

# Impediments to Fair Housing Plan

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2010 Update

**CITY OF MANCHESTER PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT**



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PLANNING AND COMMUNITY DEVELOPMENT DEPARTMENT**

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## **I. Introduction**

In an effort to end housing segregation in Manchester, the City annually conducts 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. Such organizations include the New Hampshire Commission for Human Rights, NH Legal Assistance, Legal Advice and Referral Center (LARC), Child and Family Services, The HUD Office of Fair Housing and Equal Opportunity, Manchester Housing and Redevelopment Authority, New Hampshire Governor's Commission on Disability, New Hampshire Housing Finance Authority, New Hampshire pro bono Program through the State Bar, Neighborworks Greater Manchester and The Way Home.

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 2007 Impediments to Fair Housing Plan and its Comprehensive Annual Performance Evaluation Reports. The City is confident it has obtained a realistic and up to date awareness from the governmental officials, area housing service providers, tenant groups and landlords of the fair housing issues presently existing in Manchester.

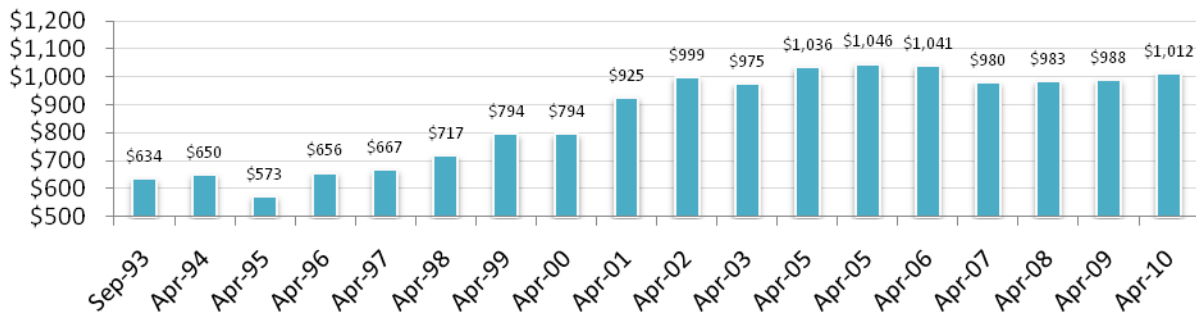
The shortage of affordable rental housing has had enormous impacts on lower-income households. Waiting lists for rental assistance programs or other subsidized housing options continue to grow, and more families are homeless or at risk of becoming homeless.

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 high cost of housing has made this goal difficult. Manchester lower income residents continue to face significant housing affordability challenges during today's economy. While rents and home

purchase prices remained relatively stable during fiscal year 2009, utilities, property taxes and other costs associated with keeping a family housed continued to rise.

Due to recent changes in our current economy the housing market has seen a rise in availability, and the amount of affordable housing has slightly increased over the years. This change in the economy has helped to reduce the potential for housing discrimination among lower income groups in Manchester. However, competition for inner city and more affordable housing units remains high. The burden of the changing market has been restricted primarily to higher end units where rents are more comparable to mortgage rates for first time homebuyers. According to the 2010 residential rental cost survey conducted by the NH Housing Finance Authority (NHHFA), the average median rental cost for a two – bedroom apartment in 2010 is (\$1,012) and is affordable for families earning 55% or greater of the median income for Manchester.

**Median Monthly Gross Rent\* For Two-Bedroom Units  
City of Manchester**



\*Data provided by New Hampshire Housing Finance Authority 2010 residential rental cost survey

\*Includes Utilities

## II. Regional Demographics

The City of Manchester has 3,286.5 persons per square mile of land area, resulting in the state’s highest population density. According to the New Hampshire Office of Energy & Planning the estimated 2008 population for the City of Manchester is 108,586 with approximately 48,722 housing units.

