

2020 HUD Analysis of Impediments to Fair Housing Choice (AI) City of Manchester, NH

EXECUTIVE SUMMARY

In an effort to end housing segregation in Manchester, the City is required to conduct an analysis to identify any impediments to fair housing that may exist within the city. This analysis includes a review of applicable City policies, practices, and procedures resulting in the development of a plan of action to eliminate or improve identified conditions that limit fair housing choice. Information for this analysis is obtained through contact with various State, Federal, and Local Housing and Human Rights organizations that the City regularly interacts with and, in some instances, also funds.

Through contact with these diverse groups the City of Manchester has made substantial progress toward addressing the impediments to fair housing choice, identified in the City's 2010 Impediments to Fair Housing Plan and its Comprehensive Annual Performance Evaluation Reports.

Although the City is continuing its efforts to eliminate impediments to fair housing by providing wide-ranging public services, economic opportunities and housing programs, the continued increase in the cost of housing has made this goal difficult. Manchester lower income residents continue to face significant housing affordability challenges during today's economy. Median housing value, rents per square foot, and lack of choice in housing are impediments that are the result of increasing demand for housing in the City of Manchester. This work plan seeks to identify the issues related to Fair Housing Choice in Manchester and suggest solutions that can be implemented as part of the City of Manchester's effort to create fair housing options for all of Manchester's residents.

METHODOLOGY PROCESS

This process occurred nearly concurrently with other efforts of the City of Manchester including the 2020 update of the Manchester City Master Plan, the 2020 update of the 2020-2024 Consolidated Plan, and on the heels of a report issued by the Mayor's Task Force on Homelessness. As a result, the public input process was robust.

Four public hearings for the City's 2020-2024 Consolidated Plan and 2021 (HUD FY 2020) Annual Action Plan were held by City Community Improvement Program (CIP) Staff at Manchester Community Resource Center, 434 Lake Ave. (NRSA neighborhood) on Monday, September 16, 2019 at 6:00 p.m., on Tuesday, January 21, 2020 at 6:00 p.m. at Neighborworks Southern New Hampshire – 222 Cedar Street, on Wednesday, January 22, 2020 at 6:00 p.m. at Kelley Falls Public Housing Complex and Monday, March 7, 2020 at 6:00 p.m. at Manchester Community Resource Center, 434 Lake Ave. A Legal Notice for all public hearings was published in the Union Leader on September 9, 2019, January 17, 2020 and March 2, 2020 (please see Legal Notices in AD-25 Attachments Citizen Participation Comments). The Legal Notice published on April 10, 2020 also confirmed the 30-day public comment period which took place April 17, 2020 through May 17, 2020.

The public hearings also included discussions and citizen comments about the Manchester Continuum of Care (MCoC) and the coordination between the City and the MCoC of funds spent to support homelessness needs and services. The overall discussion topics included housing and homelessness, public infrastructure,

environment, neighborhood investment and revitalization, education, public safety, recreation, economic development and social services.

The City's efforts to garner input on the Consolidated Plan also informed this report. The City CIP Staff sent out emails to all of the agencies on the Community Improvement Program email list encouraging their attendance and their clients' attendance at the public hearings and participation in the online survey. The City also sent out flyers to these agencies to post at their locations and neighborhoods. Encouraged by City Staff, these agencies shared the survey with their program participants many of whom were low-moderate income persons, minority and non-English speaking persons, elderly persons, and/or disabled persons. For citizens who needed assistance completing the survey, the Staff at the Manchester Community Resource Center at 434 Lake Ave. volunteered to assist individuals with the survey and provided computers with internet access. A total of 91 participants completed the survey.

The data from this plan was gathered from the most up to date sources available including HUD's EGIS system which uses data from a number of sources including the 2011-2015 American Community Survey by the US Census. Wherever possible, primary sources are used to inform the data in this plan. The recommendations are designed to reflect an ongoing effort to eliminate impediments to fair housing choice based on the latest data and findings, community input, initiatives underway, and future plans.

FAIR HOUSING ACT OVERVIEW

Title VIII of the Civil Rights Act of 1968, commonly known as the Fair Housing Act (FHA), prohibits discrimination based upon race, color, religion, or national origin in the sale or rental of housing, the financing of housing, or the provision of brokerage services. A 1974 amendment added sex discrimination to the list of prohibited activities. The last major change to the act occurred in 1988 when it was amended to prohibit discrimination on the additional grounds of physical and mental handicap, as well as familial status. The FHA applies to a broad assortment of housing, both public and private, including single-family homes, apartments, condominiums, mobile homes, and others.¹

It is important to mention that, although the FHA is broadly applicable, it includes some exemptions. In general terms, examples of cases that the FHA does not apply include single-family homes that are rented or sold without the use of a real estate agent by a private owner², as well as "housing for older persons".³

The U.S. Department of Housing and Urban Development (HUD) issues numerous regulations that elaborate upon the types of housing practices in which discrimination is prohibited and provide illustrations of such practices. As an example, while the FHA prohibits discrimination based on sex, the act does not explicitly prohibit discrimination on the basis of sexual orientation or gender identity.⁴ In an attempt to fulfill this gap in protection, HUD published a 2012 regulation prohibiting discrimination based on sexual orientation, gender identity, or marital status in specified HUD programs.⁵

¹ Congressional Research Service, *The Fair Housing Act (FHA): A Legal Overview* (2016). Website: <https://crsreports.congress.gov/product/pdf/RL/95-710>

² 42 U.S.C. §3603(b)

³ 42 U.S.C. §3607

⁴ Congressional Research Service, *The Fair Housing Act (FHA): A Legal Overview* (2016). Website: <https://crsreports.congress.gov/product/pdf/RL/95-710>

⁵ 77 Fed. Reg. 5,662

HUD is also designated by statute to administratively enforce federal housing discrimination laws such as the federal Fair Housing Act. To ensure fair housing requirements are being met, states and local governments must have an Analysis of Impediments to Fair Housing Choice (AI).

