housing advocates, and assists in building public support for fair housing efforts. The elected governmental body is expected to review and approve the analysis and use it for direction, leadership, and resources for future fair housing planning.

The analysis will serve as a baseline for progress against which implementation efforts will be judged and recorded.

C. The Federal Fair Housing Act

i. What housing is covered?

The federal Fair Housing Act covers most housing. In some circumstances, the Act exempts owner-occupied buildings with no more than four units, single family housing sold or rented without the use of a broker, and housing operated by organizations and private clubs that limit occupancy to members.

ii. What does the Fair Housing Act prohibit?

a. In the Sale and Rental of Housing

No one may take any of the following actions based on race, color, religion, sex, disability, familial status or national origin:

- Refuse to rent or sell housing
- Refuse to negotiate for housing
- Make housing unavailable
- Deny a dwelling
- Set different terms, conditions or privileges for the sale or rental of a dwelling
- Provide different housing services or facilities
- Falsely deny that housing is available for inspection, sale, or rental
- For profit, persuade owners to sell or rent (blockbusting), or
- Deny anyone access to or membership in a facility or service (such as a multiple listing service) related to the sale or rental of housing.

b. In Mortgage Lending

No one may take any of the following actions based on race, color, religion, sex, disability, familial status or national origin:

- Refuse to make a mortgage loan
- Refuse to provide information regarding loans
- Impose different terms or conditions on a loan, such as different interest rates, points, or fees
- Discriminate in appraising property
- Refuse to purchase a loan, or

- Set different terms or conditions for purchasing a loan.

c. Other Prohibitions

It is illegal for anyone to:

- Threaten, coerce, intimidate or interfere with anyone exercising a fair housing right or assisting others who exercise that right
- Advertise or make any statement that indicates a limitation or preference based on race, color, religion, sex, disability, familial status, or national origin. This prohibition against discriminatory advertising applies to single family and owner-occupied housing that is otherwise exempt from the Fair Housing Act.

iii. Additional Protections for the Disabled

If someone has a physical or mental disability (including hearing, mobility and visual impairments, chronic alcoholism, chronic mental illness, AIDS, AIDS Related Complex and mental retardation) that substantially limits one or more major life activities, or has a record of such a disability, or is regarded as having such a disability, a landlord may not:

- Refuse to let the disabled person make reasonable modifications to a dwelling or common use areas, at the disabled person's expense, if necessary for the disabled person to use the housing. Where reasonable, the landlord may permit changes only if the disabled person agrees to restore the property to its original condition when he or she moves.
- Refuse to make reasonable accommodations in rules, policies, practices or services if necessary for the disabled person to use the housing.

For example, a building with a "no pets" policy must make a reasonable accommodation and allow a visually impaired tenant to keep a guide dog.

iv. Significant Recent Changes

The Housing for Older Persons Act of 1995 (HOPA) makes several changes to the age 55 and older exemption. Since the 1988 Amendments, the Fair Housing Act has exempted from its familial status provisions properties that satisfy the Act's age 55 and older housing condition. First, it eliminates the requirement that housing for persons age 55 and older have "significant facilities and services" designed for the elderly. Second, HOPA establishes a "good faith reliance" immunity from damages for persons who in good faith believe that the age 55 and older exemption applies to a particular property, if they do not actually know that the property is not eligible for the exemption and if the property has formally stated in writing that it qualifies for the exemption.

HOPA retains the requirement that senior housing must have one person who is 55 years of age or older living in at least 80% of its occupied units. It also

still requires that senior housing publish and follow policies and procedures that demonstrate the intent to be housing for persons 55 years and older.

An exempt property will not violate the Fair Housing Act if it includes families with children, but it does not have to do so. Of course, the property must meet the Act's requirements that at least 80% of its occupied units have at least one occupant who is 55 or older, and that it publish and follow policies and procedures that demonstrate the intent to be housing for persons age 55 and older housing.

v. Requirements for New Buildings

In buildings that are ready for first occupancy after March 13, 1991 and have an elevator and four or more units:

- Public and common areas must be accessible to persons with disabilities
- Doors and hallways must be wide enough for wheelchairs
- All units must have:
 - An accessible route into and through the unit
 - Accessible light switches, electrical outlets, thermostats and other environmental controls
 - Reinforced bathroom walls to allow later installation of grab bars, and
 - Kitchens and bathrooms that can be used by people in wheelchairs.

If a building with four or more units has no elevator and will be ready for first occupancy after March 13, 1991, these standards apply to ground floor units. These requirements for new buildings do not replace any more stringent standards in state or local law.

vi. Housing Opportunities for Families

Unless a building or community qualifies as housing for older persons, it may not discriminate based on familial status. That is, it may not discriminate against families in which one or more children under the age 18 live with:

- A parent or
- A person who has legal custody of the child or children or
- The designee of the parent or legal custodian, with the parent or custodian's written permission.

Familial status protection also applies to pregnant women and anyone securing legal custody of a child under age 18.

Housing for older persons is exempt from the prohibition against familial status discrimination if:

- The HUD Secretary has determined that it is specifically designed for and occupied by elderly persons under a federal, state or local government program, or

- It is occupied solely by persons who are 62 or older, or
- It houses at least one person who is 55 or older in at least 80% of the occupied units, and adheres to a policy that demonstrates the intent to house persons who are 55 or older, as previously described.

A transition period permits residents on or before September 13, 1988 to continue living in the housing, regardless of their age, without interfering with the exemption.

D. Pennsylvania Human Relations Act

The Pennsylvania Human Relations Act (PHRA), as amended, prohibits housing discrimination based on race, color, sex, religion, national origin, ancestry, handicap or disability, age (40 and above), pregnancy, familial status (families with children under age 18), use of a guide or support animal due to blindness, deafness or physical disability, or the disability of an individual with whom the person is known to have a relationship or association. While the State law appears to protect additional classes of people, it primarily expands on the classes protected under federal law. For example, pregnant females are protected within the familial status class of the federal law. The primary difference in the protected classes between the federal law and the Pennsylvania law is the lowering of the age to 40 for the older persons class. Consequently, persons residing in Pennsylvania have only slightly more protection under state law than under federal law in the area of housing discrimination.

E. Erie County Ordinance 39

In partnership with the City of Erie, Erie County adopted Ordinance 39 in 2007, which establishes the County's Human Rights Commission. Ordinance 39 declares as a civil right:

The opportunity for an individual to obtain employment for which he/she is qualified, and to obtain all the accommodations, advantages, facilities, and privileges of any public accommodation and of any housing accommodation and commercial property without discrimination because of race, color, familial status, religious creed, ancestry, age, sex, sexual orientation, national origin, disability of the person, the use of guide or support animals because of the disability of the person, or because the person is a handler or trainer of support or guide animals.

Ordinance 39 extends protections to persons regardless of sexual orientation, including forbidding persons from refusing to sell or rent to someone based on sexual orientation. However, the Ordinance does not promote any group to a member of the protected classes and clearly states that "Nothing in this Ordinance shall be interpreted by any commission, court, or other body as elevating any one group into a protected class, or bestowing any greater right than those afforded individuals or groups under the Constitution of the United States of America [and] the Constitution of the Commonwealth of Pennsylvania." However, residents are able to file civil suits under Ordinance 39 and receive penalties. Therefore, rights are slightly expanded under the Ordinance.

The Ordinance also established the Erie County Human Relations Commission (HRC). The HRC hears complaints regarding unlawful discrimination. The HRC also cross-files cases involving housing with HUD’s database. One member of the HRC is appointed by Erie’s City Council.

The following chart lists the protected classes under federal, state, and local laws related to fair housing in the City of Erie.

**Figure 1-1
Protection for Members of the Protected Classes**

Protected Class	Federal Fair Housing Act	Pennsylvania Human Relations Act	Erie County Ordinance 39
Race	•	•	•
Color	•	•	•
National Origin	•	•	•
Religion	•	•	•
Sex	•	•	•
Familial Status (families with children under age 18)	•	•	•
Handicap/Disability Status	•	•	•
Ancestry		•	•
Age (40 and older)		•	•
Use of Guide/Support Animal		•	•
Pregnancy		•	•
Association/Relationship with an Individual with a Disability		•	•
Sexual Orientation			***

***Ordinance 39 seeks to "safeguard the rights" of persons regardless of sexual orientation, but does not elevate any group to a protected class

F. Comparison of Accessibility Standards

There are several standards of accessibility that are referenced throughout the AI. These standards are listed below along with a summary of the features within each category or a direct link to the detailed standards.

i. Fair Housing Act

These standards are listed in section C.v. above.

ii. Americans with Disabilities Act (ADA)

ADA standards are required for accessibility to places of public accommodation and commercial facilities by individuals with disabilities. These guidelines are to be applied during the design, construction, and alteration of such buildings and facilities to the extent required by regulations issued by federal agencies, including the Department of Justice, under the Americans with Disabilities Act of 1990. A complete description of the guidelines can be found at <http://www.ada.gov/stdspdf.htm>.

iii. Uniform Federal Accessibility Standards (UFAS)

UFAS accessibility standards are required for facility accessibility by physically handicapped persons for Federal and federally-funded facilities. These standards are to be applied during the design, construction, and alteration of buildings and facilities to the extent required by the Architectural Barriers Act of 1968, as amended. A complete description of

the guidelines can be found at <http://www.access-board.gov/ufas/ufas-html/ufas.htm>.

iv. **Visitability Standards**

The term “visitability” refers to single-family housing designed in such a way that it can be lived in or visited by people with disabilities. A house is visitable when it meets three basic requirements:

- At least one no-step entrance
- Doors and hallways wide enough to navigate a wheelchair through, and
- A bathroom on the first floor big enough to get into in a wheelchair, and close the door.

v. **Universal Design**

Universal design is the design of products and environments to be usable by all people, to the greatest extent possible, without adaptation or specialized design. Seven principles guide Universal Design. These include:

- Equitable use (e.g., make the design appealing to all users)
- Flexibility in use (e.g., accommodate right- or left-handed use)
- Simple and intuitive use (e.g., eliminate unnecessary complexity)
- Perceptible information (e.g., provide compatibility with a variety of techniques or devices used by people with sensory limitations)
- Tolerance for error (e.g., provide fail-safe features)
- Low physical effort (e.g., minimize repetitive actions)
- Size and space for approach and use (e.g., accommodate variations in hand and grip size).

G. Methodology

The consulting firm of Mullin & Lonergan Associates, Inc. (M&L) was retained to conduct the Analysis of Impediments to Fair Housing Choice. M&L utilized a comprehensive approach to complete the analysis involving the City of Erie. The following sources were utilized:

- The most recently available demographic data regarding population, household, housing, income, and employment
- The City’s most recent five-year Consolidated Plan
- Public policies affecting the siting and development of housing, including the City’s comprehensive plan and municipal zoning ordinance
- Administrative policies concerning housing and community development
- The Admission and Continuing Occupancy Policy and Section 8 Housing Choice Voucher Administrative Plan from the Housing Authority of the City of Erie
- Financial lending institution data from the Home Mortgage Disclosure Act (HMDA) database

- Previous Annual Plans (AP) and Consolidated Annual Performance and Evaluation Reports (CAPER) for the City
- Interviews and focus group sessions conducted with agencies and organizations that provide housing and housing related services to members of the protected classes
- HUD CHAS tables
- Residential segregation data from CensusScope.

i. Use of Census Data

Two major sources of data were used for this report. Census data from 1990, Census 2000, and the 2009 American Community Survey (ACS) were supplemented with 2010 estimates obtained from DemographicsNow. The ACS data is available only for geographic units with a population of 65,000 or more. As a result, ACS data is available for the entire City of Erie, but is not available for smaller geographic units such as census tracts. For census tract level data more recent than 2000, DemographicsNow data was used. In most cases, the most recent data available was used.

Because statistics in census data products are based on the collection, tabulation, editing, and handling of questionnaires, errors in the data are possible. In addition to errors occurring during data collection, much of the census data is based on Summary File 3 (SF3) sample data rather than Summary File 1 (SF1) data, which is 100-percent data. Each data set is subject to sampling error and non-sampling error, respectively. Non-sampling error includes confidentiality edits applied by the Census Bureau to assure that data does not disclose information about specific individuals, households, or housing units. Because of sampling and non-sampling errors, there may be discrepancies in the reporting of similar types of data. These discrepancies do not negate the usefulness of the census data.

H. Development of the Analysis of Impediments to Fair Housing

i. Lead Agency

The City of Erie's Department of Economic and Community Development (DECD) is the lead agency responsible for the preparation and implementation of the AI. DECD identified and invited numerous stakeholders to participate in the process for the purpose of developing a thorough analysis with a practical set of recommendations to eliminate impediments to fair housing choice, where identified.

ii. Agency Consultation

DECD engaged in an extensive consultation process with local public agencies, nonprofit organizations and other interested entities in an effort to develop a community planning process for the AI. A series of written questionnaires were mailed to many of the interviewees and detailed lists of issues were developed for the focus group sessions and interviews.

On November 18 and 19, 2010, DECD staff and the consulting team began a series of focus group sessions and individual interviews to identify current fair housing issues impacting the various agencies and organizations. Comments received through these meetings are incorporated throughout the AI, where appropriate.

A list of the stakeholders identified and invited to the focus group sessions and interviews is included in Appendix A.

I. The Relationship between Fair Housing and Affordable Housing

As stated in the Introduction, fair housing choice is defined as the ability of persons, regardless of race, color, religion, sex, disability, familial status, or national origin, of similar income levels to have available to them the same housing choices. In Pennsylvania, this protection is also extended ancestry, age (40 and above), pregnancy, familial status (families with children under age 18), use of a guide or support animal due to blindness, deafness or physical disability, or the disability of an individual with whom the person is known to have a relationship or association. Persons who are protected from discrimination by fair housing laws are referred to as members of the protected classes.

This AI analyzes a range of fair housing issues that may affect housing choice. To the extent that members of the protected classes tend to have lower incomes, then access to fair housing is related to affordable housing. In many areas across the U.S., a primary impediment to fair housing is a relative absence of affordable housing. Often, however, the public policies implemented in towns and cities create, or contribute to, the lack of affordable housing in these communities.

This document goes well beyond an analysis of the adequacy of affordable housing in the City of Erie. This AI defines the relative presence of members of the protected classes within the context of factors that influence the ability of the protected classes to achieve equal access to housing and related services.

2. DEMOGRAPHIC INFORMATION

A. Demographic Profile

i. Population Trends

The population of the City of Erie has been steadily declining since 1960. Between 1960 and 2010, the City lost over one quarter of its total population. This is in contrast with Erie County and Pennsylvania, which increased 11.9% and 12.2%, respectively, during this period.

Population loss in the City was most rapid between 1960 and 1990, reflecting the decline of the manufacturing industry that had served as the engine of growth in the region. During the 1980s, both the City and County experienced population losses of 8.7% and 1.5%, respectively. Between 1990 and 2010, the County's population remained relatively stable, while the City of Erie decreased 1.9%.

Figure 2-1
Population Trends, 1960-2010

	1960	1970	1980	1990	2000	2010	% Change 1960-2010
City of Erie	138,440	129,231	119,123	108,718	103,717	101,786	-26.5%
Erie County	250,682	263,654	279,780	275,570	280,843	280,566	11.9%
Pennsylvania	11,319,366	11,793,909	11,863,895	11,881,643	12,281,046	12,702,379	12.2%

Source: NHGIS, U.S. Census Bureau

OBSERVATION: The City of Erie has lost over one quarter of its population in the past 50 years. Erie County, by comparison, increased 11.9% during this period.

All of the population loss during the last two decades has been among the White population in Erie. The number of White residents shrank 18.4% between 1990 and 2010, compared to an increase of 67.9% among non-White residents. Whereas the non-White population comprised 13.9% of the City's population in 1990, by 2010 their population share had increased to 25%.

**Figure 2-2
 Population by Race and Ethnicity, 1990-2010**

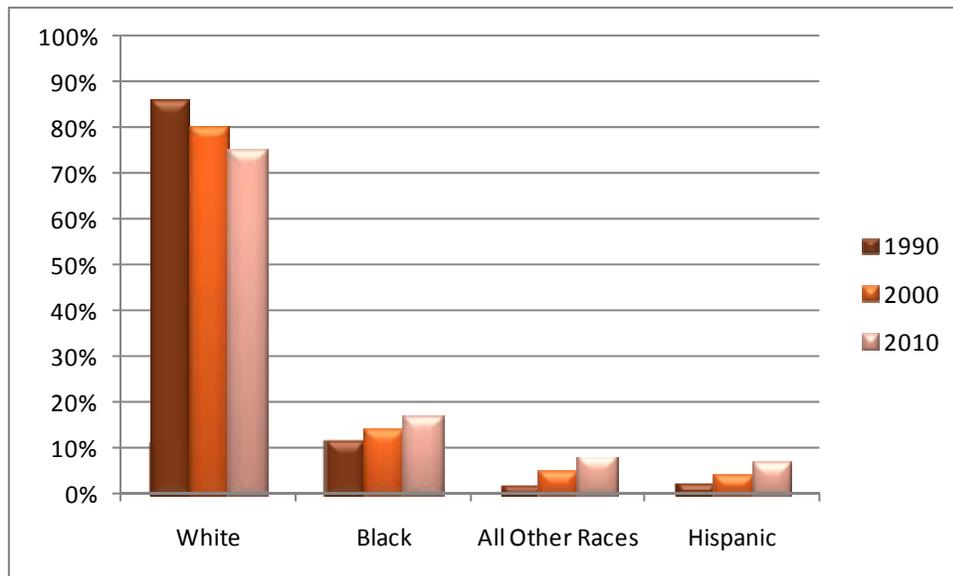
	1990		2000		2010		% Change 1990-2010
	#	%	#	%	#	%	
City of Erie	108,718	100.0%	103,717	100.0%	101,786	100.0%	-6.4%
White Population	93,556	86.1%	83,550	80.6%	76,327	75.0%	-18.4%
Non-White Population	15,162	13.9%	20,167	19.4%	25,459	25.0%	67.9%
Black	13,086	12.0%	14,724	14.2%	17,141	16.8%	31.0%
Amer. Indian/Alaska Native	229	0.2%	232	0.2%	291	0.3%	27.1%
Asian / Pacific Islander	514	0.5%	818	0.8%	1,568	1.5%	205.1%
Some Other Race	1,333	1.2%	1,991	1.9%	2,498	2.5%	87.4%
Two or More Races	---	---	2,402	2.3%	3,961	3.9%	64.9%
Hispanic	2,606	2.4%	4,572	4.4%	7,005	6.9%	168.8%

Source: U.S. Census Bureau

Blacks remain the largest minority group and comprised over two-thirds of the non-White population in 2010. The Asian/Pacific Islander population experienced the largest growth between 1990 and 2010, tripling from 514 to 1,568. Persons of Some Other Race and the multi-race population also increased substantially during this period, and in 2010 accounted for 25.4% of the non-White population.

The Hispanic residents population more than doubled from 1990 and 2010. Hispanic residents comprised 5.6% of Erie’s population in 2010, compared to 2.4% in 1990.

**Figure 2-3
 Racial/Ethnic Minority Characteristics, 1990-2010**



OBSERVATION: The minority population in Erie grew 67.9% between 1990 and 2010 and comprised 25% of Erie's population in 2010. The fastest growth has been among Asian/Pacific Islanders and Hispanics, both of which more than doubled over the past twenty years.

ii. **Areas of Racial and Ethnic Minority Concentration**

In its most recent consolidated plan, the City of Erie defines areas of racial or ethnic minority concentration as geographical areas where the percentage of a specific minority or ethnic group is 10 percentage points higher than in the City overall. In Erie, Blacks accounted for 16.8% of the overall population in 2010. Therefore, an area of concentration of Black residents would include census tracts where Blacks comprised 23.9% or more of the population. This is the case in eight census tracts: 4, 7, 8, 13, 14, 15, 17, and 18. There were no other areas of racial concentration. However, Asian residents comprised 11% of the population in tract 18, which was significantly higher than the City's overall percentage of 1.5%.

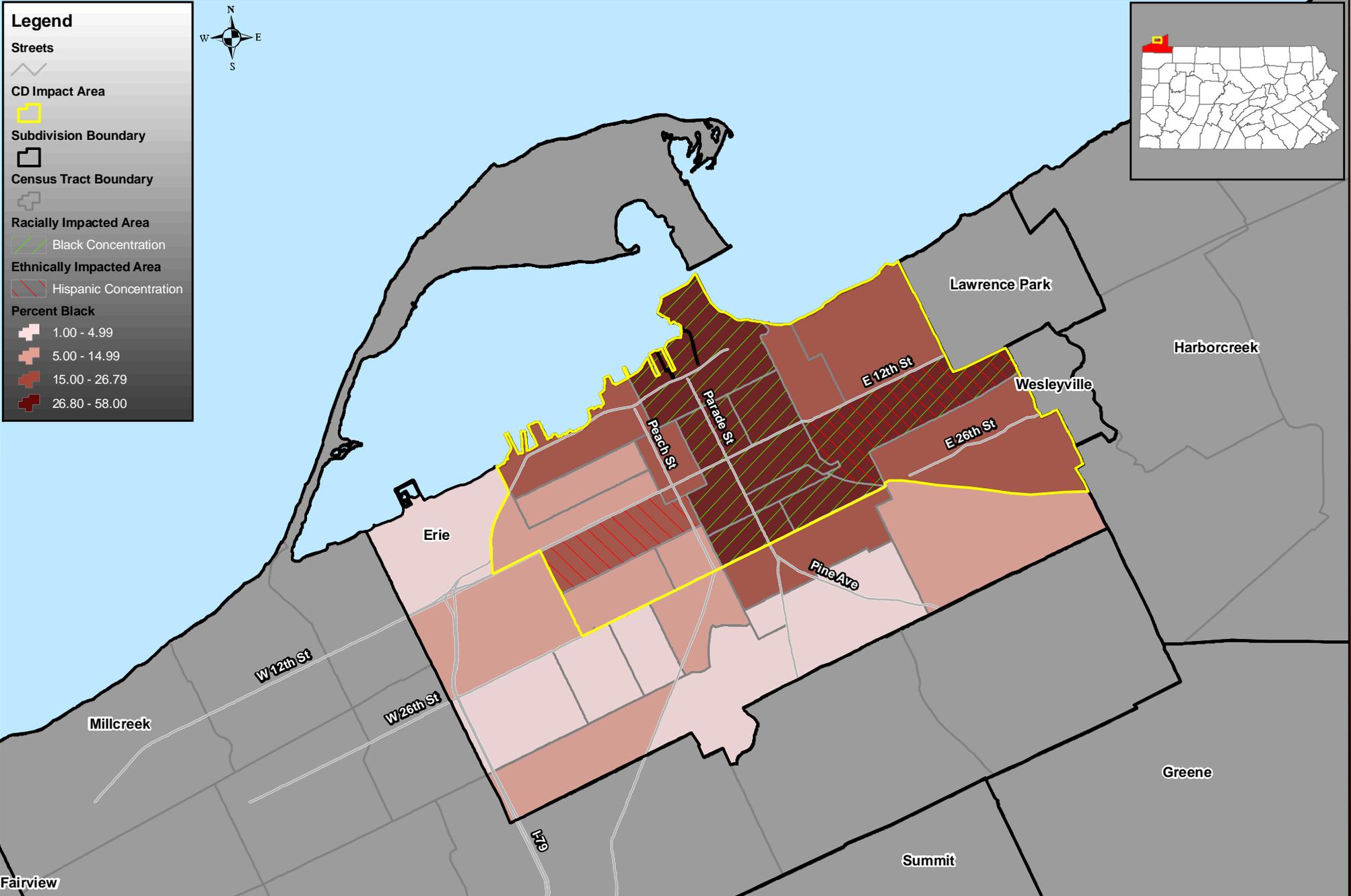
In 2010, Hispanics accounted for 6.9% of the City's population. Therefore, an area of ethnic concentration would include tracts where 16.9% or more of the population was Hispanic. This occurred in two census tracts, including tracts 12 and 15.

Maps 1 and 2 and Figure 2-4 detail the locations of the areas of minority concentration. As illustrated in the following maps, the highest concentrations of minority residents are located within the City's designated Community Development (CD) target area. The CD Target Area was designated as a slum and blight area in 2007. This area consists of the older part of the City from 26th Street north to the Bay, and between Cranberry Street on the west side of the City and the city line (Bird Drive and Franklin Avenue) in the eastern section of the City. This area contains major concentrations of low and moderate income persons and is characterized by housing stock and infrastructure deterioration, a concentration of economic activity, and other forms of physical and social deterioration, and blighted areas.

OBSERVATION: There are eight census tracts in Erie that meet the criterion for areas of racial concentration of Black residents: 4, 7, 8, 13, 14, 15, 17, and 18. Additionally, there are two census tracts that meet the criterion for areas of ethnic concentration of Hispanic residents: 12 and 15.

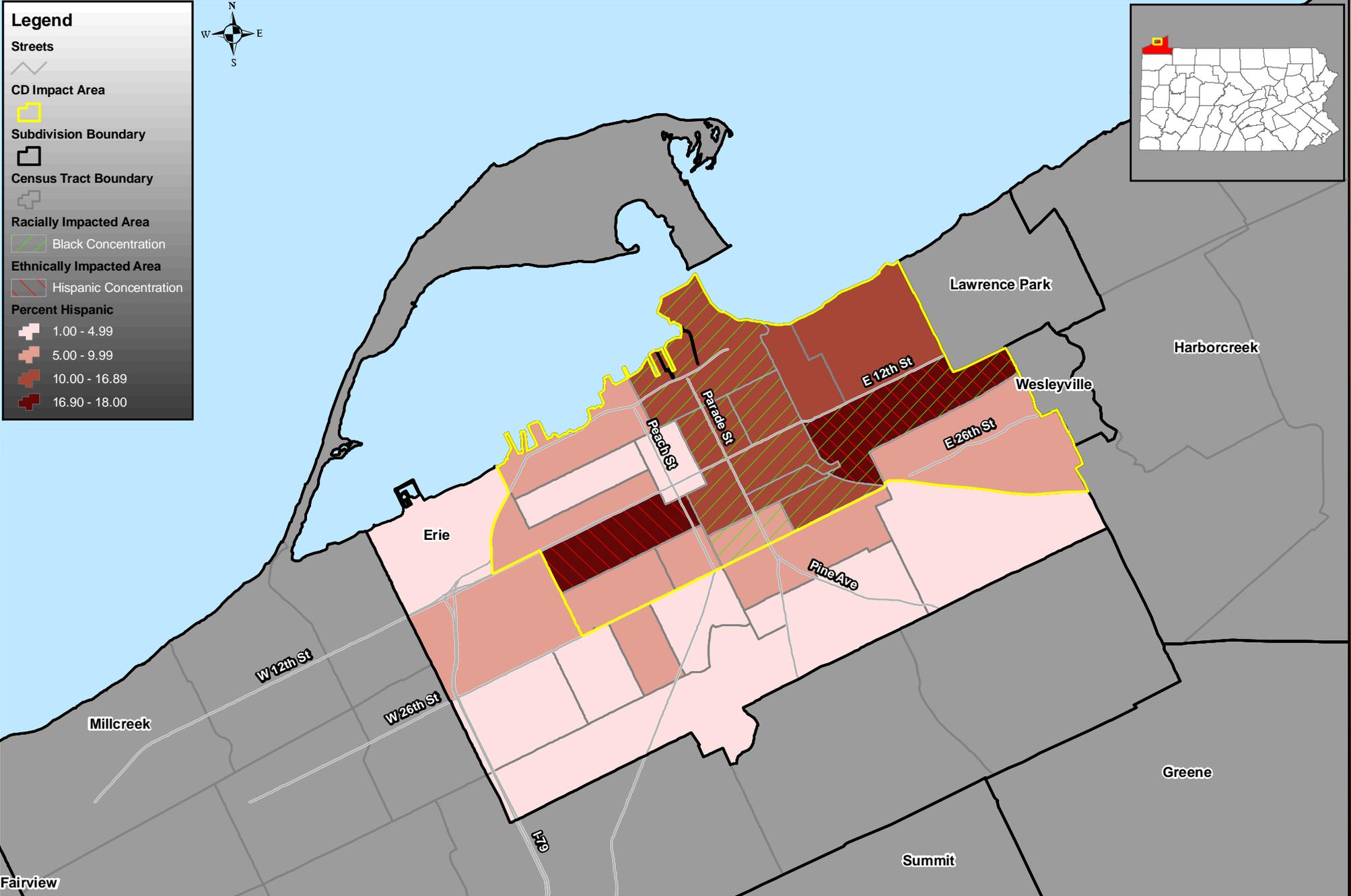
Map 1: Black Population Concentrations, 2010

Analysis of Impediments to Fair Housing Choice. Erie, PA



Map 2: Hispanic Population Concentrations, 2010

Analysis of Impediments to Fair Housing Choice. Erie, PA



**Figure 2-4
 Areas of Racial and Ethnic Concentration, 2010**

Census Tract	Total Population	White %	Minority Residents		
			Black %	Asian/Pacific Islander %	Hispanic %
City of Erie	101,786	75.0%	16.8%	1.5%	6.9%
1	1,690	78.9%	16.3%	0.5%	4.7%
2	3,957	96.3%	1.2%	0.7%	1.7%
3	4,214	70.0%	22.3%	1.0%	7.4%
4	2,696	59.8%	27.0%	2.6%	10.1%
5	3,276	64.2%	21.6%	0.8%	12.7%
6	3,269	68.4%	22.9%	0.2%	10.8%
7	2,737	54.5%	33.3%	1.1%	13.6%
8	3,116	53.9%	33.7%	1.3%	10.5%
9	5,454	77.1%	14.8%	1.9%	4.7%
10	3,442	80.0%	11.9%	0.8%	6.2%
11	2,877	83.5%	8.6%	0.8%	8.1%
12	2,509	61.5%	21.5%	1.7%	17.9%
13	1,549	28.8%	57.5%	3.4%	12.4%
14	1,824	53.8%	33.2%	3.6%	13.0%
15	2,679	34.3%	50.4%	1.3%	18.0%
16	4,158	65.7%	26.5%	1.8%	6.9%
17	2,880	48.5%	36.4%	3.9%	13.6%
18	2,395	29.7%	49.6%	11.0%	9.2%
19	1,887	77.7%	13.7%	1.1%	5.7%
20	3,454	80.9%	9.7%	0.6%	6.3%
21	3,775	95.3%	1.5%	1.3%	1.7%
22	3,854	92.1%	3.1%	0.7%	3.9%
23	2,832	88.8%	4.1%	1.4%	5.7%
24	3,147	88.5%	5.8%	0.9%	4.0%
25	2,508	70.8%	21.1%	0.6%	5.4%
26	4,355	77.5%	15.2%	1.4%	6.3%
27	6,817	86.1%	8.7%	1.7%	4.0%
28	7,462	92.2%	4.9%	1.1%	2.3%
29	2,839	96.1%	2.1%	0.6%	1.5%
30	4,134	88.8%	6.5%	1.0%	3.0%

Source: U.S. Census Bureau, Census 2010 Redistricting Data SF (P1, P2)

iii. Residential Segregation Patterns

Residential segregation is a measure of the degree of separation of racial or ethnic groups living in a neighborhood or community. Typically, the pattern of residential segregation involves the existence of predominantly homogenous, White suburban communities and lower income minority inner-city neighborhoods. A potential impediment to fair housing is created where either latent factors, such as attitudes, or overt factors, such as real estate practices, limit the range of housing opportunities for minorities. A lack of racial or ethnic integration in a community creates other problems, such as reinforcing prejudicial attitudes and behaviors, narrowing opportunities for

interaction, and reducing the degree to which community life is considered harmonious. Areas of extreme minority isolation often experience poverty and social problems at rates that are disproportionately high. Racial segregation has been linked to diminished employment prospects, poor educational attainment, increased infant and adult mortality rates and increased homicide rates.

The distribution of racial or ethnic groups across a geographic area can be analyzed using an index of dissimilarity. This method allows for comparisons between subpopulations, indicating how much one group is spatially separated from another within a community. The index of dissimilarity is rated on a scale from 0 to 100, in which a score of 0 corresponds to perfect integration and a score of 100 represents total segregation.¹ The index is typically interpreted as the percentage of the minority population that would have to move in order for a community or neighborhood to achieve full integration. A dissimilarity index of less than 30 indicates a low degree of segregation, while values between 30 and 60 indicate moderate segregation, and values above 60 indicate high segregation.

The City of Erie is moderately segregated, with a dissimilarity index of 51.6. In other words, in order to achieve full integration among White persons and Black persons in the City, 51.6% of Black residents would have to move to a different location within Erie. Figure 2-5 compares the dissimilarity indices for Whites and Blacks in Pennsylvania cities with more than 25,000 residents. According to the dissimilarity index, Erie ranks 5th out of 21 cities, making it one of the more segregated cities in the state.

¹ The index of dissimilarity is a commonly used demographic tool for measuring inequality. For a given geographic area, the index is equal to $1/2 \sum ABS [(b/B)-(a/A)]$, where b is the subgroup population of a census tract, B is the total subgroup population in a city, a is the majority population of a census tract, and A is the total majority population in the city. ABS refers to the absolute value of the calculation that follows.

**Figure 2-5
 Pennsylvania Municipal Dissimilarity Index Rankings, 2000**

Rank	City	Black Population	White Population	Total Population	Dissimilarity Index
1	Philadelphia city	646,123	644,395	1,517,550	80.6
2	Pittsburgh city	90,183	223,982	334,563	71.3
3	Scranton city	2,200	70,512	76,415	57.7
4	New Castle city	2,820	22,729	26,309	53.1
5	Erie city	14,420	81,605	103,717	51.6
6	Chester city	27,500	6,582	36,854	47.8
7	Harrisburg city	26,292	13,988	48,950	45.7
8	Altoona city	1,202	47,342	49,523	45.3
9	Bethel Park borough	340	32,463	33,556	44.0
10	Williamsport city	3,873	25,666	30,706	42.7
11	Lancaster city	7,067	29,196	56,348	42.6
12	Bethlehem city	2,244	53,408	71,329	42.2
13	Monroeville borough	2,425	24,971	29,349	42.1
14	Norristown borough	10,738	15,440	31,282	41.5
15	Wilkes-Barre city	2,129	39,433	43,123	39.5
16	Reading city	8,799	39,038	81,207	39.5
17	Allentown city	7,284	68,621	106,632	38.5
18	Plum borough	740	25,617	26,940	38.1
19	York city	9,798	22,142	40,862	36.3
20	State College borough	1,371	31,862	38,420	31.8
21	Easton city	3,221	19,302	26,263	30.3

Source: CensusScope

OBSERVATION: The City of Erie is one of the more segregated cities in the State, according to the dissimilarity index. The data indicate that in order to achieve full integration among White persons and Black persons in the City, 51.6% of Black residents would have to move to a different location within Erie.

