

Section III: Public and Private Fair Housing Programs

The following narrative provides an enumeration of key agencies and organizations contributing to affirmatively furthering fair housing in Clackamas County; it concludes with a succinct review of related housing studies.

Major Agencies and Organizations

The United States Department of Housing and Urban Development

The United States Department of Housing and Urban Development oversees, administers, and enforces the Fair Housing Act. The Office of Fair Housing and Equal Opportunity (FHOO) of HUD is responsible for administration of fair housing programs and for processing fair housing complaints. The Civil Rights Division of the U.S. Department of Justice is responsible for litigating on behalf of HUD in select cases of fair housing violations.

HUD maintains an office in Portland, Oregon, that coordinates a variety of agency programs, including some fair housing activities. For example, the office provides information to persons interested in fair housing and investigates fair housing complaints. However, the office does not directly handle fair housing complaints, but refers them to the Seattle regional office. The regional office oversees housing, community development, and fair housing enforcement in Oregon, as well as in three other states in the jurisdiction: Washington, Idaho and Alaska. The HUD field office in Seattle also serves Clackamas County. The office can be reached at:

HUD, Region X
Seattle Federal Office Building
909 First Avenue, Suite 200
Seattle, WA 98104-1000
Phone: (206) 220-5101 or toll-free: 1 (877) 741-3281

Fair Housing Assistance Programs and Fair Housing Initiatives Programs

Some agencies receive funding from HUD as Fair Housing Assistance Programs (FHAPs). HUD also funds Fair Housing Initiatives Programs (FHIPs). The fundamental difference between the two programs is that FHAP programs require an ordinance or law that empowers a governmental agency to enforce the Fair Housing Act; they are thus considered “substantially equivalent” to federal agency enforcement activities. HUD contracts with that agency to process fair housing complaints and reimburses the jurisdiction on a per case basis.

FHIPs, on the other hand, may be a government agency, a private non-profit organization, or a for-profit organization. This competitive grant program provides funds to organizations to carry out projects and activities designed to enforce and enhance compliance with the Fair Housing Act. Eligible activities include education and outreach to the public and the housing industry on fair housing rights and responsibilities, and enforcement of fair housing complaints, including testing and litigation.

In October of 2004, HUD announced \$17.6 million in grants to 106 groups to facilitate fair housing, as follows:¹⁶

- *Private Enforcement Initiative (PEI) grants* - About \$11.8 million was awarded for 12- to 18-month grants of up to \$220,000 to assist private, tax-exempt fair housing enforcement organizations in the investigation and enforcement of alleged violations of the Fair Housing Act and substantially equivalent state and local fair housing laws.
- *Education and Outreach Initiative (EOI) grants* - About \$3.7 million was allocated for one-year grants of up to \$100,000 to inform and educate the public about their rights and obligations under federal, state and local fair housing laws. About \$500,000 of the grant money, which went to seven groups, is specifically going to programs that have a special focus on the fair housing needs of persons with disabilities, so that housing providers, the general public, and persons with disabilities themselves better understand their rights and obligations.
- *Fair Housing Organizations Initiative (FHOI) grants* - About \$2.1 million was awarded for three-year grants of about \$1 million for projects that serve rural and immigrant populations in areas where there currently is no existing fair housing organization, or are otherwise under-served.

Of these amounts, Oregon received \$299,520. Of that, \$79,588 was given to Legal Aid Services of Oregon (LASO) for an education and outreach initiative. The agency plans to conduct fair housing activities that will increase awareness of fair housing rights and responsibilities.

The Fair Housing Council of Oregon (FHCO) received \$219,931 for use in outreach and intake efforts for immigrant and refugee populations, residents of rural communities and individuals who are homeless due to discriminatory actions of housing providers. The council will engage in several testing activities, including rent and sales transactions, design and construction accessibility and complaint driven tests.

Further information about the activities of LASO and the FHCO is explained in detail below.