In 2015, HUD published a final ruling designed to further FHA's goals of reducing segregation and housing barriers. HUD's Affirmatively Furthering Fair Housing (AFFH) rule requires covered entities to identify and evaluate fair housing issues through an "Assessment of Fair Housing" (AFH) plan; incorporate housing data analysis when establishing housing-related goals, plans, and decisions; and allow public input about fair housing issues and the most appropriate use of HUD funds.⁶ The core AFFH areas to be analyzed include segregation, racially/ethnically concentrated areas of poverty, disparities in access to community assets, and disproportionate housing needs.⁷

STATE LAW

NH Fair Housing Law

New Hampshire provides state-specific fair housing protections as well. The NH Fair Housing Law is found under Title XXXI on Trade and Commerce in Chapter 354-A, the New Hampshire Law Against Discrimination.⁸ The Fair Housing Law consists of Revised Statutes Annotated (RSA) 354-A:8 to RSA 354-A:15. The Fair Housing Law declares that equal housing opportunity without discrimination is a civil right. It prohibits housing discrimination on the basis of age, sex, race, creed, color, marital status, familial status, physical or mental disability, national origin, or sexual orientation. It also establishes a state agency, the Commission for Human Rights, to eliminate and prevent discrimination in housing accommodations, as well as in employment and public accommodations. Housing discrimination refers to services relating to the business of selling or renting dwellings, including access to and membership in multiple listing services and brokers' organizations.

Similarly to the federal Fair Housing Act, the state statute also enumerates exemptions to its applicability between 354-A:13 to RSA 354-A:15. In general terms, the provisions of unlawful housing discrimination do not apply for the sale and rental of single-family housing sold by the owner without the use of real estate agent if the owner does not own other single-family houses, as well as for rental housing in owner-occupied three-family buildings. The Fair Housing Law cannot limit the applicability of local, state, or federal restrictions regarding the maximum number of occupants in a dwelling unit, nor does it apply in the case of "housing for older person".

RSA 540:2 – New Tenancy Protections for Victims of Domestic Violence

New Hampshire statute RSA 540:2⁹ aims to address discriminatory eviction due to status as a victim of domestic violence. It states that landlords may not terminate a tenancy solely based on a tenant or a household member of a tenant having been a victim of domestic violence, sexual assault, or stalking, with the condition that the victim provides the landlord with written verification that they have obtained a valid protective order against the perpetrator of the domestic violence, sexual assault, or stalking. As determined by definitions in RSA 540:1-a, this statute does not apply to the lessors or owners of: single-family houses if

⁶ Congressional Research Service, *The Fair Housing Act (FHA): A Legal Overview* (2016). Website:

<https://crsreports.congress.gov/product/pdf/RL/95-710>

⁷ New Hampshire Housing Finance Authority, *2015 Analysis of Impediments to Fair Housing Choice* (2015). Website:

https://www.nhhfa.org/wp-content/uploads/2019/06/Analysis_Impediments_FHC.pdf.

⁸ State of New Hampshire. "Title XXXI Trade and Commerce: Chapter 354-A State Commission for Human Rights." *New Hampshire General Court*.

⁹ State of New Hampshire. "Title LV Proceedings In Special Cases: Chapter 540. Actions Against Tenants." *New Hampshire General Court*.

the owner currently owns 3 or fewer single-family houses, rental units in an owner-occupied building containing 4 or fewer dwelling units, and single-family houses acquired by banks or other mortgagees through foreclosure. RSA 540:2 also provides support for sole eviction of the tenant or household member accused of the domestic violence, sexual assault, or stalking, via a court process. The statute does not prevent eviction due to nonpayment of rent.

Statewide Building Code

New Hampshire's statewide building code was created by RSA 155-A. It applies to all new buildings constructed by the state or a state agency, as well as all buildings in New Hampshire undergoing new construction or renovation. The State Building Code directly references ICC/ANSI A117.1 as a standard for barrier-free design. While the Code supersedes all local codes that are less stringent, municipalities have freedom to adopt more restrictive codes if desired.

New Hampshire Architectural Barrier-free Design code

The Code for (Architectural) Barrier Free Design (AB Code) for the State of New Hampshire is especially relevant to fair housing. RSA 275-C:11 establishes a Committee on Architectural Barrier-Free Design (Abfd), which is a permanent committee of the Governor's Commission on Disability and is responsible for promulgating the Architectural Barrier Free Design Code. The Committee's Chapter Abfd 300, Code For Barrier-Free Design, states that its purpose is to ensure, through the elimination of architectural barriers, that publicly funded public buildings and facilities are accessible to, and functional for, persons with disabilities. It names the 2010 ADA Standards for Accessible Design (as clarified or modified by Abfd 303.02) as the source of the provisions of the AB Code.

Workforce Housing Law

New Hampshire's Workforce Housing Law under RSA 674:58-61 mandates local governments to provide meaningful opportunities for the development of workforce housing. Workforce housing is defined as housing opportunities that are affordable for moderate and low-income families, including rental multi-family housing.