Dissimilarity index data for all Erie subpopulations appear in Figure 2-6. The indices below show that, in addition to a White/Black index of 51.6, Erie has a White/multi-race index of 43.9, and a White/Hispanic index of 48.2. These numbers indicate that these subpopulations are less segregated than Black residents. Indices for the other groups cannot be as reliably interpreted, since their populations are less than 1,000. In cases where subgroup population is small, the dissimilarity index may be high even if the group's members are evenly dispersed.

**Figure 2-6
 Erie Dissimilarity Indices, 2000**

	DI with White Population**	Population	% of Total Population
White	--	81,605	78.7%
Black	51.6	14,420	13.9%
American Indian*	56.9	181	0.2%
Asian*	42.8	756	0.7%
Hawaiian*	86.1	37	0.0%
Other*	59.3	189	0.2%
Two or more races	43.9	1,957	1.9%
Hispanic ***	48.2	4,572	4.4%
TOTAL	--	103,717	100.0%

* In these cases, sample size is too small to reliably interpret the DI. Caution should be exercised in interpreting results for subpopulations of fewer than 1,000.

** Each dissimilarity index indicates the percentage of one of the two population groups compared that would have to move to different geographic areas to create a completely even demographic distribution in the City.

*** Hispanic ethnicity is counted independently of race

Source: CensusScope

iv. Race/Ethnicity and Income

Household income is one of several factors used to determine a household's eligibility for a home mortgage loan. In Erie, disparities persist between the earnings of Whites and minorities. In 2009, Asians had the lowest median income of \$16,495, less than half that of Whites. The median household incomes for Blacks and Hispanics were equivalent to about 62% of the income for Whites. Similarly, Blacks and Hispanics were more likely to live in poverty. Nearly one half of Hispanics and over one-third of Blacks were living in poverty in 2009, compared to 19.4% of Whites.

**Figure 2-7
 Median Household Income and Poverty Rates by Race/Ethnicity, 2009**

	Median Household Income	Poverty Rate
City of Erie	\$33,293	23.2%
Whites	\$35,013	19.4%
Blacks	\$22,023	38.5%
Asians	\$16,495	31.6%
Hispanics	\$21,414	43.7%

Source: U.S. Census Bureau, 2005-2009 American Community Survey (B19013, B19013A, B19013B, B19013D, B19013I, B17001, B17001A, B17001B, B17001D, B17001I)

OBSERVATION: Median household income among Blacks, Hispanics, and Asians was equivalent to 62% and less of the incomes for Whites, and the poverty rates among Blacks, Hispanics, and Asians were significantly higher. Consequently, minority households will have greater difficulty finding affordable rental units or homes to purchase in Erie.

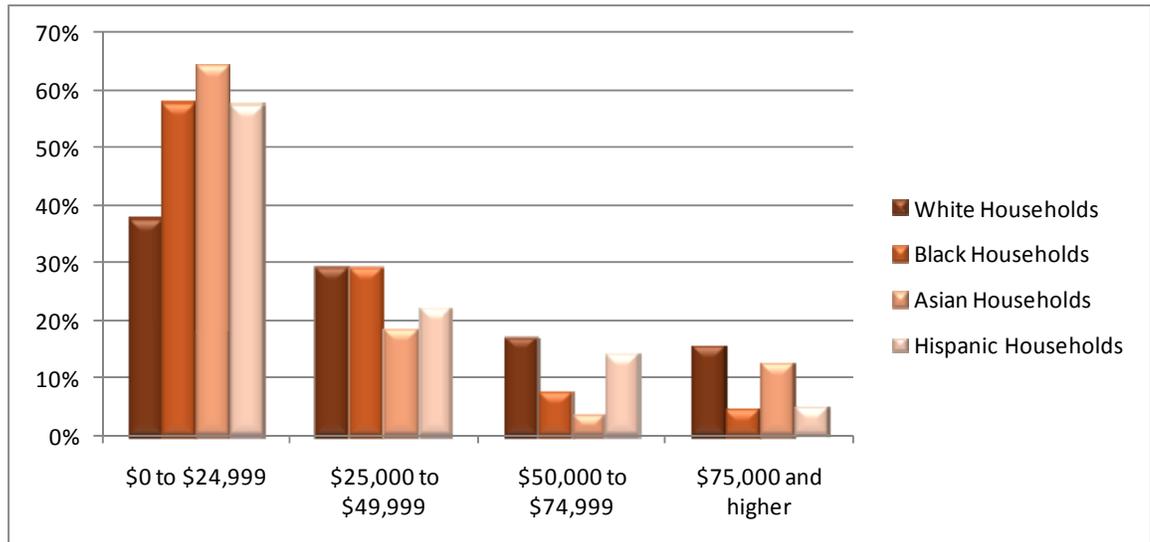
A review of household income distribution also shows a disparity between White and minority households. Among Black, Asian, and Hispanic households, 57.3% had annual incomes of less than \$25,000 compared to 36.1% of White households. At the other end of the spectrum, only 6.1% of minority households had incomes greater than \$75,000 compared to 15.7% of White households. Figures 2-8 and 2-9 detail the income distribution by race and ethnicity for 2009.

Figure 2-8
 Household Income Distribution by Race and Ethnicity, 2009

	Total	\$0 to \$24,999		\$25,000 to \$49,999		\$50,000 to \$74,999		\$75,000 and higher	
		#	%	#	%	#	%	#	%
All Households	40,490	15,676	38.7%	11,735	29.0%	7,223	17.8%	5,856	14.5%
White Households	34,998	12,629	36.1%	10,428	29.8%	6,463	18.5%	5,478	15.7%
Black Households	4,129	2,236	54.2%	1,023	24.8%	625	15.1%	245	5.9%
Asian Households	289	186	64.4%	55	19.0%	11	3.8%	37	12.8%
Hispanic Households	1,407	816	58.0%	315	22.4%	202	14.4%	74	5.3%

Source: U.S. Census Bureau, 2009 American Community Survey (C19001, C19001A, C19001B, C19001D, C19001I)

Figure 2-9
 Household Income Distribution by Race and Ethnicity, 2009



v. Concentrations of LMI Persons

The CDBG Program includes a statutory requirement that at least 70% of all funds invested benefit low and moderate income (LMI) persons. As a result,

HUD provides the percentage of LMI persons in each census block group for entitlements such as Erie. In 45 of the City's 96 block groups, the percentage of LMI persons exceeds 51%, as highlighted in Figure 2-10. Of these 45 block groups, 20 were located in areas that were also identified as areas of minority concentration.

OBSERVATION: Of the 45 low and moderate income census block groups in Erie, 20 are located within impacted areas of Black and Hispanic residents.

Figure 2-10 and Map 3 on the following pages show the areas of concentration of minorities and LMI persons. Similar to areas of minority concentration, concentrations of LMI persons are mostly located within the City's CD target area. However, several concentrations of LMI persons are also found outside of the CD target area along Erie's boundaries with neighboring municipalities.

Map 3: Low and Moderate Income Concentrations, 2010

Analysis of Impediments to Fair Housing Choice. Erie, PA

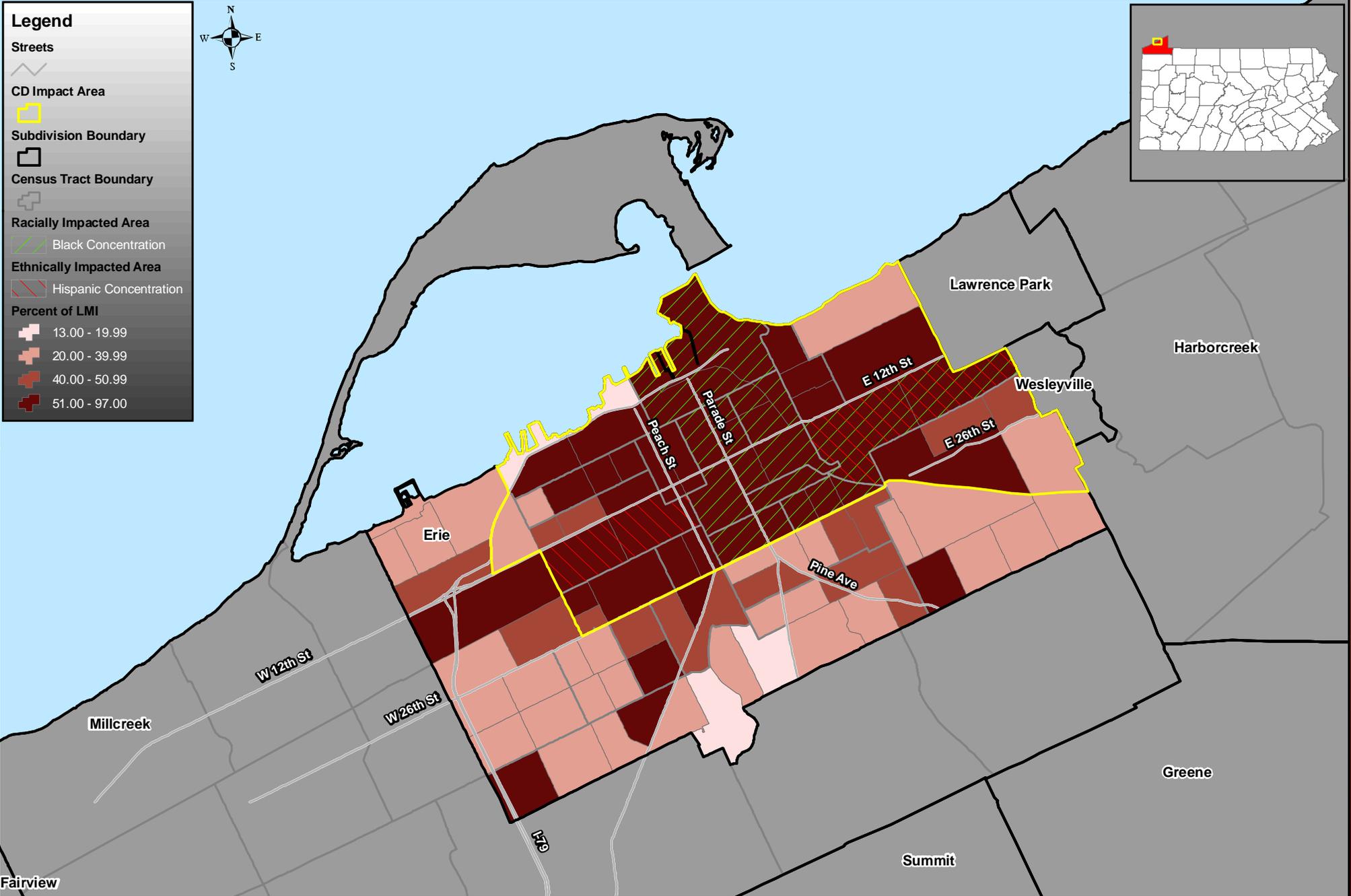


Figure 2-10
Areas of Concentration of LMI Persons, 2010

Census Tract	Block Group	Universe	Low and Moderate Income Persons		Census Tract	Block Group	Universe	Low and Moderate Income Persons	
			#	%				#	%
1	1	508	435	85.63%	17	3	1,025	777	75.80%
1	2	799	774	96.87%	18	1	1,526	1,153	75.56%
2	1	1,125	256	22.76%	18	2	1,149	791	68.84%
2	2	756	368	48.68%	19	1	551	473	85.84%
2	3	1,426	407	28.54%	19	2	1,136	759	66.81%
2	4	777	167	21.49%	20	1	2,059	1,182	57.41%
3	1	110	20	18.18%	20	2	868	615	70.85%
3	2	1,602	1,111	69.35%	20	3	597	253	42.38%
3	3	1,783	1,192	66.85%	21	1	881	282	32.01%
4	1	222	164	73.87%	21	2	1,094	387	35.37%
4	2	1,289	917	71.14%	21	3	1,093	345	31.56%
4	3	871	507	58.21%	21	4	681	224	32.89%
5	1	1,132	616	54.42%	22	1	1,498	589	39.32%
5	2	1,306	812	62.17%	22	2	868	319	36.75%
5	3	762	465	61.02%	22	3	676	248	36.69%
6	1	1,376	527	38.30%	22	4	847	242	28.57%
6	2	1,900	1,465	77.11%	23	1	1,917	796	41.52%
7	1	703	549	78.09%	23	2	828	448	54.11%
7	2	1,045	683	65.36%	24	1	905	374	41.33%
7	3	1,222	930	76.10%	24	2	988	606	61.34%
8	1	1,060	874	82.45%	24	3	1,288	631	48.99%
8	2	976	659	67.52%	25	1	658	226	34.35%
8	3	1,207	958	79.37%	25	2	1,835	862	46.98%
9	1	980	765	78.06%	26	1	1,293	561	43.39%
9	2	1,071	625	58.36%	26	2	1,144	541	47.29%
9	3	1,564	988	63.17%	26	3	794	251	31.61%
9	4	1,000	396	39.60%	26	4	797	308	38.64%
10	1	541	291	53.79%	27	1	1,325	466	35.17%
10	2	709	318	44.85%	27	2	1,177	408	34.66%
10	3	683	326	47.73%	27	3	1,058	312	29.49%
10	4	1,528	580	37.96%	27	4	921	541	58.74%
11	1	433	266	61.43%	27	5	762	300	39.37%
11	2	1,284	636	49.53%	27	6	1,554	615	39.58%
11	3	1,109	370	33.36%	28	1	1,277	514	40.25%
12	1	1,486	1,057	71.13%	28	2	784	330	42.09%
12	2	1,191	979	82.20%	28	3	1,155	343	29.70%
13	1	920	681	74.02%	28	4	708	240	33.90%
13	2	976	890	91.19%	28	5	599	231	38.56%
14	1	592	420	70.95%	28	6	855	307	35.91%
14	2	627	481	76.71%	29	1	778	144	18.51%
15	1	1,520	1,349	88.75%	29	2	639	153	23.94%
15	2	1,266	842	66.51%	29	3	600	96	16.00%
16	1	884	267	30.20%	29	4	870	206	23.68%
16	2	1,068	662	61.99%	30	1	822	436	53.04%
16	3	1,354	651	48.08%	30	2	812	244	30.05%
16	4	936	461	49.25%	30	3	1,563	532	34.04%
17	1	663	443	66.82%	30	4	895	736	82.23%
17	2	1,333	750	56.26%					

Source: U. S. Dept. of Housing & Urban Development, 2010

vi. Disability and Income

The Census Bureau reports disability status for non-institutionalized disabled persons age 5 and over. As defined by the Census Bureau, a disability is a long-lasting physical, mental or emotional condition that can make it difficult for a person to do activities such as walking, climbing stairs, dressing, bathing, learning or remembering. This condition can also impede a person from being able to go outside the home alone or to work at a job or business.

The Fair Housing Act prohibits discrimination based on physical, mental or emotional handicap, provided “reasonable accommodation” can be made. Reasonable accommodation may include changes to address the needs of disabled persons, including adaptive structural (e.g., constructing an entrance ramp) or administrative changes (e.g., permitting the use of a service animal).

In Erie, 18% of the population 5 years and older reported at least one disability in 2009.²

According to the National Organization on Disabilities, a significant income gap exists for persons with disabilities, given their lower rate of employment. Among all persons in Erie with a disability in 2009, 32.2% were living in poverty compared to 21.1% of persons without a disability.³

OBSERVATION: Persons with disabilities were significantly more likely to live in poverty than persons without disabilities. In Erie, 32.2% of persons with a disability were living in poverty compared to 21.1% of persons without a disability.

vii. Familial Status and Income

The Census Bureau divides households into family and non-family households. Family households are married couple families with or without children, single-parent families, and other families made up of related persons. Non-family households are either single persons living alone, or two or more non-related persons living together.

Women have protection under Title VIII of the Civil Rights Act of 1968 against discrimination in housing. Protection for families with children was added in the 1988 amendments to Title VIII. Except in limited circumstances involving elderly housing and owner-occupied buildings of one to four units, it is unlawful to refuse to rent or sell to families with children.

The total number of family households decreased 14.8% between 1990 and 2009. During this period, the number of female-headed households with children remained relatively stable. In 1990 female-headed households with children accounted for 9.4% of all households; in 2009 they comprised 9.1% of households. By comparison, the proportion of married-couple families with children was halved during this period (from 19.7% to 10.7%) and male-headed households with children nearly tripled from 1.3% to 3.6% of households.

² U.S. Census Bureau, 2009 American Community Survey (C18101)

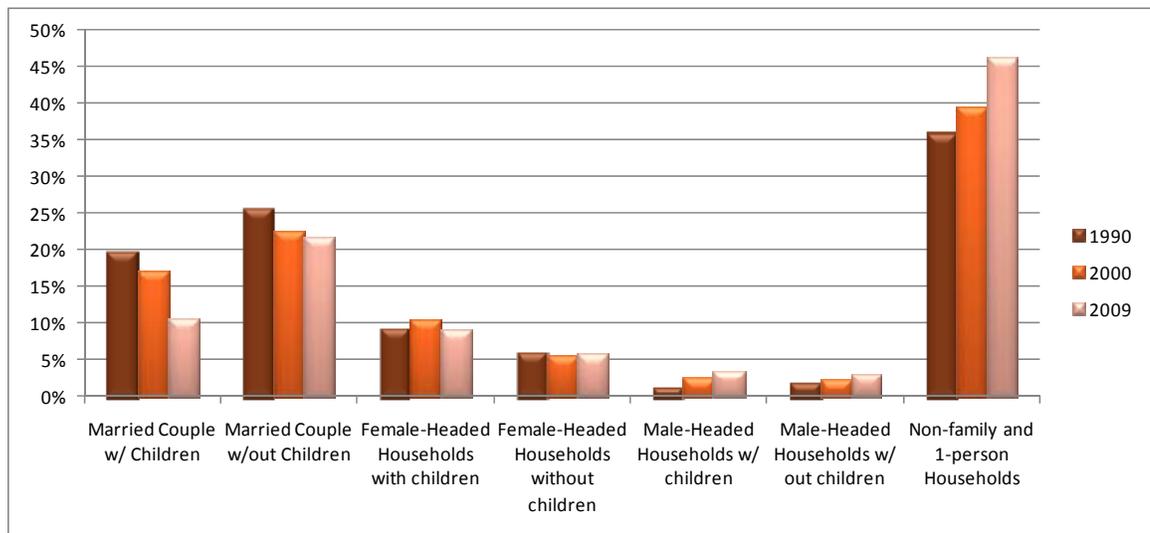
³ U.S. Census Bureau, 2009 American Community Survey (C18130)

Figure 2-11
Households by Type and Presence of Children, 1990-2009

	1990		2000		2009	
	#	%	#	%	#	%
Total Households	42,113	100.0%	40,908	100.0%	42,702	100.0%
Family Households	26,969	64.0%	24,746	60.5%	22,990	53.8%
Married-couple family	19,129	45.4%	16,184	39.6%	13,801	32.3%
With Children	8,315	19.7%	7,005	17.1%	4,565	10.7%
Without Children	10,814	25.7%	9,179	22.4%	9,236	21.6%
Female-Headed Households	6,513	15.5%	6,577	16.1%	6,378	14.9%
With Children	3,973	9.4%	4,245	10.4%	3,878	9.1%
Without Children	2,540	6.0%	2,332	5.7%	2,500	5.9%
Male-Headed Households	1,327	3.2%	1,985	4.9%	2,811	6.6%
With Children	560	1.3%	1,025	2.5%	1,526	3.6%
Without Children	767	1.8%	960	2.3%	1,285	3.0%
Households	15,144	36.0%	16,162	39.5%	19,712	46.2%

Sources: U.S. Census Bureau, 1990 (SFT-3, P019), Census 2000 (SF-3, P10); 2009 American Community Survey (B11001, B11003)

Figure 2-12
Households by Type and Presence of Children, 1990-2009



OBSERVATION: Single-parent households have increased as a proportion of all family households in Erie. In 1990, male- and female-headed households with children comprised 16.8% of all families. By 2009, they accounted for 23.5% of families.

Single females raising children are more prone to live in poverty than other families. Although female-headed households with children comprised only 16.7% of all families in 2009, they accounted for 46.9% of families living in poverty in 2009. Over one-third (36.7%) of single females with children were

living in poverty, compared to 12.8% of single males with children and 18.7% of married-couple families with children.⁴

OBSERVATION: Female-headed households with children were twice as likely to live in poverty as married couple families with children and accounted for almost half of all families living in poverty in 2009. Consequently, securing affordable housing will be especially difficult for this segment of the population.

viii. Ancestry and Income

It is illegal to refuse the right to housing based on place of birth or ancestry. Census data on native and foreign-born populations revealed that in 2009 6.7% of Erie residents were foreign-born or born outside of the U.S. in Puerto Rico or on U.S. island areas.⁵

Among families with children with foreign-born parents residing in Erie, 53.4% were living under 200% of the poverty level compared to 65.2% of families with children with only native born parents.⁶

OBSERVATION: Families with at least one foreign born parent were less likely to have lower incomes than families with native-born parents. About half of families with children and at least one foreign-bored parent had incomes of less than 200% of the poverty level compared to two-thirds of families with children with only native parents.

Erie's foreign-born population is dominated by refugees and migrants workers. A 2006 report released by the Brookings Institute estimates that 4,545 refugees were resettled in Erie between 1980 and 2004; over one-quarter (27.5%) were resettled between 2000 and 2004.⁷ The report estimates that nearly three-quarters of the foreign-born population that resettled in Erie between 1990 and 1999 were refugees. During the development of the City's 2010-2014 Consolidated Plan, stakeholders estimated that an additional 1,600 to 2,000 refugees will be resettled in Erie over the next five years. Interviews conducted for this AI reiterated this trend. In particular, stakeholders discussed the growing Nepalese refugee community. Erie's Multicultural Resource Center, which works with the refugee and immigrant communities

⁴ U.S. Census Bureau, 2009 American Community Survey (C17010)

⁵ U.S. Census Bureau, 2009 American Community Survey (C05002)

⁶ U.S. Census Bureau, 2009 American Community Survey (C05010)

⁷ Audrey Singer and Jill H. Wilson (September 2006). "From 'There' to 'Here': Refugee Resettlement in Metropolitan America." Washington D.C.: The Brookings Institution.

in the City, estimates that 600 Nepalese refugees resettled in Erie in 2010, an increase from 300 in 2009.

In addition to the ever-growing refugee population, Erie also has a migrant working population. While interviews reveal that the number of migrant workers has declined over the past 10 years, migrant workers continue to comprise a portion of the City's foreign-born population. Most migrant workers are Spanish-speaking and arrive from Puerto Rico or Mexico.

Refugees and migrant workers face numerous challenges with regards to housing choice. Stakeholders noted that households may not have credit histories or references from previous landlords, thereby limiting their options in the rental market. Also, refugee and migrant households tend to be larger and therefore may require three-, four-, and five-bedroom units, which are relatively sparse. Lastly, refugees and migrant workers are less likely to be fluent in English, making it more difficult to provide services to this population. As a result, these households may be forced to rent from unscrupulous landlords and/or double-up in a unit, leading to overcrowding.

OBSERVATION: Erie has a significant number of refugees and migrants workers. One report estimates that three-quarters of foreign-born residents arriving in the City during the 1990s were refugees. These households tend not to have credit histories or references from previous landlords; to live in larger households; and to be less fluent in English. Therefore, they are more likely to have to rent from unscrupulous landlords and/or double-up in a unit, resulting in overcrowding.

ix. Persons with LEP

Persons with limited English proficiency (LEP) are defined as persons who have a limited ability to read, write, speak or understand English. HUD uses the prevalence of persons with LEP to identify the potential for impediments to fair housing choice due to their inability to comprehend English. Persons with LEP may encounter obstacles to fair housing by virtue of language and cultural barriers within their new environment. To assist these individuals, it is important that a community recognizes their presence and the potential for discrimination, whether intentional or inadvertent, and establishes policies to eliminate barriers. It is also incumbent upon HUD entitlement communities to determine the need for language assistance and comply with Title VI of the Civil Rights Act of 1964.

American Community Survey data reports on the non-English language spoken at home for the population five years and older. In Erie in 2009, 3,693 persons spoke English less than "very well." Of these, 1,194 (32.3%) were Spanish speakers. No other language group exceeded 1,000 speakers. Figure 2-13 details the five language groups with the largest number of persons with LEP.

**Figure 2-13
 Persons with LEP by Language Spoken at Home, 2009**

	Number of LEP Persons
Total	3,693
Spanish	1,194
Russian	313
Serbo-Croatian	344
African Languages	303
Vietnamese	271

Source: 2005-2009 American Community Survey (B16001)

In Erie, the number of LEP Spanish speakers exceeds 1,000. For this reason, the City should perform a four-factor analysis to determine the extent to which the translation of vital documents is warranted.⁸ (The term “vital document” refers generally to any publication that is needed to gain access to the benefits of a program or service.) As part of the four-factor analysis, the City would determine:

- The number of persons with LEP,
- The frequency with which persons with LEP interact a program,
- The nature and importance of the program, activity, or service provided by the program, and
- The City’s available resources and costs associated with providing additional language services.

In addition to a large Spanish-speaking LEP population, stakeholder interviews revealed that an estimated 30 languages are spoken throughout the City, largely as a result of the significant refugee population. Although there is no requirement to develop a Language Access Plan (LAP) for persons with LEP, HUD entitlement communities are responsible for serving persons with LEP in accordance with Title VI of the Civil Rights Act of 1964. An LAP is the most effective manner of achieving compliance.

OBSERVATION: The City of Erie should conduct a four-factor analysis to determine the extent to which the translation of vital documents is necessary to assist persons with limited English proficiency (LEP) in accessing its federal entitlement programs. If it is determined that the need for a Language Action Plan (LAP) exists, the City should prepare the LAP in order to comply with Title VI of the Civil Rights Act of 1964.

⁸ The four-factor analysis is detailed in the Federal Register dated January 22, 2007.

x. Protected Class Status and Unemployment

Total unemployment in Erie was 11% in 2009, which was significantly higher than in both Pennsylvania (9.1%) and Erie County (9.6%). Unemployment was highest among Blacks. One in four Blacks was unemployed in Erie, compared to 9.1% of Whites.

**Figure 2-14
 Civilian Labor Force, 2009**

	Pennsylvania	%	Erie County	%	City of Erie	%
Total Civilian Labor Force (CLF)	6,459,773	100%	141,979	100%	51,624	100%
Employed	5,869,160	90.9%	128,345	90.4%	45,967	89.0%
Unemployed	590,613	9.1%	13,634	9.6%	5,657	11.0%
Male CLF	3,375,906	100%	74,288	100%	26,614	100%
Employed	3,032,783	89.8%	66,899	90.1%	23,426	88.0%
Unemployed	343,123	10.2%	7,389	9.9%	3,188	12.0%
Female CLF	3,083,867	100.0%	67,691	100.0%	25,010	100.0%
Employed	2,836,377	92.0%	61,446	90.8%	22,541	90.1%
Unemployed	247,490	8.0%	6,245	9.2%	2,469	9.9%
White CLF	5,552,158	100%	132,336	100%	44,492	100%
Employed	5,096,289	91.8%	120,706	91.2%	40,447	90.9%
Unemployed	455,869	8.2%	11,630	8.8%	4,045	9.1%
Black CLF	580,295	100.0%	5,481	100.0%	4,762	100.0%
Employed	487,467	84.0%	4,255	77.6%	3,591	75.4%
Unemployed	92,828	16.0%	1,226	22.4%	1,171	24.6%

Source: U.S. Census Bureau, 2009 American Community Survey (C23001, C23002A, C23002B). Sample sizes for Asians and Hispanics were too small to analyze.

OBSERVATION: Blacks were more than twice as likely to be unemployed as Whites in 2009. The unemployment rate among Blacks was 24.6% compared to 9.1% among Whites. Higher unemployment, whether temporary or permanent, will mean less disposable income for housing expenses.

Section 3 of the Housing and Urban Development Act of 1968 requires that public housing authorities direct economic activities generated by HUD's housing assistance (e.g. training and employment opportunities) to public housing residents, to the extent possible. For example, if the Housing Authority of the City of Erie (HACE) has plans for construction on one of its public housing developments, it must make a concerted effort to hire residents of that development or contract a business that is owned by or employs public housing residents.

HACE actively promotes the Section 3 program on all development and improvements undertaken on any of the HACE properties. The following is a summary of Section 3 HACE efforts:

- HACE has an extensive Section 3 plan in all bid documents and recognizes that enforcement is central to the process of promoting Section 3;
- HACE works with their public housing residents to prepare residents for Section 3 employment;
- HACE has established a goal that 30% of new hires qualify as Section 3, and it would like to exceed the goal;
- HACE works with contractors who understand the process; and
- In addition to job readiness, HACE tries to address potential barriers to employment for its residents (e.g. day care, transportation, etc).

B. Housing Market

i. Housing Inventory

Between 1990 and 2010, the housing stock in Erie remained relatively stable, with a loss of only 1.4% of the total units. Map 4 and figure 2-15 illustrate the change in the total housing stock by census tract for this period; areas of minority concentrated have been highlighted. All eight impacted areas have experienced a decrease in their housing stock. A total of 1,393 units were lost in areas of concentration between 1990 and 2010, representing a decrease of 13.1%.

OBSERVATION: The number of housing units in all of Erie has remained relative stable, while the housing stock in the City's impacted areas decreased 13.1% between 1990 and 2010.

Map 4: Change in Housing Units, 2000 to 2010

Analysis of Impediments to Fair Housing Choice. Erie, PA

Legend

Streets

CD Impact Area

Subdivision Boundary

Census Tract Boundary

Racially Impacted Area

 Black Concentration

Ethnically Impacted Area

 Hispanic Concentration

Percent Change in Housing 2000 to 2010

	(-19.50) - (-0.01)
	0.00 - 4.99
	5.00 - 9.99
	10.00 - 21.00

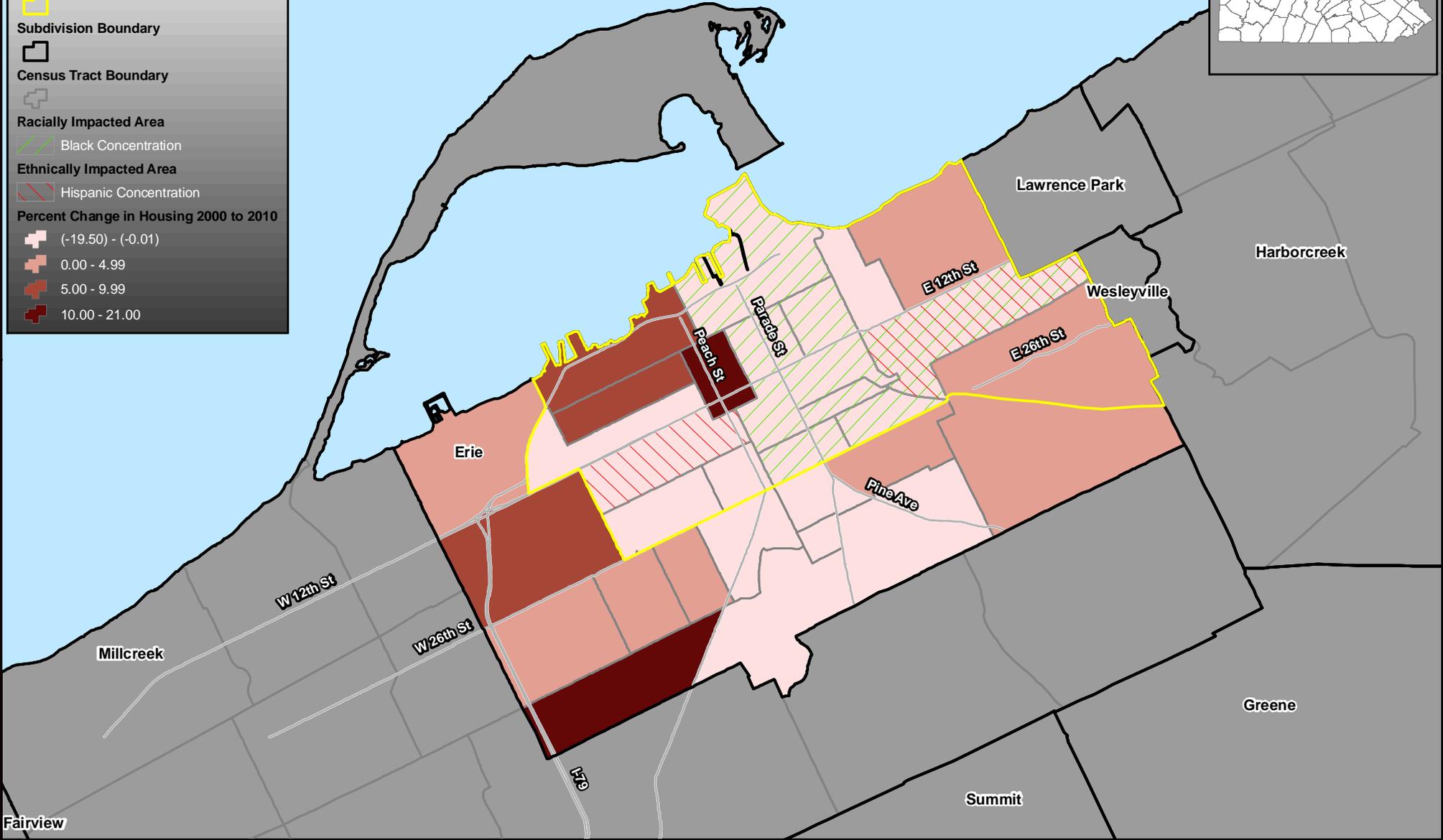
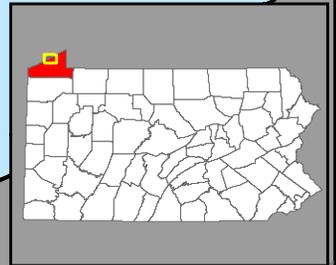


Figure 2-15
Trends in Housing Inventory, 1990-2010

Census Tract	1990		2000		2010		Change 1990-2010	
	#	%	#	%	#	%	#	%
City of Erie	45,424	100.0%	44,973	100.0%	44,790	100.0%	-634	-1.4%
1	1,039	2.3%	1,245	2.8%	1,251	2.8%	212	20.4%
2	2,047	4.5%	2,027	4.5%	2,098	4.7%	51	2.5%
3	1,702	3.7%	1,721	3.8%	1,845	4.1%	143	8.4%
4	1,289	2.8%	1,232	2.7%	1,115	2.5%	-174	-13.5%
5	1,509	3.3%	1,464	3.3%	1,478	3.3%	-31	-2.1%
6	1,494	3.3%	1,492	3.3%	1,503	3.4%	9	0.6%
7	1,308	2.9%	1,248	2.8%	1,143	2.6%	-165	-12.6%
8	1,715	3.8%	1,552	3.5%	1,449	3.2%	-266	-15.5%
9	2,531	5.6%	2,606	5.8%	2,667	6.0%	136	5.4%
10	1,758	3.9%	1,718	3.8%	1,701	3.8%	-57	-3.2%
11	1,164	2.6%	1,147	2.6%	1,223	2.7%	59	5.1%
12	1,420	3.1%	1,293	2.9%	1,159	2.6%	-261	-18.4%
13	823	1.8%	780	1.7%	663	1.5%	-160	-19.4%
14	664	1.5%	581	1.3%	604	1.3%	-60	-9.0%
15	1,068	2.4%	1,023	2.3%	1,016	2.3%	-52	-4.9%
16	1,695	3.7%	1,675	3.7%	1,737	3.9%	42	2.5%
17	1,229	2.7%	1,205	2.7%	1,139	2.5%	-90	-7.3%
18	1,099	2.4%	1,033	2.3%	934	2.1%	-165	-15.0%
19	1,061	2.3%	1,051	2.3%	981	2.2%	-80	-7.5%
20	1,496	3.3%	1,507	3.4%	1,477	3.3%	-19	-1.3%
21	1,677	3.7%	1,679	3.7%	1,705	3.8%	28	1.7%
22	1,706	3.8%	1,709	3.8%	1,721	3.8%	15	0.9%
23	1,236	2.7%	1,230	2.7%	1,243	2.8%	7	0.6%
24	1,577	3.5%	1,495	3.3%	1,464	3.3%	-113	-7.2%
25	1,047	2.3%	1,031	2.3%	1,035	2.3%	-12	-1.1%
26	1,665	3.7%	1,643	3.7%	1,720	3.8%	55	3.3%
27	2,895	6.4%	2,948	6.6%	3,024	6.8%	129	4.5%
28	2,551	5.6%	2,483	5.5%	2,529	5.6%	-22	-0.9%
29	1,247	2.7%	1,241	2.8%	1,246	2.8%	-1	-0.1%
30	1,705	3.8%	1,878	4.2%	1,920	4.3%	215	12.6%
31**	7		---	---	---	---	---	---
106*	---	---	36	0.1%	---	---	---	---

*Tract 106 was partially contained in the City for Census 2000. Data reflects only the portion of the tract within the City of Erie.