**Housing Supply City of Manchester** (NH Office of Energy and Planning)

2008 Total Housing Units 48,722

2008 Single-Family Units 17,987

2008 Multi-Family Units 30,492

2008 Manufactured Housing Units 243

Families below the poverty level 7.7%

**Population Demographics City of Manchester** (US Census Bureau)

*Total Population;*

2008- 108,586

2000- 107,219

1990- 99,426

1980- 90,936

1970- 87,754

As of 2007, nearly 10% of Manchester's residents were born outside of the United States, which is twice the percent of people in all of New Hampshire who are foreign born. Over 17% of Manchester's residents speak a language other than English at home. Around 5% of households are linguistically isolated, meaning that all members of the household ages 14 and older have at least some difficulty with English.

**Manchester Ethnicity Statistics**

White 93.3%

Black or African American 2.6%

American Indian and Alaska Native 0.7%

Asian 2.7%

Native Hawaiian and Other Pacific Islander 0.1%

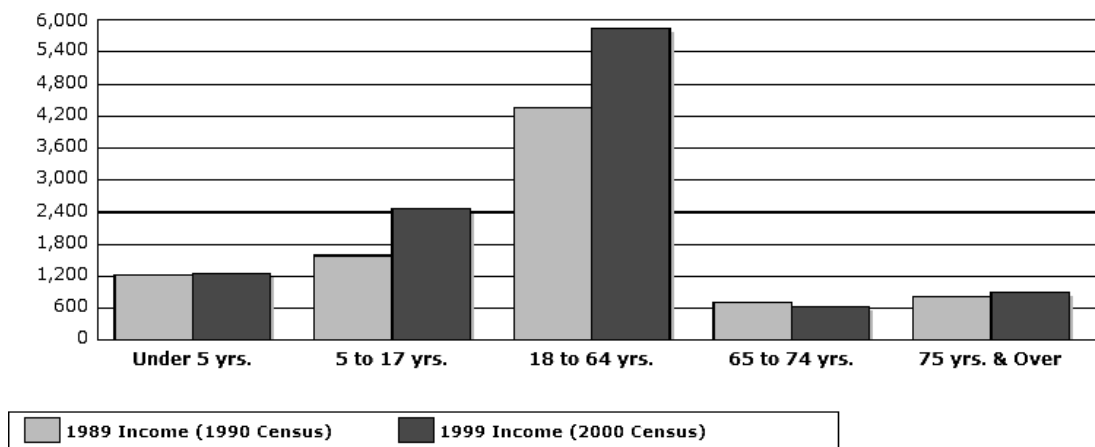
Other 2.5%

Hispanic or Latino (of any race) 4.6%

According to the 2000 US Census estimates, Manchester’s Median Household Income was approximately \$40,774, compared to \$49,467 for the state of New Hampshire. The average per capita income among Manchester residents was \$21,244 and 7.7% of the population lives below the poverty level. There are 325,581 families living in the state. Of those families, 13,948 (4.3%) live below the poverty level. The largest percentage of residents living below poverty is located in the inner city area on the City’s East Side.

## Population By Age With Income Below Poverty

TOWN: Manchester



*\*Source: New Hampshire Housing Finance Authority; Poverty characteristics for the City of Manchester*

### III Fair Housing Law Update

In 1968 the U.S. Congress made efforts to put an end to housing segregation in the U.S. Title VIII of the Civil Rights Act of 1968 made acts of housing discrimination based upon race, sex, national origin, Religion or ethnicity illegal. The Act was amended in 1988 making acts of discrimination against families with children and people with mental or physical illness equally unlawful.