FAIR HOUSING RESOURCES

Federal

U.S Department of Housing and Urban Development (HUD)

HUD administratively enforces federal housing discrimination laws such as the federal Fair Housing Act, as designated by statute. The Office of Fair Housing and Equal Opportunity (FHEO) is the HUD program office that specifically oversees fair housing. HUD produces many of the written fair housing materials distributed by state, local, and non-profit agencies in New Hampshire. The HUD Consolidation Plan's certification to "Affirmatively Furthering Fair Housing" requires entitlement communities to undertake Fair Housing Planning.

U.S. Department of Justice, Civil Rights Division

The Housing and Civil Enforcement Section has the ability to prosecute civil violations of the federal Fair Housing Act. Located in Washington, D.C., there are several attorneys assigned to handle cases arising in the New England region. Although many of the cases handled are referred by other federal agencies, private citizens may also file complaints. Priority is given to "pattern and practice" cases involving ongoing violations affecting many people. There are no costs associated with lodging a complaint with the Department of Justice.¹³

U.S. Federal District Court, District of New Hampshire

New Hampshire residents with housing discrimination complainants may bring a private lawsuit in federal court for violations of the federal Fair Housing Act. There are filing fees and other potential costs of litigation, some of which may be waived by the court for low-income litigants.¹³

State

New Hampshire Commission for Human Rights (HRC)

The HRC is a state agency established by RSA 354-A for the purpose of eliminating discrimination in employment, public accommodations and the sale or rental of housing or commercial property, because of age, sex, sexual orientation, race, creed, color, marital status, familial status, physical or mental disability or national origin. The commission has the power to receive, investigate and pass upon complaints of illegal discrimination and to engage in research and education designed to promote good will and prevent discrimination. The New Hampshire "Law Against Discrimination" is contained in NH RSA 354-A, and covers employment, housing, and places of public accommodation. The Commission adopts rules pursuant to RSA 541-A, the Administrative Procedure Act, in accordance with the procedures set forth in the Act. The Commission's rules, once adopted in accordance with RSA 541-A, have the force of law unless they are amended or revised or unless a court of competent jurisdiction determines otherwise.

State Court System

New Hampshire residents with housing discrimination complainants may bring legal actions in state superior or district courts for violations of federal or state housing discrimination laws. State claims must be filed first with the HRC, which then may grant permission to remove the complaints to state court. There are filing fees and other potential costs of litigation, some of which may be waived by the court for low-income litigants.

State of New Hampshire, Office of the Attorney General

The New Hampshire Attorney General has the authority to initiate civil actions on behalf of people for relief against any person believed to have violated the provisions under New Hampshire's Civil Rights Act, or RSA 354-B¹⁰. It also permits civil penalties, injunctive relief necessary to prevent continued or future violations, and restitution for out-of-pocket expenses.

INITIATIVES BY NON-PROFITS AND CITY DEPARTMENTS

Non-profits

New Hampshire Legal Assistance and the Housing Justice Project (HJP)

New Hampshire Legal Assistance (NHLA) is a non-profit law firm offering legal services in civil matters to families, seniors and eligible low-income individuals. NHLA provides superior legal services to vulnerable and low-income residents, ranging from simple legal information and advice to vigorous and thorough representation in all of New Hampshire's courts and before many of the local, state and federal agencies. The Housing Justice Project (HJP) of New Hampshire Legal Assistance is a group committed to promoting equal access to housing for New Hampshire Legal Assistance (NHLA) clients. The HJP battles housing discrimination by investigating complaints of discrimination involving section 8 or public housing issues, mortgage foreclosure, property taxes, mobile home park issues, fair housing/housing discrimination complaints and housing accessibility issues for persons with mobility disabilities.

¹⁰ State of New Hampshire. "Title XXXI Trade and Commerce: Chapter 354-B Civil Rights Act." *New Hampshire General Court*.

Disability Rights Center (DRC)

The Disability Rights Center (DRC) provides free legal services to persons with disabilities, including legal advocacy and representation in housing discrimination cases. The DRC also hosts workshops and educational events on Fair Housing Rights of People with Disabilities.

Neighborworks Southern New Hampshire (NSNH)

NSNH is a non-profit organization dedicated to the improvement of the lives of individuals and families living in the Southern New Hampshire region by providing access to quality housing services, revitalizing neighborhoods and supporting opportunities for personal empowerment. NSNH has been working closely with the City of Manchester to increase home ownership and providing quality affordable rental housing across the City. In addition, NSNH conducts homeowner workshops that are designed to educate and prepare low income renters for homeownership by providing them with the abilities and skills needed to purchase and maintain their own home. NSNH has a total of 270 affordable housing units within Manchester.

The Way Home

The Way Home is a non-profit agency dedicated to helping low-income households obtain and succeed in safe, affordable housing. The Way Home has been working closely with the City of Manchester offering numerous resources to help make housing safe, secure rental housing, and provide transitional shelter & permanent supportive rental housing. The Way Home also offer several Fair Housing classes that assist both landlords and vulnerable households be aware of their rights and responsibilities.

Families in Transition-New Horizons

Families in Transition-New Horizons (FIT/NH) is a non-profit organization located in Manchester and Concord, New Hampshire. FIT has been committed to providing innovative, comprehensive, and effective interventions specifically designed to help homeless individuals and families reach beyond the cycle of homelessness to lead healthy and successful lives. FIT/NH works closely with the City of Manchester and the Continuum of Care managing emergency shelters for families with children and adult individuals, as well as supporting those individuals through enhanced case management. FIT/NH has 129 units of permanent housing and 76 transitional housing units within Manchester.