**Tract 31 was fully contained in the City for Census 1990, but not in later surveys.

Source: U.S. Census Bureau

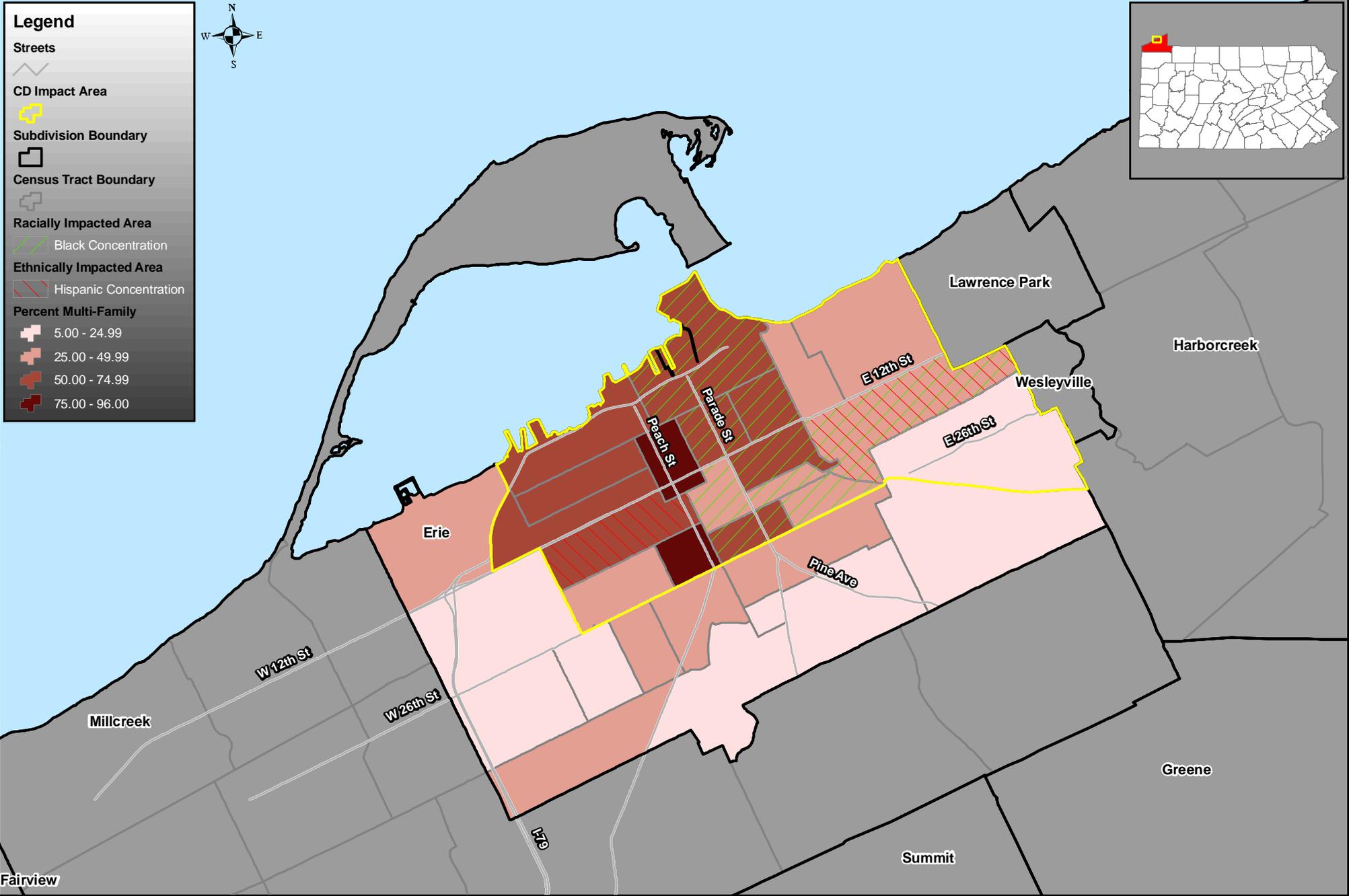
ii. Types of Housing Units

Of the 45,942 housing units in Erie in 2009, 60% were single-family structures and 39.5% were multi-family units.⁹ Map 5 on the following page and Figure 2-16 illustrate the geographical locations of multi-family units in the City; areas of minority concentration have been highlighted. Single-

⁹ Census 2010 data for units in structure was not available at the time of writing. Therefore, 2005-2009 American Community Survey estimates were used.

Map 5: Percentage of Multi-Family Units, 2009

Analysis of Impediments to Fair Housing Choice. Erie, PA



family units were most prominent along the City's southern boundary with Millcreek. Higher concentrations of multi-family housing were located in impacted areas and non-impacted areas throughout the City. In census tract 1, over 95% of housing units were number family structures, with the majority of structures containing 20 or more units.

Figure 2-16
Housing Units in Structures, 2009

	Total Units	Single-family units (detached and attached)	Multi-family units				Total	Mobile home
			2 to 4	5 to 9	10 to 19	20 or more		
Erie Total	45,942	27,558	12,251	2,153	940	2,826	18,170	214
1	1,302	44	158	21	0	1,066	1,245	13
2	2,154	1,602	155	10	30	357	552	0
3	1,751	681	837	94	68	71	1,070	0
4	1,161	541	510	9	36	65	620	0
5	1,551	838	633	43	0	37	713	0
6	1,559	866	223	428	0	0	651	42
7	1,258	618	622	6	12	0	640	0
8	1,450	562	733	96	11	48	888	0
9	2,508	741	1,007	316	269	175	1,767	0
10	1,757	659	859	118	99	0	1,076	22
11	1,233	945	190	39	33	26	288	0
12	1,221	493	641	69	0	7	717	11
13	557	349	128	29	38	13	208	0
14	625	167	430	0	19	9	458	0
15	1,053	579	171	274	6	23	474	0
16	1,779	1,563	155	20	41	0	216	0
17	1,250	636	592	0	0	14	606	8
18	994	457	529	0	0	0	529	8
19	1,087	181	482	153	45	226	906	0
20	1,573	883	638	52	0	0	690	0
21	1,801	1,683	106	12	0	0	118	0
22	1,778	1,606	125	47	0	0	172	0
23	1,335	954	358	12	0	0	370	11
24	1,548	963	551	7	0	0	558	27
25	1,056	612	416	20	0	8	444	0
26	1,684	1,242	429	0	13	0	442	0
27	3,128	2,410	144	59	110	351	664	54
28	2,408	2,076	162	37	32	101	332	0
29	1,345	1,266	79	0	0	0	79	0
30	2,036	1,341	188	182	78	229	677	18

Source: U.S. Census Bureau, 2005-2009 American Community Survey (B25024)

iii. Foreclosure Trends

HUD NSP Estimates provide foreclosure data estimates at the census tract level. The agency estimated the incidence of foreclosure across 18 months (January 2007 to June 2008) for counties, cities and census tracts across the country. The data is not an exact count, but distributes the results of a national survey across geographic areas according to a model considering

rates of metropolitan area home value decline, unemployment and high-cost mortgages.

Between January 2007 and June 2008, Erie had an estimated 666 foreclosure filings, representing a foreclosure rate of 5.4%. This was higher than the rates for Erie County and throughout Pennsylvania. In four census tracts, the foreclosure rate was greater than 10%, as highlighted in Figure 2-17 and Map 6. All of these were also areas of minority concentration.

Figure 2-17
Estimated Residential Foreclosure Rankings by Census Tract, January 2007 – June 2008

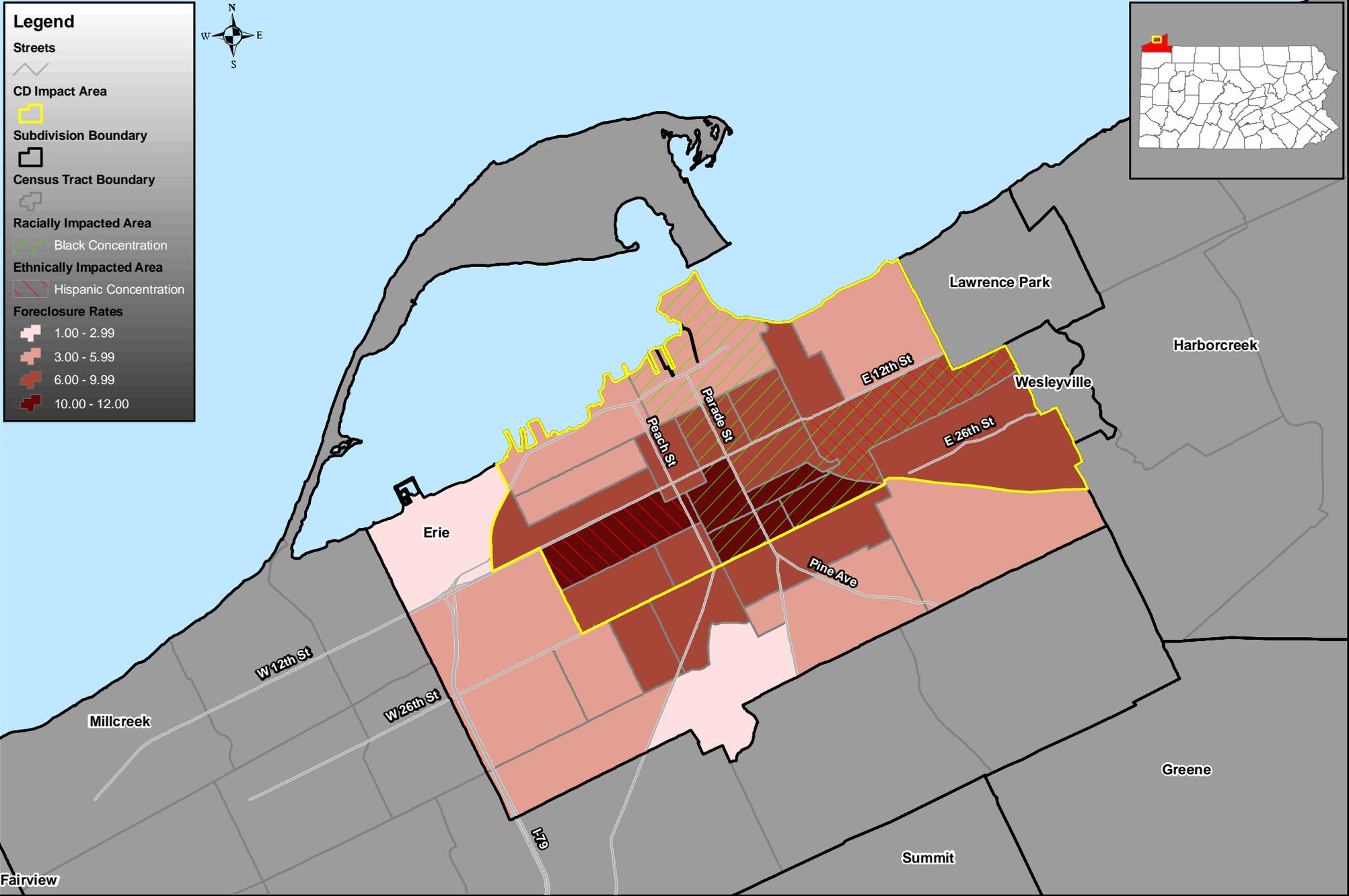
Census tract	Foreclosure Filings	Total Mortgages	Foreclosure Rate
City of Erie	666	12,314	5.4%
1	1	15	6.7%
2	16	845	1.9%
3	15	274	5.5%
4	9	164	5.5%
5	14	219	6.4%
6	17	306	5.6%
7	14	160	8.8%
8	10	129	7.8%
9	25	447	5.6%
10	26	354	7.3%
11	20	400	5.0%
12	9	89	10.1%
13	4	40	10.0%
14	4	44	9.1%
15	8	91	8.8%
16	48	691	6.9%
17	22	221	10.0%
18	13	114	11.4%
19	6	82	7.3%
20	33	379	8.7%
21	36	835	4.3%
22	40	813	4.9%
23	29	453	6.4%
24	31	489	6.3%
25	24	350	6.9%
26	46	695	6.6%
27	67	1,229	5.5%
28	36	978	3.7%
29	19	763	2.5%
30	24	639	3.8%
106*	3	247	1.2%
Erie County	1,480	41,675	3.6%
Pennsylvania	84,150	2,493,361	3.4%

**Starred census tracts are partially contained within Erie. Therefore, census tract totals may be greater than the City total.*

Source: HUD NSP Foreclosure Estimates, 2008

Map 6: Estimated Foreclosure Rates, January 2007 to June 2008

Analysis of Impediments to Fair Housing Choice. Erie, PA



Foreclosure activity is related to fair housing to the extent that it is disproportionately dispersed, both geographically and among members of the protected classes. Concentrated foreclosures and residential vacancy threaten the viability of neighborhoods as well as the ability of families to maintain housing and build wealth. Households carrying heavy housing cost burdens are prime candidates for mortgage delinquency and foreclosure.

OBSERVATION: Between January 2007 and June 2008, the City of Erie had a foreclosure rate of 5.4%, higher than the rates across Erie County and Pennsylvania. Four census tracts, all of which were also areas of minority concentration, had foreclosure rates greater than 10%.

iv. Protected Class Status and Homeownership

The value in home ownership lies in the accumulation of wealth as the owner's share of equity increases with the property's value. Paying a monthly mortgage instead of rent is an investment in an asset that is likely to appreciate. According to one study, "a family that puts 5 percent down to buy a house will earn a 100 percent return on the investment every time the house appreciates 5 percent."¹⁰

In Erie, minorities have dramatically lower home ownership rates than Whites. Among Blacks in 2000, only one-third of households were home owners, and less than 30% of Asians and Hispanics owned their homes. Whites were about twice as likely to own their homes, with a home ownership rate of 60.5%. Within impacted areas, 31.2% of Blacks and 16.9% of Hispanics were home owners, compared to 39.1% of Whites.

As previously noted, median household incomes for Hispanics and Blacks are significantly lower than those of Whites. This is one among several factors that contributes to the relatively lower home ownership rates among minorities.

OBSERVATION: White households are twice as likely as minority households to be home owners in Erie. Among Whites, 60.5% owned their home in 2000, compared to 33.4% of Blacks, 28.2% of Asians, and 27.7% of Hispanics.

Figure 2-18 and Maps 7 and 8 illustrate home ownership by census tract in the City.

¹⁰ Kathleen C. Engel and Patricia A. McCoy, "From Credit Denial to Predatory Lending: The Challenge of Sustaining Minority Homeownership," in *Segregation: The Rising Costs for America*, edited by James H. Carr and Nandinee K. Kutty (New York: Routledge 2008) p. 82.

Map 7: Home Ownership Among Blacks, 2010

Analysis of Impediments to Fair Housing Choice. Erie, PA

Legend

Streets


CD Impact Area


Subdivision Boundary

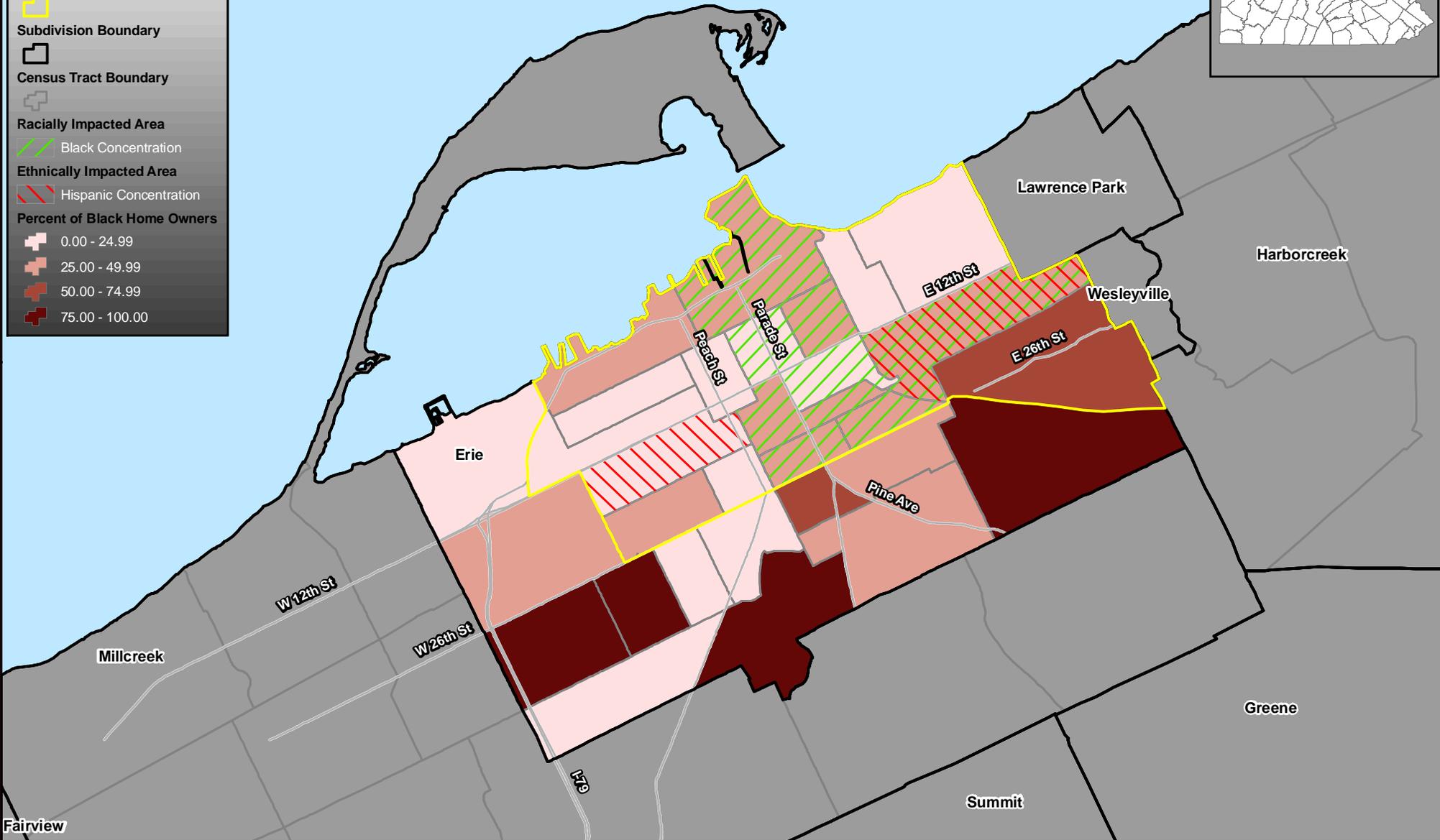
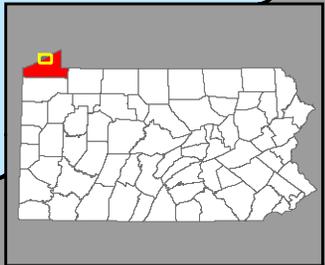

Census Tract Boundary


Racially Impacted Area
 Black Concentration
 Hispanic Concentration

Ethnically Impacted Area
 Black Concentration
 Hispanic Concentration

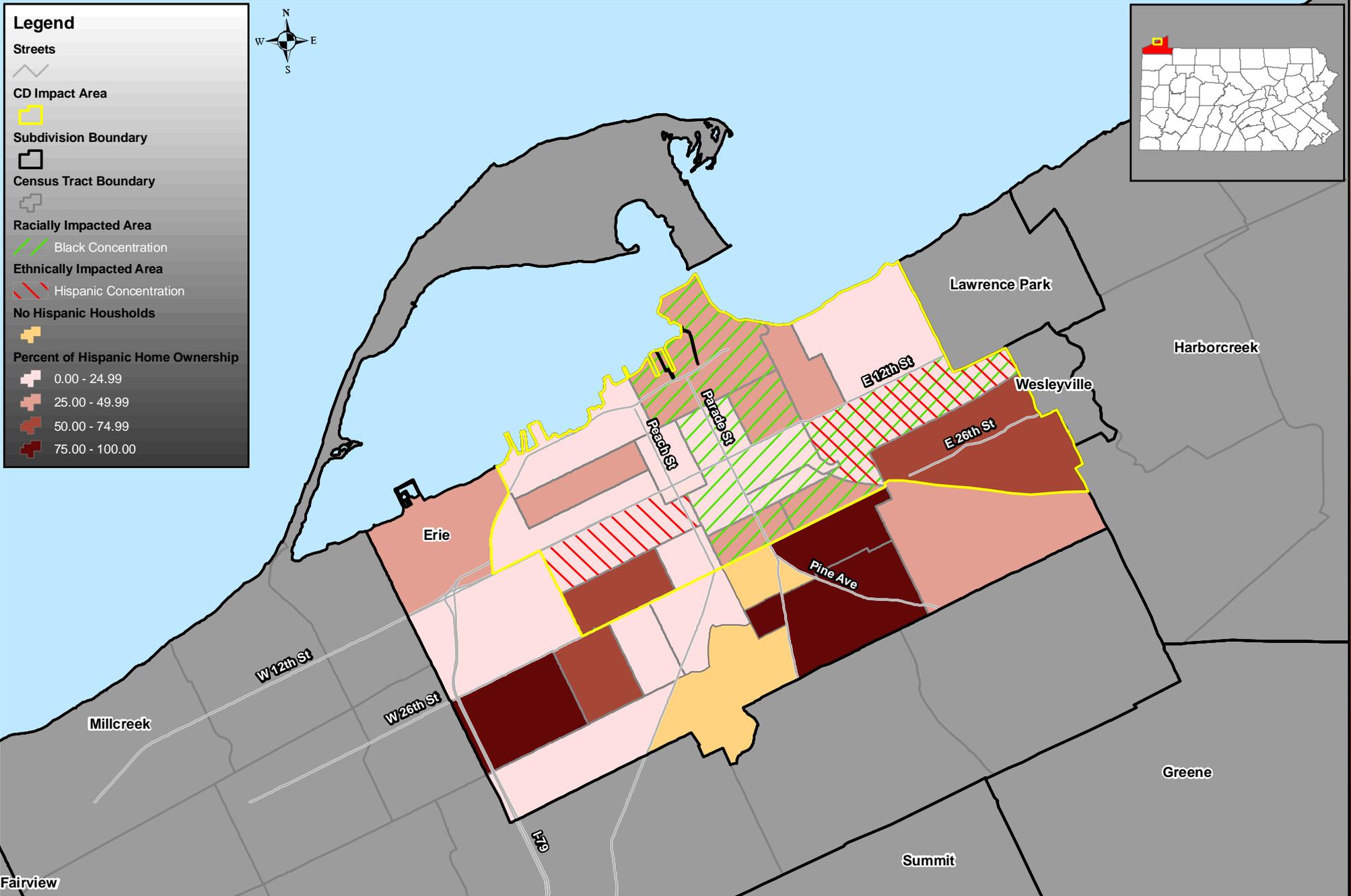
Percent of Black Home Owners

	0.00 - 24.99
	25.00 - 49.99
	50.00 - 74.99
	75.00 - 100.00



Map 8: Home Ownership Among Hispanics, 2000

Analysis of Impediments to Fair Housing Choice. Erie, PA



**Figure 2-18
 Housing Tenure by Race/Ethnicity, 2000**

Census Tract	White		Black**		Asian**		Hispanic**	
	#	%	#	%	#	%	#	%
City Total	21,011	60.5%	1,617	33.4%	60	28.2%	328	27.7%
1	7	0.8%	0	0.0%	---	---	0	0.0%
2	1,308	68.6%	0	0.0%	6	100.0%	6	46.2%
3	400	38.3%	108	28.9%	---	---	11	21.2%
4	375	47.3%	58	30.1%	6	18.8%	15	36.6%
5	580	50.4%	16	15.8%	---	---	14	26.9%
6	692	68.0%	21	10.6%	---	---	8	7.8%
7	425	51.8%	43	27.4%	0	0.0%	25	37.9%
8	294	31.2%	67	21.2%	0	0.0%	0	0.0%
9	598	30.0%	29	16.0%	17	44.7%	13	27.7%
10	474	35.0%	27	20.6%	16	76.2%	0	0.0%
11	785	77.3%	13	31.0%	---	---	12	22.2%
12	251	33.1%	40	23.5%	0	0.0%	11	10.7%
13	64	26.8%	124	32.5%	---	---	0	0.0%
14	162	42.1%	16	15.2%	---	---	6	22.2%
15	177	52.8%	151	32.1%	0	0.0%	16	16.8%
16	1,027	84.6%	212	68.8%	---	---	24	55.8%
17	383	55.4%	113	38.0%	---	---	35	48.6%
18	126	35.4%	200	43.7%	8	100.0%	22	40.7%
19	167	20.2%	5	6.2%	---	---	0	0.0%
20	742	56.9%	22	40.7%	---	---	20	71.4%
21	1,485	91.6%	11	100.0%	---	---	22	100.0%
22	1,284	80.0%	16	100.0%	0	0.0%	20	74.1%
23	751	66.6%	0	0.0%	0	0.0%	5	21.7%
24	782	59.3%	0	0.0%	0	0.0%	0	0.0%
25	513	62.4%	62	57.4%	7	100.0%	---	---
26	1,112	77.7%	46	45.1%	---	---	21	77.8%
27	1,983	75.7%	146	76.0%	0	0.0%	12	26.1%
28	1,788	78.9%	47	49.0%	0	0.0%	10	100.0%
29	1,104	93.6%	12	100.0%	---	---	---	---
30	1,158	69.9%	12	10.7%	0	0.0%	0	0.0%
106*	14	70.0%	---	---	---	---	---	---

Source: U.S. Census Bureau, Census 2000 (SF 3, H11, H12)

*Data reflects only the part of the tract located within the City of Erie.

**Cells for tracts in which no members of a racial or ethnic group live are left blank to differentiate them from tracts in which only renters live.

a. Erie's Mortgage-Appraisal Fraud Scandal

In 2006, the Erie Times-News reported on a mortgage fraud scheme in the region. The case, which had been under federal investigation for several years, involved real estate appraisers, mortgage brokers, and housing developers. As of January 2009, federal charges had been brought against five of the fraud participants (three of whom pleaded guilty) and two real estate appraisers were facing penalties from Pennsylvania's Department of State.

The primary accusation against the conspirators were that they were selling houses at overinflated prices and targeting low-income people who knew little about buying a home. For example, one real estate developer bought a home for \$20,200 and resold it eight months later for nearly \$50,000, without having made any improvements to the property. In another instance, a property had been bought for \$15,000 and resold for \$75,000 five months later. In its case against the appraisal company, the State claims that no justifications for the price hikes had been given. In total, nearly 200 properties, located primarily within the City of Erie, were affected by the scheme and victims lost over \$1 million.

v. The Tendency of the Protected Classes to Live in Larger Households

Larger families may be at risk for housing discrimination on the basis of race and the presence of children (familial status). A larger household, whether or not children are present, can raise fair housing concerns. If there are policies or programs that restrict the number of persons that can live together in a single housing unit, and members of the protected classes need more bedrooms to accommodate their larger household, there is a fair housing concern because the restriction on the size of the unit will have a negative impact on members of the protected classes.

In Erie, minorities were more likely than Whites to live in families with three or more people. Among Black and Hispanic families, 72.5% and 76.6% had three or more persons, compared to 56.5% of White families. Persons of Some Other Race and multi-race families also had higher rates of large families.

**Figure 2-19
 Families with Three or More Persons, 2000**

Race	Percent of Families with 3 or more persons
White	56.5%
Black	72.5%
Asian	57.5%
Some Other Race Alone	82.6%
Two or More Races	60.2%
Hispanic	76.6%

Source: U.S. Census Bureau, Census 2000 (SF 4, PCT17)

To adequately house larger families, a sufficient supply of larger dwelling units consisting of three or more bedrooms is necessary. In Erie, 28.4% of the rental housing stock in 2009 contained three or more bedrooms compared to 79.4% of the owner housing stock. The demand for larger rental units is further demonstrated by the fact that almost 37% of all public housing households and almost 18% of all Section 8 voucher holders reside in units consisting of three or more bedrooms. In addition, another 100 households on the waiting list are in need of larger units.

Given the lower rates of home ownership among minority households, this suggests larger minority families may have a more difficult time finding adequate rental housing with a sufficient number of bedrooms, which may result in overcrowding.

**Figure 2-20
 Housing Units by Number of Bedrooms, 2009**

Size of Housing Units	Renter-Occupied Housing Stock		Owner-Occupied Housing Stock	
	Number of Units	Percent of Total Housing Units	Number of Units	Percent of Total Housing Units
0-1 bedroom	6,488	34.1%	510	2.2%
2 bedrooms	7,130	37.5%	4,364	18.4%
3 or more bedrooms	5,389	28.4%	18,821	79.4%
Total	19,007	100.0%	23,695	100.0%

Source: U.S. Census Bureau, 2009 American Community Survey (B25042)

OBSERVATION: Minority households are much more likely to live in larger families than White households. For example, 76.6% of Hispanic families and 72.5% of Black families included three or more persons compared to 56.5% of White families. However, only 28.4% of the rental housing stock contains three or more bedrooms compared to 79.4% of the owner housing stock.

vi. Cost of Housing

Increasing housing costs are not a direct form of housing discrimination. However, a lack of affordable housing does constrain housing choice. Residents may be limited to a smaller selection of neighborhoods or communities because of a lack of affordable housing in those areas.

In Erie, median housing costs have risen since 1990, while real median income has fallen. Between 1990 and 2009, the median housing value in the City increased 12.1% (after adjusting for inflation) and the median gross rent increased 5.5%. In contrast, median household income fell 15.7%, from \$38,118 (in 2009 dollars) to \$32,136.

Figure 2-21
Trends in Median Housing Value, Rent and Income, 1990-2009

	1990	2000	2009	Change 1990-2009
Median Housing Value				
Actual Dollars	\$43,000	\$65,900	\$83,400	94.0%
2009 Dollars	\$74,396	\$84,862	\$83,400	12.1%
Median Gross Rent				
Actual Dollars	\$314	\$424	\$573	82.5%
2009 Dollars	\$543	\$546	\$573	5.5%
Median Household Income				
Actual Dollars	\$22,032	\$28,387	\$32,136	45.9%
2009 Dollars	\$38,118	\$36,555	\$32,136	-15.7%

Sources: U.S. Census Bureau, 1990 Census (STF3-H061A, H043A, P080A), Census 2000 (SF3-H76, H63, P53), 2009 American Community Survey (B25077, B25064, B19013); Calculations by Mullin & Lonergan Associates, Inc.

a. Rental Housing

At the same time that real median household income was failing to keep pace with rising housing costs, Erie also lost a large number of lower rent housing units. Between 2000 and 2009, the number of units renting for less than \$500 a month decreased by half. During the same period, the number of units renting for \$700 to \$999 a month increased by 3,553 and units renting for \$1,000 or more a month nearly tripled.

Figure 2-22
Loss of Affordable Rental Housing Units, 2000-2009

Units Renting for:	2000	2009	Change 2000-2009	
			#	%
Less than \$500	11,655	6,199	-5,456	-46.8%
\$500 to \$699	4,143	5,924	1,781	43.0%
\$700 to \$999	1,016	4,570	3,554	349.8%
\$1,000 or more	339	966	627	185.0%

Sources: U.S. Census Bureau, Census 2000 (SF3, H62), 2009 American Community Survey (B25063)

Note: Does not include units with no cash rent

OBSERVATION: Erie lost almost 5,500 units renting for less than \$500 a month between 2000 and 2009. At the same time, units renting for \$700 to \$999 increased by more than 3,500 units and units renting for \$1,000 or more nearly tripled.

The National Low Income Housing Coalition provides annual information on HUD's Fair Market Rent (FMR) and affordability of rental housing in each county in the U.S. for 2010. In the Erie MSA, the FMR for a two-bedroom apartment is \$669. In order to afford this level

of rent and utilities, without paying more than 30% of income on housing, a household must earn \$2,230 monthly or \$26,760 annually. Assuming a 40-hour work week, 52 weeks per year, this level of income translates into a housing wage of \$12.87.