The Fair Housing Council of Oregon (FHCO) is a statewide civil rights organization whose mission is to eliminate housing discrimination through enforcement and education. FHCO is a non-profit corporation.¹⁷ The FHCO has a number of FHIP grants from HUD and also receives funding from a number of units of local government for fair housing activities, although it lacks a formal relationship with the Clackamas County Department of Human Services, Community Development Division.

On the FHCO web page, located at the link <http://www.fhco.org>, informational brochures, radio and television public service announcements, newspaper articles, and outreach materials translated into eight languages are used as methods to inform potential complainants and their advocates about fair housing rights, and the methods by which the FHCO can be contacted. HUD

¹⁶ <http://www.hud.gov/progdsc/fhip.cfm>

¹⁷ <http://www.fhco.org/mission.htm>

complaint line numbers are also included in these resources. Additionally, the FHCO has a museum-quality display about the history of discriminatory housing in Oregon. This display is sent to locations around the state for viewing in public buildings such as libraries, hospitals, and governmental offices as another outreach tool. The FHCO can be reached at:

Fair Housing Council of Oregon
1020 S.W. Taylor Street, Suite 700
Portland, OR 97205
503-223-8197 or
800-424-3247 (TTY)

Legal Aid Services of Oregon (LASO) provides legal assistance to low-income individuals and advocates for individual clients and as a class to assure indirect benefits as mandated by the law with regard to housing discrimination.¹⁸ While LASO operates a regional office in Oregon City, there is no formal relationship between Clackamas County, Department of Human Services, Community Development Division and Legal Aid Services of Oregon. The agency can be reached at:

Legal Aid Services of Oregon
Oregon City Regional Office
421 High Street, Suite 110
Oregon City, OR 97045
503-655-2518

Clackamas County Agencies and Organizations

Clackamas County Fair Housing Information and Referral Programs are a partnership between two agencies in the Department of Human Services. These are the Community Development Division and the Social Services Division. The programs are administered by the Community Action Agency.¹⁹ The programs can be reached at:

Clackamas County Public Services Building
2051 Kaen Road, First Floor
Oregon City, OR 97045
503-650-5750 (Fair Housing Information)
503-655-8861 (I&R)

The scope of services for these programs includes the following:

- Operate a fair housing information and referral service during normal working hours five days per week. This program will serve as a primary contact point for assistance with housing-related matters for persons residing or wishing to reside in Clackamas County. The I&R will provide information and referral including but not limited to fair housing issues, information about 'affordable' housing, landlord-tenant law, emergency housing, evictions.

¹⁸ Ronald Rubino, Legal Aid Services of Oregon, 6/10/05

¹⁹ <http://www.co.clackamas.or.us/SocialServices>

For purposes of continuity of service callers will receive, in addition to housing-related I&R, general I&R information, when needed.

- Develop, update and distribute 1,000 documents related to fair housing law and the complaint process, landlord/tenant matters, housing resources available to low and moderate income persons. Disseminate information on the Clackamas County Rental Rehabilitation Loan Program to minorities, low and moderate-income persons seeking affordable housing. Documents will be available in English and Spanish, and in other languages as needed.
- Conduct a minimum of four training sessions for social service providers, who deal with low- and moderate-income persons' housing needs in Clackamas County, regarding the general functions of the Fair Housing Program. Conduct a minimum of four training sessions on fair housing rules and the mechanism set up for reporting potential violations in Clackamas County. Conduct a minimum of four training sessions on the topic of reasonable accommodations under fair housing law. Topics listed above may be combined and a total of 12 training sessions, at least 15-30 minutes in length, will be completed annually. These presentations may be done as a part of a larger meeting or training. The Fair Housing Coordinator will initiate contact with the community, creating opportunities to publicize the Fair Housing Program to target audiences. The Fair Housing Coordinator will publicize program-related issues at other available opportunities.
- Assure that the local service centers and shelters have up-to-date information so that their clients can be referred to the proper place for fair housing information and assistance.
- Prepare and submit to CDD, on a quarterly basis, progress reports that detail the activities of the fair housing specialist. These reports shall include: a statistical breakdown of the types of requests for housing assistance received; a breakdown of the number of minority, female head of household, senior citizen, and veteran clients served; the total number of requests for assistance broken down by the number and percentage of requests from persons qualifying as low and moderate income according to the latest HUD income guidelines, the number and percentage of persons not qualifying as low and moderate income, and the number and percentage of persons whose income data was not received; and a narrative describing actions taken to further fair housing with particular emphasis on discrimination complaints and their resolution. Number of training sessions held per quarter, name of organization, number of people trained, date of training sessions will be reported.
- Work cooperatively with the fair housing programs in Multnomah and Washington counties on regional education and planning efforts, as well as on individual fair housing cases. Represent Clackamas County on the planning committee for the annual Fair Housing Conference. Work with the Fair Housing Council to assure that fair housing testing is provided in Clackamas County when appropriate.
- Maintain an ongoing working relationship with the State of Oregon Civil Rights Division, U.S. Department of Housing and Urban Development, and Oregon Legal Services Corporation in order to promote fair housing rights. Assist clients with filling out and filing HUD discrimination complaint forms. Provide information to landlords regarding their rights