City

Manchester Housing and Redevelopment Authority (MHRA)

The Manchester Housing and Redevelopment Authority (MHRA) owns and manages 1,271 public housing apartments for low income families, elderly, and adults with disabilities, and provides housing subsidies for over 1,800 households through the administration of the Section 8 Housing Choice Voucher Program. MHRA also offers the Homeownership Program conducted in conjunction with the Housing Choice Voucher Program and operated in partnership with New Hampshire Housing Finance Authority and Neighborworks Southern New Hampshire. MHRA offers an array of supportive programming to residents, including a licensed after school child care program, teen educational and recreational activities, adult employment and vocational services, social activities for the elderly and adults with disabilities, and a support program to allow the elderly and persons with disabilities to maintain their independence.

City of Manchester Welfare Department

The City of Manchester Welfare Department provides emergency assistance to individuals and families who are financially unable to meet expenses for food, housing, medications, and utilities. The Welfare Department also facilitates eligible residents access programs offered by federal, state, and non-profit relief agencies.

City of Manchester Planning and Community Development Department

Financial assistance for housing activities in Manchester is primarily provided through the use of federal funds from the United States Department of Housing and Urban Development. The Federal funds include the Community Development Block Grant Program (CDBG), the HOME Investment Partnerships Program and to a lesser degree Emergency Shelter Grant money. The use of these funds is restricted to activities which provide affordable housing or shelter to low- or moderate-income individuals. In addition to Federal funds the City also has an Affordable Housing Trust fund which is available for housing initiatives. The City allocates all of these funds on an annual basis as a part of the Community Improvement Program (CIP) process and on a project specific basis throughout the year.

The City Housing Initiatives also include a Lead Hazard Control Program. The purpose of the program is to assist property owners in the control of Lead Hazards that constitute an imminent health threat in homes built prior to 1978 and to protect young children from lead poisoning.

In addition to City resources, Manchester housing initiatives leverage monies from other sources. The majority of the leveraged funds are administered by the New Hampshire Housing Finance Authority and they include but are not limited to HOME Investment Partnership funds, the Affordable Housing Fund, tax exempt bonds and Low Income Housing Tax Credits.

City of Manchester HUD Consolidated Plan

The HUD Consolidated Plan for the City of Manchester establishes the priorities for the use of Community Development Block Grant, HOME Investment Partnerships Program, and Emergency Shelter Grant funds granted to the City by the U.S. Department of Housing and Urban Development (HUD) for a period of five years. It also includes an annual action plan that serves as an application and performance reporting mechanism.

DEMOGRAPHICXS

POPULATION

The 2019 estimated population of Manchester is 112,673. The city has seen slow growth of 2.9% since the 2010 census where the population stood at 109,613. The total number of households in the city is 45,461. *Source: 2019 ACS*

RACIAL PROFILE

The City of Manchester has seen an increase in share of its Black and African American population from 2.6% in 2008 to 5.8% in 2019, as well as an increase of Hispanic Origin resident from 4.6% to 9.9% between 2008-2019. The racial profile of the Manchester is reflected below. *Source: 2019 ACS*

White alone, percent	84.8%
Black or African American alone, percent	5.8%
American Indian and Alaska Native alone, percent	0.2%
Asian alone, percent	5.3%

Native Hawaiian/Other Pacific Islander alone, percent	0.0%
Two or More Races, percent	3.0%
Hispanic or Latino, percent	9.9%
White alone, not Hispanic or Latino, percent	77.2%

INCOME AND POVERTY

The median household income of Manchester is \$58,227 compared with \$74,991 for New Hampshire. The median family income is \$68,381 compared with \$93,930 for New Hampshire. The median per capita income is \$30,351 compared with \$34,362.

The poverty rate in Manchester is 14.97% with two thirds of those in family households and one third in non-family households.

Poverty Rate:		14.97%
Persons in Poverty in Family Households:	10,765	66.93%
Persons in Poverty in non-Family Households:	5,320	33.07%

Source: 2019 ACS

EMPLOYMENT

Manchester had a labor force of 66,041 at the end of 2019. The number of jobs within the city totaled 65,203. The unemployment rate through the end of 2019 was 2.3%. The economy of the city is diverse with concentrations in business, finance, services, and sales. The largest employers in the City of Manchester are: Elliot Hospital with 4,000 employees, Southern New Hampshire University with 3,386 employees, and Catholic Medical Center with 2,854 employees. As part of a dynamic regional employment center 46.9% of Manchester residents work within the city, 44.6% commute to other places within New Hampshire, and 8.5% commute out of state. Source: NHES 2019 Granite Stats

EDUCATION

Eighty-seven percent (87%) of the population over the age of 25 has a high school degree or higher. Of those 28.7% has a bachelor's degree or higher. Thirteen percent (13%) has less than a high school degree. The percentage of those with high school graduation or higher increases as the population cohort decreases.

Source: 2019 ACS

LANGUAGE

Of the households in Manchester 19.9% do not speak English as the primary language in the home. Source: ACS 2014-2018. Additionally, Manchester City Health Department's 2019 Community Needs Health Assessment indicated that among the 2018-2019 student population, Manchester had 1,968 English Learners representing 15% of the total school district enrollment. The primary language spoken in the home by Manchester other than English is Spanish.

