**2014 Amended Fair Housing Activity Statement – Texas**

**Impediment #4** "Not in my Backyard” (NIMBY) may be an impediment to fair housing in Texas communities.

2. The Department of Housing and Urban Development (HUD) provides extensive information about Fair Housing and examples at [www.hud.gov](http://www.hud.gov). Generally communities should consider:

* Working with local officials, editorial boards, religious and civic organizations and other community leaders to initiate education programs.
* Seeking opportunities to present information to community organizations by requesting to be placed on their meeting agendas.
* Including a visit to the Group Home residence as part of an education program.
* Answering all questions.
* Talking with local neighborhood leaders, including elected representatives, and setting up a neighborhood meeting.
* Setting up a liaison committee consisting of advocates, group residents, and neighborhood residents to discuss issues.
* Identifying areas that meet AFFH targets where the community supports development, has worked with community groups and potentially uses funds to assist the development of multi-family affordable housing.

**☑** We have developed an anti-NIMBYism action plan. [Attach a copy or description]

☐ We will develop an anti-NIMBYism action plan. [Designate who will be responsible for developing this plan.]

When will you do this? ☐ 2011 ☐ 2012 ☐ 2013

☐ Not Applicable (Explain)

**Impediment #5** Certain governmental policies and practices may not meet current HUD policy concerning affirmatively furthering fair housing. Jurisdictions should act to ensure that their policies and procedures affirmatively further fair housing, address mal-distribution of resources, and that they do not unnecessarily impact housing choice.

10. As part of the non-housing disaster recovery program, jurisdictions should consider low-income areas and areas populated principally by members of protected classes to determine the potential for flooding and consider making infrastructure expenditures to help protect the impacted communities—including colonias.

🗹 We have reviewed LMI areas and areas populated principally by members of protected classes, and prioritized infrastructure expenditures to help protect the impacted communities—including colonias.

☐ We have not done this in the past but will conduct such a review and consider these infrastructure projects in the future.

When will you do this? ☐

☐ Not Applicable (Explain)

15. All infrastructure programs funded with disaster recovery funds should be designed so that any publicly accessible infrastructure projects and associated facilities are fully accessible to persons with disabilities.

🗹 We have established clear policies and procedures to insure that all infrastructure programs funded with disaster recovery funds will be designed so that any publicly accessible infrastructure projects and associated facilities are fully accessible to persons with disabilities. [Attach documentation.]

☐ We have not developed these standards and policies; we will do so for Round 2 infrastructure projects. The person or entity responsible for developing these standards will be City of Pinehurst.

When will you do this? ☐

☐ Not Applicable (Explain)

**Impediment #6** Governmental entities at all levels do not appear to have been proactive in the enforcement of both the Fair Housing Act and the obligation to affirmatively further fair housing. The State and subrecipients should implement a robust and effective structure for identifying and pursuing suspected violations.

3. Impacted agencies that provide certification that they are affirmatively furthering fair housing as required by federal law, should consider publishing a public document on enforcement that provides the public and communities with a clear description (and chart) of the state and Federal Fair Housing Act.

🗹 On documents concerning housing and community development programs that are provided to the public, we will list fair housing enforcement contacts and procedures consistent with the State suggested language when it is provided in 2011.

When will you do this? 🗹 2014

☐ Not Applicable (Explain)

4. Each community should place on its website (if one is available) the contact, at the local, state, and federal levels, for reporting a Fair Housing complaint, if citizens believe they were victims of housing discrimination.

☐ We have published the contact information – at the local, state and federal levels – for reporting a Fair Housing complaint. [Attach a copy or URL.]

🗹 We have not done so but will do so.

When will you do this? 🗹 2014

☐ Not Applicable (Explain)

5. Each local jurisdiction should publish on its website a clear statement, approved jointly by TDHCA, expressing the jurisdiction's obligation to affirmatively further fair housing and providing a method for reporting suspected noncompliance to the state and to HUD.  The jurisdiction’s contact person should be able to refer to clear local Fair Housing procedures for the complaint process, keep logs and records of all inquiries, allegations, complaints and referrals.  These reports should be sent to the appropriate funding agency.  Where these reports show that a jurisdiction has administered programs inconsistently with the AI and had the effect of discouraging applications from members of protected classes who are deemed eligible under the plan for assistance, affirmative marketing plans should be developed and submitted to the appropriate agency.