#### A. Repeal of RSA 130-A: 8

Effective August 8, 1997, the New Hampshire Legislature repealed RSA 130-A:8, concerning the rental of residential dwellings with lead paint hazards to children under the age of six years. Before its repeal, RSA 130-A:8 stated that no person shall willingly rent a dwelling or dwelling unit which had been found by the commissioner of the Department of Health and Human Services or a health authority to have a lead exposure hazard present, when such dwelling is to be occupied by a child. Although as written RSA 130-A:8 did not prevent rental agents and landlords from renting to families with children except in instances where the lead paint in the unit was found to be a “lead paint hazard” by a health official, prior to its repeal, misinterpretation of the section led to rejections of families with children from units where any lead paint was located. The repeal of RSA 130-A:8 brought our state law in line with federal and state law regarding housing discrimination against families with children, as well as guidance issued by HUD, which makes clear that a landlord may not legally discriminate against families with children based on the existence of lead paint in a dwelling or rental unit.

#### **B. The addition of sexual orientation as a protected class**

In 1997, the New Hampshire Legislature amended the New Hampshire Law against discrimination to include protections from housing discrimination based on a person’s sexual orientation. In addition to articulating the previously recognized protected classes, New Hampshire RSA 354-A:8 states that “no person shall be denied the benefit of the rights afforded by this section on account of that person’s sexual orientation.” Sexual orientation is defined to include persons having or being perceived as having an orientation for heterosexuality, bisexuality, or homosexuality. The section became effective on January 1, 1998.

#### **C. Civil Rights Act**

In 1999, the New Hampshire Legislature enacted RSA 354-B, entitled the Civil Rights Act. This law extended the protections afforded to certain classes of persons recognized as protected classes under the Human Rights Act – race, color, national origin, ancestry, sexual orientation, gender and disability. The law declares that all persons have the right to engage in lawful



activities and to exercise and enjoy the rights secured by the United States and New Hampshire Constitutions and the laws of the United States and New Hampshire without being subject to actual or threatened physical force or violence against them or any other person or by actual or threatened damage to or trespass on property when such actual or threatened conduct is motivated by race, color, religion, national origin, ancestry, sexual orientation, gender or disability. The law defines threatened conduct as a communication, by physical conduct or declaration, of intent to inflict harm on a person or a person's property by some unlawful act with a purpose to terrorize or coerce. The Civil Rights Act provides the New Hampshire Attorney General with the power to initiate civil actions on behalf of the people of New Hampshire for relief against any person believed to have violated the provisions listed above. The law allows for civil penalties for each violation, injunctive relief necessary to prevent continued violations or future violations, and restitution for out-of-pocket expenses to any person damaged by the violation.

#### **D. Private Right of Action under New Hampshire Law against Discrimination**

Prior to June 16, 2000, individuals alleging violations of the provisions of the New Hampshire Law Against Discrimination, RSA 354-A, were limited to the filing of complaints with the Human Rights Commission and enforcement through the Attorney General's office. While the provisions for enforcement of complaints before the Human Rights Commission are extensive, the enforcement provisions did not allow an aggrieved individual to file a complaint in court. Effective June 16, 2000, the Legislature enacted RSA 354-A:21-a regarding an aggrieved individual's choice of forum for enforcement of New Hampshire Housing Discrimination Laws. RSA 354-A:21-a states that any party alleging to be aggrieved by any practice made unlawful under RSA 354-A may bring an action in superior court for civil damages, injunctive relief or both. This provision is important to aggrieved individuals because it not only allows an individual to choose where he or she will seek relief for an alleged discriminatory act, but also allows him or her to seek remedies for alleged violations of other laws before a body which has jurisdiction to consider all claims.

#### **E. Statewide Building Code**

Effective September 14, 2002, New Hampshire adopted RSA 155-A, its first statewide building code (the “Code”) for all new buildings constructed by the state or a state agency and all new public buildings within all New Hampshire communities and agencies. The term “public buildings” as used in the Code is broadly defined to include any building space where the general public is allowed entry as a normal part of the operation and use of the building. While the construction of one and two family dwellings is exempted from the requirements of the Code, it does cover other residential buildings, including, but not limited to, apartment buildings and shelters. Prior to the adoption of the Code, there existed no standard, uniform building code. Rather, building codes were adopted on a local level only. The Code supercedes any and all local codes that are less stringent, but allows municipalities to adopt more restrictive codes if desired. The Code adds to the standards of the State Fire Code and the New Hampshire Barrier Free Design Code already required across the state by adopting the International Building Code 2000, the International Plumbing Code 2000, the International Mechanical Code 2000, the International Energy Conservation Code 2000, and the National Electric Code 1999. In addition, the Code provides the Life Safety Code with supremacy with regard to means of egress requirements. The adoption of the code is viewed as a way to standardize and modernize current codes in use to better protect public health, safety and welfare.