In the Erie MSA, a minimum wage worker earns an hourly wage of \$7.25. In order to afford the FMR for a two-bedroom apartment, a minimum wage earner must work 71 hours per week, 52 weeks per year. Or, a household must include 1.8 minimum wage earners working 40 hours per week year-round in order to make the two-bedroom FMR affordable.

OBSERVATION: Minimum wage earners and single-wage earning households cannot afford a housing unit for the HUD fair market rent in Erie. This situation forces these individuals and households to double-up with others, or lease inexpensive, substandard units from unscrupulous landlords. Minorities and female-headed households will be disproportionately impacted because of their lower incomes.

In the Erie MSA, the estimated average wage for a renter is \$9.88 an hour. In order to afford the FMR for a two-bedroom apartment at this wage, a renter must work 52 hours per week, 52 weeks per year. Or, working 40 hours per week year-round, a household must include 1.3 workers earning the average renter wage in order to make the two-bedroom FMR affordable.

Monthly Supplemental Security Income (SSI) payments for an individual are \$674 in the Erie MSA. If SSI represents an individual's sole source of income, \$202 in monthly rent is affordable, while the FMR for a one-bedroom is \$518.

OBSERVATION: Persons receiving a monthly SSI check for \$674 as their sole source of income, including persons with disabilities, cannot afford a one-bedroom unit in Erie renting at the fair market rate of \$518.

b. Sales Housing

Since 2006, the number of units sold in Erie has dropped. Between 2006 and 2009 (the last full year for which data is available), the number of units sold fell 7.8%, from 915 to 844. As of November 15, 2010, only 651 units had been sold.

Since 2006, the median days a house is on a market increased from 41 to 50 days, while the median sales price remained relatively stagnant. After

peaking at \$77,125 in 2009, median sales price decreased back to \$75,000 in 2010.

**Figure 2-23
 Housing Market Trends, 2006-2010**

	2006	2007	2008	2009	2010**
Single-Family Properties					
Number of units sold	915	900	829	844	651
Median Days on Market	41	50	53	49	50
Median List Price	\$78,000	\$73,000	\$75,000	\$79,900	\$79,900
Median Sale Price	\$75,000	\$73,250	\$74,900	\$77,125	\$75,000
MSP as % MLP*	96%	100%	100%	97%	94%

*Median Sales Price as a percent of Median List Price

**2010 data reflects sales through November 15, 2010

Source: Greater Erie Board of Realtors, Inc

**Figure 2-24
 Housing Market Trends, 2006-2010**



*2010 data reflects sales through November 15, 2010

One method used to determine the inherent affordability of a housing market is to calculate the percentage of homes that could be purchased by households at the median income level.¹¹ The median household income in the City of Erie was \$33,293 in 2009. With this income, a household could purchase a home selling for \$97,550, which was well above the median sales price of \$77,125 in 2009. This suggests that persons earning median household income in Erie would be able to afford more than half of the households on the market.

It is possible also to determine the affordability of the housing market for each racial or ethnic group in the City. To determine affordability (i.e.,

¹¹ Joe Light, "Last of the Red-Hot Markets," *Money Magazine* December 2007: 53-56.

how much mortgage a household could afford), the following assumptions were made:

- The mortgage was a 30-year fixed rate loan at a 5.0% interest rate,
- The buyer made a 10% down payment on the sales price,
- Principal, interest, taxes and insurance (PITI) equaled no more than 30% of gross monthly income,
- Property taxes were assessed at the City’s 2010 rate of 3.45687% of the property’s assessed value, and
- There was no additional consumer debt (credit cards, etc).

Given these assumptions, a household would have to earn \$26,992 annually to afford a house at the median sales price.

Figure 2-25 details the estimated *maximum* affordable sales prices and monthly PITI payments for Whites, Blacks, Hispanics and Asians in Erie. For households earning median household income, Whites were able to afford homes at least \$40,000 greater in value than Blacks, Hispanics, and Asians. Additionally, only White households would be able to afford homes at the City’s median sales price. This means that, for minority households earning median household income, less than half of the units sold in Erie would be affordable. In particular, Asian households would be able to afford houses sold at only 55.9% of the median sales price.

Figure 2-25
Maximum Affordable Purchase Price by Race/Ethnicity, 2009

	Median Household Income	Monthly Mortgage Payment				Maximum Affordable Purchase Price
		Mortgage Principal & Interest	Real Estate Taxes	Homeowner’s Insurance & PMI	Total PITI Payment	
Erie Total	\$33,293	\$471	\$281	\$80	\$832	\$97,550
White Households	\$35,013	\$498	\$297	\$80	\$875	\$103,100
Black Households	\$22,023	\$295	\$176	\$80	\$551	\$61,000
Hispanic Households	\$21,414	\$285	\$170	\$80	\$535	\$59,000
Asian Households	\$16,495	\$208	\$124	\$80	\$412	\$43,100
2009 Median Sales Price: \$77,125						

Sources: 2005-2009 American Community Survey (B19013, B19013A, B19013B, B19013D, B19013I); Greater Erie Board of Realtors, Inc; Erie County Assesment Office; Calculations by Mullin & Lonergan Associates, Inc.

OBSERVATION: Because of their lower median household incomes, Black, Hispanic and Asian households have limited access to the sales housing market. In 2009, only White households were able to afford units sold at the median sales price. This means that minority households only have access to less than half of the sales market.

i. Protected Class Status and Housing Problems

Lower income minority households tend to experience housing problems at a higher rate than lower income White households.¹² In Erie, this trend is partially true. Among lower income renter households, Hispanics are least likely to have a housing problem. Less than half of Hispanic renter households had a housing problem in 2000, compared to 54% of Whites and 59.2% of Blacks. Across all household types, Black renters were most likely to experience a housing problem.

Among lower income home owners, however, Hispanics were most likely to experience a housing problem and Whites were least likely. Over three-quarters of Hispanics home owners had a housing problem, compared to 54.9% of Blacks and 45% of Whites. Hispanic family households were most likely to experience a housing problem, with 84.9% reporting a housing problem in 2000, compared to 53% of White families and 49.5% of Black families.

**Figure 2-26
 Lower Income Households with Housing Problems, 2000**

	Total Households 0-80% of MFI		Elderly & 1-2 Person Households 0-80% of MFI		Family Households 0-80% of MFI		All Other Households 0-80% of MFI	
	Total	% with a Housing Problem	Total	%	Total	%	Total	%
Renters								
White Non-Hispanic	9,223	54.0%	2,674	49.9%	2,949	55.4%	3,600	56.0%
Black Non-Hispanic	2,479	59.2%	267	54.7%	1,632	58.8%	580	62.6%
Hispanic	604	49.4%	36	0.0%	432	50.4%	136	58.8%
Total	12,521	53.6%	2,988	48.7%	5,095	54.7%	4,438	55.8%
Owners								
White Non-Hispanic	7,309	45.0%	4,030	36.9%	2,181	53.0%	1,098	58.7%
Black Non-Hispanic	683	54.9%	189	52.9%	386	49.5%	108	77.8%
Hispanic	153	76.5%	16	50.0%	119	84.9%	18	44.4%
Total	7,972	45.5%	4,019	35.2%	2,720	54.1%	1,233	59.1%

Source: HUD Comprehensive Housing Affordability Strategy data

OBSERVATION: Lower income minorities were more likely than lower income Whites to experience housing problems in Erie. Among renter households, 59.2% of Blacks had a housing problem, compared to 54% of Whites and 49.4% of Hispanics. Among home owners, 76.5% of Hispanics and 54.9% of Blacks experienced housing problems compared to 45% of Whites. Hispanic families that owned their homes were most likely to have a housing problem, with 84.9% experiencing a housing problem in 2000.

¹² HUD defines housing problems as (1) cost burden of 30% or more (i.e. paying more than 30% of gross income on monthly housing expenses), and/or (2) lacking complete kitchen or plumbing facilities, and/or (3) overcrowding of more than 1.01 persons per room.

3. EVALUATION OF CURRENT FAIR HOUSING PROFILE

This section provides a review of the existence of fair housing complaints or compliance reviews where a charge of a finding of discrimination has been made. Additionally, this section will review the existence of any fair housing discrimination suits filed by the United States Department of Justice or private plaintiffs in addition to the identification of other fair housing concerns or problems.

A. Existence of Fair Housing Complaints

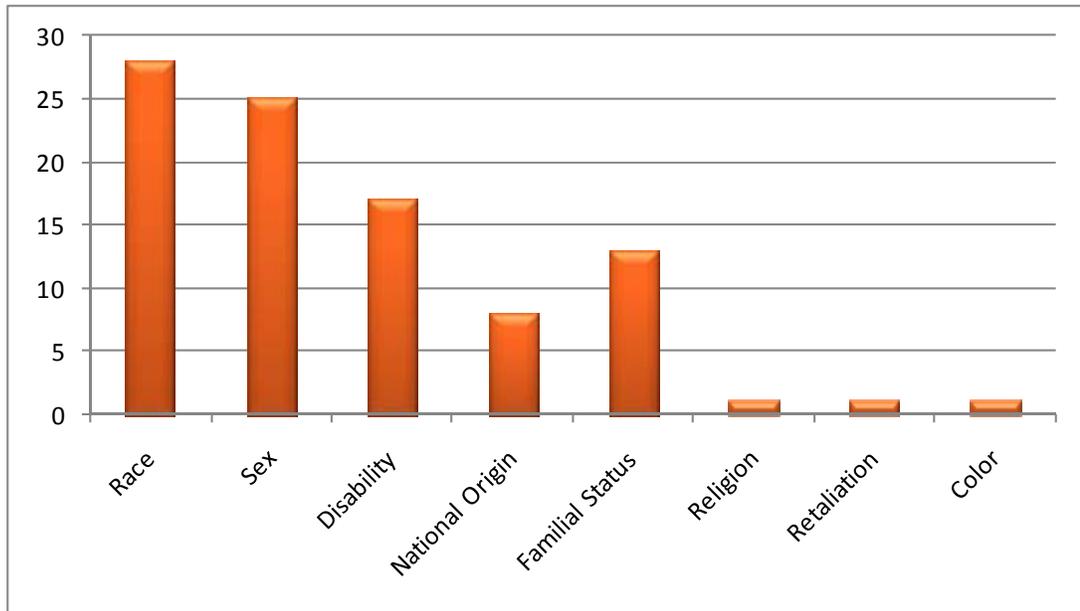
A lack of filed complaints does not necessarily indicate a lack of housing discrimination. Some persons may not file complaints because they are not aware of how to go about filing a complaint or where to go to file a complaint. In a tight rental market, tenants may avoid confrontations with prospective landlords. Discriminatory practices can be subtle and may not be detected by someone who does not have the benefit of comparing his treatment with that of another home seeker. Other times, persons may be aware that they are being discriminated against, but they may not be aware that the discrimination is against the law and that there are legal remedies to address the discrimination. Finally, households may be more interested in achieving their first priority of finding decent housing and may prefer to avoid going through the process of filing a complaint and following through with it. Therefore, education, information, and referral regarding fair housing issues remain critical to equip persons with the ability to reduce impediments.

i. HUD's Office of Fair Housing and Equal Opportunity

The Office of Fair Housing and Equal Opportunity (FHEO) at HUD processes complaints from persons regarding alleged violations of the Fair Housing Act. Erie County's Human Relations Commission (HRC) also receives complaints and cross-files them with HUD.

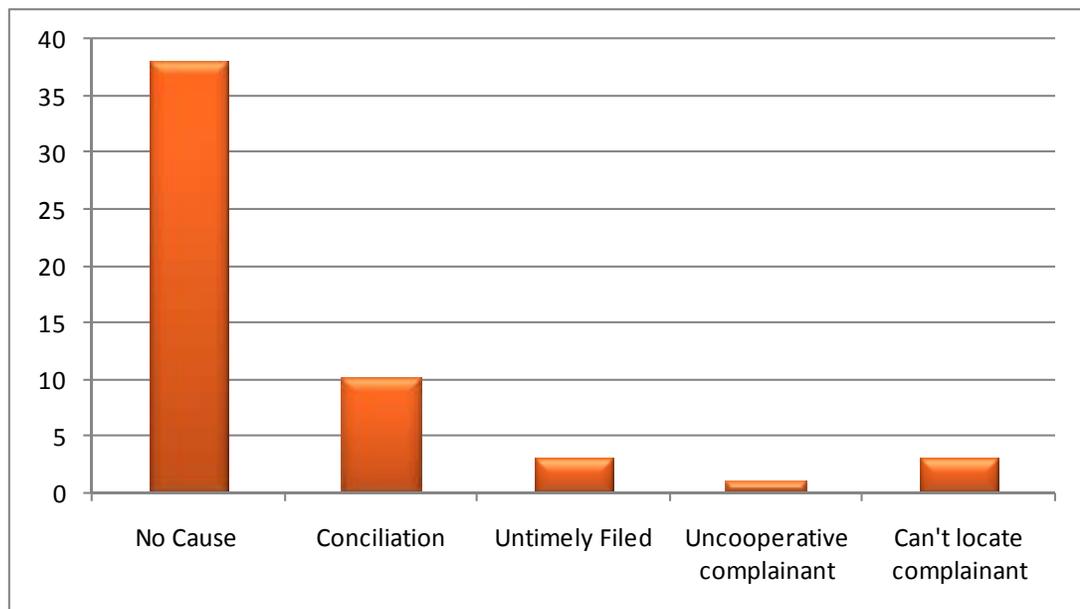
Between January 2005 and November 2010, 70 cases from the City of Erie were filed through FHEO or HRC. Of these, 28 alleged discrimination based on race and 25 alleged discrimination based on sex. Additionally, 17 alleged discrimination on disability, 13 based on familial status, and eight based on national origin. Several complaints alleged discrimination on multiple bases. Details on allegations of discrimination are included in Figure 3-1.

Figure 3-1
Bases for Fair Housing Complaints Filed with HUD, 2005-2010



Of the 70 cases, 55 had been closed as of November 2010. Of these, 38 were determined to have no probable cause. Ten cases were successfully settled through conciliation and in seven cases, the complainant failed to cooperate, could not be located, or the case was filed beyond the 180 days. Details are included in Figure 3-2.

Figure 3-2
Reasons for Closing of Fair Housing Complaints Filed with HUD, 2005-2010



Of the remaining 15 cases, eight were found to have probable cause and seven are pending investigation. Of the eight cases found to have probable cause, several allege discrimination on multiple bases and have listed multiple discriminatory actions. Notably:

- Six cases allege discrimination based on sex and three allege discrimination based on race;
- Five cases allege discriminatory financing actions;
- Four cases allege discrimination in the selling of residential real property and two cases involve discriminatory terms/conditions/privileges related to renting; and
- Four cases allege criminal discriminatory acts under Section 901 of the Civil Rights Act.

B. Patterns and Trends in Fair Housing Complaints

Of the 70 complaints filed with HUD or the HRC, 28 allege discrimination based on race and 25 based on sex. The City of Erie does not fund testing to assess the existence of housing discrimination against members of the protected classes. In interviews conducted for this AI, representatives from the HRC stated they requested funding to conduct paired real estate tests, but the activity was not included in the recent CDBG budget. The City of Erie provides the HRC with support via its general fund, but it has not earmarked these funds to be used for testing.

OBSERVATION: Among complaints filed with HUD or the HRC, the most common alleged bases for discrimination were race and sex. The City of Erie does not currently fund real estate testing to assess the existence of discrimination in the sales and rental housing markets. Such testing would enhance the City's efforts to combat fair housing discrimination.

C. Existence of Fair Housing Legal Proceedings

According to interviews with the City's zoning officer, as of November 2010 the City of Erie was involved in two lawsuits relating to the siting of housing. One case involved a condo development in the City's Bayfront area. The City's Zoning Hearing Board denied a zoning variance request to convert a building into a group home for the elderly. The developer has appealed this decision.

The second case involves the rejection of a proposed group home for persons recovering from substance abuse. The complainant claims the group should be allowed as a reasonable accommodation for persons recovering from substance abuse, defined as disabled by the Fair Housing Act and Pennsylvania's Human Relations Act. The Chairperson of the Zoning Hearing Board stated the decision to deny the zoning variance for the home was based on the permitted density of the R-2 district. As stated in the zoning ordinance, group homes may be offered a special exception so long as they do not

alter the fundamental nature of the ordinance, and according to the Board, three or more unrelated persons living together challenges the density controls inherent to the zoning ordinance. The complainant has appealed the decision and has filed a complaint through Erie County's Human Relations Commission.

D. Determination of Unlawful Segregation

There are no unlawful segregation suits or court orders that have been filed and/or are pending in the City of Erie.

4. EVALUATION OF PUBLIC AND PRIVATE SECTOR POLICIES

A. Public Sector Policies

The analysis of impediments is a review of impediments to fair housing choice in the public and private sector. Impediments to fair housing choice are any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status or national origin that restrict housing choices or the availability of housing choices, or any actions, omissions or decisions that have the effect of restricting housing choices or the availability of housing choices on the basis of race, color, religion, sex, disability, familial status or national origin. Policies, practices or procedures that appear neutral on their face but which operate to deny or adversely affect the provision of housing to persons of a particular race, color, religion, sex, disability, familial status or national origin may constitute such impediments.

An important element of the AI includes an examination of public policy in terms of its impact on housing choice. This section evaluates the public policies in the City of Erie to determine opportunities for furthering the expansion of fair housing choice.

i. Housing Authority of the City of Erie

An interview was conducted with the Housing Authority of the City of Erie (HACE) staff. HACE also completed a written AI questionnaire upon request. The following information was developed from responses to the interview and the AI questionnaire completed by HACE, as well as several policy documents provided by HACE and interviews with other stakeholders.

a. Public Housing

1) Inventory and Demographics

HACE manages a total of 2,139 units of public and affordable housing in the Erie. Most of the HACE's units are located in one of the City's 15 public and affordable housing developments, while an additional 343 homes are located at scattered sites throughout the City. As of December 2010, 2,079 units were occupied and 60 were vacant, representing a vacancy rate of 2.8%.

Figure 4-1 details the total number of public housing units in Erie by development and unit size.

**Figure 4-1
 HACE Public and Affordable Housing Developments, 2010**

Breakdown of Dwelling Units							
Development	0 Bedrooms	1 Bedroom	2 Bedrooms	3 Bedrooms	4 Bedrooms	5+ Bedrooms	Total Units
Public Housing Developments							
Harbor Homes	---	53	88	82	---	---	223
Lake City Dwellings	---	8	23	6	3	---	40
John E. Horan Garden Apts.	---	68	247	99	---	---	414
Harbor Homes Annex	6	---	---	50	38	27	121
Schmid Towers	---	193	---	---	---	---	193
Westbrook	---	---	6	19	17	10	52
Eastbrook	---	---	6	19	16	9	50
Bird Drive	---	---	6	4	40	---	50
Pineview	---	---	9	21	39	---	69
Friendship Apartments	---	200	---	---	---	---	200
Ostrow Apartments	---	80	---	---	---	---	80
Scattered Sites	---	---	37	210	74	22	343
Other Affordable Housing Developments							
Erie Heights	---	20	168	20			208
Dombrowski Apartments	---	30	3				33
Curry/Schell Apartments	---	59	4				63
Total Units	6	711	597	530	227	68	2,139

Source: Housing Authority of the City of Erie

Elderly households accounted for nearly half (44.6%) of all public and affordable housing residents in November 2010. Black households also were disproportionately represented among public housing residents. Black households comprised nearly 40% of HACE’s public and affordable housing residents, although they accounted for only 16.8% of Erie’s total population in 2010 and 14.3% of households earning less than \$10,000 annually.¹³ Among the housing units that are not designated senior housing developments, the proportion of Black residents was even higher. In November 2010, over two-thirds of all residents in family public housing developments were Black.

There was a relatively even distribution of households by unit size. One-third of residents lived in studio and one-bedroom units, including single elderly persons and persons with disabilities. An additional 36.9% of residents resided in a unit with three or more bedrooms, which typically house larger families. This suggests that HACE’s public housing program is utilized by a variety of household types.

Figure 4-2 details the demographics and housing unit size of current public housing residents and applicants on the waiting list.

¹³ U.S. Census Bureau, 2009 American Community Survey (C19001, C19001B)

**Figure 4-2
 Characteristics of Current Public Housing Residents and Applicants, January-April 2011**

	Current Residents		Waiting List Applicants	
	# of Households	%	# of Households	%
Total Households	2,073	100.0%	599	100.0%
Extremely Low Income (<30% MFI)	1,331	64.2%	237	39.6%
Very Low Income (<50% MFI)	550	26.5%	60	10.0%
Low Income (<80% MFI)	171	8.2%	19	3.2%
Moderate Income (>80% MFI)	21	1.0%	0	0.0%
Black Households	818	39.5%	90	15.0%
White Households	1,233	59.5%	219	36.6%
Other Race of Households	22	1.1%	7	1.2%
Hispanic Households*	309	14.9%	65	10.9%
Characteristics by Bedroom Size**				
0 Bedroom	6	0.3%	---	---
1 Bedroom	701	33.5%	284	42.6%
2 Bedroom	595	28.4%	275	41.3%
3 Bedroom	522	24.9%	85	12.8%
4 Bedroom	217	10.4%	14	2.1%
5+ Bedroom	54	2.6%	8	1.2%

*Hispanic ethnicity counted independently of race

**Data regarding bedroom size is from April 2011 and may not equal the total number of households

Source: Housing Authority of the City of Erie

Waiting list demographics show over 80% of applicants in April 2011 were waiting for a one- or two-bedroom unit, while 16.1% of applicants were waiting for a unit with three or more bedrooms. However, of the City's 47 vacant units in April 2011, over half (24) were larger units with three or more bedrooms. This suggests that there is a greater demand for affordable units for single persons, including elderly persons and persons with disabilities, than what is being supplied through HACE's public housing stock.

OBSERVATION: HACE's public housing stock offers a wide variety of unit types for different household types. However, households waiting for a one- and two-bedroom units account for over 80% of all public housing applicants compared to less than 15% of applicants who are waiting for a unit with three or more bedrooms. This suggests a greater need in the City for affordable studios and one-bedroom units.

2) Waiting List

HACE utilizes a jurisdiction-wide waiting list for its public housing communities. According to HACE policy, an applicant must accept the first unit that is offered or be moved to the bottom of the waiting list. Exceptions may be made in the case that the acceptance of a vacancy will result in undue hardship or handicap, such as inaccessibility to

employment or child care. Applicants may not reject a unit based on race, color, sex, religion, or national origin.

In October 2010, 69 applicants for public housing were found ineligible for one or more reasons. Reasons for ineligibility include:

- Unfavorable credit (82.6%)
- Unfavorable landlord reference (34.8%)
- Criminal record (33.3%)
- No financial responsibility (7.2%)
- Existing balance with HACE and/or unfavorable tenancy record (5.8%)
- Over-income limits (1.4%)

Unfavorable credit was overwhelmingly the most common reason that an applicant for public housing was deemed ineligible. HACE records note that, among the 57 applicants denied because of unfavorable credit in October 2010, only three were referred to credit or budget counseling services. In total in 2010, 327 applicants were determined ineligible for public housing solely due to credit related issues. While all of applicants were offered an appeal hearing, only 64 requested a hearing, and only 25 of these applicants had the finding of ineligibility reversed. Several stakeholders noted this is a significant challenge for potential public housing residents, in particular refugees and migrant workers who have little to no credit history. This policy also negatively impacts homeless persons who may have a poor credit history and criminal records and who are already at a disadvantage of finding stable, affordable housing.

OBSERVATION: Of the 69 applicants deemed ineligible for public housing in October 2010, 57 were denied due to unfavorable credit. Additionally, only three of these applicants were referred to financial counseling services in the City, and in 2010, only 25 of the 327 persons found ineligible due to credit issues had the finding reversed. This policy may disproportionately impact populations such as refugees, migrant workers, and the homeless, who may have little or no credit history and who face additional challenges in obtaining affordable housing.

3) Redevelopment Plans

HACE does not currently have any plans to demolish or redevelop any of its public housing developments.

4) Section 504 Needs Assessment

Section 504 of the Rehabilitation Act of 1973 and 24 CFR Part 8 require that 5% of all public housing units be accessible to persons with mobility impairments. Another 2% of public housing units must be accessible to persons with sensory impairments. In addition, a PHA's administrative

offices, application offices and other non-residential facilities must be accessible to persons with disabilities. The Uniform Federal Accessibility Standards (UFAS) is the standard against which residential and non-residential spaces are judged to be accessible.

In 2003, HACE completed a Section 504 Needs Assessment. The Assessment found that no public housing units at the time were in compliance with UFAS. Since then, HACE has constructed or modified 109 units to be UFAS-compliant. Accessible units now account for 5.9% of HACE's public housing stock for persons with physical disabilities. Additionally, there are 55 units accessible to persons with sensory impairments, comprising 3% of the public housing stock. In March 2011, HUD determined that HACE was in compliance with Section 504 requirements and terminated the VCA between HACE and HUD. The March 2011 terminating the VCA can be found in Appendix B.

Figure 4-3 details the number of accessible units by public housing development.

**Figure 4-3
Accessible Public Housing Units by Development, 2010**

Public Housing Development	Total Units	Mobility Accessible Units		Sensory Accessible Units	
		# Units	%	# Units	%
Harbor Homes	223	13	5.8%	4	1.8%
Lake City Dwellings	40	2	5.0%	2	5.0%
John E. Horan Garden Apts.	414	21	5.1%	9	2.2%
Harbor Homes Annex	121	5	4.1%	3	2.5%
Schmid Towers	193	17	8.8%	10	5.2%
Priscaro Apartments	52	3	5.8%	2	3.8%
Eastbrook	50	3	6.0%	1	2.0%
Bird Drive	50	3	6.0%	1	2.0%
Pineview	69	4	5.8%	1	1.4%
Friendship Apartments	200	10	5.0%	7	3.5%
Ostrow Apartments	80	8	10.0%	8	10.0%
Scattered Sites	343	21	6.1%	7	2.0%
Total Units	1,835	109	5.9%	55	3.0%

Note: Total units do not include HACE's other affordable housing developments

Source: Housing Authority of the City of Erie

Figure 4-4 details the distribution of Erie's accessible public housing stock by unit size. Efficiency and one-bedroom units account for 42.2% of mobility accessible units, and almost one-quarter of accessible units have two bedrooms. HACE also has 38 units with three or more bedrooms to accommodate larger households and families with persons with mobility impairments. A higher proportion of HACE's sensory accessible units are one-bedrooms (61.1%), and over one-quarter of units accessible to persons with mobility impairments have three or more bedrooms.

**Figure 4-4
 Accessible Public Housing Units by Size, 2010**

Unit Size	Mobility Accessible Units		Sensory Accessible Units	
	#	% of total accessible units	#	% of total accessible units
0-1 bedrooms	46	42.2%	33	61.1%
2 bedrooms	25	22.9%	7	13.0%
3 bedrooms	26	23.9%	9	16.7%
4 bedrooms	9	8.3%	4	7.4%
5 bedrooms	3	2.8%	1	1.9%

Source: Housing Authority of the City of Erie

As of April 2011, seven of HACE’s 109 mobility accessible units were vacant. Of these, five were one-bedroom units, one was a three-bedroom, and one was a four-bedroom. According to interviews with local advocacy organizations for persons with disabilities, the lack of available one-bedroom units is a concern for single persons with disabilities. A review of the public housing applicants confirms this trend. In November 2010, there were no persons with disabilities who had applied for a unit with two or more bedrooms. By comparison, 85 persons with a disability had applied for a one-bedroom unit. However, it should be noted that many of these persons with disabilities may have mental disabilities and are not in need of an accessible unit.

OBSERVATION: HACE has made great strides in updating its public housing stock to include a variety of accessible units for a range of household types. However, there continues to be a high demand for one-bedroom units for single persons with disabilities, as demonstrated in the high number of applications (85) for one-bedroom units from persons with disabilities.

5) Admission and Continuing Occupancy Plan (ACOP)

HACE’s non-discrimination policy can be found in Chapter 1(F) of the ACOP. HACE pledges to be compliant with all federal, state and local nondiscrimination and equal opportunity laws. The ACOP states that HACE will not deny admission to any particular group or category of otherwise eligible applicants, including but not limited to unwed mothers, families with children born out of wedlock, elderly pet owners, persons with disabilities requiring assistive animals, or families whose head or spouse is a student.

To be eligible for public housing, an applicant must qualify as a family. Chapter 2(A.2.) of the ACOP defines “family” as a group of persons regularly living together, related by blood, marriage, adoption, guardianship, evidencing a stable relationship; or an elderly family, single person, single pregnant woman with no other children, or a

displaced person. Other individuals (e.g. foster children and live-in aides) may be considered part of a family group if they are living or will live regularly with the family.

A family is eligible for assistance if at least one member is a citizen or eligible immigrant. Families that include eligible and ineligible individuals are referred to as mixed families. Such families will be given notice that their income-based assistance will be pro-rated and that they may request a hearing if they contest this determination.

Chapter 2(B) of the ACOP discusses HACE's policy on maintenance of the waiting list. HACE maintains separate waiting lists for its public housing and Section 8 vouchers. If the waiting list is open for both programs, applicants may request to submit applications to both. Each application is positioned on the waiting list in accordance with the date and time of the application and the requested unit size. Chapter 3(G) lists local preferences for waiting list applicants. All local preferences will be rated as equal, having no individual weight or aggregate value for multiple preferences. Preferences include:

- Working families preference, for any applicant family that includes a head and/or spouse who is gainfully employed. This preference category shall be used for up to 50% of all family admissions every year;
- Residency preference, for any applicant family who qualifies as a resident of the City of Erie. This preference category shall apply if HACE's vacancy rate is less than 3%; and
- Elderly/disabled singles preference, for any applicant family which consists of a single person who is elderly or near elderly, or a one- or two-person disabled family.

HACE also allows for special admissions of applicants if there is a court order related to desegregation of Fair Housing and Equal Opportunity, or for a family who is part of the witness protection program.

Chapter 3(E) details the screening and tenant selection criteria for admission. The ACOP lists over a dozen reasons why applicants may be denied admission to the program. Included among these is HACE's policy is to deny admission to applicants without a history of financial responsibility, especially making rent payments. Applicants who are denied admission will receive a Letter of Ineligibility from HACE stating the basis for such determination. Applicants are able to request an informal review of their application and submit additional evidence.

Chapter 3(F) of the ACOP outlines HACE's income targeting policy. HACE will monitor its admissions every six months to ensure that at least 40% of applicants admitted to public housing have incomes of less than 30% of the median household income. HACE may adjust the waiting list selection to comply with the income targeting requirement.

Chapter 4(B) states that applicants must accept the vacancy offered to them when a unit becomes available or be moved to the bottom of the waiting list. If an applicant is willing to accept the offer but is unable to move in at the time of the offer, and presents evidence of his or her inability to move in, refusal of the offer shall not require that the applicant be placed at the bottom of the waiting list. If an applicant presents clear evidence that the acceptance of a vacancy will result in undue hardship or handicap, such as inaccessibility to employment or child care, the applicant may not be placed at the bottom of the waiting list. Undue hardship or handicap shall not include considerations of race, color, sex, religion, or national origin.

Chapter 4(C) states that current tenants may request transfers to another unit.

In addition to its ACOP, HACE also has a grievance policy for public housing residents and a pet policy.

Any grievance from a public housing resident must be submitted to HACE's central office in person and within five days of the occurrence that led to the grievance. HACE will conduct an informal discussion of the grievance with the residents or his/her representative. If the resident is unsatisfied with the results of the informal discussion, he or she has ten days to request a formal hearing. The hearing officer will be an impartial person selected by both HACE and the complainant; if a person cannot be agreed upon, then a three-person hearing panel will be called. Decisions of the hearing officer or panel will be binding on HACE.

HACE has a total of four pet policies: individual policies for family units, senior high-rises, and the C.T Dombrowski Apartment complex; and a final Authority-wide policy for service animals. HACE's service animal policy defines service animals as animals that perform some of the functions and tasks that individuals with disabilities cannot perform. These include guiding people who are visually impaired, alerting people who are hearing impaired, alerting and protection persons with seizures, and providing emotional support to persons that have a disability-related need for such support. Persons with the need for a service animal must file registration and responsibility forms with HACE. Service animals are not subject to pet deposits or monthly fees, or breed, size, or weight requirements.

b. HACE Section 8 Housing Choice Voucher Program

1) Inventory and Demographics

In addition to public housing, HACE is the administrator of the Section 8 Housing Choice Voucher program for the City of Erie. As of January 2011, there were 994 Section 8 voucher holders. Of these, 37.2% were Black and 62.2% were White.

In November 2010, one-quarter of all Section 8 voucher holders were residing in units with three or more bedrooms. The characteristics of the current Section 8 voucher holder households are detailed in Figure 4-5.

**Figure 4-5
 Characteristics of Current Section 8 Voucher Holders, 2011**

	Current Voucher Holders		Waiting List Applicants	
	# of Households	%	# of Households	%
Total Households	994	100.0%	1,260	100.0%
Extremely Low Income (<30% MFI)	747	75.2%	947	75.2%
Very Low Income (<50% MFI)	232	23.3%	294	23.3%
Low Income (<80% MFI)	15	1.5%	19	1.5%
Black Households	370	37.2%	470	37.3%
White Households	618	62.2%	785	62.3%
Other Race of Households	3	0.3%	5	0.4%
Hispanic Households*	79	7.9%	100	7.9%
Characteristics by Bedroom Size**				
0 Bedroom	80	8.0%	---	---
1 Bedroom	343	34.5%	---	---
2 Bedroom	287	28.9%	---	---
3 Bedroom	206	20.7%	---	---
4 Bedroom	34	3.4%	---	---
5+ Bedroom	3	0.3%	---	---

*Hispanic ethnicity counted independently of race

**Data regarding bedroom size is from November 2010 and may not equal the total number of households

Source: Housing Authority of the City of Erie

2) Waiting List

The waiting list for HACE's Section 8 program has been closed since January 2010. As of January 2011, there were 1,260 applicants on the Section 8 waiting list. Waiting list demographics reflected that of current voucher holders: 37.3% of applicants were Black and 62.3% were White.

When a new applicant is provided with a voucher, they are given 60 days to secure private rental housing. Under certain circumstances, HACE will grant extensions to applicants. These circumstances may include a head of household who is disabled, a death in the family, and/or illness of a family member that prevents the family from searching for a unit.