and obligations under the fair housing law. Provide assistance to persons seeking help in securing their rights under the Civil Rights Act of 1964, Title VII, and the Fair Housing Amendments Act of 1988.

- Provide bilingual staff on a part-time basis to provide fair housing services to Spanish speaking residents of Clackamas County.
- Serve on the nomination committees for Jannsen Street Transitional Housing and Jackson Place Transitional Housing Program.
- Provide information and technical assistance to both programs on fair housing issues and landlord tenant problems.

Owner-Occupied Housing Rehabilitation Program is a low-interest home repair loan program administered by the county's Community Development Division. Home rehabilitation loans are meant to reduce energy consumption, provide for the installation of handicapped accessible improvements and increase the health and safety of each home. The program also improves the appearance and condition of the existing housing stock of each community served. Since 2002, the program has expended \$2, 895,652 in federal funds for home repair loans to 173 low-income households in Clackamas County.²⁰

Clackamas Housing Advocacy Network (CHAN) The Clackamas Housing Action Network (CHAN) is a coalition of activists, service providers, faith groups, community organizations and interested people working collectively to support adequate housing resources for all community members.²¹

CHAN advocates for affordable housing that meets the needs of low and moderate income people in Clackamas County with a priority for those with the greatest need. This includes but is not limited to: people with special needs, those who have lost housing or are at risk of losing housing, very low and extremely low income people, and those least served by the market.

The work of CHAN ties into the work of the Affordable Housing NOW! Coalition and other groups in the Metro region, but is focused specifically on Clackamas County needs and solutions.

CHAN's goals are to network and build relationships among housing advocates and activists, educate the public, raise visibility of affordable housing issues in Clackamas County and advocate for more resources to meet affordable housing needs. CHAN staff can be reached at:

Janet Byrd, Clackamas Housing Advocacy Network
503-284-2575
janet_byrd@teleport.com

²⁰ E-mail correspondence with Mark Sirois, Clackamas County Community Development Department

²¹ http://www.cdnportland.org/AHN_Regional_Partners.html

CHAN meets on the 3rd Wednesday of the month at 9 am at the Oregon City Fire Station, 624 7th Street.

Coordinating Council for Homeless Programs (CCHP). CCHP is a consortium of individuals and organizations with the common purpose of planning a housing and services continuum for people who are homeless.²² CCHP is not a formal advisory council to Clackamas County although it does operate with County staff support. CCHP was originated to meet the federal HUD requirement for Continuum of Care McKinney-Vento funds to flow into Clackamas County for people who are homeless.

The mission of the Council is to facilitate the development of a continuum of care that provides opportunities to significantly mitigate homelessness in Clackamas County, via full utilization of mainstream resources; coordination of service delivery and housing systems; systemic agreements and institutional targeting of populations at high risk of homelessness; creative cultivation of new resources; and creating public awareness to foster a collective sense of responsibility.