## **F. Housing for Older Persons**

Effective January 1, 2004, the New Hampshire Legislature amended the state Fair Housing Law, New Hampshire RSA 354-A:15, to read, “No provisions of this chapter regarding familial status or age apply with respect to housing for older persons.” Prior to this amendment, qualified housing for older persons was codified as exempt only from familial status provisions. This amendment changed the actual statutory language to give meaning to the limited exemption afforded to operators of housing for older persons to legally discriminate in certain situations. Familial status is defined as families with children under the age of 18, and includes pregnant women, foster parents, grandparents, and others with the custody of children. New Hampshire’s law pertaining to housing for older persons was adopted to shadow the federal law, which allowed operators of qualified elderly housing to discriminate on the basis of familial status.

Essentially, the familial status exemption permitted qualified operators not to rent to families with children. Prior to the adoption of this amendment, however, a qualified elderly housing provider could legally refuse to rent to a family with a child under 18, but not legally refuse to rent to a family with a 19-year-old in the family because New Hampshire recognizes age as an additional protected class. In addition, prior to the adoption of this amendment, an individual who was legally discriminated against by an elderly housing complex could still claim age discrimination, as even qualified elderly housing had no age discrimination exemption. The adoption of this amendment may seem significant in that it permits additional legal discrimination. It is believed however, that the passage of Senate Bill 48 brings the statute into conformity with legislative intent because construing qualified housing for older persons as exempt from familial status but not age provisions would render the exemption meaningless.

#### **IV. Review of Fair Housing Resources and Materials Available to Manchester Residents**

##### **a. Federal Resources and Materials**

There are many federal, state and local resources that are offered to help better educate residents on their basic housing rights and needs.

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

HUD is the federal agency designated by statute to administratively enforce federal fair housing laws. HUD's Regional Office of Fair Housing and Equal Opportunity (FHEO) is located in Boston, Massachusetts. HUD produces many of the written fair housing materials distributed by state, local, and non-profit agencies in New Hampshire. New Hampshire housing discrimination complainants may file federally-based complaints directly with HUD via toll-free voice and TTY numbers, electronically, by fax, or mail. The HUD housing discrimination complaint form is available electronically through the HUD website and is included as part of the HUD housing discrimination pamphlet. HUD assumes all costs of processing and investigating the complaints. The Consolidation Plan's certification to "Affirmatively Furthering Fair Housing" requires entitlement communities to undertake Fair Housing Planning. The analysis of Impediments to Fair Housing should be viewed as part of the City's Consolidated Plan. The report has been completed to meet requirements of the Fair Housing Planning Guide.

## **2. U.S. Federal District Court, District of New Hampshire**

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.

## **3. 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.

### **b. State Non-Profit Resources and Materials**

#### **1. New Hampshire Commission for Human Rights (HRC)**

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.

## **2. Court System**

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.

## **3. State of New Hampshire, Office of the Attorney General**

The New Hampshire office of attorney general is available to serve the people of New Hampshire with diligence, independence and integrity by performing the constitutional, statutory and common law duties of the Attorney General as the State's chief legal officer and chief law enforcement officer; to seek to do justice in all prosecutions; to provide the State with legal representation and counsel of the highest quality; to protect the State's environment and the rights of its consumers, and to provide supervision and leadership of New Hampshire law enforcement.