FAIR HOUSING PROFILE

HOUSING STOCK AND CHARACTERISTICS

Manchester has a total of 48,969 housing units, of which 92.8% are occupied and 7.2% are vacant. Just over a third (36.3%) of housing units in Manchester are 1-unit detached units and 57.7% are multifamily units.

Nearly half (49.3%) of the housing stock was built prior to 1960 and 8.3% was built between 2000 and 2018.

Source: 2018 ACS 5-Year Estimates. Manchester has been designated as a high risk community for Lead Based Paint poisonings due to the excessive amount of older housing stock. Of the City's 49,429 housing units, 68% of them were built prior to 1980.(2013-2017 ACS)

Total housing units	48,969
Occupied housing units	45,461
Vacant housing units	3,508

UNITS IN STRUCTURE	Number	Percent
Total housing units	48,969	100.0%
1-unit, detached	17,800	36.3%
1-unit, attached	2,731	5.6%
2 units	5,552	11.3%
3 or 4 units	7,024	14.3%
5 to 9 units	4,389	9.0%
10 to 19 units	2,878	5.9%
20 or more units	8,413	17.2%
Mobile home	170	0.3%
Boat, RV, van, etc.	12	0.0%

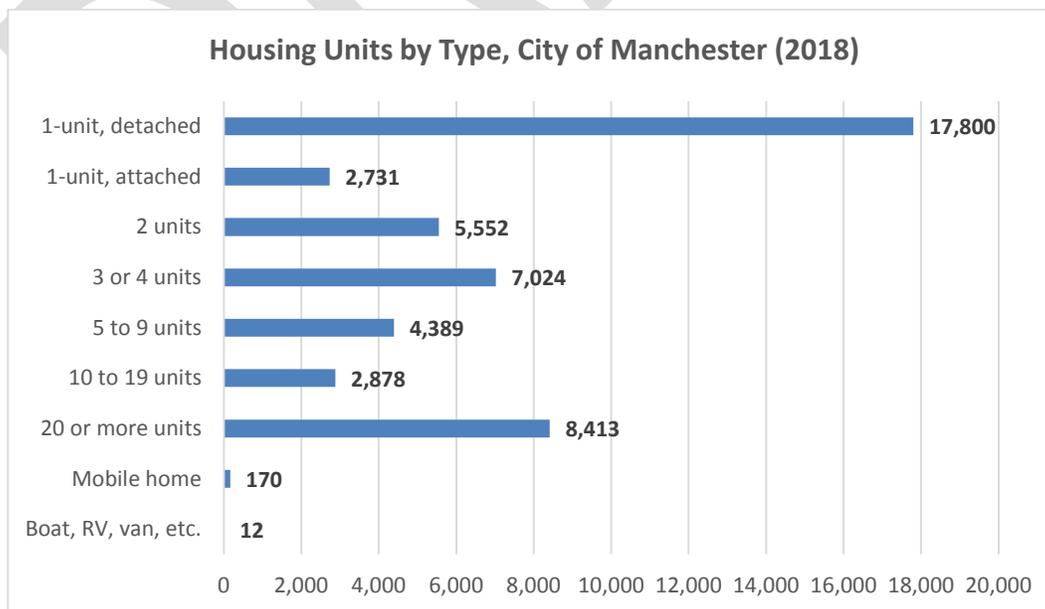


Figure XX: Housing Units by Type, City of Manchester (Source: 2018 ACS 5-Year Estimates)

YEAR STRUCTURE BUILT	Number	Percent
Total housing units	48,969	100.0%
Built 2014 or later	312	0.6%
Built 2010 to 2013	510	1.0%
Built 2000 to 2009	3,235	6.6%
Built 1990 to 1999	3,948	8.1%
Built 1980 to 1989	7,966	16.3%
Built 1970 to 1979	5,008	10.2%
Built 1960 to 1969	3,826	7.8%
Built 1950 to 1959	5,024	10.3%
Built 1940 to 1949	3,078	6.3%
Built 1939 or earlier	16,062	32.8%

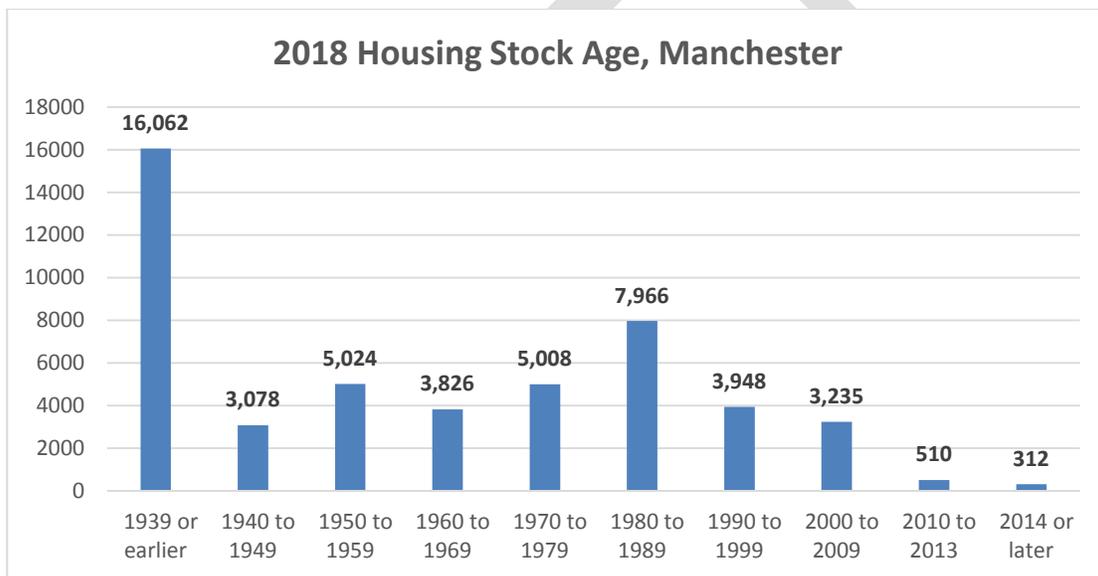


Figure XX: Housing Stock Age in the City of Manchester (Source: 2018 ACS 5-Year Estimates)