The above mission, developed by CCHP, is based on a set of principles. These are: equity of access to housing and services; choice and self-determination as a consistent part of the process; bolstering people with dignity and respect, facilitating culturally competent services; and a non-judgmental approach to people and their problems throughout the housing and service systems.

Activities of the Coordinating Council for Homeless Programs are targeted to identify and advocate for the needs of people who are homeless in Clackamas County; facilitate the development of a continuum of care including housing and services for them; develop short and long term plans to mitigate homelessness, and recommend funding priorities to HUD for new and renewal projects.

The Coordinating Council for Homeless Programs submits an annual report to the U.S. Department of Housing and Urban Development (HUD) articulating the Council's planning efforts and other activities within Clackamas County which relate to homeless people.²³

Northwest Housing Alternatives (NHA) was founded to address the need for safe, decent, affordable homes in Clackamas County. Since its founding in 1986, with the merger of Housing Options for Clackamas County and King Bell Housing Inc., NHA has created more than 1200 units of affordable housing.

Over the years, NHA's geographic focus has broadened to address housing needs in many Oregon communities. NHA's projects address a full spectrum of housing needs, from low-cost housing for families, individuals, and seniors, to housing designed for the mentally ill, the developmentally disabled, people with AIDS, and other populations with special needs. NHA also runs Annie Ross House Shelter, which provides both emergency and long-term shelter, and

²² <http://www.co.clackamas.or.us/homeless.htm>

²³ To get a copy of this report, contact the County Community Development Division at 503-655-8591.

a wealth of support services, specifically for homeless families with children.²⁴ The NHA may be contacted at the following:

Northwest Housing Alternatives
2316 SE Willard Street
Milwaukie, OR 97222-7740
503-654-1007 phone 503-654-1319 fax
info@nwhousing.org

Clackamas Community Land Trust (CCLT) is a member-based organization that promotes the responsible stewardship of land designated specifically for permanently affordable homes. Members include low-income homeowners, community leaders, and members of the general public who support CCLT's work. The CCLT builds new homes or renovates existing homes that are sold to income-qualified buyers. The CCLT retains ownership of the land under the homes, which removes the cost of the land from the home purchase price, thus making the homes affordable. The CCLT may be reached at the following:

Ms. Nancy Yuill, Program Director
Clackamas Community Land Trust
2316 SE Willard Street
Milwaukie, Oregon 97222
503-654-1007
<http://www.clackamasclt.org>

Related Housing Studies

In November 2000, HUD released results from a study entitled, "Discrimination in Metropolitan Housing Markets."²⁵ The study, HDS2000, measured the extent of housing discrimination in the United States against people because of their race or color. It was the third nationwide effort sponsored by HUD to measure the amount of discrimination faced by minority home seekers.

The report states that "Housing discrimination [...] raises the costs of the search for housing, creates barriers to homeownership and housing choice, and contributes to the perpetuation of racial and ethnic segregation." Similar HUD-sponsored studies were conducted in 1977 and 1989, and both found significant levels of racial and ethnic discrimination in both the rental and sales markets of urban areas nationwide.

HDS2000 measured discrimination in 23 metropolitan areas with populations greater than 100,000. The study found that discrimination persists in both rental and sales markets of large metropolitan areas nationwide, but that its incidence generally declined after 1989. The exception is for Hispanic renters, who faced essentially the same incidence of discrimination in 2000 as they did in 1989.

²⁴ <http://www.nwhouse.org>

²⁵ *Discrimination in Metropolitan Housing Markets: National Results from Phase I HDS 2000*, Final Report, November 2000. Complete report is available at <http://www.huduser.org/publications/hsgfin/hds.html>.