## **4. City of Manchester Consolidated Plan (ConPlan)**

The Consolidated Plan for the City of Manchester establishes the priorities for the use of Community Development Block Grant, HOME Investment Partnerships, and Emergency Shelter Grant funds granted to the City by the US Department of Housing and Urban Development (HUD). It also serves as an application and performance reporting mechanism.

## **5. New Hampshire Legal Assistance & 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 low-income citizens, 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. In providing legal services to lower income individuals, NHLA helps balance the scales of justice for all citizens.

Funded partially by the city of Manchester, The Housing Justice Project (HJP) of New Hampshire Legal Assistance is a group of dedicated attorneys and paralegals who are 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. The HJP helps by providing full legal representation to lower income families and individuals in emergency situations who are either currently without shelter or are at imminent risk of becoming homeless. The individuals of HJP help ensure admittance to safe shelters and supply access to the proper resources to help families move out of homelessness.

The HJP is also working to alleviate the steady stream of Manchester homeowners who are at risk of losing their homes to foreclosure by assisting them to file bankruptcy and save their home. The HJP in addition to supplying legal assistances does a considerable amount of community outreach to tenants, housing providers and social service agencies about tenants' rights and general fair housing law.

Focusing on the rapidly growing minority, immigrant, and refugee communities in Manchester, the HJP works closely with local public and private organizations that assist these particularly vulnerable populations in the struggle against housing discrimination.

## **6. NeighborWorks**

NeighborWorks Greater Manchester (NGM) is a non-profit organization dedicated to the improvement of the lives of individuals and families living in the Greater Manchester region by providing access to quality housing services, revitalizing neighborhoods and supporting opportunities for personal empowerment. NGM has helped thousands of people break the cycle of poverty and improve their financial stability through either home ownership or providing quality affordable rental housing. In addition, NGM 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

## **7. Disability Rights Center (DRC)**

The DRC provides information, advice, and legal representation to individuals who have problems with housing who have been discriminated against due to their disability. The DRC provides workshops and educational events of Fair Housing Rights of People with Disabilities.

## **V. Fair Housing Discrimination Complaints**

For the period of July 15, 2008 - February 12, 2010 New Hampshire Legal Assistants reported that they had received 27 housing discrimination complaints from Manchester residents, down from 39 in FY06 - FY08. A majority of these complaints involved low-income families. (7 in 2008, 14 in 2009, 7 in 2010)

During the second quarter of fiscal year 2008 New Hampshire Legal assistance had received 2 new housing discrimination complaints from Manchester low-income residents. One case involved an eviction based on a service animal for a person with disabilities. The second is a possible discrimination based on national origin by a large private housing development in the City of Manchester.

In the NHLA quarterly reports presented to the City of Manchester Christine Lavallee writes that during the fourth quarter of the fiscal 2008 Manchester Community Improvement Program grant period New Hampshire Legal assistance had received 2 new housing discrimination complaints from Manchester low-income residents. One case involved an eviction based on a service animal for a person with disabilities. The second is a possible discrimination based on national origin by a large private housing development in the City of Manchester.

During the reporting period of the fourth quarter of fiscal year 2009 New Hampshire legal assistance had received six new housing discrimination complaints from Manchester low-income residents, up from 2 in the fourth and final quarter of fiscal year 2008. Three of these complaints were evictions due to discrimination against the resident's race. 1 case was due to a resident's mental disability, 1 physical disability fair housing complaint, and 1 gender based complaint. The reporting period of the second quarter of fiscal year 2010 the NHLA had reported that they had received 2 new housing discrimination complaints from Manchester low-income residents.

## **VI. Workforce Housing**

According to the New Hampshire Workforce Housing Law, RSA 674:58-61, “Workforce housing” means housing which is intended for sale and which is affordable to a household with an income of no more than 100 percent of the median income for a 4-person household for the metropolitan area or county in which the housing is located as published annually by the United States Department of Housing and Urban Development. “Workforce housing” also means rental housing which is affordable to a household with an income of no more than 60 percent of the median income for a 3-person household for the metropolitan area or county in which the housing is located as published annually by the United States Department of Housing and Urban Development. Housing developments that exclude minor children from more than 20 percent of the units, or in which more than 50 percent of the dwelling units have fewer than two bedrooms, shall not constitute workforce housing.