MARKET PRICE TRENDS

The recently completed Consolidated Plan for Manchester presents an overview of housing in the City of Manchester. Currently, Manchester is experiencing the impacts of an increase of housing value across all facets of the market creating an affordability issue for many seeking housing options in the market.”

Some key takeaways from the Consolidated Plan are:

- Since 2015, the median rent has continued to increase. The 2018 ACS estimates the median rent in Manchester to be \$1,086 (2018 ACS 5-Year Estimates).
- The New Hampshire Housing Finance Authority estimates the 2020 median gross rent in Manchester to be \$1,291, representing a 36% increase over median rents in 2010 (\$946)
- Meanwhile the vacancy rates for housing both for rent and for sale in Manchester have decreased with for rent product at 3% vacancy.

- According to the 2018 ACS 5-Year Estimates, the median value of owner-occupied housing units in Manchester is \$217,100

Gross Rent	2015 ACS 5-Year Estimates	2018 ACS 5-Year Estimates
Occupied units paying rent	23,329	24,574
Less than \$500	2,199	1,814
\$500 to \$999	9,083	8,220
\$1,000 to \$1,499	10,188	10,717
\$1,500 to \$1,999	1,516	3,059
\$2,000 to \$2,499	277	527
\$2,500 to \$2,999	23	151
\$3,000 or more	43	86
Median (dollars)	\$1,014	\$1,086
No rent paid	425	467

Owner-occupied units by Value	
Less than \$50,000	541
\$50,000 to \$99,999	771
\$100,000 to \$149,999	1,798
\$150,000 to \$199,999	5,181
\$200,000 to \$299,999	9,250
\$300,000 to \$499,999	2,673
\$500,000 to \$999,999	184
\$1,000,000 or more	22
Median (dollars)	\$217,100

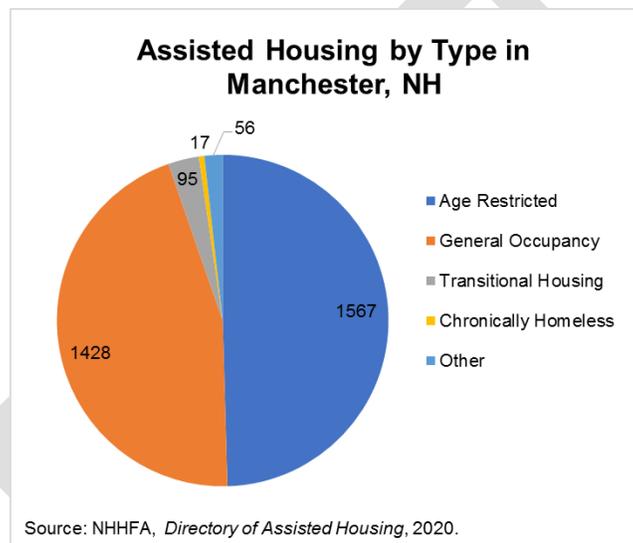
ASSISTED HOUSING IN THE CITY OF MANCHESTER

Public housing was established to provide decent and safe rental housing for eligible low-income families, the elderly, and persons with disabilities. The U.S. Department of Housing and Urban Development (HUD) administers Federal aid to local housing agencies (HAs) that manage the housing for low-income residents at rents they can afford. HUD furnishes technical and professional assistance in planning, developing and managing these developments. HAs use income limits developed by HUD. HUD sets the lower income limits at 80 percent and very low income limits at 50% of the median income for the county or metropolitan area in which a family or individual chooses to live. Income limits vary from area to area so eligibility also varies from one HA to another.¹¹

¹¹ U.S. Department of Housing and Urban Development, "HUDs Public Housing Program". Website: https://www.hud.gov/topics/rental_assistance/phprog

Map 1 illustrates the assisted housing units in the City of Manchester¹² compared to the percentage of households below poverty level across the City's block groups¹³. Map 2 illustrates the assisted housing units in the City of Manchester compared to the percentage of minority population across the City's block groups¹⁴. The analysis indicate that while the locations of assisted housing units in the City appear to be mostly concentrated where both poverty levels and minority concentration are higher, the actual number of assisted units in areas with lower poverty levels and less diverse blocks are actually quite high. Progress is being made to develop affordable housing options outside areas of low income and the City should continue to work with developers and property owners to overcome this impediment.

Based on the total number of assisted housing units by type in the City, the largest availability of assisted housing units targets the elderly population, followed by low-income family households.