3) Section 8 Voucher Mobility

In accordance with the national program, Section 8 voucher holders have the option of using their housing voucher within the City of Erie or to "port out" to another jurisdiction, including areas outside of the City but within Erie County. However, with the exception of Veterans Affairs Supportive Housing (VASH) voucher holders, very few program participants choose to use their voucher outside of the City. HACE has a total of 35 VASH vouchers, of which 13 port out of Erie. According to interviews with HACE staff, Erie is a lower-cost area, in particular in comparison with neighboring municipalities. Therefore, voucher holders who transfer out of the City cost HACE more in rent subsidies.

4) Section 8 Landlords

In order for Section 8 voucher holders to find decent, affordable private rental housing units, there must be an adequate supply of such units in the City. HACE maintains a list of participating landlords who offer their units for inspection and rental through the Section 8 program; this list is provided to program participants upon their initial oral briefing. As of April 2011, about 400 landlords participated in the program. Two of the City's largest landlords currently do not participate in the Section 8 program, despite ongoing efforts from HACE staff to encourage participating in the program.

Map 9 on the following page illustrates the location of Section 8 voucher holders in the City. As the map shows, the vast majority of voucher holders reside in the City's CD target area, with a few voucher holders living scattered throughout the rest of Erie.

OBSERVATION: HACE provides assistance to Section 8 voucher holders to encourage mobility to non-impacted areas of the City, including maintaining a list of participating landlords, providing information to voucher holders during their initial briefing, and conducting outreach to non-participating landlords throughout the City. However, the majority of voucher holders continue to reside in impacted areas in Erie. This may be correlated to the fact that a number of landlords do not currently participate in the Section 8 Program (including two of the City's largest landlords) despite outreach efforts by HACE staff.

HACE reviews its payment standard annually. In January 2010, HACE had to reduce its payment standard from 110% Fair Market Rent (FMR) to 100% FMR due to economic constraints. HACE reports that despite this reduction, it has not had any problems finding landlords to participate, given the overall sluggish rental market.

5) Persons with Disabilities

HACE allows for up to 120% FMR payments for units in which landlords agree to make accessibility modifications or for units that already have accessibility features. According to HACE staff, neither event has happened. Persons with disabilities may also receive additional extensions to locate a unit that is appropriate for their accessibility needs. HACE interview responses and policy documents do not detail any additional efforts to expand fair housing choice for persons with disabilities.

6) Section 8 Housing Choice Voucher Administrative Plan

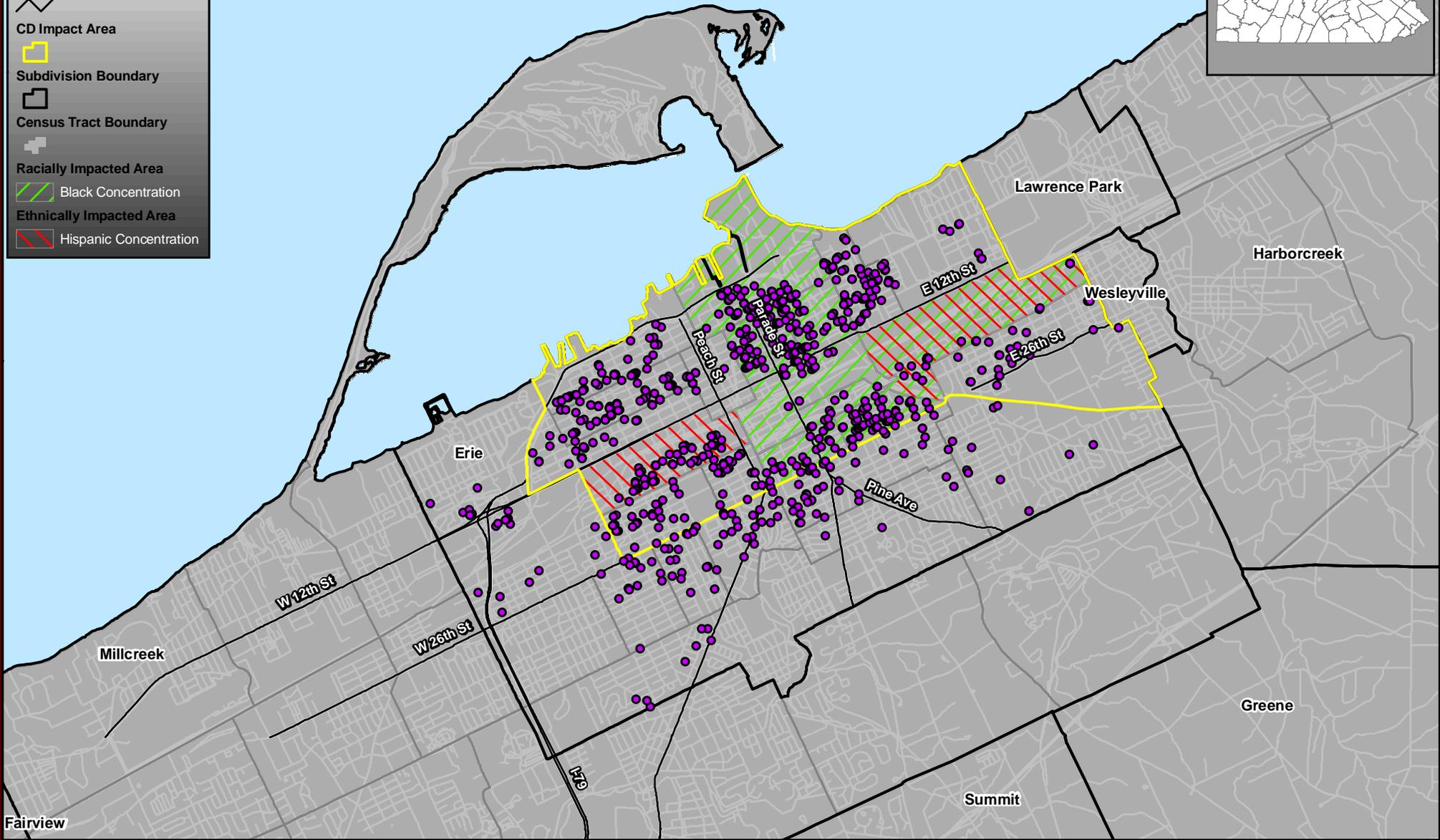
The Section 8 Housing Choice Voucher (HCV) Administrative Plan (Admin Plan) outlines the rules and regulations of the Section 8 program. Chapter 1(G) states HACE's equal opportunity requirements, in which HACE agrees to comply with all federal, state, and local non-

Map 9: Location of Households Assisted with Section 8 Housing Choice Vouchers, 2010

Analysis of Impediments to Fair Housing Choice. Erie, PA

Legend

- Section 8 HCV Unit
 -
- Streets
 -
- CD Impact Area
 -
- Subdivision Boundary
 -
- Census Tract Boundary
 -
- Racially Impacted Area
 - ▨ Black Concentration
- Ethnically Impacted Area
 - ▨ Hispanic Concentration



discrimination and equal opportunity laws. Additionally, Chapter 1(G) states that HACE will make every effort to reasonably accommodate persons with special needs.

Chapter 2 of the Admin Plan details admission eligibility for potential applicants. To be eligible for admission to the Section 8 voucher program, an applicant must qualify as a family. HACE employs the same definition of family as in its ACOP.

Chapter 2(A.4) of the plan details over a dozen reasons why applicants may be denied admission to the HCV program. Applicants who are denied admission will receive a letter from HACE notifying the applicant of the reason for such determination. Applicants are able to request an informal review of their application.

Chapter 2(E) outlines HACE's income targeting and local preferences. All families whose annual incomes do not exceed 30% of the area median income will be considered Federal Income Targeting Eligible; 75% of new admissions are required to be in this category. HACE will monitor its admissions every six months to ensure compliance. Additionally, HACE has established a local preference for families with children who currently reside in a unit which has been selected for the Lead Hazard Control Program.

Families accepted into the Section 8 HCV program are required to attend an oral briefing session, as detailed in Chapter 4 of the Admin Plan. During this briefing, HACE includes a list of landlords who offer housing units throughout the City. HACE will maintain a file for Request for Tenancy Approval forms that have been denied because of high rent. Staff will review this file annually to determine if there is evidence of certain areas of the City being prohibitively high. If evidence is found, HACE will seek approval from HUD for an area exception rent. HACE will also assist families in negotiations with owners.

Chapter 12 of the Admin Plan discusses HACE's informal review process. Requests for an informal review must be received by HACE within ten calendar days. The informal review will be conducted by the Hearing Officer, who is the HACE executive director or another member of management, as stated in Chapter 12(C.1.). Families may request an informal review regarding several determinations, including:

- The family's income,
- An appropriate utility allowance,
- Family unit size,
- Termination of assistance due to the family's actions or inactions in accordance with HUD and HACE regulations, or
- Termination of assistance because the family has been absent from the assisted unit for longer than the maximum period permitted.

ii. Privately Assisted Housing

In addition to the publicly assisted housing market, there is a substantial privately owned assisted housing inventory in Erie. Privately assisted housing is privately owned but affordable due to the funding source used to develop the housing units. This type of subsidized housing differs from public housing that is owned by a government entity. Eligible resident households typically include those who are elderly (either 55 or 62 years of age or older), low and moderate income (80% of median income or less), or persons with disabilities. Financing for these affordable units typically comes from state and federal sources such as the Low Income Housing Tax Credit Program (LIHTC); the U.S. Department of Agriculture's Section 515 Program; HUD's Section 202 (elderly), Section 811 (disabled), Section 236 and Section 221(d) (family) Programs.

HUD's Picture of Subsidized Households dataset contains records on the number of subsidized units by type for 2000 and 2008. Comparisons between the two years are based on an assumption of consistent data collection and reporting methods. HUD's records show an overall 20.4% increase in subsidized rental units in Erie. The largest increase was among Section 236 units, which grew 46.1%. Public housing units and Section 8 voucher holders also increased 22.8% and 10.8%, respectively. By comparison, other assisted multi-family units decreased by more than a third during this period.

**Figure 4-6
 Subsidized Units by Type, 2000 and 2008**

Number of Units	2000	2008	% Change
Public Housing*			
Total	1,430	1,852	22.8%
Assisted Housing			
LIHTC	500	597	16.2%
Section 236	425	789	46.1%
Section 8 Voucher Holders	931	1,044	10.8%
Other Assisted Multi-Family	293	213	-37.6%
Total Subsidized Units	3,579	4,495	20.4%

*HUD records classify properties differently than the local Housing Authority, resulting in figures that differ here from the public housing inventory described earlier in the AI. Additionally, some sites are classified different in 2000 than 2008.

Source: HUD Picture of Subsidized Households, 2000 and 2008

The location of all public and assisted housing in Erie is depicted on Map 10 on the following page. As with the Section 8 voucher holders, most of the public and privately assisted housing developments are within Erie’s CD target area. Public housing developments (as classified by HUD), are dispersed throughout the target area and the rest of the City. Assisted housing units are most heavily concentrated along Peach and Parade Streets, with several other developments located throughout the City.

OBSERVATION: Similar to Section 8 rental properties, public and privately assisted units are concentrated primarily in the City’s CD Target Area. This circumstance severely restricts fair housing choice for members of the protected classes.

iii. Policies Governing Investment of Entitlement Funds

From a budgetary standpoint, housing choice can be affected by the allocation of staff and financial resources to housing related programs and initiatives. The decline in federal funding opportunities for affordable housing for lower income households has shifted much of the challenge of affordable housing production to state, county and local government decision makers.

The recent Westchester County, NY, fair housing settlement also reinforces the importance of expanding housing choice in non-impacted areas (i.e., areas outside of concentrations of minority and LMI persons). Westchester County violated its cooperation agreements with local units of government which prohibit the expenditure of CDBG funds for activities in communities that do not affirmatively further fair housing within their jurisdiction or otherwise

Map 10: Location of Public and Assisted Rental Housing Units, 2008

Analysis of Impediments to Fair Housing Choice. Erie, PA

Legend

Assisted Housing

- 1 - 99
- 100 - 199
- 200 - 442

Public Housing

- 3 - 99
- 100 - 249
- 250 - 736

CD Impact Area

Subdivision Boundary

Streets

Ethnically Impacted Area

- Hispanic Concentration

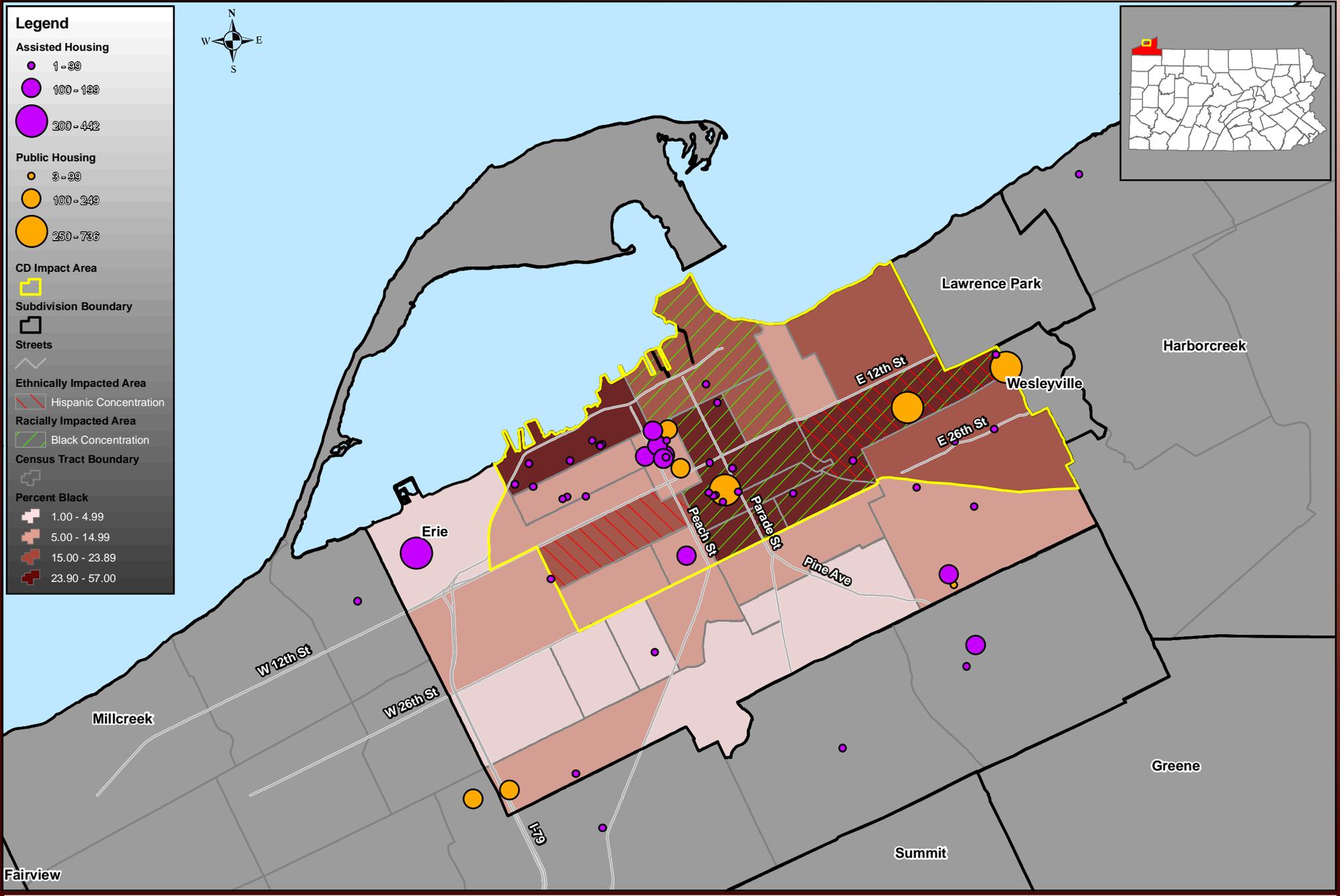
Racially Impacted Area

- Black Concentration

Census Tract Boundary

Percent Black

- 1.00 - 4.99
- 5.00 - 14.99
- 15.00 - 23.89
- 23.90 - 57.00



impede the Urban County's action to comply with its fair housing certifications. While Erie is a HUD metro city entitlement and not an urban county entitlement, the City has an obligation to affirmatively further fair housing by expanding housing choice outside of impacted areas.

The City of Erie's HUD entitlement funds are used for a variety of activities to serve a variety of goals, as follows:

- **Community Development Block Grant (CDBG):** The primary objective of this program is to develop viable urban communities by providing decent housing, a suitable living environment, and economic opportunities, principally for persons of LMI levels. Funds can be used for a wide array of activities, including: housing rehabilitation, homeownership assistance, lead-based paint detection and removal, construction or rehabilitation of public facilities and infrastructure, removal of architectural barriers, public services, rehabilitation of commercial or industrial buildings, and loans or grants to businesses.
- **HOME Investment Partnership Program (HOME):** The HOME program provides federal funds for the development and rehabilitation of affordable rental and ownership housing for low and moderate income households. HOME funds can be used for activities that promote affordable rental housing and homeownership by low and moderate income households, including reconstruction, moderate or substantial rehabilitation, homebuyer assistance, and tenant-based rental assistance.
- **Emergency Shelter Grant (ESG):** A federal grant program designed to help improve the quality of existing emergency shelters for the homeless, to make available additional shelters, to meet the costs of operating shelters, to provide essential social services to homeless individuals, and to help prevent homelessness.

a. Application Process

CDBG and HOME applications are reviewed by the Community Development Advisory Committee and are rated based on the following criteria:

1. Benefit to low- and moderate-income persons
2. Benefit to target areas
3. Activity need and justification
4. Cost reasonableness and effectiveness
5. Activity management and implementation
6. Experience and past performance
7. Matching contributions and efforts to secure other funding
8. Environmental justice

9. Application completeness

HOME and non-public service CDBG applications are judged on a 100-point scoring system. For organizations applying for public service funds, an additional 35 points are added. Of these, 25 points are from the impressions of the interview with DECD staff and its Community Development Review Committee, which has included the Mercyhurst Civic Institute, the Gannon University Sociology Department, Erie Together, and the Erie Community Foundation, among others. .

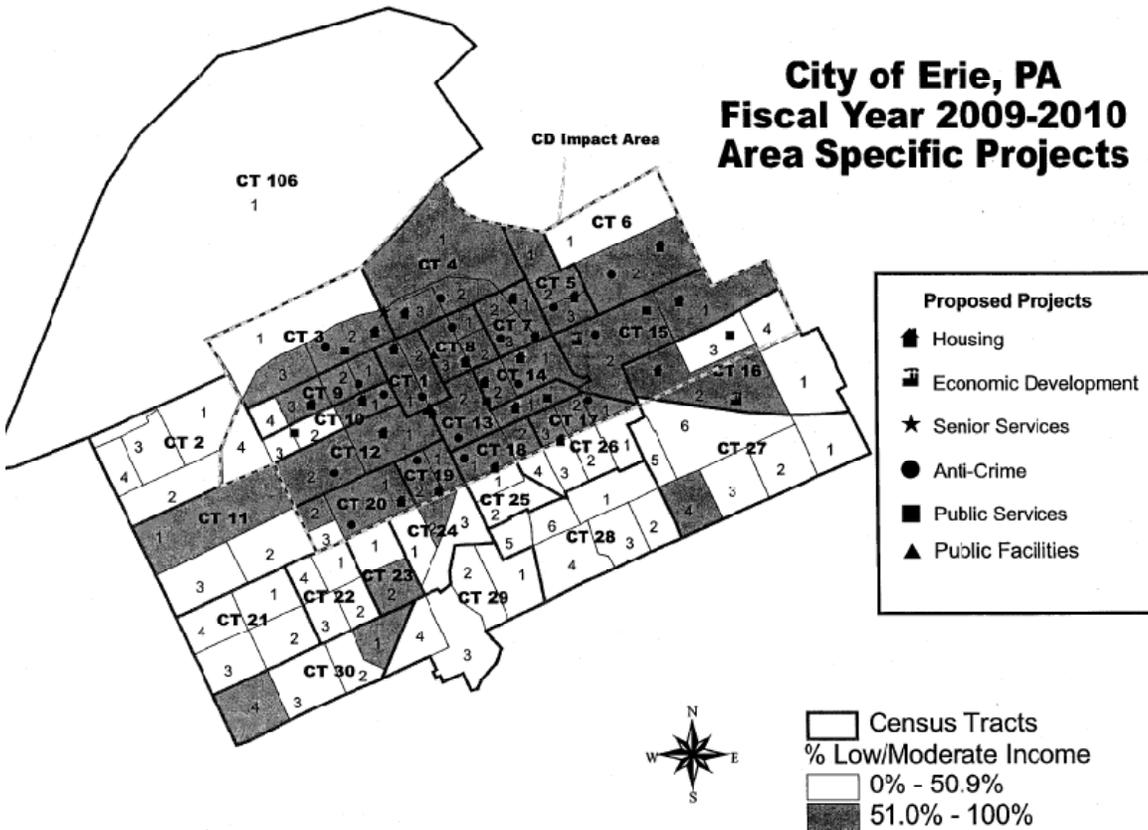
In addition to submitting an application, organizations requesting funds for public services (e.g. youth programs) are required to attend an interview with DECD staff to discuss their agency, programs, and application for funds. Public service applicants must also detail their partnership and outreach efforts in the community and how the funding objectives would align with the applicants' organizational goals and objectives.

b. Geographic Distribution of Activities

Federal entitlement funding invested in LMI areas, which are located primarily within Erie's Community Development (CD) Impact Area. This area consists of the older part of the City from 26th Street north to the Bay, and between Cranberry Street on the west side of the City and the city line (Bird Drive and Franklin Avenue) in the eastern section of the City. The CD Impact Area includes census tracts 1, 3, 4, 5, 6, 7, 8, 9, 10, 12, 13, 14, 15, 16, 17, 18, 19, and 20, and is 65.6% LMI.

In its FY2008 CAPER, the City detailed the geographic location of federally-funded activities and programs, as scene in Figure 4-7 on the following page. A review of the locations reveals that public service programs are concentrated within the CD Impact Area but also serve areas of LMI concentration throughout the City. Housing programs, on the other hand, are located exclusively within the CD Impact Area.

Figure 4-7
Geographic Distribution of Federal Funds, FY2009



Source: City of Erie's FY2009 CAPER

c. Annual Plans and CAPERS

Entitlement communities are required to prepare Annual Plans in which each entity describes the actives to be undertaken with CDBG, HOME, and ESG funds. At the end of each fiscal year, a Consolidated Annual Performance and Evaluation Report (CAPER) is then developed to report on the progress achieved by each entitlement in its efforts to invest CDBG, HOME and ESG funds and affirmatively further fair housing. The following narrative includes an analysis of how Erie has furthered fair housing through its investment of federal funds.

1) Annual Plans (FY2009 and FY2010)

The Annual Plan for FY2010 includes the priorities and objectives planned by the City in various HUD categories such as housing, homeless prevention, community development and others. In terms of affirmatively furthering fair housing, the best indication of this policy being implemented is the creation of new affordable rental and sales housing units for families that are located outside of impacted areas. By creating new affordable family units outside of impacted areas, the City can provide housing choice for LMI minorities in non-impacted areas, sometimes referred to as “communities of opportunity.”

Figure 4-7 details CDBG program costs for FY2009 and FY2010, as outlined in the City’s Annual Plans. Over one-quarter of CDBG funds were allocated for public facility improvements, primarily street improvements. Public services – which include community policing, youth programs, summer programs, and funding for community centers and non-profit organizations – constituted the second largest program area, with 20.1% of FY2010 CDBG funds used for public services.

With respect to housing, CDBG funds are used for residential rehabilitation programs, which comprised 14.9% and 12% of Erie’s CDBG budget in FY2009 and FY2010, respectively.

**Figure 4-8
CDBG Program Budget, FY2009 and FY2010**

Program Area	2009 Annual Plan		2010 Annual Plan	
	\$	% of Program Cost	\$	% of Program Cost
Public Facilities Improvements, including recreational facilities and street improvements	\$ 1,016,229	24.5%	\$ 1,093,059	26.2%
Public Services, including community policing, youth programs, and community centers	\$ 763,703	18.4%	\$ 839,130	20.1%
Rehabilitation - Residential	\$ 620,059	14.9%	\$ 501,000	12.0%
Code Enforcement	\$ 430,000	10.4%	\$ 427,000	10.2%
Special Economic Development	\$ 260,000	6.3%	\$ 230,000	5.5%
Clearance (e.g. demolition)	\$ 215,000	5.2%	\$ 215,000	5.2%
Rehabilitation - Commercial	\$ 57,000	1.4%	\$ 57,000	1.4%
Disposition	\$ 40,000	1.0%	\$ 50,000	1.2%
Relocation	\$ 40,000	1.0%	\$ 45,000	1.1%
Administration/Planning	\$ 699,025	16.8%	\$ 699,025	16.8%
CHRB Funding	\$ 12,000	0.3%	\$ 12,000	0.3%
Total CDBG Program Costs	\$ 4,153,016	100.0%	\$ 4,168,214	100.0%

Source: City of Erie FY2009 and FY2010 Annual Plans

In terms of fair housing, the City allocated \$12,000 for the operating costs for the Community Housing Resource Board (CHRB), which is administered through the organization Voices for Independence. The City also provides funding to St. Martin Center (SMC), which operates fair housing trainings, counseling for potential home buyers, and foreclosure prevention programs, in addition to other social service and education programs; for FY2010 SMC was budgeted to receive \$40,000 in CDBG funds. Additionally, the City invested \$20,000 into its ADA transition plan.

For FY2010, the City anticipated receiving \$1,075,222 in HOME funds. The City will use the funds for the following housing programs:

- Improve the quality of owner housing, by rehabilitating 17 units through the Erie Redevelopment Authority (ERA) and through the construction of three new units by Housing and Neighborhood Development Services (HANDS);
- Offering down payment assistance to two households through the Bayfront East Side Taskforce (BEST); and
- Counseling six households through St. Martin's First Time Homebuyer program.

2) CAPER (FY2009)

The CAPER for FY2009 was reviewed for this AI. In FY 2009, the City expended \$3,429,219 in CDBG funds, \$1,418,094 in HOME funds, and \$146,012 in ESG funds. Of the CDBG funds expended, 88.3% benefits LMI persons. The largest programs (by expenditures) were the City's handicapped curb cuts, community policing, and code enforcement programs.

Housing programs funded by CDBG funds included ERA's housing rehabilitation programs (including for lead-based paint) and HOME Delivery programs. The HOME Delivery program exceeded its goal of assisting 12 households. The ERA housing rehabilitation program assisted 42 units, compared to the seven proposed units. The ERA's lead program also exceeded its goals for FY 2009.

With regards to HOME funds, four of the five programs allocated funding in FY2009 were not ready to contract during the fiscal year. HOME funding for the ERA's rehabilitation program assisted two units, compared to the goal of four units. The City's Homebuyer Assistance Program was affected by the continued sluggish economy and housing market, and two housing providers that were allocated funding were delayed while waiting for funding from other resources.

With regards to fair housing, the City expended \$12,000 to the CHRB and provided \$45,000 in funding to the St. Martin Center.

OBSERVATION: Analysis of the City's Annual Plan and CAPER documents reveal a significant investment of CDBG and HOME funds in racially and ethnically impacted areas in the CD Impact Area in Central Erie. While improving quality of life in lower-income minority neighborhoods is an important aim, the City must also demonstrate an effort to affirmatively further fair housing by expanding the availability of affordable housing in non-impacted areas.

d. Affirmative Marketing Policy

As a recipient of CDBG and HOME funds, the City is required to adopt affirmative marketing procedures and requirements for all CDBG- and HOME-assisted housing with five or more units. Such a plan must include:

- Methods of informing the public, owners and potential tenants about fair housing laws and the City's policies,
- A description of what the owners and/or the City will do to affirmatively market housing assisted with CDBG or HOME funds,

- A description of what the owners and/or the City will do to inform persons not likely to apply for housing without special outreach,
- Maintenance of records to document actions taken to affirmatively market CDBG- and HOME-assisted units and to assess marketing effectiveness, and
- A description of how efforts will be assessed and what corrective actions will be taken where requirements are not met.

Erie's HOME Affirmative Marketing Plan was reviewed as part of this analysis.

When feasible without holding units off the market, project owners are required to make information on the availability of units known through:

- Advertisements in local newspapers, if the owner ordinarily advertises available rental units in news media;
- The placement of flyers describing the availability of units in unemployment offices throughout the City and in HACE offices; and
- Notifying HACE and requesting that staff inform applicants on its waiting list about upcoming vacancies.

The City requires that property owners participating in the HOME program comply with the City's affirmative marketing requirements by means of an agreement, which is applicable for seven years.

In addition to advertising in local newspapers, project owners should contact local organizations, including the local chapter of the NAACP, the City of Erie Fair Housing Officer, and HACE.

The Plan requires project owners to maintain records on:

- The racial, ethnic, and gender characteristics of tenants and applicants, per 24 CFR 92.351;
- Activities undertaken to inform the general renter public, including copies of advertisements and dates on which owners contacted unemployment and HACE offices; and
- Activities undertaken for special outreach, including copies of advertisements placed and dates of contact with the local chapter of NAACP, the City's Fair Housing Officer, and HACE.

The City's Fair Housing Officer will assess the affirmative marketing efforts of property owners. The Fair Housing Officer will determine if good faith efforts have been made and will assess whether or not persons from a variety of backgrounds (in particularly Blacks) have applied to become tenants.

If a property owner fails to meet the affirmative marketing requirements, the City will engage in discussions with the owner to improve affirmative marketing efforts and may require owners to notify HACE immediately of an available vacancy. HACE, then, will be able to verify

if a project owner is in compliance. If an owner continues to fail to meet these requirements, the City may disqualify the owner from future participation in HOME programs administered by the City or its sub-recipients.

To monitor its affirmative marketing plan, the City will carry out assessment activities to be reported in its annual CAPER.

OBSERVATION: With growing Hispanic immigrant and migrant worker populations, more outreach to these members of the protected classes is warranted in affirmative marketing plans.

e. Site and Neighborhood Selection Policy

Recipients of HOME funds are required to administer their program in compliance with the regulations found at 24 CFR 983.6(b), known as the Site and Neighborhood Standards. These standards address the site location requirements for both rehabilitated and newly constructed rental units financed with HOME funds.

Site selection for HOME-assisted rehabilitated units must comply with several standards, including among other things, promoting greater choice of housing opportunities and avoiding undue concentration of assisted persons in areas containing a high concentration of LMI persons. For new construction, an additional standard is added. With few exceptions, site selection for new construction must include a location that is not in an area of minority concentration.

To comply with 24 CFR 983.6(b), the City has adopted a written Site and Neighborhood Standards Review Policy. For newly constructed rental units, the sites must not be in areas of minority concentration with two exceptions: if there are sufficient and comparable housing opportunities for minority households outside areas of concentration, and/or if the project is necessary to meet the overriding needs that cannot be met by the traditional housing market. New construction must also be accessible to social, recreational, commercial, and health facilities. Additionally, sites should be located so that transportation costs and time to places of employment for low-to-moderate income workers are not excessive.

The Site and Neighborhood Standards Review Policy is included as part of the HOME application.

iv. Appointed Boards and Commissions

A community's sensitivity to fair housing issues is often determined by people in positions of public leadership. The perception of housing needs and the intensity of a community's commitment to housing related goals and objectives are often measured by board members, directorships and the extent

to which these individuals relate within an organized framework of agencies, groups, and individuals involved in housing matters. The expansion of fair housing choice requires a team effort and public leadership and commitment is a prerequisite to strategic action.

a. Community Development Review Committee

The Community Development Advisory Committee is an ad hoc group assembled annually to review applications for CDBG and HOME funds and offers guidance on how funds should be distributed. The Committee is usually comprised of representatives from the United Way, the Civic Institute, the Erie County Community Foundation, Erie City Council, and Gannon University's Social Services Department.

Of the five persons serving on the most recent committee, one was female and four were male. There were three Black members, two White members, and one Hispanic. None of the committee members reported having a disability.

b. HACE Board of Commissioners

The HACE Board of Commissioners is a five-member volunteer board appointed by the Mayor that manages the activities and operations of HACE. New commissioners are appointed when a current commissioner retires.

Of the five commissioners, two are female and three are male. There are two Black members and three White members. None reported having a disability.

c. Erie County Human Relations Commission

The Erie County Human Relations Commission (HRC) is a nine-member body appointed by the Erie County Council, the Erie County Executive, and the Erie City Council. HRC was established through the County's Ordinance 39 to hear complaints regarding unlawful discrimination in housing, employment, and public accommodations. HRC cross-files cases involving housing with HUD's database.

Of the eight commissioners, six are female and two are male. There are four Black commissioners and four White commissioners. One reported having a disability.

d. Planning Commission

The City Planning Commission is appointed by the Mayor to make recommendations on development in the City. The Commission is responsible for ensuring that improvement, redevelopment, and revitalizing projects comply with the City's comprehensive plans.

Among the five members, four are male and one is female.

e. Zoning Hearing Board

The Zoning Hearing Board is comprised of five members appointed by the City Council. The Board conducts hearings and makes decisions on

challenges to the City's Zoning Ordinance, variances, special exceptions, and appeals.

Among the five members, four are male and one is female.

A review of the composition of the City's boards and commissions reveals a relative absence of persons with disabilities. This was noted as an impediment by advocacy organizations for persons with disabilities. Representation among Blacks and females is also low.

OBSERVATION: Representation among members of the protected classes on Erie's appointed boards and commissions is low, especially among persons with disabilities. The experiences and perspectives of members of the protected classes would enhance the decision-making process in the City and offer the opportunity for advancing fair housing choice in all aspects of City government.

v. Accessibility of Residential Dwelling Units

From a regulatory standpoint, local government measures define the range and density of housing resources that can be introduced in a community. Housing quality standards are enforced through the local building code and inspections procedures.

a. Private Housing Stock

The Bureau of Code Enforcement oversees the City's construction and property maintenance standards. This department is also responsible for the issuance of building permits, demolition permits, moving permits, and inspection of property.

The City of Erie regulates housing construction through a range of national and international codes, including:

- *2003 International Building Code (IBC)*
- *2003 International Residential Code (IRC)*
- *2003 International Fire Code*
- *2003 International Conservation Energy Code*
- *2003 International Fuel Gas Code (IFGC)*
- *2003 International Mechanical Code (IMC)*
- *2003 International Electric Code*
- *2003 International Plumbing Code*
- *2003 International Existing Building Code*
- *2003 International Urban-Wildland Interface Code*
- *2009 International Property Maintenance Code*

Accessibility requirements are detailed in the IBC and include details on the scope of the accessibility requirements (such as new construction in the City), appropriate materials to be used, and standards for accessible routes.