A wide variety of working class residents are in need of work force housing. Manchester is a working city and many of its residents fall under the category of those in need of affordable workforce housing; Entry level teachers, firefighters, police officers, artists, nursing assistants and medical workers, hospitality employees, retail and service employees.

## **VII. Affordability**

Although Manchester has a relatively high amount of available housing offered, not all groups benefit from this. Much of the housing available for sale in Manchester is priced too high and well beyond the means of a lower-income family. There are 325,581 families living in the state of New Hampshire. Of those families, 13,948 (4.3%) live below the poverty level and cannot afford home ownership. While rental housing is less expensive, the majority of multi-family housing consists of smaller one- and two-bedroom units. Historically, the City of Manchester has had a sufficient stock of multi-family home rentals at 30,492 Multi-Family Units in 2008. The cost to rent these multi-family units can be expensive if located in popular desired areas and well out of the means of the lower-income family. Demographic data for Manchester shows that minority families on average have lower per capita income and larger household sizes. These families find themselves in a highly competitive market for the larger units in desired areas.



Hispanic, Black, and Asian per capita incomes in Manchester are half of White per capita income. Poverty rates for all minority groups in Manchester are two to three times those of Whites, averaging more than twenty percent for Blacks and Hispanics. Poverty rates for single females with children are high in Manchester and across the county.

Overcrowded housing is an indirect measure of cost burden. Overcrowding is more common in Manchester than elsewhere in the state, the percentage of overcrowded Hispanic and Asian households in Manchester is large. Overcrowding is most prevalent in rental housing located in downtown Manchester. Most owner-occupied housing units are single family residences with three or more bedrooms, while most rental units are multifamily complexes with two or less bedrooms.

### **VIII. Land Use and Zoning**

Zoning regulations were examined to determine if the entitlement jurisdiction encourages development and maintenance of affordable housing or imposes barriers to the detriment of affordable housing.

Inclusionary zoning promotes fair housing choice by directly allocating a percentage of new housing to low and very low-income residents. Its effect is to distribute lower income residents throughout a city, increasing neighborhood diversity. Larger numbers of affordable units can be realized, funded in part by private investment. The City of Manchester does not have inclusionary zoning ordinances.

Although density bonus incentives exist to develop affordable housing, relatively few units have been constructed in recent years. Density bonuses are most effective when combined with inclusionary zoning, providing additional income to offset below market unit costs.

Land use and zoning regulations are sometimes used to discriminate against people under the excuse of preserving “neighborhood character”. Zoning and land use policies relating to occupancy restrictions, family definition, and constraints on group homes for persons with

disabilities were reviewed for their effect on fair housing choice. No law limits the number of occupants in a dwelling beyond the number allowed.

In New Hampshire, landlords can refuse to accept Section 8 vouchers or decline to rent to households that receive public benefits such as Temporary Assistance for Needy Families (TANF) or Social Security Benefits. Lack of protection from source of income discrimination places the poorest New Hampshire residents at increased risk of homelessness, and often restricts choices.

This problem exist despite the efforts made by the City and the various non-profit housing developers in the creation of decent affordable housing and is not related to any land use and zoning regulations created by the City.

Although the City's various programs have had significant impacts on the inner city neighborhoods; the number of quality housing units created over the past eight years remains insufficient. A gap still exists between the overall number of units existing in the City and the overall housing needs of its poorest citizens.

### **IX. Accessibility for Persons with Disabilities**

As a protected class, people with disabilities are unique because they are the only minority that can be discriminated against solely by design of the housing unit. The Fair Housing Amendments Act (FHAA) remedies that in part by establishing design and construction requirements for multifamily housing built for first occupancy after March 13, 1991. The law provides that failure to design and construct covered multifamily dwellings to include certain features of accessible design will be regarded as unlawful discrimination.