In 2002, HUD conducted a nationwide survey of the general public entitled, “How Much Do We Know.”²⁶ This report found that 14 percent of adults, the equivalent of more than 28 million people, said that they had experienced housing discrimination at some point in their lifetime. The study found that “few people who believed they had been discriminated against took any action, with most seeing little point in doing so.”²⁷

In their 2004 Fair Housing Trends Report, the National Fair Housing Alliance (NFHA) states that discrimination based on national origin is largely underreported, specifically by Latinos, Asian-Americans, and Native Americans. This is due, they state, to “language barriers and other cultural issues which could include immigration status, hesitancy to challenge authority, and a general lack of faith in the justice system.”²⁸

It is possible that the length of time necessary to reach complaint resolution also may deter complainants, as pointed out in the U.S. General Accounting Office’s (GAO) 2004 report, titled “Fair Housing: Opportunities to Improve HUD’s Oversight and Management of the Enforcement Process.” The GAO report found that, although the process improved in recent years, between 1996 and 2003 the median number of days required to complete fair housing complaint investigations was 259 days for HUD’s Fair Housing and Equal Opportunity Offices and 195 days for FHAP agencies. The report did find a higher percentage of investigations completed within the Fair Housing Act’s 100-day mandate.²⁹

The GAO report also identified the following trends between 1996 and 2003:

- The number of fair housing complaints filed each year showed a steady increase since 1998. An increasing proportion of complaints alleged discrimination based on disability, and a declining proportion of complaints alleged discrimination based on race. Race was still the most cited basis of housing discrimination over the time period.
- FHAP agencies conducted more fair housing investigations than FHEO agencies over the time period. The total number of investigations completed each year increased somewhat after declining in 1997 and 1998.
- Investigation outcomes changed over the period, with an increasing percentage closed without a finding of reasonable cause to believe discrimination occurred. A declining percentage of investigations were resolved by the parties themselves or with help from FHEO or FHAP agencies.

Homelessness in Oregon, a report to the Emergency Board of Oregon Housing and Community Services, reported that in Clackamas County the consequences of reduced and inadequate funding are closure of emergency shelter facilities for families and children, and closure of emergency support services programs that maintained housing stability for at risk households.³⁰

²⁵ *How Much Do We Know?*, United States Department of Housing and Urban Development, Office of Policy Research and Development, 2002. Results are available at <http://www.huduser.org/Publications>.

²⁶ *Ibid*, Executive Summary, x.

²⁷ *2004 Fair Housing Trends Report*, National Fair Housing Alliance, Pg. 8. Available at <http://www.nationalfairhousing.org>.

²⁸ *Fair Housing: Opportunities to Improve HUD’s Oversight and Management of the Enforcement Process*, United States General Accounting Office, Report to Congressional Requesters, April 2004.

³⁰ <http://www.ohcs.oregon.gov/OHCS/docs/HomelessnessInOregonReport.pdf>

These events are having a heavier impact on the low-income and disabled residents of the county.

Farmworkers In Oregon, A Study of the League of Women Voters of Oregon Education Fund, Fall 2000, found that Oregon and Clackamas County rely on farmworkers to produce its labor-intensive crops. Most workers are Hispanic and many are undocumented residents. The serious shortage of decent and affordable housing for farmworkers is a problem that has persisted for decades. Farmers say they are turning away from housing their workers because of costs and regulations.³¹

Metro's Affordable Housing Technical Advisory Committee, included 25 representatives from local governments, the home builders' industry, business community and affordable housing advocates. Clackamas County government was among those entities that participated. The committee studied affordable housing and found the need for more in the tri-county region is great and will continue to grow. Many tools can be used to increase the supply, some of which are being used by local governments. However, more money is needed to fund many of these solutions. Local governments need to work together to create a funding source that can meet both local and regional affordable housing priorities. Using these recommendations, the Metro Council adopted an ordinance in January 2001, amending its Regional Framework Plan and Urban Growth Management Functional Plan to ensure a choice of housing types.³²

Regulatory Barriers to Affordable Housing is a HUD questionnaire that covers unincorporated areas of Clackamas County. The questionnaire is an effort by the agency to pinpoint the barriers and thus remove them. It asks details about building size requirements, land use controls, comprehensive plans, fee waivers for affordable housing and allowances of manufactured housing.³³

³¹ <http://www.open.org/~lwvov/Farmworkers2.htm>

³² www.metro-region.org/article.cfm

³³ *Regulatory Barriers to Affordable Housing* compiled by Linda Preisz, Clackamas County Planning Department.