In November 2007, the City Council passed a resolution in support of visitable design. The resolution states that “the Mayor and other appropriate city officials are hereby authorized and encouraged to distribute the [“Visit-able homes”] visitability informational flyer to all contractors applying for building permits at the City of Erie’s Code Enforcement Office.” Interviews with stakeholders did not address if this ordinance has led to an increase in visitable design.

b. Public Housing Stock

In 2003, HACE completed a Section 504 Needs Assessment. The assessment found that no public housing units were in compliance with UFAS. Since then, HACE has constructed or modified 109 units to be UFAS-compliant for persons with physical impairments. Accessible units now account for 5.1% of HACE’s public housing stock. As discussed earlier, HACE is not in compliance with the mandated 2% of units accessible for persons with sensory impairments, nor were the minimum requirements met in each HACE public housing community.

vi. Persons with Limited English Proficiency (LEP)

As stated previously, there are 3,693 persons who spoke English less than “very well” in 2009. Of these, 1,194 (32.3%) were Spanish speakers. In order to accommodate persons with limited English proficiency (LEP) in the provision of information and services, the City should conduct the four-factor analysis of a Language Access Plan (LAP) to determine the extent to which the translation of vital documents is necessary. Although there is no requirement to develop an LAP, HUD entitlement communities are responsible for serving LEP persons in accordance with Title VI of the Civil Rights Act of 1964. An LAP is the most effective manner of achieving compliance.

OBSERVATION: The City must determine the need for a Language Access Plan (LAP) to assist persons with limited English proficiency (LEP) in accessing its programs and services. If it is determined that the need for an LAP exists, the City should prepare the Plan in order to comply with Title VI of the Civil Rights Act of 1964.

vii. Comprehensive Plan

Erie completed its first comprehensive plan in 1967. Since then, the City has adopted six land use studies plans, including the Waterfront Comprehensive Plan and the East Side Enterprise Zone Study. The most recent land use plan was completed in 2000.

The 2000 Land Use Plan was developed to assist City officials in adapting the land use patterns of the time to the economic and demographic trends the City was experiencing. The Plan identifies four broad goals:

- Preserve the integrity of existing single-family areas;
- Encourage successful commercial areas;
- Strategically place non-retail commercial areas along major traffic routes; and
- Provide and protect key industrial sectors.

The Plan provides an overview on development constraints in the City, including floodplains, wetlands, and historical districts. These constraints are limited only to certain neighborhoods throughout Erie. More important to the City's development were the demographic shifts of the time. Population projections predicted that the household size in Erie would decrease and the proportion of working-aged adults (ages 35-64) would increase from 29.8% to 38% between 1990 and 2010. The older parts of the City were dominated by smaller lot sizes and more diverse land use patterns, while the southern neighborhoods housed newer construction dominated by single family homes on larger lots.

The Land Use Plan outlines separate strategies for the various neighborhood types in the City, given their historical settlement trends and the projected growth in each area. The Plan recognizes a number of neighborhoods in which low-density, single-family residential development should be conserved, including the Frontier Park area, the Manor subdivision, most of southwest and southeast Erie, the Lakeside area and other neighborhoods in Erie's Eastside. In older areas of the City, where mixed use development is more prominent, medium-density residential development may be fitting, but where possible, low-density development is more "desirable." Throughout its land use plan, the City makes no reference to affordable housing or fair housing objectives.

For high-density development, the Land Use Plan proposes concentrating development in the area from 21st, 26th, Parade to French, along the Buffalo Road corridor, and north of West 18th Street. This corresponds to areas of concentration of Black and LMI persons, as well as high proportions of Hispanic residents.

The Land Use Plan does not discuss how the City's commitment to affirmatively further fair housing factors into its residential development proposals. For Erie to be able to attract new residential development, the City's zoning regulations and land use plans must allow for the development of the types of larger homes that buyers can purchase in the surrounding counties and suburbs. Encouraging the development of larger-lot properties to balance the City's ample existing stock of affordable housing will help Erie to level the playing field with surrounding jurisdictions, further fortifying the residential tax base.

The Land Use Plan does not discuss how transportation factors into the City's long term planning. In 2006, the Erie Metropolitan Transit Authority (EMTA) conducted a Transit Service Planning Study in order to internally evaluate its services. The study was not provided for this AI; however, in interviews EMTA staff discussed that the transit study concluded that the areas in the City with the highest need were being served. Neither EMTA nor City staff discussed how comprehensive planning could link transportation to expanding fair housing choice for members of the protected classes.

OBSERVATION: Erie's Land Use Plan does not link public transportation with expanding fair housing choice for members of the protected classes.

The main conclusion of the Land Use Plan was that the City's Zoning Ordinance was outdated, primarily because it was based on the City's economic strategies of the early 20th century. The Plan concludes that, in order to most effectively promote growth and appropriate land use development, Erie must dramatically rewrite its Zoning Ordinance and update its zoning map. As discussed in the following section, the City did rewrite its Ordinance in 2000 and again in 2004.

OBSERVATION: Erie's Land Use Plan lacks an overarching statement of policy that expresses the City's commitment to affirmatively further fair housing. Because the City lacks an official Comprehensive Plan, the Land Use Plan is a logical instrument in which to state this policy.

viii. Zoning Regulations

In Pennsylvania, the power behind land development decisions resides with municipal governments through the formulation and administration of local controls. These include comprehensive plans, zoning ordinances and subdivision ordinances, as well as building and development permits.

The analysis of zoning regulations was based on the following six topics raised in HUD's *Fair Housing Planning Guide*, which include:

- The opportunity to develop various housing types (including apartments and housing at various densities);
- The opportunity to develop alternative designs (such as cluster developments, planned residential developments, inclusionary zoning and transit-oriented developments);
- The treatment of mobile or modular homes, and if they are treated as stick-built single family dwellings;

- Minimum lot size requirements;
- Dispersal requirements and regulatory provisions for housing facilities for persons with disabilities (i.e. group homes) in single family zoning districts; and
- Restrictions on the number of unrelated persons in dwelling units.

a. Date of Ordinance

Generally speaking, the older a zoning ordinance, the less effective it will be. Older zoning ordinances have not evolved to address changing land uses, lifestyles, and demographics. However, the age of the zoning ordinance does not necessarily mean that the regulations impede housing choice by members of the protected classes.

The City of Erie Zoning Ordinance was adopted in 1968, rewritten in 2000 and again in 2004, and amended through 2009.

b. Residential Zoning Districts, Permitted Dwelling Types & Minimum Lot Sizes

The number of residential zoning districts is not as significant as the characteristics of each district, including permitted land uses, minimum lot sizes, and the range of permitted housing types. However, the number of residential zoning districts is indicative of the municipality's desire to promote and provide a diverse housing stock for different types of households at a wide range of income levels.

Because members of the protected classes are often also in low income households, a lack of affordable housing may impede housing choice by members of the protected classes. Excessively large lot sizes may deter development of affordable housing. A balance should be struck between areas with larger lots and those for smaller lots that will more easily support creation of affordable housing. Finally, the cost of land is an important factor in assessing affordable housing opportunities. Although small lot sizes of 10,000 square feet or less may be permitted, if the cost to acquire such a lot is prohibitively expensive, then new affordable housing opportunities may be severely limited, if not non-existent.

Similar to excessively large lots, restrictive forms of land use that exclude any particular form of housing, particularly multi-family housing, discourage the development of affordable housing. Allowing varied residential types reduces potential impediments to housing choice by members of the protected classes.

In Erie, there are five residential districts where one-family dwellings are permitted by-right and three districts where two-family dwellings are permitted. Minimum lot sizes range from 1,000 square feet in R-3 districts to 6,000 square feet in the R-1 and R-1A districts. In the R-2 districts, a minimum lot size of 2,000 square feet per family is permitted for a three- and four-family dwellings. This range of smaller lot sizes provides the potential for a wide variety of housing styles to accommodate various household sizes and income levels.

Multi-family dwellings are permitted by-right in R-3 high density residential districts and RLB residential limited business use districts. Additionally, multi-family dwellings are permitted in the City's business districts and traditional neighborhood commercial districts.

A review of the City's zoning map reveals a preponderance of single family zoning districts. R-1A traditional single-family developments dominate the City's central area, while R-1 low density residential districts are located along Erie's periphery. Medium-density districts run along major streets in the Downtown area, including Parade Street and East 25th Street. The General Business District, RLB Districts, and several R-3 districts expand out from State Street between West 14th street and Lake Erie. Additional R-3 districts are also scattered throughout the City.

Along Lake Erie are the Waterfront Residential, Commercial, and Manufacturing districts. All development in these areas is a conditional use and requires additional reviews by an appointed committee.

c. Alternative Design

Allowing alternative designs provides opportunities for affordable housing by reducing the cost of infrastructure spread out over a larger parcel of land. Alternative designs may also increase the economies of scale in site development, further supporting the development of lower cost housing. Alternative designs can promote other community development objectives, including agricultural preservation or protection of environmentally sensitive lands, while off-setting large lot zoning and supporting the development of varied residential types. However, in many communities, alternative design developments often include higher-priced homes. Consideration should be given to alternative design developments that seek to produce and preserve affordable housing options for working and lower income households.

The Erie zoning ordinance permits Planned Residential Development (PRD) "to encourage the flexibility in the design and development of land in order to promote its most appropriate use" as well as to encourage a mix of housing types, to more efficiently provide streets and utilities, and to preserve open areas. PRDs are permitted in all residential districts except for the Waterfront Residential District. There is a minimum district size requirement of 25,000 square feet. PRD developers may request for up to a 10% increase in the densities permitted by the zone. In R-1 and R-1A districts, PRD's may be approved for single-family dwellings only.

d. Definition of Family

Restrictive definitions of family may impede unrelated individuals from sharing a dwelling unit. Defining family broadly advances non-traditional families and supports the blending of families who may be living together for economic purposes. Restrictions in the definition of family typically cap the number of unrelated individuals that can live

together. These restrictions can impede the development of group homes, effectively impeding housing choice for the disabled.

Erie's zoning ordinance states that a family is:

- A single person occupying a dwelling unit and maintaining a household; or
- Two or more relatives, occupying a dwelling unit, living together and maintaining a household, including not more than two boarders or roomers; or
- Not more than three unrelated persons occupying a dwelling unit and maintaining a common household; or
- Permanent group homes for the handicapped, as defined by the Fair Housing Act, who live in family-like arrangements, may be treated as a family, even if there are more than three unrelated persons in a dwelling unit. Permanent group homes must also meet the criteria of a Group Home Special Exemption, as outlined in the ordinance.

This definition effectively limits the number of unrelated persons who can live together to three. Particularly in light of the current economy, such a limitation can unduly restrict unrelated individuals from sharing a dwelling unit simply to remain housed by sharing expenses.

Additionally, the ordinance does not automatically define group homes of disabled persons as a family; group homes are still subject to the Group Home Special Exception described below.

To most effectively expand housing choice, the definition of family should not distinguish between related and unrelated persons, nor should it impose numerical limitations on what constitutes a family. Rather, the definition should look to whether the household functions as a cohesive unit and that the use of the dwelling is compatible with other dwelling units in the same type of zoning district.

e. Regulations for Group Homes for Persons with Disabilities

Group homes are residential uses that do not adversely impact a community. Efforts should be made to ensure group homes can be easily accommodated throughout the community under the same standards as any other residential use. Of particular concern are those that serve members of the protected classes such as the disabled. Because a group home for the disabled serves to provide a non-institutional experience for its occupants, imposing conditions are contrary to the purpose of a group home. More importantly, the restrictions, unless executed against all residential uses in the zoning district, are an impediment to the siting of group homes in violation of the Fair Housing Act.

Two primary purposes of a group home residence are normalization and community integration. By allowing group residences throughout the community in agreement with the same standards as applied to all other residential uses occupied by a family, the purposes of the use are not

hindered and housing choice for the disabled is not impeded. Towards this end, municipalities may not impose distancing requirements on group homes for persons with disabilities.

In Erie, group homes are permitted by special exception in three residential districts: R-1, R-1A, and R-2. Group homes are permitted by-right in the R-3 high density residential districts. Section 305.01 of the ordinance defines group homes as being a reasonable accommodation of living arrangements for persons with disabilities as defined by the Fair Housing Act, so long as the facility abides by all city codes of general applicability and does not pose an undue hardship on, or fundamental alteration in the nature of the zoning ordinance. No restrictions are given on the number of persons permitted to live in a group home. Special exceptions are granted by the City's Zoning Hearing Board.

OBSERVATION: Although Erie's zoning ordinance makes it possible for permanent group homes to be defined as a "family," group homes are still subject to special exception provisions in three of the City's residential districts. Therefore, the treatment of a group home as a family is subject to approval by the City's Zoning Hearing Board. To most effectively expand housing choice, the definition of family should look to whether the household functions as a cohesive unit and that the use of the dwelling is compatible with other dwelling units in the same type of zoning district.

f. AFFH Responsibilities

As described in Section 3(C), the City of Erie is currently involved in two lawsuits regarding zoning and the location of group homes in the City. One case involved a condo development in the City's Bayfront area. The City's Zoning Hearing Board denied a zoning variance request to convert a building into a group home for the elderly. The developer has appealed this decision. The second case involves the rejection of a proposed group home for persons recovering from substance abuse.

As stated in the zoning ordinance, group homes may be offered a special exception so long as they do not alter the fundamental nature of the ordinance, and according to the Board, three or more unrelated persons living together challenges the density controls inherent to the zoning ordinance. The complainant has appealed the decision and has filed a complaint through Erie County's Human Relations Commission.

ix. Taxes

Taxes impact housing affordability. While not an impediment to fair housing choice, real estate taxes can impact the choice that households make with regard to where to live. Tax increases can be burdensome to low-income homeowners, and increases are usually passed on to renters through rent increases. Tax rates for specific districts and the assessed value of all

properties are the two major calculations used to determine revenues collected by a jurisdiction. Determining a jurisdiction's relative housing affordability, in part, can be accomplished using tax rates.

However, straight comparison of tax rates to determine whether a property is affordable or unaffordable gives an incomplete and unrealistic picture of property taxes. Local governments with higher property tax rates, for example, may have higher rates because the assessed values of properties in the community are low, resulting in a fairly low tax bill for any given property. In all of the communities surrounding a jurisdiction, comparable rates for various classes of property (residential, commercial, industrial, etc.) are assigned to balance each community's unique set of resources and needs. These factors and others that are out of the municipality's control must be considered when performing tax rate comparisons.

Real estate taxes are levied on land and buildings and provide primary revenue streams for counties, municipalities, and school districts throughout Pennsylvania. County assessment offices establish the market value of each property and then apply a pre-determined ratio to establish a property's assessed value. The ratio could range from 20% to 100%, and varies from county to county. From this assessment each taxing jurisdiction levies a uniform tax millage rate against the assessed value of each property. Levies are commonly called "mills." Levies are multiplied by the assessed value of a property to calculate a property owner's real estate tax.

Figure 4-8 details the total millage rates for several municipalities in Erie County. As is shown, Erie City has the highest millage rate, with an estimated \$3,457 in annual property taxes for property assessed at \$100,000. The last assessment in the county was conducted in 2003. Since the assessment, property values throughout the City may have changed, especially given the national collapse of the housing market during this period.

**Figure 4-9
Estimated Annual Real Estate Taxes for Select Erie County Municipalities, 2010**

Municipality	Millage Rate (%)	Estimated Taxes per \$100,00 Assessed Value*
Springfield Township	1.6736%	\$1,674
Albion Boro	1.836%	\$1,836
Elk Creek Township	1.865%	\$1,865
Union Township	1.926%	\$1,926
Summit Township	2.031%	\$2,031
Millcreek Township	2.31394%	\$2,314
Harborcreek Township	2.3632%	\$2,363
Elgin Boro	2.472091%	\$2,472
Venango Township	2.51%	\$2,510
Erie City	3.45687%	\$3,457

Note: Assessed value is established by the County Assessors office and is not necessarily equal to market value.

Source: Erie County Assessment Office

There are several programs to assist program owners in lowering their tax liability. These include the Homestead and Farmstead Exemptions, which reduce the assessed value of owner-occupied properties. Additionally, elderly and permanently disabled citizens are eligible for a state-wide tax rebate program.

OBSERVATION: Home owners in the City pay the highest real estate tax rate in Erie County. For a home owner with a property assessed at \$100,000, this means an annual tax bill of \$3,457, or \$288 monthly.

x. Public Transit

Households without a vehicle, which in most cases are primarily low-moderate income households, are at a disadvantage in accessing jobs and services, particularly if public transit is inadequate or absent. Access to public transit is critical to these households. Without convenient access, employment is potentially at risk and the ability to remain housed is threatened. The linkage between residential areas of concentration of minority and LMI persons and employment opportunities are key to expanding fair housing choice.

In 2009, there were 7,245 transit-dependent households in Erie, comprising 17% of all households. Renters were far more likely to be transit-dependent than homeowners. Among renter households, 30.9% did not have access to a vehicle compared to 5.8% of owner households.¹⁴

¹⁴ U.S. Census Bureau, 2009 American Community Survey (C25045)

Figure 4-10
Means of Transportation to Work for Workers 16 Years and Older, 2009

	#	%
Total:	44,569	100.0%
Car, truck, or van	39,174	87.9%
Drove Alone	33,981	76.2%
Carpooled	5,193	11.7%
Public Transportation	1,556	3.5%
Bus or trolley bus	1,556	3.5%
Streetcar or trolley car	0	0.0%
Subway or elevated	0	0.0%
Railroad	0	0.0%
Ferryboat	0	0.0%
Taxicab	70	0.2%
Motorcycle	51	0.1%
Bicycle	286	0.6%
Walked	2,440	5.5%
Other means	316	0.7%
Worked at home	676	1.5%

Source: U.S. Census Bureau, 2005-2009 American Community Survey (B08301)

The vast majority of Erie residents (87.9%) drove to work, with 76.2% driving alone. Throughout Erie, only 3.5% of residents utilized public transportation to get to work; all of these rode the bus. Additionally, 5.5% of residents walked to work.

Minority households in Erie were more likely to be transit-dependent than White households. Over one-third (34.1%) of Black households and one-fourth (26.9%) of Hispanic households did not have access to a vehicle in 2000. By comparison, 15.7% of White households and 17.4% of Asian households were transit-dependent. City households were almost twice as likely to be transit dependent as County households.

Figure 4-11
Percent of Transit-Dependent Households by Race, 2000

	City of Erie	Erie County
Total	18.2%	10.5%
White	15.7%	9.2%
Black	34.1%	32.1%
Asian	17.4%	9.5%
Hispanic	26.9%	23.1%

Source: U.S. Census Bureau, 2000 Census SF-3 (H44, HCT33A, HCT33B, HCT33D, HCT33H)

Erie Metro Transit Authority (EMTA) operates public transit in the area. EMTA primarily serves the City of Erie with limited services throughout Erie

County. EMTA charges \$1.10 per ride and \$0.10 for a transfer. EMTA staff report that the Authority has not raises fares or cut services in recent years.

a. Destinations and Routes

EMTA operates a total of 27 fixed-route bus services. Of these, 19 serve the City of Erie and the neighboring municipalities of Fairview, Millcreek, Kearsarge, and Harborcreek. Four additional routes offer limited service to Harborcreek, Albion, Corry, and Edinboro several days a week. The final four routes primarily serve the educational centers of Gannon, Mercyhurst and Edinboro Universities.

Most routes begin service around 6 a.m. and run until either 6 p.m. or 11 p.m.; there are no late night services. This limited service may disproportionately affect the transit-dependent LMI persons who work the second and third shifts throughout the City. Downtown Erie is well served by public transit, with most of the routes running along the City's central transportation corridor towards Perry Square and Dobbin's Landing. Routes connect residents to major employment centers, including General Electric and the Tri-State Business Park. EMTA also offers numerous routes to commercial centers and grocery stores.

In 2006, EMTA completed a Transit Service Planning Study to assess the design of routes and schedules. According to an interview with EMTA staff, the study found that the census tracts with the greatest need for public transit were already being served. In interviews with other stakeholders, however, it was stated that lack of public transportation outside of Erie and within the County limited housing options for lower-income and/or persons with disabilities.

b. Accessibility

All of EMTA's fixed-route busses are ADA accessible. Additionally, EMTA runs e-Link, a paratransit service that offers door-to-door service throughout Erie County.

B. Private Sector Policies

In addition to the public sector policies that influence fair housing choice, there are private sector policies that can influence the development, financing and advertising of real estate. While the City of Erie cannot be held responsible for impediments to fair housing choice identified in private sector policies, the City does have an obligation to identify such impediments and bring them to the attention of the appropriate entity. In some cases, it is appropriate and even expected that the City will attempt to communicate the existence of such impediments to the appropriate entity. For example, if real estate advertisements in a local newspaper are noted to contain questionable language that may be discriminatory, the City should advise the newspaper of its legal obligations under the Fair Housing Act.

In this section of the AI, mortgage lending practices, high-cost lending and real estate advertising are analyzed.

i. Mortgage Lending Practices

Under the terms of the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (F.I.R.R.E.A.), any commercial lending institution that makes five or more home mortgage loans must report all residential loan activity to the Federal Reserve Bank under the terms of the Home Mortgage Disclosure Act (HMDA). The HMDA regulations require most institutions involved in lending to comply and report information on loans denied, withdrawn, or incomplete by race, sex, and income of the applicant. The information from the HMDA statements assists in determining whether financial institutions are serving the housing needs of their communities. The data also helps to identify possible discriminatory lending practices and patterns.

The most recent HMDA data available for the City of Erie is from 2007 to 2009. Reviewing this data helps to determine the need to encourage area lenders, other business lenders, and the community at large to actively promote existing programs and develop new programs to assist residents in securing home mortgage loans for home purchases. The data focus on the number of homeowner mortgage applications received by lenders for home purchase of one- to four-family dwellings and manufactured housing units in the City. The information provided is for the primary applicant only; co-applicants were not included in the analysis. In addition, where no information is provided or categorized as not applicable, no analysis has been conducted due to a lack of information. Figure 4-12 summarizes three years of HMDA data by race, ethnicity and action taken on the applications, with detailed information to follow.

Figure 4-12
Summary Report Based on Action Taken Mortgage Data, 2007-09

	2007		2008		2009	
	#	%	#	%	#	%
Applied for	1,273	100.0%	878	100.0%	832	100.0%
Black	111	8.7%	51	5.8%	36	4.3%
White	1,081	84.9%	775	88.3%	773	92.9%
Asian	13	1.0%	11	1.3%	6	0.7%
Hispanic*	56	4.4%	25	2.8%	22	2.6%
Other race	2	0.2%	5	0.6%	3	0.4%
No information/NA	66	5.2%	36	4.1%	14	1.7%
Originated	932	73.2%	718	81.8%	682	82.0%
Black	66	59.5%	38	74.5%	22	61.1%
White	826	76.4%	649	83.7%	642	83.1%
Asian	9	69.2%	6	54.5%	5	83.3%
Hispanic*	39	69.6%	19	76.0%	18	81.8%
Other race	1	50.0%	3	60.0%	3	100.0%
No information/NA	30	45.5%	22	61.1%	10	71.4%
Denied	169	13.3%	85	9.7%	67	8.1%
Black	31	27.9%	6	11.8%	8	22.2%
White	117	10.8%	70	9.0%	58	7.5%
Asian	2	15.4%	2	18.2%	0	0.0%
Hispanic*	8	14.3%	3	12.0%	1	4.5%
Other race	1	50.0%	1	20.0%	0	0.0%
No information/NA	18	27.3%	6	16.7%	1	7.1%

Note: Data is for home purchase loans for owner-occupied one-to-four family and manufactured units. Total applications does not include loans purchased by another institution. Other application outcomes include approved but not accepted, withdrawn and incomplete.

* Hispanic ethnicity is counted independently of race.

Source: Federal Financial Institutions Examination Council, 2007-09

Between 2007 and 2008, the number of mortgage applications fell 31% and applications remained relatively stable into 2009. The greatest drop was among Black applicants: the number of Black applicants in 2009 was one-third that of 2007.

Over the course of the three years, the percentage of applications that resulted in loan originations increased, a trend likely related to the decreasing number of total applications. The percentage of successful applications for White applicants increased from 76.4% to 83.1%. Among Black applicants, the percentage of originations increased from 59.5% to 74.5% between 2007 and 2008 and decreased to 61.1% in 2009.

Between 2007 and 2009, the proportion of applications resulting in denials decreased from 13.3% to 8.1%. Mirroring the trends in originations, the denial rates for Black applicants decreased in 2008 and increased to 22.2% in 2009. Denials among White applicants, on the other hand, decreased steadily from 10.8% in 2007 to 7.5% in 2009.

The following sections contain detailed analysis for applications filed in 2009, the latest year for which information is available.

Figure 4-13
Summary Report Based on Action Taken Mortgage Data, 2009

	Total Applications*		Originated		Approved Not Accepted		Denied		Withdrawn/Incomplete	
	#	%	#	%	#	%	#	%	#	%
Loan Type										
Conventional	415	49.9%	328	79.0%	19	4.6%	39	9.4%	29	7.0%
FHA	379	45.6%	323	85.2%	6	1.6%	22	5.8%	28	7.4%
VA	38	4.6%	31	81.6%	0	0.0%	6	15.8%	1	2.6%
Loan Purpose: Home Purchase										
One to four-family unit	831	99.9%	682	82.1%	24	2.9%	67	8.1%	58	7.0%
Manufactured housing unit	1	0.1%	0	0.0%	1	100.0%	0	0.0%	0	0.0%
Applicant Race										
American Indian/Alaska Native	2	0.2%	2	100.0%	0	0.0%	0	0.0%	0	0.0%
Asian/Pacific Islander	6	0.7%	5	83.3%	1	16.7%	0	0.0%	0	0.0%
Black	36	4.3%	22	61.1%	2	5.6%	8	22.2%	4	11.1%
Hawaiian	1	0.1%	1	100.0%	0	0.0%	0	0.0%	0	0.0%
White	773	92.9%	642	83.1%	22	2.8%	58	7.5%	59	7.6%
No information/Not Applicable	14	1.7%	10	71.4%	0	0.0%	1	7.1%	0	0.0%
Hispanic**	22	2.6%	18	81.8%	1	4.5%	1	4.5%	3	13.6%
Applicant Sex										
Male	512	61.5%	420	82.0%	17	3.3%	38	7.4%	37	7.2%
Female	309	37.1%	253	81.9%	8	2.6%	28	9.1%	20	6.5%
No information	11	1.3%	9	81.8%	0	0.0%	1	9.1%	1	9.1%
Total	832	100.0%	682	82.0%	25	3.0%	67	8.1%	58	7.0%

Source: Federal Financial Institutions Examination Council, 2009

Note: Percentages in the Approved, Approved Not Accepted, Denied, and Withdrawn/Incomplete categories are calculated for each line item with the corresponding Total Applications figures. Percentages in the Total Applications categories are calculated from their respective total figures. There were no FSA/RHS loans in 2009.

** Hispanic ethnicity is counted independently of race.

a. Conventional Loans vs. Government-Backed Loans

Loan types in 2009 included conventional mortgage loans and a variety of government-backed loans, including FHA and VA. Comparing these loan types helps to determine if the less stringent underwriting standards and lower down payment requirements of government-backed loans expand home ownership opportunities. In Erie, 50.1% (417) of households that applied for a mortgage loan applied for a government-backed loan. Of these, 31 (7.4%) were minority households.

The denial rates for loan types were as follows:

- FHA loans: 5.8%.
- VA-guaranteed loans: 15.8%.
- Conventional loans: 9.4%.
- There were no FSA/RHS loans.

b. Denial of Applications

In 2009, the mortgage applications of 67 households in Erie were denied (8.1%). Denial reasons were given for 55 applications and included the following:

- Credit history: 40.4%
- Collateral: 19.2%
- Debt-to-income ratio: 11.5%
- Unverifiable information: 9.6%
- Other: 7.7%
- Credit Application Incomplete: 5.8%
- Employment History: 3.8%
- Insufficient Cash: 1.9%

An applicant’s credit history was the main reason why mortgages were denied, followed by insufficient collateral and applicants’ debt-to-income ratios.

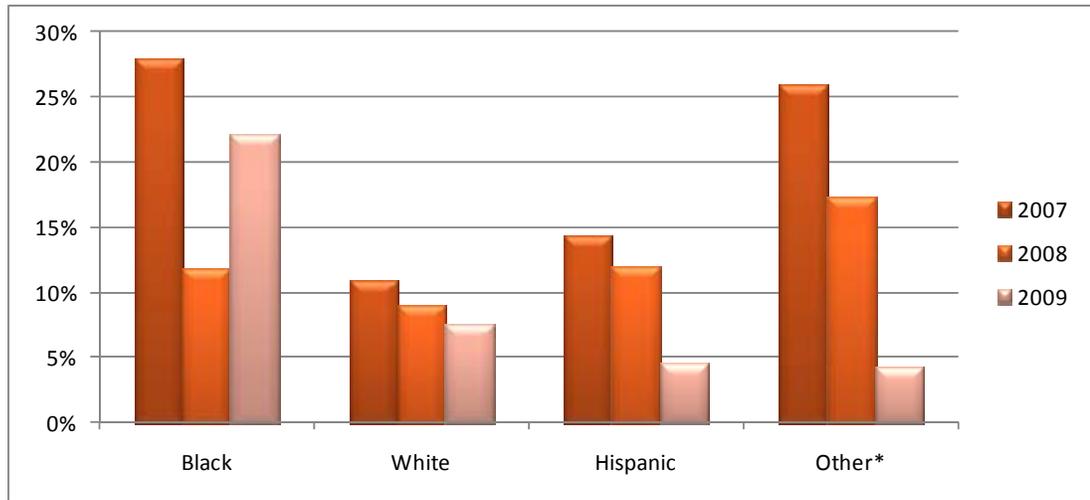
Between 2007 and 2009, the denial rates across the races and ethnicities decreased, as shown in Figures 4-14 and 4-15. Black applicants were the only group to deviate from overall trends, with a dramatic drop in denial rates from 2007 to 2008 and a subsequent increase in 2009. Nonetheless, the 2009 denial rate for Blacks (22.2%) was lower than that of 2007 (27.9%). Across the three years, denial rates for Blacks were higher than for Whites.

**Figure 4-14
Denials by Race and Ethnicity, 2007-09**

	2007			2008			2009		
	Total Applications	Denials	Denial Rate	Total Applications	Denials	Denial Rate	Total Applications	Denials	Denial Rate
Am. Indian/Alaska Native	1	0	0.0%	4	1	25.0%	2	0	0.0%
Asian	13	2	15.4%	11	2	18.2%	6	0	0.0%
Black	111	31	27.9%	51	6	11.8%	36	8	22.2%
Hawaiian	1	1	100.0%	1	0	0.0%	1	0	0.0%
White	1,081	117	10.8%	775	70	9.0%	773	58	7.5%
Not provided	66	18	27.3%	36	6	16.7%	14	1	7.1%
Hispanic*	56	8	14.3%	25	3	12.0%	22	1	4.5%

*Hispanic ethnicity is counted independently of race.

Figure 4-15
Denial Rates by Race and Ethnicity, 2007-09



*"Other" includes American Indian/Native American, Asian, and Native Hawaiian/Pacific Islander applicants and applicants for whom no information was provided.

OBSERVATION: Mortgage denial rates across Erie decreased between 2007 and 2009 and were highest among Black applicants. The denial rates for Blacks decreased from 27.9% in 2007 to 22.2% in 2009. During the same period, denial rates for Whites decreased from 10.8% to 7.5%.

For this analysis, lower income households include those with incomes between 0%-80% of median family income (MFI), while upper income households include households with incomes above 80% MFI.

Applications made by lower income households accounted for 65.7% of all denials in 2007 and 63.5% of denials in 2008, though they accounted for only 56.8% of all applications for those two years. In 2009, lower income households comprised 71.6% of all denials and 61.7% of all applications.

Figure 4-16
Denials by Income, 2007-09

	2007			2008			2009		
	Total Applications	Denials	Denial Rate	Total Applications	Denials	Denial Rate	Total Applications	Denials	Denial Rate
Below 80% MFI	742	111	15.0%	479	54	11.3%	513	48	9.4%
At least 80% MFI	504	53	10.5%	394	30	7.6%	311	17	5.5%
Total	1,273	169	13.3%	878	85	9.7%	832	67	8.1%

Note: Total includes applications for which no income data was reported.

Among lower income households, denial rates were highest among minorities. In 2009, almost one-third of applications submitted by lower income Blacks were denied, compared to 8.5% of lower income White

applicants. Although the number of lower income Black applicants decreased between 2008 and 2009, the number of applications that were denied doubled.

Figure 4-17
Denials by Race for Lower income Applicants, 2007-09

	2007			2008			2009		
	Total Applications**	Denials	Denial Rate	Total Applications	Denials	Denial Rate	Total Applications	Denials	Denial Rate
Am. Indian/Alaska Native	0	---	---	4	1	25.0%	2	0	0.0%
Asian	10	1	10.0%	5	0	0.0%	6	0	0.0%
Black	85	23	27.1%	34	4	11.8%	25	8	32.0%
Hawaiian	1	1	100.0%	0	---	---	0	---	---
White	604	71	11.8%	419	44	10.5%	473	40	8.5%
Not provided	42	15	35.7%	17	5	29.4%	7	0	0.0%
Hispanic*	41	7	17.1%	15	2	13.3%	20	1	5.0%
Total	742	111	15.0%	479	54	11.3%	513	48	9.4%

* Hispanic ethnicity is counted independently of race.

** Total applications do not include loans purchased by another institution.

Overall, denial rates were lower for upper income households than lower income households. Figure 4-18 details applications for upper income applicants by race and ethnicity. However, the number of applicants submitted by non-Whites is too small to reliably analyze.

Figure 4-18
Denials by Race for Upper-Income Applicants, 2007-09

	2007			2008			2009		
	Total Applications**	Denials	Denial Rate	Total Applications	Denials	Denial Rate	Total Applications	Denials	Denial Rate
Am. Indian/Alaska Native	1	0	0.0%	0	---	---	0	---	---
Asian	2	0	0.0%	6	2	33.3%	0	---	---
Black	13	8	61.5%	17	2	11.8%	11	0	0.0%
Hawaiian	0	---	---	1	0	0.0%	1	0	0.0%
White	336	42	12.5%	351	25	7.1%	292	16	5.5%
Not provided	14	3	21.4%	19	1	5.3%	7	1	14.3%
Hispanic*	14	0	0.0%	10	1	10.0%	2	0	0.0%
Total	366	53	14.5%	394	30	7.6%	311	17	5.5%

* Hispanic ethnicity is counted independently of race.