LAND USE PRACTICES

Land use zoning emerged in the late 1800's to early 1900's as a way of protecting the public health, welfare, and safety by excluding obnoxious or incompatible uses from residential areas. It was also a means of protecting property values and thus changing the value of land based upon the zoning qualifications. Local land use controls were identified in the 2010 New Hampshire Housing Analysis of Impediments to Fair Housing Choice as a major impediment in the state: "Zoning, growth controls, and impact fees – place significant obstacles in front of those who wish to develop affordable housing for lower income families...In particular, unreasonable restrictions on the creation of multifamily housing, strong incentives for the development of multi-unit 'housing for older persons' (rather than for families with children), and large lot requirements continue to have the effect of restricting housing options for lower income families."³ This impediment is a regional issue that affects the City of Manchester as some of these land use restrictions and requirements that exist in surrounding communities may be limiting fair housing choice and further

¹² NHHFA, *Directory of Assisted Housing*, 2020.

¹³ U.S. Census Bureau, American Community Survey (ACS) 2014-2018, Estimated households with Income in the past 12 months below poverty level.

¹⁴ U.S. Census Bureau, American Community Survey (ACS) 2014-2018, Estimated population race and ethnicity.

concentrating protected classes within the City where affordable housing exists because the local land use practices allow for it.

The City of Manchester encourages affordable housing development with density bonus incentives. Zoning Ordinance allows for urban multi-family, two-family and high-density one-family housing means that the City contains a majority of the affordable housing options in the region.

In May of 2017, the City's zoning regulations pertaining to accessory dwelling units were modified. The allowed size of the accessory units increased from 600 square feet to 750 square feet with two bedrooms permitted rather than one. Currently, there is some momentum within the City to allow accessory units above detached garages, which is not permitted in Manchester. Should this additional change be approved by the governing body, people in the City, both younger and older, will have more housing options.

The County had a housing vacancy rate of around 1% in 2017 while the national average was about 7%. That vacancy rate created a ripple effect in the whole housing market, leading to issues of affordability. This issue is raised in the Manchester Comprehensive Master Plan, which is currently in draft form, with an expectation of adoption by the Planning Board before the end of 2020. As opposed to the current land use patterns in the City, the proposed land use patterns in the Master Plan will encourage more mixed-use and higher density residential development areas for the future with the intent of, again, providing more options for housing development.

MORTGAGE LOAN DENIALS

According to the FFIEC Home Mortgage Disclosure Act, there were 779 home mortgage denials in 2019. The evidence indicates that mortgage denials do not disproportionately affect mortgage applicants based on race or ethnicity.

Total Mortgage Denials	779	% Denials	% Pop
White	560	71.9%	80.0%
Asian	45	5.8%	4.6%
Black	16	2.1%	4.6%
Hispanic or Latino	58	7.4%	8.7%

MANCHESTER FAIR HOUSING CASES

The New Hampshire Legal Assistance handles Fair Housing cases for low-income and elderly clients in all regions of New Hampshire. They also offer community education and outreach on Fair Housing issues. NHLA work is funded by a grant from the United States Department of Housing and Urban Development (HUD).

From January 2013 to December 2019 NHLA handled a total of 146 fair housing cases related to discrimination in the City of Manchester, of which 18 cases involved discrimination in more than one protected class. Close to half of these were related to the protected class of those with a mental disability (68

cases). The protected class of those with a physical disability was also largely represented in this timeframe with 45 cases.

Manchester Fair Housing Cases, 2013-2019

City of Manchester Fair Housing Cases January 1, 2013 to December 31, 2019	
Protected Class	Number of Cases
Mental Disability	68
Physical Disability	45
Familial Status	4
National Origin	13
Race	9
Color	0
Gender	5
Religion	0
State: Marital Status	0
State: Age	1
State: Sexual Orientation	0
State: Gender Identity	0
TOTAL	146

Source: New Hampshire Legal Assistance.

VI. IMPEDIMENTS TO FAIR HOUSING CHOICE AND PROPOSED ACTIONS

The following impediments to fair housing choice are identified for the City of Manchester through this analysis.

1. Insufficient, Quality Affordable Housing

Affordable housing options tend to be concentrated in the center city and west side of Manchester and many of them are not maintained to adequate living standards. With more than half of the housing stock built over 50 years ago, many of the affordable housing options are in need of rehabilitation, renovation or lead-based paint hazard mitigation. In addition, the increasing cost of rent and economic consequences of the recent recession are increasing barriers to many people in the City, including the protected class groups. The wait for Section 8 vouchers from NH Housing Finance Authority is currently over nine years for low income people without “preferences” (e.g. homeless, persons with disabilities). The wait is seven to eight years at Manchester Housing Authority. This impacts affordable housing options for very low income people as it is not currently a resource nor will it be for many years.

Proposed Action (i): The City should continue to balance Community Development Block Grant (CDBG) and HOME investment funds between the revitalization of impacted areas (those with housing problems, minority and/or low-income concentrations) and the creation of new affordable housing in non-impacted areas.

Proposed Action (ii): Continue to fund Rental Assistance Programs and require financial fitness counseling, education and training as part of this program to ensure successful outcomes.

Proposed Action (iii): Continue to fund the City’s Lead Hazard Control Program and conduct outreach for these programs to increase awareness of their availability and the minimum building standards that are required of property owners.

Proposed Action (iv): Continue to fund the Concentrated Code Enforcement Officer, Neighborhood Revitalization Program (NRP), Healthy Neighborhoods and Weed and Seed Programs to promote healthier, safer and cleaner neighborhoods.

Proposed Action (v): Continue to fund homeless prevention and rapid re-housing activities through Emergency Solutions Grant (ESG) funds to assist Manchester residents in gaining housing stability and temporary services to bridge to long-term stability.

Proposed Action (vi): Consider repurposing commercial land along corridors for mixed use housing as indicated in the 2020 Manchester Master Plan update to provide a mixture of housing along transit lines and close to employment centers.