☐ We have published a policy statement expressing our jurisdiction’s obligation to Affirmatively Further Fair Housing. [Attach a copy or URL.]

🗹 We will publish a policy statement consistent with the language the State provides in 2011.

When will you do this? 🗹 2014

☐ Not Applicable (Explain)

☐ We have developed clear procedures for the Fair Housing complaint process. [Attach a copy]

🗹 We will develop clear procedures for the Fair Housing complaint process once more guidance in given by the State in 2011.

When will you do this? 🗹 2014

☐ Not Applicable (Explain)

🗹 We keep complete logs and records of all Fair Housing inquiries, allegations, complaints and referrals and have a policy statement about these legal records.

☐ We will begin keeping required logs and records.

When will you do this? ☐

☐ Not Applicable (Explain)

☐ We have remedial procedures for developers, landlords, home sellers and others whose actions may be inconsistent with Fair Housing laws and regulations.

🗹 We do not have remedial procedures but will develop them. The agency or person who will be responsible for developing these procedures is City of Pinehurst.

When will you do this? 🗹 2014

☐ Not Applicable (Explain)We have no ordinances creating disparate impact. We have no zoning or land use control.

**Impediment #7** Many local jurisdictions have zoning codes, land use controls, and administrative practices that may impede fair housing choice and fail to affirmatively further fair housing.

1. The law anticipates that ordinances creating disparate impact should also be reviewed for change.  If a disparate impact is determined to exist by the local jurisdiction, it could repeal or amend the restriction, use public funds to offset the cost through homebuyer assistance programs, or waive fees or other offsets to make the home more affordable.

☐ We recently conducted or updated a Fair Housing Review of our ordinances and codes.

☐ We have not done so but will conduct a review

☐ We have a policy statement/guidance for those responsible for developing codes/ordinances that reminds them to consider and document the Fair Housing/AFFH implications of any new rule.

🗹 We do not have such a policy/guidance but will develop one when suggested guidelines are provided by the State in 2011.

When will you do this? 🗹 2015

☐ Not Applicable (Explain)

**Impediment #9** There are impediments in public and private actions and private attitudes to housing choice for persons with disabilities**.**

2. Local jurisdictions should work to ensure that zoning or code requirements do not unnecessarily impose stricter commercial building requirements, such as emergency access or protection services, on group homes, thereby dramatically increasing housing costs for persons with special needs.

☐ We have reviewed our codes and ordinances and have addressed/are addressing any impediments relating to special needs persons, including (1) rules that might prevent facilities or personal residences from providing assistance or communities of choice or service-enriched environments that directly impact special needs persons, and (2) rules that might unfairly increase the costs to special needs persons.

🗹 We have not done so but will conduct a review and address any impediments identified once guidelines are provided by the State in 2014.

When will you do this? 🗹 2014

☐ Not Applicable (Explain)

**Impediment #12** Lack of financial resources for both individuals and housing providers limits Fair Housing choice.  Using an effective program under Section 3 of the Housing and Urban Development Act of 1968 may help members of protected classes gain economic opportunities necessary to allow them to exercise fair housing choice.

2. Jurisdictions receiving federal funds from HUD, directly or indirectly, should ensure they have a compliant Section 3 program to meet HUD requirements regarding notification to LMI eligible persons of potential job creation at the impacted neighborhood level with federal funds.

☐ We have in place a Section 3 program that meets the requirements of federal law and regulations regarding potential job creation at the impacted neighborhood level and the use of federal funds to hire local LMI eligible persons. We confirm that appropriate staff persons in this jurisdiction have already received training on Section 3, regarding job creation for local LMI persons including members of protected classes. [Attach Section 3 plan and list of staff names and training dates]

🗹 We have not done so but will develop a Section 3 program that meets the requirements of federal law and regulations and that ensure appropriate staff receive training.

When will you do this? 🗹 2014