** Total applications do not include loans purchased by another institution.

The 2009 HMDA data for the City of Erie was analyzed to determine if a pattern of loan denials exists by census tract. Map 11 provides the summary data. Four tracts had denial rates greater than 25%; two of these were also areas of minority concentration. However, in all four tracts the total number of applications was less than ten, meaning that even a small number of denials will result in a higher denial rate.

ii. High-Cost Lending Practices

The widespread housing finance market crisis of recent years has brought a new level of public attention to lending practices that victimize vulnerable populations. Subprime lending, designed for borrowers who are considered a credit risk, has increased the availability of credit to low-income persons. At the same time, subprime lending has often exploited borrowers, piling on

Map 11: Mortgage Denial Rates, 2009

Analysis of Impediments to Fair Housing Choice. Erie, PA

Legend

Streets

CD Impact Area

Subdivision Boundary

Census Tract Boundary

Racially Impacted Area

 Black Concentration

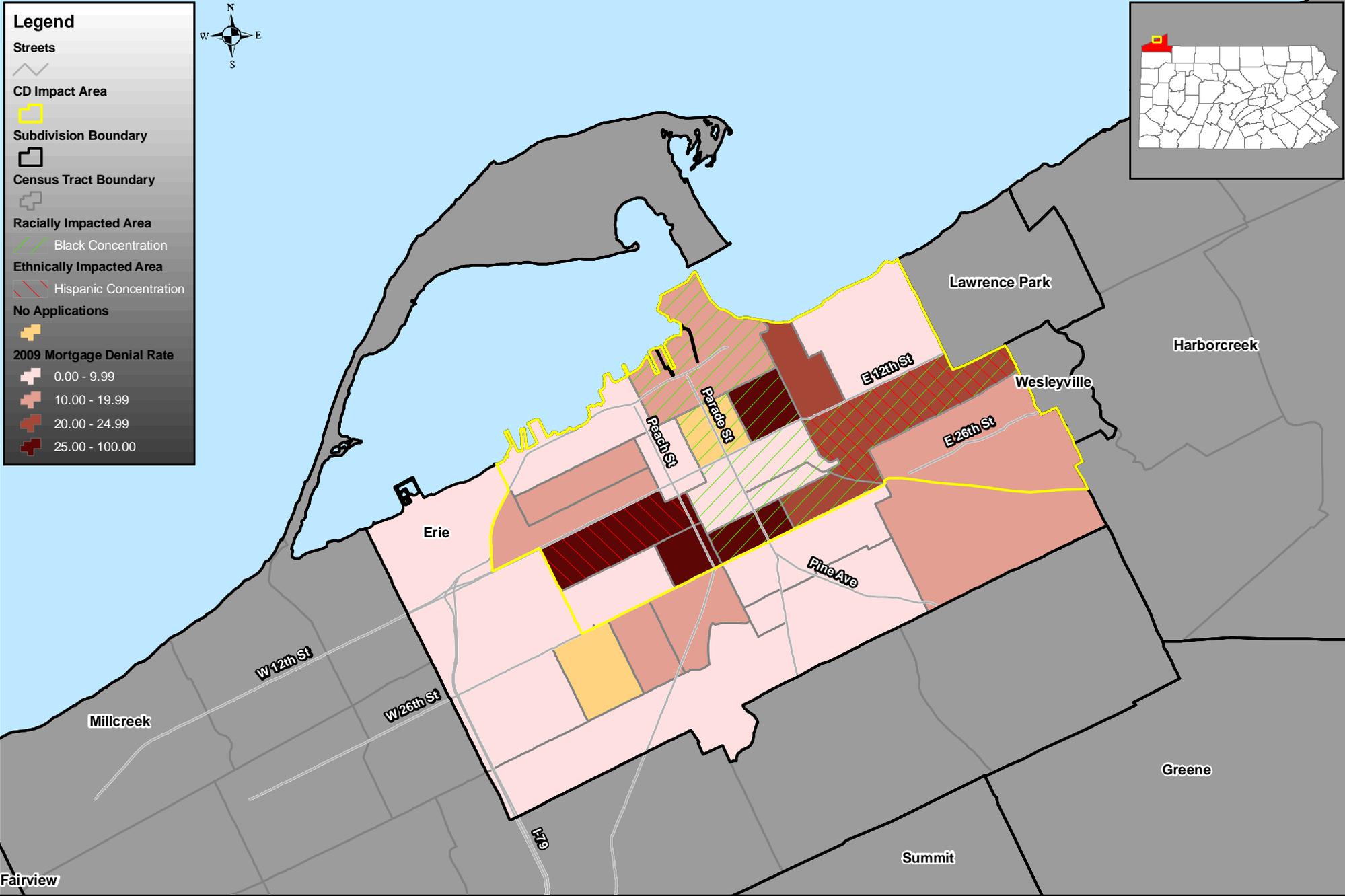
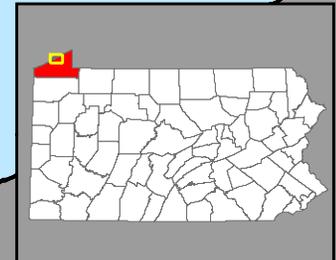
Ethnically Impacted Area

 Hispanic Concentration

No Applications

2009 Mortgage Denial Rate

	0.00 - 9.99
	10.00 - 19.99
	20.00 - 24.99
	25.00 - 100.00



excessive fees, penalties and interest rates that make financial stability difficult to achieve. Higher monthly mortgage payments make housing less affordable, increasing the risk of mortgage delinquency and foreclosure and the likelihood that properties will fall into disrepair.

Some subprime borrowers have credit scores, income levels and down payments high enough to qualify for conventional, prime loans, but are nonetheless steered toward more expensive subprime mortgages. This is especially true of minority groups, which tend to fall disproportionately into the category of subprime borrowers. The practice of targeting minorities for subprime lending qualifies as mortgage discrimination.

Since 2005, Housing Mortgage Disclosure Act data has included price information for loans priced above reporting thresholds set by the Federal Reserve Board. This data is provided by lenders via Loan Application Registers and can be aggregated to complete an analysis of loans by lender or for a specified geographic area. HMDA does not require lenders to report credit scores for applicants, so the data does not indicate which loans are subprime. It does, however, provide price information for loans considered “high-cost.”

A loan is considered high-cost if it meets one of the following criteria:

- A first-lien loan with an interest rate at least three percentage points higher than the prevailing U.S. Treasury standard at the time the loan application was filed. The standard is equal to the current price of comparable-maturity Treasury securities.
- A second-lien loan with an interest rate at least five percentage points higher than the standard.

Not all loans carrying high annual prime rates (APRs) are subprime, and not all subprime loans carry high APRs. However, high-cost lending is a strong predictor of subprime lending, and it can also indicate a loan that applies a heavy cost burden on the borrower, increasing the risk of mortgage delinquency.

a. Home Purchase Loans

In 2009, there were 682 home purchase loans made for single-family or manufactured units in Erie. Of this total, 679 disclosed the borrower’s household income and 45 reported high-cost mortgages. For both lower- and upper income households, high-cost loans decreased as a proportion of loan originations between 2007 and 2009. This could be due to policy changes that have limited subprime lending and/or to the necessity for lenders to make rates more competitive as the total number of applications dropped. Overall, lower income households were more likely to have high-cost mortgages than upper income households.

Minorities tended to have high-cost loans more often than Whites. Across the three years analyzed, 18.8% of lower income Blacks had a high-cost loan compared to 9.7% of lower income White households. Similarly, among

upper income households, 33.3% of Blacks had a high cost loan compared to 8.2% of Whites.

**Figure 4-19
High-Cost Home Purchase Loans by Race/Ethnicity and Income, 2007-09**

		Lower Income			Upper Income		
		Total Originations	High-Cost	% High-Cost	Total Originations	High-Cost	% High-Cost
2007	Am. Indian/Alaska Native	0	---	---	1	0	0.0%
	Asian	7	2	28.6%	2	0	0.0%
	Black	53	10	18.9%	13	5	38.5%
	Hawaiian	0	---	---	0	---	---
	White	452	57	12.6%	366	40	10.9%
	Not provided	16	9	56.3%	14	1	7.1%
	Hispanic*	27	5	18.5%	12	2	16.7%
	Total	528	78	14.8%	396	46	11.6%
2008	Am. Indian/Alaska Native	2	1	50.0%	0	---	---
	Asian	3	0	0.0%	3	0	0.0%
	Black	24	5	20.8%	14	4	28.6%
	Hawaiian	0	---	---	1	0	0.0%
	White	341	31	9.1%	304	24	7.9%
	No information/NA	11	2	18.2%	11	2	18.2%
	Hispanic*	11	1	9.1%	8	0	0.0%
Total	381	39	10.2%	333	30	9.0%	
2009	Am. Indian/Alaska Native	2	0	0.0%	0	---	---
	Asian	5	0	0.0%	0	---	---
	Black	13	2	15.4%	9	3	33.3%
	Hawaiian	0	---	---	1	0	0.0%
	White	392	27	6.9%	247	11	4.5%
	No information/NA	5	2	40.0%	5	0	0.0%
	Hispanic*	16	1	6.3%	2	0	0.0%
	Total	417	31	7.4%	262	14	5.3%
Three-Year Totals		1,326	148	11.2%	991	90	9.1%

Note: Does not include loans for which no income data was reported.

* Hispanic ethnicity is counted independently of race.

OBSERVATION: Minority households are disproportionately represented among recipients of high-cost home purchase loans. Among all Blacks with mortgages between 2007 and 2009, 23% had a high-cost loan. By comparison, only 9% of Whites had a high-cost home purchase loan. This trend places the homes of minority households at greater risk for eviction, foreclosure, and bankruptcy.

Analyzing high-cost lending by census tract can identify areas where there are disproportionately larger numbers of high-interest loans. Map 12 on the following page highlights census tracts in Erie that had higher rates of high-cost loans in 2009. In eight tracts, 10% or more of all mortgages were high-cost mortgages. Two of these were also areas of minority concentration, although the total number of mortgages in each tract was less than five.

Map 12: Percentage of High Cost Home Purchase Mortgages, 2009

Analysis of Impediments to Fair Housing Choice. Erie, PA

Legend

Streets

CD Impact Area

Subdivision Boundary

Census Tract Boundary

Racially Impacted Area

 Black Concentration

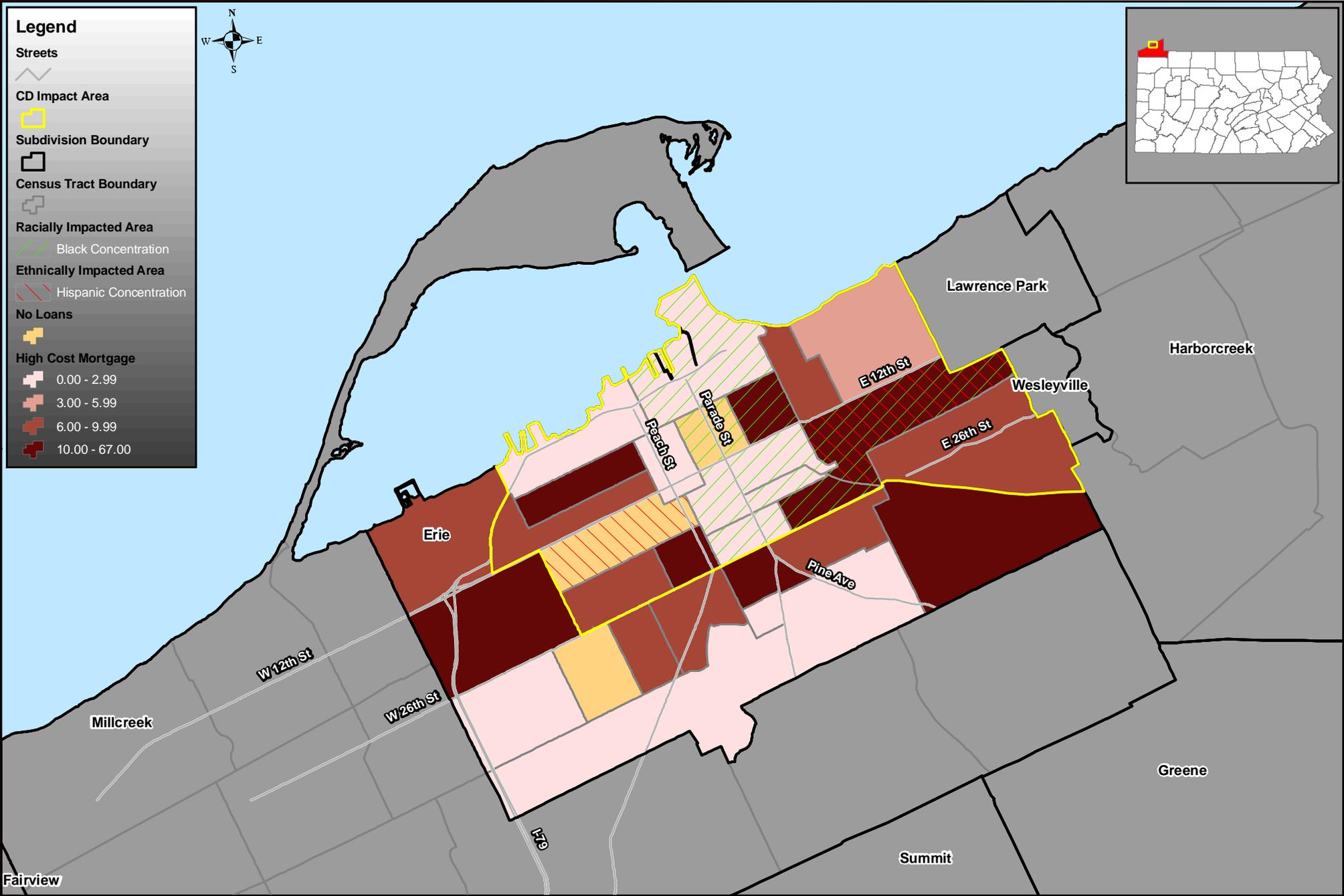
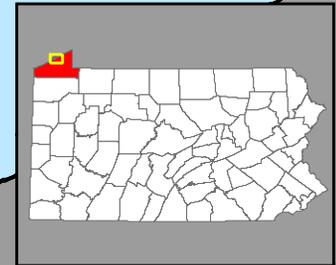
Ethnically Impacted Area

 Hispanic Concentration

No Loans

High Cost Mortgage

	0.00 - 2.99
	3.00 - 5.99
	6.00 - 9.99
	10.00 - 67.00



b. Refinancing Loans

This analysis also looks at high-cost lending among refinancing loans. A refinanced loan replaces an original mortgage and allows borrowers to take advantage of lower rates, switch from a variable to a fixed-rate mortgage, consolidate debt, and/or receive cash using the home's equity.

In Erie in 2009, there were 637 refinancing loans for which income was reported. Of these, 113 (17.7%) were high-cost loans. Among all loan originations between 2007 and 2008, refinancing loans were almost three times as likely as home purchase loans to be high-cost.

Similar to home purchase loans, minorities tend to be over-represented in high-cost refinancing. Among refinancing loans from 2007 and 2009, 60.9% of lower income Blacks had a high-cost loan compared to 32.5% of lower income White households. Similarly, among upper income households, 46.3% of Blacks had a high cost loan compared to 21.1% of Whites. More notably, upper income Black households received high-cost refinancing loans at higher rates than lower income White households.

OBSERVATION: Black households were twice as likely as Whites to have a high-cost refinancing loan between 2007 and 2009. Among all Blacks with mortgages between 2007 and 2009, 47.1% had a high-cost loan. By comparison, 25.6% of Whites had a high-cost refinancing loan. Furthermore, upper income Blacks were more likely to have high-cost refinancing loans than lower income Whites. These trends are consistent with discrimination in private lending.

**Figure 4-20
High-Cost Refinance Loans by Race/Ethnicity and Income, 2007-09**

		Lower Income			Upper Income		
		Total Originations	High-Cost	% High-Cost	Total Originations	High-Cost	% High-Cost
2007	Am. Indian/Alaska Native	2	2	100.0%	1	0	0.0%
	Asian	0	---	---	1	0	0.0%
	Black	21	16	76.2%	18	9	50.0%
	Hawaiian	0	---	---	0	---	---
	White	271	91	33.6%	339	81	23.9%
	Not provided	25	7	28.0%	36	12	33.3%
	Hispanic*	6	2	33.3%	2	1	50.0%
	Total	319	116	36.4%	395	102	25.8%
2008	Am. Indian/Alaska Native	0	---	---	0	---	---
	Asian	1	0	0.0%	1	0	0.0%
	Black	18	11	61.1%	13	7	53.8%
	Hawaiian	2	0	0.0%	0	---	---
	White	158	64	40.5%	224	66	29.5%
	No information/NA	17	10	58.8%	27	10	37.0%
	Hispanic*	8	3	37.5%	4	1	25.0%
	Total	196	85	43.4%	265	83	31.3%
2009	Am. Indian/Alaska Native	0	---	---	1	0	0.0%
	Asian	2	0	0.0%	1	1	100.0%
	Black	7	1	14.3%	10	3	30.0%
	Hawaiian	1	1	100.0%	0	---	---
	White	192	47	24.5%	381	52	13.6%
	No information/NA	19	1	5.3%	23	7	30.4%
	Hispanic*	7	3	42.9%	6	0	0.0%
	Total	221	50	22.6%	416	63	15.1%
Three-Year Totals		736	251	34.1%	1,076	248	23.0%

Note: Does not include loans for which no income data was reported.

* Hispanic ethnicity is counted independently of race.

iii. Real Estate Practices

a. Greater Erie Board of Realtors

Information for this section of the AI was derived from an interview with representatives of the Greater Erie Board of Realtors.

The Board of Realtors does not engage in any recruitment activities to members of the protected classes (these activities are the purview of brokers) and it does not have any additional resources for realtors who are members of the protected classes. New members receive instruction in fair housing as part of the PA Act 10 Realtor Code of Ethics training. Once licensed, each salesperson and broker is required to accumulate 14 hours of continuing education over a two-year period. According to the Board of Realtors, fair housing education is always available as an elective but is only sometimes a requirement. Fair housing classes are taught by education providers licensed through the Pennsylvania Real Estate Commission. There are also optional and continuing education

courses available online through the National Association of Realtors and the Pennsylvania Association of Realtors.

In the interviews, the representatives from the Board of Realtors noted two trends in Erie's housing market. First, predatory lending resulted in an increased in mistrust among potential homebuyers. To combat this, a number of realtors have been trained as Certified Distressed Property Experts to better advise homebuyers. Realtors have also referred potential homebuyers to the City's credit counseling centers. A second trend noted by realtors was the decline in sales after the expiration of the federal tax credit for first time homebuyers. Prior to the expiration, the City's year-over-year sales had seen improvement, but after the tax credit ended and tighter mortgage regulations were put into places, sales fell. However, in Erie County higher-end properties (\$350,000 and greater) continue to sell.

b. Apartment Association of Northwestern PA

The Apartment Association of Northwestern PA is a member-based organization that provides services to landlords and property owners in Erie, Crawford, and Warren Counties. According to its site, the Association has over 1,500 members in its service area. Among its member services, the Association runs checks on potential renters' credit and landlord-tenant complaint history; sponsors dinner meetings, seminars, and an annual lease and legal seminar; provides legal counseling through its outside attorney; and distributes a monthly newsletter among members. The Association also has searchable databases for rental and sales units in the three counties in which it operates.

The Association offers members access to a rental applicant's landlord-tenant complaint history. This information is received through a paid service that covers complaints that have been filed with the district justice office during the past seven years; the Association does not collect any additional complaints from its members. According to Association staff, information regarding an applicant's credit or complaint history is passed on to Association members without any analysis or opinion. An applicant's complaint history is limited and is available only by an applicant's name (instead of a unique identifier such as a social security number). Therefore, a search for a "John Smith" may result in multiple results for multiple individuals. Given this and other constraints to the data, the Association explains the limitations to its members and encourages them to follow up with the applicant.

Over the course of interviews conducted for this study, stakeholders in the City expressed concern over this service of the Apartment Association and its potential impact on renters. Policies and practices that encourage selectivity among landlords are particularly susceptible to violations of the Fair Housing Act. However, the Apartment Association provides landlords with publicly available information that is unrelated

to protected class status. Additionally, the Association reports that it is transparent with its members about the limitations of the data and the need to follow up with applicants.

With regards to fair housing, the Association offers occasional trainings to its members on fair housing laws, which are conducted in partnership with St. Martin's Center. Additionally, the Association's attorney is available to answer questions on fair housing law when necessary. The code of ethics for Association members includes a commitment to equal opportunity, but it does not explicitly mention a commitment to fair housing.

iv. Rental Advertising

Under federal law the making, printing, and publishing of advertisements that state a preference, limitation, or discrimination on the basis of race, color, religion, sex, handicap, familial status or national origin is prohibited. The prohibition applies to publishers, such as newspapers and directories. The prohibition also applies to persons and entities placing real estate advertisements.

Publishers and advertisers are responsible under federal law for making, printing, or publishing an advertisement that violates the Fair Housing Act in its face. Thus, they should not publish or cause to be published an advertisement that on its face expresses a preference, limitation or discrimination on the basis of race, color, religion, sex, handicap, familial status, or national origin. The law, as found in the Fair Housing Amendments Act of 1988, describes the use of words, photographs, symbols or other approaches that are considered discriminatory.

a. Erie Times-News

For this AI, the real estate sections of the *Erie Times-News* for the weekends of November 13, 20, and 27, 2010, were reviewed. The publisher's policy on for accepting advertisements was clearly embedded among rental listings in each of the three sections reviewed. In accordance with the Fair Housing Act, the publisher commits that it "will not knowingly accept any advertising for real estate which is in violation" of the Fair Housing Act.

Among the rental listings, a large number (over a dozen in each section) listed "no pets" or "pet free" in their listing. For some persons with disabilities, service animals and therapeutic pets are necessary to achieve independent lives. Therefore, these statements prohibiting or limiting pets may discourage persons with disabilities that require service or therapeutic animals from applying for, or even inquiring about, these units. Discussions with the newspaper should be initiated with the recommendation that its policy be modified to require that all future rental real estate ads that state "no pets" (or seek to restrict the type of pet allowed) include the phrase "except companion/service animals permitted under fair housing laws."

Only three real estate firms used the fair housing logo in their advertisements.

The *Erie Times-News* has two searchable databases for rental and for-sale units in Erie, at www.goerie.com/homes/ and www.classifieds.erie.com. The publisher's policy on accepting advertisements was clearly embedded on the sites' "Houses for Rent" databases, although it was not included in the "Unfurnished Apartments for Rent" section.

OBSERVATION: The real estate section in the *Erie Times-News* included numerous ads with a prohibition of and restrictions on pets. For some persons with disabilities, service animals and therapeutic pets are necessary to achieve independent lives. Statements prohibiting or limiting pets discourage persons with disabilities that require service or therapeutic animals from applying for, or even inquiring about, these units.

5. ASSESSMENT OF CURRENT FAIR HOUSING PROGRAMS AND ACTIVITIES

A. Progress since Previous AI

The City of Erie completed its most recent AI in 2005. Three impediments were identified:

1. There is a correspondence of areas with concentrations of LMI households, substandard housing units and members of the protected classes, indicating the lack of affordable housing has a disproportionate impact on members of the protected classes and making their affordability problem a fair housing concern.
2. While the housing needs of the disabled are being addressed, there still remains a great demand for quality, accessible and affordable housing for persons with disabilities.
3. While there is no widespread violation of fair housing laws, there is no focus on fair housing by the City. There is no formal central tracking system for fair housing complaints.

To address these impediments, the City has engaged in the following activities:

- Developing relationships with myriad of private organizations, including the Multi-Cultural Health Evaluation Delivery Services (MHEDS) facility, the Human Relations Commission (HRC), Housing Authority of the City of Erie (HACE), Northwest Tri-County Intermediate Units (NWTIU), the Erie Redevelopment Authority, Bayfront East Side Taskforce (BEST), Housing and Neighborhood Development Services (HANDS), St. Martin's Center, and Erie County Community Housing Resource Board. Through these partnerships, the City has increased its capacity to provide services, in particular to members of the protected classes.
- Increasing accessibility among HACE's public housing units, including the rehabilitation of 14 units in 2007 and the construction of 14 units in 2008 to conform with UFAS.
- Centralizing a complaints system through the HRC, which receives housing complaints using TEAPOTS, a HUD system to file and track cases. All cases are cross-filed with HUD.
- Continuing to direct funding to the most impacted areas in the City, especially the Neighborhood Revitalization Strategy Area (NRSA), Weed and Seed target area, Little Italy, and Central City areas.
- Re-establishing the Mayor's Roundtable on Disabilities in 2007. The Roundtable meets quarterly to discuss issues concerning persons with disabilities, including accessible and affordable housing.
- Promoting visitable design in new construction.

B. Current Fair Housing Programs and Activities

Most of the City's fair housing programs and activities are administered through the CHRFB and St. Martin's Center (SMC), both of which receive federal funding through the City's CDBG funds. Additionally, the City uses general funds to support the HRC, in particular to process discrimination complaints.

The CHRFB and SMC are responsible for the majority of the education and outreach regarding fair housing issues in Erie. In FY2008 and FY2009, the CHRFB co-sponsored housing seminars and predatory lending presentations for various groups throughout Erie, including NAACP and Voices for Independences. The CHRFB also hosts a weekly radio program for residents of all of Erie County. In its program, the CHRFB has interviewed representatives from a variety of organizations in the County, including SMC, NAACP, PNC Bank, BEST, MLK Center, and and Voices for Independence.

SMC's education and outreach activities include fair housing trainings to landlords, property managers, and lenders; one-on-one counseling for individuals who have been victims of discrimination or predatory lending; and disseminating information through the media (e.g. PSAs, the printed press, and radio spots).

C. Other Fair Housing Organizations

a. Erie County Community Housing Resource Board

The Erie County Community Housing Resource Board (CHRFB) is an organization that meets quarterly to address housing related issues in the County, including the City of Erie. Board members are organizations that are active in fair housing issues in the community and include:

- Voices for Independence
- Erie Redevelopment Authority (ERA)
- Booker T. Washington Center
- HANDS
- Housing Authority of the City of Erie (HACE), including tenant councils, and
- Northwestern PA Legal Services.

The CHRFB participates in the Mayor's Roundtable on Disabilities, which has subcommittees on EMS services, housing (visitability/new construction), disabilities, youth services, education, and transportation. Voices for Independence administers the CHRFB.

b. Voices for Independence

Voices for Independence (VFI) is a Center for Independent Living that serves the greater Erie region. VFI provides direct services and advocacy for persons with disabilities, including skills training, peer support, personal assistant services, and housing assistance.

VFI's housing includes assisting clients with housing applications and researching housing options; housing referrals; landlord and developer outreach; and housing modifications. Additionally, VFI subcontracts with

Southwestern Pennsylvania Legal Services to report and monitor discrimination complaints through the West Penn Rural Fair Housing Initiative.

c. St. Martin's Center

St. Martin's Center (SCM) is a fair housing organization and service provider. The organization compiles and investigates claims of housing discrimination. Additionally, SMC is a HUD-approved housing counseling agency that provides the following services:

- Pre-purchase counseling,
- Fair housing services,
- Loss mitigation, and
- Predatory lending tracking within the city.

d. Housing and Neighborhood Development Services

Housing and Neighborhood Development Services (HANDS) is a HUD-certified CHDO that develops affordable housing communities and offers property management services throughout the City. HANDS also provides educational and supportive services to its residents. As of 2009, HANDS had a total of 786 apartment homes under management, with 87 more under construction and more than 140 in development.

HANDS is a recipient of HOME funds from the City for its operating costs and housing programs. Property types include family and senior residential communities, Section 8 housing units, and single-family homes for HANDS's lease-to-purchase program.

e. Multi-Cultural Health Evaluation Delivery System

Multi-Cultural Health Evaluation Delivery System (MHEDS) was founded in 1972 to provide health care services to the region's Black and Hispanic farm workers. MHEDS continues to target its services to Erie's migrant workers, as well as the City's growing refugee and immigrant populations. Because of its experience with newcomer populations and persons with LEP, MHEDS offers translation and interpretation services for HACE and the Port Harbor Homes mixed-income housing community.

6. GENERAL FAIR HOUSING OBSERVATIONS

The following observations were noted throughout the previous sections of the AI. These issues were based on the primary research collected and analyzed and the numerous interviews and focus group sessions conducted for this report. They help to establish context for the impediments included the following section. While none of these observations individually rose to the level of an impediment to fair housing choice in the City of Erie, the issues remain noteworthy in that they constitute the underlying circumstances which define the local fair housing climate.

1. The proportion of minorities has increased in Erie, as Whites have been leaving the City while the minority population has grown.

The City of Erie has lost over one quarter of its population in the past 50 years. Erie County, by comparison, increased 11.9% during this period. The minority population in Erie grew 67.9% between 1990 and 2010 and comprised 25% of Erie's population in 2010. The fastest growth has been among Asian/Pacific Islanders and Hispanics, both of which more than doubled over the past twenty years.

2. There are seven areas of racial concentration and two areas of ethnic concentration in Erie.

There are eight census tracts in Erie that meet the criterion for areas of racial concentration of Black residents: 4, 7, 8, 13, 14, 15, 17, and 18. Additionally, there are two census tracts that meet the criterion for areas of ethnic concentration of Hispanic residents: 12 and 15.

3. Erie is a moderately segregated city as determined by dissimilarity indexing.

The City of Erie is one of the more segregated cities in the State, according to the dissimilarity index. The data indicate that in order to achieve full integration among White persons and Black persons in the City, 51.6% of Black residents would have to move to a different location within Erie.

4. Members of the protected classes have significantly lower incomes.

Median income among Black and Hispanics was equivalent to 62% of that of Whites, and the poverty rate among Blacks and Hispanics was significantly higher. Asians also had a median income less than half that of Whites. Consequently, minority households will have greater difficulty finding affordable rental units or homes to purchase.

Persons with disabilities were significantly more likely to live in poverty than persons without disabilities. In Erie, 32.2% of persons with a disability were living in poverty compared to 21.1% of persons without a disability.

Female-headed households with children were twice as likely to live in poverty as married couple families with children and accounted for almost half of all families living in poverty in 2009. Consequently, securing affordable housing will be especially difficult for this segment of the population.

Families with at least one foreign born parent were less likely to have lower incomes than families with native-born parents. About half of families with children and at least one foreign-bored parent had incomes of less than 200% of the poverty level compared to two-thirds of families with children with only native parents.

5. Several areas identified as impacted areas of racial concentration are also areas of concentration of LMI persons.

Of the 45 low and moderate income census block groups in Erie, 18 are located within impacted areas of Black and Hispanic residents.

6. Blacks were more likely to be unemployed than Whites in 2009.

Blacks were more than twice as likely to be unemployed as Whites in 2009. The unemployment rate among blacks was 24.6% compared to 9.1% among whites. Higher unemployment, whether temporary or permanent, will mean less disposable income for housing expenses.

7. Overall City's housing stock has remained relatively the same, but the number of housing units has decreased in impacted areas.

The number of housing units in all of Erie has remained relative stable, while the housing stock in the City's impacted areas decreased 13.1% between 1990 and 2010

8. Minority households are more likely to experience housing problems than White households.

Lower income minorities were more likely than lower income Whites to experience housing problems in Erie. Among renter households, 59.2% of Blacks had a housing problem, compared to 54% of Whites and 49.4% of Hispanics. Among home owners, 76.5% of Hispanics and 54.9% of Blacks experienced housing problems compared to 45% of Whites. Hispanic families that owned their homes were most likely to have a housing problem, with 84.9% experiencing a housing problem in 2000.

7. POTENTIAL IMPEDIMENTS TO FAIR HOUSING CHOICE

The remaining observations collected during the development of the AI constitute the potential impediments or barriers to fair housing choice in the City of Erie. These impediments are linked to the remedial strategies in the Fair Housing Action Plan included in Section 8.

i. Public Sector

a. The City lacks an over-arching housing policy that establishes the foundation for comprehensive integration.

With a dissimilarity index of 51.6, the City of Erie is considered a moderately segregated city. The City has no clear statement of policy to underscore its commitment to affirmatively further fair housing. Erie's Land Use Plan lacks an overarching statement of policy that expresses the City's commitment to affirmatively further fair housing. Also, the City's Land Use Plan does not link public transportation with expanding fair housing choice for members of the protected classes. Because the City lacks an official Comprehensive Plan, the Land Use Plan is a logical instrument in which to state a policy to affirmatively further fair housing.

Currently, there is no fair housing filter through which governmental decisions are reached. Project selection criteria do not appear to consider the extent to which proposed projects affirmatively further fair housing. Priority should be given to projects that have the effect of creating affordable housing opportunities for families in non-impacted areas.

Proposed Action: Adopt a diversity policy that clearly states the City's commitment to affirmatively further fair housing. Such a policy may be a stand-alone document that incorporates a vision of diversity and the promise that the City of Erie will work to provide all persons and households with fair housing choice. The policy should then be communicated to City staff and become integrated into all City programs and other policy documents.

b. The City's migrant working and refugee populations may require language accommodations to ensure that all residents can access programs and services.

Erie has a significant number of refugees and migrants workers. One report estimates that three-quarters of foreign-born residents arriving in the City during the 1990s were refugees.

In its 2009 American Community Survey data, the Census Bureau estimates that there are more than 1,000 native Spanish speakers with limited English proficiency in Erie. The size of this language group is large enough to warrant an analysis of what actions the City must take to ensure that these populations are adequately served by the City's programs. Additionally, stakeholders estimate that there are at least 30 languages spoken in the City, and many speakers of a foreign language are refugees.

The City's current affirmative marketing plan does not include outreach strategies specific to the City's Hispanic, refugee, and migrant workers communities. With growing Hispanic immigrant and migrant worker populations, more outreach to these members of the protected classes is warranted in affirmative marketing plans.

Proposed Action I: Conduct the four-factor analysis outlined in the Federal Register of January 22, 2007, and at www.lep.gov to determine the extent to which the translation of vital documents is necessary to assist persons with limited English proficiency (LEP) in accessing the City's programs. If it is determined that the need for a Language Access Plan (LAP) exists, the City should prepare the LAP in order to comply with Title VI of the Civil Rights Act of 1964.

Proposed Action II: Continue to provide other language services (interpreters, translators, etc.) on an as-needed basis.