2. Crime and Safety

Crime statistics in the City have indicated substantial progress during the past several years as property crimes have decreased. Violent crimes showed a decrease for two years, but a slight increase in 2018-2019, which confirms the need to continue with funding for a safer Manchester. Manchester's crime map still indicates that the majority of criminal activity is concentrated in the inner City, where businesses and affordable housing options are predominantly located.

Proposed Action (i): Continue to fund crime prevention and healthy neighborhoods programs that are aimed at addressing crime in the City.

Proposed Action (ii): Continue to fund the Neighborhood Revitalization Program, Healthy Neighborhoods, and Targeted Area Officer Support Programs to promote healthier, safer and cleaner neighborhoods.

Proposed Action (iii): Continue to encourage and support Neighborhood Watch Groups in order to increase citizen participation and investment in reducing crime.

Proposed Action (iv): Continue to encourage proactive policing measures, such as staffing the Manchester Police Athletic League to increase police-community relations with our youth. Continue to foster and maintain police-community relations with the 8,500 youth who live within one square mile of the Manchester Police Athletic League/Offer Michael Briggs Community Center.

3. Housing Options for the Homeless/At-Risk of Homeless

The [2019 Mayor's Task Force on Housing Report](#) issued a series of 17 recommendations centered around addressing four themes to address the homeless issue in Manchester.

Subpopulation Totals

Chronically Homeless Persons	84
Chronically Homeless Families	1
Severely Mentally Ill	106
Chronic Substance Abuse	112
Veterans	17
Persons with HIV/AIDS	0
Domestic Violence Survivors	56

Proposed Action (i): Continue the usage of CDBG, HOME and ESG funds as resources to provide housing assistance and services, including homeless prevention and rapid re-housing, for at-risk of homeless /homeless individuals and families.

Proposed Action (ii): Continue to coordinate with the City's Homeless Service Coordinator and Manchester Continuum of Care network to implement the goals and objectives that have been outlined as part of the 2019 Homeless Task Force Summary.

Proposed Action (iii): Continue to secure funding for permanent supportive housing options through the Manchester Continuum of Care (NOFA funded program are also options, but these programs also have wait lists.)

Proposed Action (iv): Use additional ESG funds to provide homelessness prevention assistance in coordination with partner agencies in Manchester.

4. Language and Cultural Barriers

A lack of information in languages other than English, along with a lack of resources, education and integration for immigrants and refugees presents a barrier to fair housing for those households that come from different cultures and speak different languages.

Proposed Action (i): Encourage the city's continued support and funding for a stronger service network to provide immigrant and refugee populations with access to safe housing, essential services and resources for integration.

Proposed Action (ii): Fund and support interpretation and translation services for housing providers, property owners/managers and service network organizations to meet the needs of those with limited English proficiency (LEP).

Proposed Action (iii): Continue to fund an outreach campaign for immigrants, refugees and those with LEP to increase awareness of resources and services that are available to them in the City of Manchester, along with fair housing rights information.

Proposed Action (iv): Incentivize safe housing arrangements between landlords and resettlement agencies that are affordable to the refugee population.

Proposed Action (v): Collaborate and inform resettlement agencies about the City's proactive housing inspection initiatives.

5. Insufficient Fair Housing Information, Training, Education and Outreach

Discrimination data analyzed reveals that there is a need for continued outreach and education to tenants, property owners/managers, and landlords to increase awareness of fair housing laws and to reduce discriminatory practices.

Proposed Action (i): Continue to work with City partners to advance awareness to Fair Housing regulations and resources available for tenants and property owners.

Proposed Action (ii): Facilitate an annual training/education workshop for property owners/managers to increase awareness and education of fair housing laws and resources.

6. Insufficient Public Transportation and Services Outside the Center City

Expanding public transportation and services outside of the center city would allow transit dependent households further access to affordable housing options, public services, employment opportunities and amenities. There is also little provision of public transportation and services outside of the City of Manchester, which increases Manchester's housing market demand from transit dependent households.

Proposed Action (i): Continue to provide adequate funding to the Manchester Transit Authority in order to sustain necessary public transit services to City residents, particularly residents located outside the center city.

Proposed Action (ii): In coordination with the Manchester Transit Authority, analyze current service, needs and linkages to determine the feasibility of increasing levels of service and extending service to areas not currently being served, including areas outside of the City where Manchester residents may need to travel for employment and services.

Proposed Action (iii): Continue to advocate a regional initiative to expand public transportation options and social service provisions to allow an equal access to those services for all residents in the county.

7. Discrimination Practices

Mortgage loan denial rate data and housing discrimination complaint data reveals that discrimination based on race and ethnicity are a relatively minor issue for the community. However, the City must maintain best practices to ensure that discrimination based on race and ethnicity are in place. Discrimination based on disability is the top complaint in fair housing claims. This may be a function of the ageing housing stock and the inability to provide for disabled residents.

Proposed Action (i): Continue to work with City partners to increase awareness and education on topics such as ADA compliance, accessibility standards and fair housing rights for the disabled/ handicap population, along with topics that pertain to all of the protected classes and fair housing rights.

Proposed Action (ii): Provide funding for legal services to low-moderate income individuals that help to subsidize the cost of fair housing discrimination cases.

Proposed Action (iii): Advance guidelines for land use and zoning revisions determined by the 2020 Master Plan to expand fair housing choice options

Proposed Action (iv): Participate in a regional initiative to analyze the patterns of segregation as they exist within the regional setting.