Proposed Action III: Amend the City's affirmative marketing plans to include outreach strategies specific to Erie's Hispanic, refugee, and migrant worker populations.

c. There exists a continuing need for quality fair housing education, outreach and training, as well as real estate testing.

An analysis of complaints submitted through HUD and the Erie County Human Relations Commission (HRC) show that the most common alleged bases for discrimination were race and sex. The City of Erie does not currently fund real estate testing to assess the existence of discrimination in the sales and rental housing markets, which could greatly enhance its ability to combat housing discrimination.

Proposed Action I: Support the efforts of local and regional fair housing advocacy organizations, such as the Human Relations Commission, in undertaking paired real estate testing, both for rental and sales housing. The City currently provides funding to the HRC that may be used for testing at the HRC's discretion.

Proposed Action II: Enlist the support of local and regional fair housing advocacy organizations in providing testing results and tracking complaints by the basis of discrimination. Effectuate a fair housing outreach and training strategy that is aimed at the most significant need, as determined by testing and tracking the bases and nature of fair housing complaints.

Proposed Action III: Continue to provide funding to St. Martin's Center and the CHRB for regular fair housing training to landlords throughout Erie.

Proposed Action IV: Create a fair housing guide that outlines fair housing requirements. Post on the City's website.

d. Minority households have greater difficulty becoming home owners in Erie because of lower incomes.

Lower household income levels among minorities are reflected in similarly low home ownership rates City-wide when compared to Whites. This means that minority households only have access to less than half of the sales market. Among Whites, 60.5% owned their home in 2000, compared to 33.4% of Blacks, 28.2% of Asians, and 27.7% of Hispanics.

Within impacted areas, 31.2% of Blacks and 16.9% of Hispanics were home owners, compared to 39.1% of Whites. In 2009, only White households were able to afford units sold at the median sales price.

Proposed Action I Continue to support the efforts of local fair housing advocates (such as St. Martin's Center) and certified housing counselors to increase home ownership among minorities, residents of LMI census tracts, and LMI residents. Methods advocates may use to increase home ownership opportunities include:

- Strengthening partnerships with local lending institutions.
- Increasing sustainable home ownership opportunities through financial literacy education including credit counseling and pre- and post-home purchase education.
- Increasing lending, credit, and banking services in LMI census tracts and minority census tracts.
- Increasing marketing and outreach efforts of affordable mortgage products that are targeted for residents of LMI census tracts, LMI residents, and minorities.

Proposed Action II: As part of the Consolidated Planning process, map the location of all new CDBG/HOME-assisted housing projects. Analyze this information to determine the relative breakdown of projects in impacted areas versus projects in non-impacted areas. Establish internal goals for achieving balance relative to projects in impacted areas versus projects in non-concentrated areas. Consider the results of the analysis before finalizing funding decisions. Include this analysis in the CAPER.

e. Refugees and migrant workers may have greater difficulty obtaining decent, affordable housing due to little or no credit history and/or references from previous landlords.

Erie has a significant number of refugees and migrant workers. One report estimates that three-quarters of foreign-born residents arriving in the City during the 1990s were refugees. Furthermore, a number of migrant workers live in the City, especially during the fall harvests. Interviews with stakeholders, including advocacy organizations and service providers, revealed that refugee and migrant worker households tend not to have credit histories or references from previous landlords; to live in larger households; and to be less English proficient. Therefore,

they are at greater risk of having to rent from unscrupulous landlords and/or doubling-up in a unit, resulting in overcrowding.

Additionally, credit history is a major reason why applicants are denied eligibility into HACE's programs. Of the 69 applicants deemed ineligible for public housing in October 2010, 57 were denied due to unfavorable credit. Additionally, only three of these applicants were referred to financial counseling services in the City, and in 2010, only 25 of the 327 persons found ineligible due to credit issues had the finding reversed. This policy may disproportionately impact populations such as refugees, migrant workers, and the homeless, who may have little or no credit history and who face additional challenges in obtaining affordable housing.

Proposed Action I: Continue to support housing counseling centers and local service providers, such as St. Martin's Center, to provide financial management education and credit counseling, in particular for refugee and migrant worker populations.

Proposed Action II: Encourage HACE to increase the effectiveness of its credit/budget counseling referral program to prepare immigrants and refugees to obtain affordable housing. HACE should provide applicants who have been denied eligibility with clear reasons for their denial, detailed information on HACE's target thresholds (such as credit ratings), and a description on how and when applicants may reapply when they have improved their financial standing.

f. The City's supply of housing that is affordable to households up to 80% of median household income is inadequate.

Historic patterns of housing segregation severely restrict housing choice for minority households, which have significantly lower incomes than White households. These trends are apparent in the following observations:

- Single-parent households have increased as a proportion of all family households in Erie. In 1990, male- and female-headed households with children comprised 16.8% of all families. By 2009, they accounted for 23.5% of families. Single-parent families are more likely to live in poverty than married-couple families with children.
- Minority households were much more likely to live in larger families than White households. For example, 76.6% of Hispanic families and 72.5% of Black families included three or more persons compared to 56.5% of White families.
- A lack of larger dwelling units consisting of three or more bedrooms, especially for renters, has a disproportionately greater impact on minority families who tend to live in larger households. An inadequate inventory of larger units causes overcrowding, increased wear and tear and substandard living for

these families. Only 28.4% of the rental housing stock contains three or more bedrooms compared to 79.4% of the owner housing stock.

- It is becoming more expensive to rent an apartment in the City. Erie lost almost 5,500 units renting for less than \$500 a month between 2000 and 2009. At the same time, units renting for \$700 to \$999 increased by more than 3,500 units and units renting for \$1,000 or more nearly tripled.
- Minimum-wage and single-income households cannot afford a housing unit renting for the HUD fair market rent in Erie. This situation forces these individuals and households to double-up with others, or lease cheap, substandard units from unscrupulous landlords. Minorities and female-headed households will be disproportionately impacted because of their lower incomes.
- Persons receiving monthly SSI checks in the amount of \$674, including persons with disabilities, as their sole source of income cannot afford a one-bedroom unit renting at the fair market rate of \$518 in Erie.
- HACE's public housing stock offers a wide variety of unit types for different household types. However, households waiting for a one- and two-bedroom units account for over 80% of all public housing applicants compared to less than 15% of applicants who are waiting for a unit with three or more bedrooms. This suggests a greater need in the City for affordable studios and one-bedroom units.
- Home owners in the City pay the highest real estate tax rate in Erie County. For a home owner with a property assessed at \$100,000, this means an annual tax bill of \$3,457, or \$288 monthly.

Proposed Action: Continue to provide incentives for property owners and investors to build new apartment buildings or substantially rehabilitate existing buildings for occupancy by lower-income families, specifically in non-impacted areas. Continue providing financial incentives for affordable housing projects located outside of impacted areas through CDBG and HOME funds.

g. The City's supply of affordable and accessible housing units is inadequate to meet demand.

For persons with disabilities, the housing market is especially tight in Erie. The stock of rental housing units that are available, affordable and accessible to persons with disabilities is very limited. HACE has made great strides in updating its public housing stock to include a variety of accessible units for a range of household types. However, there continues to be a shortage of one-bedroom units for single persons with

disabilities, as demonstrated in the high number of applications for one-bedroom units from persons with disabilities.

Proposed Action I: The City should consider applying a minimum set-aside requirement of accessible units to all assisted housing projects it supports, including those financed with non-federal funds.

Proposed Action II: The City should encourage that all new housing units financed with HOME funds meet visitability standards.

h. A number of landlords choose not to participate in the Section 8 Housing Choice Voucher program, which may contribute to the concentration of voucher holders in impacted areas.

HACE provides assistance to Section 8 voucher holders to encourage mobility to non-impacted areas of the City, including maintaining a list of participating landlords, providing information to voucher holders during their initial briefing, and conducting annual outreach to non-participating landlords throughout the City. However, the majority of voucher holders continue to reside in impacted areas in Erie. This may be correlated to the fact that a number of landlords do not currently participate in the Section 8 Program (including two of the City's largest landlords) despite ongoing outreach efforts by HACE staff.

Proposed Action: Continue outreach efforts to large landlords with units outside of impacted areas. Conduct marketing campaign to recruit additional landlords, in particular those with units in areas south of the City's Target area.

i. Members of the protected classes could be more fully represented on boards and commissions dealing with housing issues.

Representation among members of the protected classes on Erie's appointed boards and commissions is low, especially among persons with disabilities. The experiences and perspectives of members of the protected classes would enhance the decision-making process in the City and offer the opportunity for advancing fair housing choice in all aspects of City government.

Proposed Action: Conduct a survey of each of the appointed citizens who are currently members of public boards or commissions to identify members of the protected classes. The survey should identify the race, gender, ethnicity, and disability status of every appointed board and commission member. Thereafter, each new appointment should be surveyed in a similar manner. Records on the membership of appointed boards and commissions will assist City's officials in making appointments that reflect the City's diversity.

j. The City's process for allocating and reporting CDBG, HOME and NSP funds could be improved from a fair housing perspective.

Analysis of the City's Annual Plan and CAPER documents reveal a significant investment of CDBG and HOME funds in racially and ethnically impacted areas in the CD Impact Area in Central Erie. While

improving quality of life in lower-income minority neighborhoods is an important aim, the City must also demonstrate an effort to affirmatively further fair housing by expanding the availability of affordable housing in non-impacted areas. The City should continue to allocate funds for new family housing developments (both sales and rental) on sites outside of impacted areas

Proposed Action I: The City should ensure that its recently adopted Site and Neighborhood Selection requirements are incorporated as part of the application review and approval process for all applicable HOME-assisted projects. All CHDOs, developers and sub-recipients should receive a copy of this policy as part of the HOME application package.

Proposed Action II: While preparing future CAPERs, the City should continue to map the addresses of all housing initiatives with public funds to depict their location relative to impacted areas. These maps should be reviewed regularly to identify potential locations of future housing programs. Such a procedure would enable the City to demonstrate its accomplishments in affirmatively furthering fair housing.

k. The City's zoning ordinance should be amended to allow for a wider definition of families, in particular for permanent group homes.

Although Erie's zoning ordinance makes it possible for permanent group homes to be defined as a "family," group homes are still subject to special exception provisions in three of the City's residential districts. Therefore, the treatment of a group home as a family is subject to approval by the City's Zoning Hearing Board. To most effectively expand housing choice, the definition of family should look to whether the household functions as a cohesive unit and that the use of the dwelling is compatible with other dwelling units in the same type of zoning district.

Proposed Action I: Initiate discussions with city officials regarding amending the zoning ordinance to remove undue burdens on the development of group homes for persons with disabilities, as defined in the Fair Housing Act.

ii. Private Sector

a. Mortgage loan denials and high-cost lending disproportionately affect minority applicants.

Mortgage denial rates across Erie decreased between 2007 and 2009 and were highest among Black applicants. The denial rates for Blacks decreased from 27.9% in 2007 to 22.2% in 2009. During the same period, denial rates for Whites decreased from 10.8% to 7.5%.

Minority households are disproportionately represented among recipients of high-cost home purchase loans. Among all Blacks with mortgages between 2007 and 2009, 23% had a high-cost loan. By comparison, only 9% of Whites had a high-cost home purchase loan. This trend places the

homes of minority households at greater risk for eviction, foreclosure, and bankruptcy.

Black households were twice as likely as Whites to have a high-cost refinancing loan between 2007 and 2009. Among all Blacks with mortgages between 2007 and 2009, 47.1% had a high-cost loan. By comparison, 25.6% of Whites had a high-cost refinancing loan.

Proposed Action I: Because credit history is a major reason for denial of home mortgage applications in Erie, there are opportunities for lenders to undertake initiatives aimed at expanding home ownership opportunities for minorities. The following are actions that lenders need to consider in order to reduce the rate of denial of home mortgage applications based on credit history:

- Lenders should share with the applicant the specific information on the credit report on which the denial was based.
- Lenders should give the applicant the opportunity to investigate questionable credit information prior to denial of a home mortgage application by the bank.
- Lenders should allow the applicants to offer alternative credit references in lieu of the standard traditional references.
- Lenders should refer applicants for credit counseling or other readily available services in the community.

Proposed Action II: The City should continue to engage HUD-certified housing counselors to target credit repair education through existing advocacy organizations that work extensively with minorities.

Proposed Action III: The City should encourage its CDBG subrecipient agencies involved in credit and budget counseling to market home ownership opportunities to all minorities, regardless of income, including middle and higher income minorities. These efforts could provide information to lenders in an effort to demonstrate the high denial rates of mortgage applications for all minorities regardless of income.

b. Foreclosures appear to disproportionately affect minority households in Erie.

Between January 2007 and June 2008, the City of Erie had a foreclosure rate of 5.4%, higher than the rates across Erie County and Pennsylvania. Four census tracts, all of which were also areas of minority concentration, had foreclosure rates greater than 10%.

Proposed Action: Continue to work with St. Martin's Centre, MLK Center, and the Booker T. Washington Center to mitigate the impacts of foreclosure by supporting increased buyer education and counseling, as well as supporting legislative protections for borrowers to assist them in meeting housing costs. In particular, the City should focus its resources in areas most affected by foreclosures to forestall further neighborhood decline. Fair housing and affirmative marketing policies must factor into

the disposition of residential properties abandoned as a result of foreclosure.

c. The real estate advertising practices of *The Erie Times-News* do not meet fair housing standards.

The real estate section in the *Erie Times-News* included numerous ads with a prohibition of and restrictions on pets. For some persons with disabilities, service animals and therapeutic pets are necessary to achieve independent lives. Statements prohibiting or limiting pets discourage persons with disabilities that require service or therapeutic animals from applying for, or even inquiring about, these units. Additionally, the *Erie Times-News* online real estate databases do not include the fair housing logo or a publisher commitment to accepting advertisements in accordance with the Fair Housing Act.

Proposed Action I: Recommend to the *Erie Times-News* that it includes the equal housing logo and a commitment to not knowingly accepting advertisements that are in violation of the Fair Housing Act on its online real estate databases.

Proposed Action II: Encourage *The Erie Times-News* to consistently include the equal housing logo and a commitment to not knowingly accepting advertisements that are in violation of the Fair Housing Act on all of its online real estate databases.

8. FAIR HOUSING ACTION PLAN

Based on the identified impediments to fair housing choice and the proposed actions included in Section 7, the following Fair Housing Action Plan has been developed. The format of this chart should more easily facilitate the completion of the City's Annual Plan and CAPER documents. Each year during the Annual Plan process, the City will identify the strategies it will undertake to affirmatively further fair housing. At the end of each program year, progress made toward achievement of the strategies will be reported in the City's CAPER.

**Figure 8-1
 Fair Housing Action Plan**

Goals	Strategies to Meet Goals	Responsible Entities	Benchmark	Year to be Completed	Proposed Investment from City	Date Completed
Impediment #1: The City lacks an over-arching housing policy that establishes the foundation for comprehensive planning.						
Establishment of fair housing as a priority in the City's long range planning.	a. Adopt a diversity policy that clearly states the City's commitment to affirmatively further fair housing.	a. City of Erie	a. Establishment of a diversity policy	a. 2012	a. \$0	a.
Impediment #2: The City's migrant working and refugee populations may require language accommodations to ensure that all residents can access programs and services.						
Increased meaningful access to persons with limited English proficiency (LEP), in particular Erie's migrant worker and refugee populations.	a. Conduct the four-factor analysis to determine the extent to which the translation of vital documents is necessary.	a. City of Erie DECD	a. Completed four-factor analysis	a. 2011	a. \$0	a.
	b. Continue to provide other language services (interpreters, translators, etc.) on an as-needed basis.	b. City of Erie DECD	b. N/A	b. 2011-2014	b. \$_____	b.
	c. Amend the City's affirmative marketing plan to include outreach strategies specific to Hispanics, refugees, and migrant workers	c. City of Erie DECD	c. Amended affirmative marketing plan	c. 2011	c. \$0	c.
Impediment #3: There exists a continuing need for quality fair housing education, outreach and training, as well as real estate testing.						
Increased fair housing awareness among housing providers and residents.	a. Support the efforts of local and regional fair housing advocacy organizations in undertaking paired real estate testing, both for rental and sales housing, through continued funding which may be used for testing.	a. City of Erie DECD, HRC	a. Completion of real estate testing at 2 to 5 sites within the City	a. 2011-2014	a. \$60,000	a.
	b. Effectuate a fair housing outreach and training strategy that is aimed at the most significant need, as determined by testing and tracking the bases and nature of fair housing complaints, with support from local and regional fair housing advocacy organizations .	b. HRC, St. Martin's Center	b. Completed fair housing outreach strategy based on real estate testing results	b. 2011-2014	b. \$240,000	b.
	c. Continue to provide funding to St. Martin's Center and the CHRB for regular fair housing training to landlords throughout Erie.	c. City of Erie DECD	c. N/A	c. 2011-2014	c. \$180,000	c.
	d. Create a fair housing guide that outlines fair housing requirements. Post on the City's website.	d. City of Erie DECD, HRC	D. Completed fair housing guide posted on website	d. 2011	D. Staff time	D.

Goals	Strategies to Meet Goals	Responsible Entities	Benchmark	Year to be Completed	Proposed Investment	Date Completed
Impediment #4: Minority households have greater difficulty becoming home owners in Erie because of lower incomes.						
Higher home ownership rates among minority households.	a. Continue to support the efforts of local fair housing advocates (such as St. Martin's Center) and certified housing counselors to increase home ownership among minorities, residents of LMI census tracts, and LMI residents	a. City of Erie DECD, St. Martin's Center	a. N/A	a. 2011-2014	a. \$180,000	a.
	b. As part of the Consolidated Planning process, map the location of all new CDBG/HOME-assisted housing projects. Analyze this information to determine the relative breakdown of projects in impacted areas versus projects in non-impacted areas.	b. City of Erie DECD	b. Completed maps and analysis in FY2013 CAPER	b. 2013	b. Staff time	b.
Impediment #5: Refugees and migrant workers may have greater difficulty obtaining decent, affordable housing due to little or no credit history and/or references from previous landlords.						
Increased access to decent, affordable housing for refugees and migrant workers.	a. Continue to support housing counseling centers and local service providers, such as St. Martin's Center, to provide additional financial management education and credit counseling, in particular for refugee and migrant worker populations.	a. City of Erie DECD, St. Martin's Center	a. N/A	a. 2011-2014	a. \$180,000	a.
	b. Encourage HACE to increase the effectiveness of its credit/budget counseling referral program to prepare immigrants and refugees to obtain affordable housing.	b. City of Erie DECD; HACE	b. N/A	b. 2011-2015	b. \$0	b.
Impediment #6: The City's supply of housing that is affordable to households up to 80% of median household income is inadequate.						
Increased supply of housing affordable to low and moderate income households.	a. Continue to provide incentives for property owners and investors to build new apartment buildings or substantially rehabilitate existing buildings for occupancy by lower-income families, specifically in non-impacted areas. Continue providing financial incentives for affordable housing projects located outside of impacted areas through CDBG and HOME funds.	a. DCED, Local Developers and non-profit CHDOs	a. N/A	a. 2011-2014	a. TBD based on project requests	a.

Goals	Strategies to Meet Goals	Responsible Entities	Benchmark	Year to be Completed	Proposed Investment	Date Completed
Impediment #7: The City's supply of affordable and accessible housing units is inadequate to meet demand.						
An adequate supply of affordable and accessible housing units for persons with disabilities, especially residents of public and assisted housing communities.	a. Consider applying a minimum set-aside requirement of accessible units to all assisted housing projects it supports, including those financed with non-federal funds.	a. City of Erie DECD	a. N/A	a. 2012	a. \$0	a.
	b. Encourage that all new housing units financed with HOME funds meet visitability standards.	b. City of Erie DECD	b. N/A	b. 2011-2014	b. \$0	b.
Impediment #8: A number of landlords choose not to participate in the Section 8 Housing Choice Voucher program, which may contribute to the concentration of voucher holders in impacted areas.						
Increased supply of housing affordable to low and moderate income households.	a. Continue outreach efforts to large landlords with units outside of impacted areas. Conduct marketing campaign to recruit additional landlords, in particular those with units in areas south of the City's Target area.	a. HACE	a. Letter sent to landlords			
Impediment #9: Members of the protected classes could be more fully represented on boards and commissions dealing with housing issues.						
Increased representation among members of the protected classes on appointed boards and commissions.	a. Conduct a survey of each of the appointed citizens who are currently members of public boards or commissions to identify members of the protected classes. Thereafter, each new appointment should be surveyed in a similar manner. Records on the membership of appointed boards and commissions will assist City's officials in making appointments that reflect the City's diversity.	a. City of Erie DECD, Mayors Roundtable	a. Completed survey of appointed board and commission members	a. 2011	a. \$0	a.
Impediment #10: The City's process for allocating and reporting CDBG, HOME and NSP funds could be improved from a fair housing perspective.						
Policies and practices that affirmatively further fair housing choice.	a. The City should ensure that its recently adopted Site and Neighborhood Selection requirements are incorporated as part of the application review and approval process for all applicable HOME-assisted projects.	a. City of Erie DECD	a. Inclusion of Site and Neighborhood Selection requirements in application review process	a. 2011-2014	a. \$0	a.
	b. Map the addresses of all new affordable housing initiatives as part of the CAPER process.	b. City of Erie DECD	b. Completed maps FY2013 CAPER	b. 2013	b. Staff time	b.
Impediment #11: The City's zoning ordinance should be amended to allow for a wider definition of families, in particular for permanent group homes.						
Policies and practices that affirmatively further fair housing choice.	a. Initiate discussions with city solicitor regarding amending the zoning ordinance to remove undue burdens on the development of group homes for persons with disabilities, as defined in the Fair Housing Act.	a. City of Erie DECD, City Solicitor, Zoning Department	a. Meeting notes	a. 2012-2013	a. \$0	a.

Goals	Strategies to Meet Goals	Responsible Entities	Benchmark	Year to be Completed	Proposed Investment	Date Completed
Impediment #12: Mortgage loan denials and high-cost lending disproportionately affect minority applicants.						
Elimination of mortgage discrimination.	a. Continue to engage HUD-certified housing counselors to target credit repair education through existing advocacy organizations that work extensively with minorities.	a. City of Erie DECD, St. Martin's Center, HRC	a. N/A	a. 2011-2014	a. \$0	a.
	b. Encourage its CDBG subrecipient agencies involved in credit and budget counseling to market home ownership opportunities to all minorities, regardless of income, including middle and higher income minorities.	b. City of Erie DECD	b. N/A	b. 2011-2014	b. \$0	b.
Impediment #13: Foreclosures appear to disproportionately affect minority households in Erie.						
Mitigation of the impacts of foreclosures on the protected classes.	a. Continue to work with St. Martin's Center, MLK Center, and the Booker T. Washington Center to mitigate the impacts of foreclosure by supporting increased buyer education and counseling, as well as supporting legislative protections for borrowers to	a. St. Martin's Center, MLK Center, Booker T. Washington Center	a. N/A	a. 2011-2014	a. \$0	a.
Impediment #14: c. The real estate advertising practices of <i>The Erie Times-News</i> do not meet fair housing standards.						
Published commitment to only accept advertisements that are in compliance with the Fair Housing Act.	a. Encourage <i>The Erie Times-News</i> to consistently include the equal housing logo and a commitment to not knowingly accepting advertisements that are in violation of the Fair Housing Act on all of its online real estate databases.	a. City of Erie DECD	a. Letter sent to <i>The Erie Times-News</i>	a. 2011	a. \$0	a.
Elimination of discriminatory language referencing restrictions on pets in rental units.	a. Encourage <i>The Erie Times-News</i> that rental real estate ads stating "no pets" or ads that seek to restrict or prohibit the types of pets allowed include the phrase "except companion/service animals permitted under fair housing laws."	a. City of Erie DECD	a. Letter sent to <i>The Erie Times-News</i>	a. 2011	a. \$0	a.

9. SIGNATURE PAGE FOR THE CITY OF ERIE

By my signature I certify that the *Analysis of Impediments to Fair Housing Choice* for the City of Erie is in compliance with the intent and directives of the regulations of the Community Development Block Grant Program.

Joseph E. Sinnott, Mayor

Date

10. APPENDIX A: INVITED STAKEHOLDERS

Stakeholder Chart
 Consultation Process for the
 City of Erie, PA Analysis of Impediments to Fair Housing Choice

	Contact Name	Name of Organization	
Community Development Staff	Kim Green	City of Erie	
	Dave Deter	City of Erie	
	Debra Smith	City of Erie	
	Cyndie Zahner	City of Erie	
	Mas Sala	City of Erie	
HOME Team Executive Committee	Mark Alexa	Erie County MH/MR	
	Chris Tombaugh	Mercy Center for Women	
	Shirley Schell	Mercy Center for Women	
	Linda King	SafeNet	
	Kathy Hubbard	SafeNet	
	Mary Gollmer	Erie City Mission	
	Patt Herr	Community Shelter Services	
	Rose Barr		
	Stephanie Long	GECAC	
	Debra Smith	City of Erie	
HOME Team Members	Kathleen Cancilla	Community Shelter Services	
	Brenda Cancilla	Community Shelter Services	
	Jane Drumm	Department of Veterans Affairs	
	Michelle Edwards	NW PA Rural AIDS Alliance	
	Summer Mobilia	Erie Dawn, Inc.	
	Dave Pesch	St. Martin's Center	
	Lee Prindle	Voices for Independence, CHRB	
	Stephanie Christopher	Community Health Net	
	Erin Connelly	District Attorneys Office	
	Michalee Curtze	Intermediate Unit 5	
	Amy Danzer	Mercyhurst College	
	Jan Dovichow	Love, Inc.	
	Maureen Dunn	Erie DAWN, Inc.	
	Brad Foulk	District Attorneys Office	
	Penny Guild	Erie County Office MH/MR	
	Clara Holden	Salvation Army	
	Lincoln Jamison	Voices for Independence	
	Kathy Latimer	Erie County Care Management	
	Kathy Lutz	Mental Health Association	
	Teri Madura	Gannon U. Psychological Clinic	
	Robert Martin	Veterans Affairs	
	Patty McKissock	SCI Albion	
	Brian McLaughlin	Erie County Care Management	
	Angie Merchant	Northwest Rural Aids Alliance	
	HOME Team Members (cont'd)	Pat Mickel	Erie Housing Authority
		Richard Novotney	Erie County Redevelopment Authority
		Margo Peters	Partnership of Women's Religious
		Agnes Priscaro	Multi-Cultural Health Evaluation Delivery System
Patricia Quinn		My Father's House of Erie	
Pat Range		Community of Caring	
Tom Schlaudeck		Upper Room	
Suzanne Smith		Voices for Independence	
Laryssa Stolar		Department of Veterans Affairs	
Diedre Tate		GECAC	
Tom Vinca		Family Services of NW PA	
Cindy Zembroski		St. Martin's Center	
HOME Team Information (MIS) / Gaps	Kathy Hubbard, Chair		
	Stacie Perez		
	Carl Kallgren		
	Mark Alexa		
	Bob Huber		
	Cheryl Davis		
	Tammy Bartasevich		
	Eric Woolslayer		
	Rose Barr		

Stakeholder Chart
 Consultation Process for the
 City of Erie, PA Analysis of Impediments to Fair Housing Choice

	Contact Name	Name of Organization
HOME Team Education & Outreach	Mary Gollmer, Chair	Erie City Mission
	Nicole Bolash	Gaudenzia Community House
	Karen Haas	
	Chris Tombaugh	
	Grace Kennedy	
	Patty McKissock	
	Diana Ames	
	Michael Wehrer	
HOME Team Housing	Pat Herr, Chair	
	Cyndie Zahner	
	Sheila Silman	
	Grace Kennedy	
	Mary Claire Kennedy, SSJ	
	Mark Jasinski	
	Eddie Martin	
	Mary Gollmer	
	Connie Miller	My Father's House
	Amy Clabbatz	
	Stephanie Long	
	Kim Stucke	Stairways Behavioral Health
	Phyllis Hilbert, SSJ	
	Melissa Thompson	
	Lee Prindle	
Sue Boland		
HOME Team Children & Youth	Rose Barr, Chair	
	Carl Kallgren	
	Danny Jones	
	Linda King	
	Ed MacAtee	
	Edna Lingenfelter	
	Lori Palisin	
	Alicia Goodelle	
	Leslie Walter	

Stakeholder Chart
 Consultation Process for the
 City of Erie, PA Analysis of Impediments to Fair Housing Choice

	Contact Name	Name of Organization
HOME Team Membership / Nominating	Stephanie Long, Chair	
	Dave Wooledge	
	Linda Lyons King	
	Lori Palisin	
	Rose Barr	
	Reverend Robert Schell	
Human Rights or Fair Housing Dept.	Reid McFarland	Human Relations Commission
	Joseph Aguglia	Human Relations Commission
Building Code Dept.		HACE
Public Housing Authority	John Horan	Erie Housing Authority
	Dan Roessner	Erie Housing Authority
Advocacy organizations for persons with mobility impairments and other disabilities	William Jeffress	Booker T. Washington Center
	Gary Horton	UECDC/QOLLC
	Pat Herr	Community Shelter Services
	Darrell Smith	City Mission
	Pastor Rick Crocker	Erie City Mission
	Patricia Quinn	My Father's House
	Sr. Eileen Moyer	St. Patrick's Haven
	Linda Lyons King	SafeNet
	Christine Tombaugh	Mercy Center for Women
	Chris Storms	The Refuge
	James Sherrod	Martin Luther King Center
	Samella Hudson-Brewton	John F. Kennedy Center
	Karen Grettler	John F. Kennedy Center
	Joel Tuzynski	Multicultural Community Resource
	Ronald Steele	GECAC
Constance Burnette	Voices for Independence, CHRB	

Stakeholder Chart
 Consultation Process for the
 City of Erie, PA Analysis of Impediments to Fair Housing Choice

	Contact Name	Name of Organization
FHAP / FHIP organizations	Cheryl Kobel	St. Martin's Center
Realtors Association	Marsha Marsh	Greater Erie Board of Realtors
	Marianne McDaniel	Greater Erie Board of Realtors
	Jason Hewitt	Builder's Association of NW PA
Planning and Zoning Department	Jon Tushak	City of Erie - Engineering Dept.
	Andy Zimmeran	City of Erie - Code Enforcement
Public Transit Agency	Dennis Solensky	Erie Metropolitan Transit Authority
	Loraine McGuire	Erie Metropolitan Transit Authority
Legal Aid		
Housing providers, developers of affordable housing, CHDOs, group home operators, etc.	Larry Bossolt	Redevelopment Authority of Erie
	Sister Mary Herrmann	Sisters of St. Joseph
	Sue Moyer	Bayfront East Side Taskforce
	Chuck Scalise	HANDS, Inc.
	Matthew Good	HANDS, Inc.
	Cheryl Kobel	St. Martin's Center
	James Sherrod	Martin Luther King Center
	Donald Crenshaw	Zoey Meadows
	Nancy Milkowski	Habitat for Humanity
	Vincent McElhinney	
	Sister Phyllis Hilbert	Sisters of St. Joseph Neighbor. Network
	Clara Holden	Salvation Army
	Kathy Hubbard	SafeNet
	Lincoln Jamison	Voices for Independence, CHRB
	John Flanagan	International Institute

Stakeholder Chart
 Consultation Process for the
 City of Erie, PA Analysis of Impediments to Fair Housing Choice

	Contact Name	Name of Organization
Landlord/Apartment Association		Landlord Association P. O. Box 776, 16512
		Apartment Association of NWPA 1127 W. 38th Street, 16508
Mayor's Roundtable on Disabilities (cont'd)	Alan Dunfee	
	Beverly Migliaccio	
	Bruce Best	
	Chuck Giambrone	
	Connie Burnett	
	Cyndie Zahner	
	Dan Roessner	
	Dave Pesch	
	Debra Smith	
	Ed Sitter	
	Fred Rush	
	Gerald Penna	
	Heidi Meyer	
	Heidit McKenrick	
	Irene Smerick	
	Iva Newton-Gatts	
	Jack Hewitt	
	Jason Sayers	
	Jessica Molczan	
	Jill Hrinda-Patten	
	Jody Schersten	
	Joe Aguglia	
	Joe Schember	
	Jon Tushak	
	Jorge Alvear	
	Kathy Lutz	
	Kelli Martin	
	Laura Schaaf	
	Lee Prindle	
	Lt. Joe Jarusewicz	
	Lucy Bell	
	Lynn Davis	
	Mark Alexa	
Mary Rankin		
Mary Sorge		
Mas Sala		
Michael Adamus		
Michael McCracken		
Nancy Chiappazzi		
Passle Helminski		
Phoebe Buchanan		
Rachel Coppelli		
Rich Hoffman		
Shona Eakin		
Stephaney Goodwill		
Todd Proper		
Tony Pol		
Trish Cloyd		
Vance Duncan		
William McCarthy		

11. APPENDIX B: HUD CORRESPONDENCE WITH HACE



*c/ Board ✓ DR ✓ C ✓
Mays ✓ Nealy ✓*

Michael Jansen
Fair Housing Director
U. S. Department of HUD
Pittsburgh Field Office
1000 Liberty Avenue
10th Floor
Pittsburgh, PA 15222

REC'D MAR 07 2011

Mr. John Horan
Executive Director
Housing Authority of the City of Erie
606 Holland Street
Erie, PA 16501-1285

March 3, 2011

VIA CERTIFIED MAIL - RETURN RECEIPT REQUESTED

RE: Termination of VCA *file*

Dear Mr. Horan:

Thank you for your letter dated March 2, 2011 regarding your request to terminate the VCA between HACE and HUD. I have read the letter and considered your assertions.

There are seven items you cite as evidence of compliance with my request in your letter. The first four took place prior to the LOF in the Senay case – several by approximately six years – and therefore don't convince me. I find, however, that there is sufficient evidence of post-Senay corrective actions in the last three items to conclude that HACE has sufficiently met the criteria I established. The VCA between HACE and the Department of Housing and Urban Development is therefore terminated as of the date you receive this letter.

While there have been bumps along the road to reaching this destination, and we have not always agreed on the details of implementing the terms and conditions of the VCA, I wish to thank and congratulate you, your Board, and your staff for successfully implementing a very large and challenging project to get HACE fully compliant with Section 504.

In the future, if you have any questions related to Section 504 compliance, or to any other fair housing issue, please contact me or Phoebe Buchanan at your convenience. Please view my office as a source of technical assistance to help resolve problems before they arise.

Sincerely,

Michael Jansen
Director
Office of Fair Housing and Equal Opportunity
Pittsburgh Field Office, U.S. Department of H.U.D.

cc: James Cassidy