For those persons with disabilities who find it difficult or impossible to access or use a dwelling unit, failure to comply with the accessibility provisions of the FHAA is an impediment to fair housing choice.

### **X. Analysis of Impediments to Fair Housing**

### **a. Purpose**

Per the requirements of The Fair Housing Compliance; Section 24 CFR 570.904 (c) the City has conducted the following analysis to identify any impediments to fair housing that may exist in the City's Housing and community Development Program and activities, to review pertinent policies and practices, and to develop a plan of action to eliminate or improve conditions that limit fair housing choice.

## **XI. Identification of Impediments to Fair Housing Choice**

### **a. Description of Impediments to Fair Housing Choice**

According to HUD, impediments to fair housing choice include actions or omissions in the state that constitute violations of the Fair Housing Act. Further, impediments mean actions or omissions that are counter-productive to fair housing choice or that have the effect of restricting housing opportunities based on protected classes. The following issues are shown to be potential impediments to fair housing choice in the City of Manchester:

***Insufficient Supply of Affordable Housing.*** Research determined that the greatest barrier to fair housing in Manchester is the lack of affordable units that are safe, functional and can ensure fair housing choice. The lack of affordable housing cuts across all protected classes.

### **Actions Taken:**

- Consolidated Plan Strategy Element - Utilize HOME funding to provide incentives to both for-profit and non-profit developers to produce affordable rental housing. Affordable housing initiatives should include a mix of new construction and adaptive reuse of existing properties to maintain a vacancy rate that is consistent through out the entire city. Proposed Actions - CIP #610211 (*FY 2011*) Planning and Community Development Department – Housing Initiatives - \$200,000 Affordable Housing Trust funds and \$353,507 HOME funds. Past Actions - *Neighborworks Greater Manchester (NGM) West Granite Gateway Project* – \$172,243 was expended during the last fiscal year to purchase two properties, a three family home and a single family home. During

the next phase of the project, these properties will be renovated to create home ownership opportunities for low income families. In addition, NGM is negotiating the sale of two to three other properties. *Planning and Community Development Dept. Housing Initiative – Sidora’s Terrace Apartments* – \$275,000 of HOME funds and \$125,000 of Affordable Housing Trust funds were committed for the new construction of seventy units of affordable rental housing.

- Consolidated Plan Strategy Element - Utilize HOME funding to provide subsidies to low-income families to assist them with the down payment and closing costs associated with purchasing a home, Support homeownership-training programs that help low-income households understand the responsibilities of homeownership and assist people with financing in order to obtain a home upon graduation from the program. Proposed Actions - CIP #611111 (*FY 2011*) Neighborworks Greater Manchester – Down Payment & closing cost Assistance - \$150,000 HOME funds, CIP #611211 (*FY 2011*) Neighborworks Greater Manchester – Neighborworks Homeownership Center - \$50,000 HOME funds. Past Actions - Neighborworks Greater Manchester – Down Payment & closing cost Assistance Provision of down-payment / closing cost assistance to low and moderate income City residents that would otherwise be unable to purchase a home. Seven families received assistance during the last reporting period. Neighborworks Greater Manchester *Operational Assistance – NeighborWorks Homeownership Center* - HOME funds were provided to NGM staff people responsible for facilitating the homebuyer-counseling program. 186 unduplicated individuals were counseled of which 35 became homeowners. All households who purchased were low or moderate-income families.

***Inadequate Supply and Condition of Housing for Persons with Disabilities.*** The supply of housing that meets the needs of persons with disabilities is inadequate. As the “baby boom” population ages, there will be increased pressure on existing accessible, affordable housing units

**Actions Taken:**

- Consolidated Plan Strategy Element - Utilize HOME funding to provide incentives to both for-profit and non-profit developers to produce affordable rental housing.

Proposed Actions – CIP #611011 (*FY 2011*) Manchester Housing & Redevelopment Authority South Porter Street Housing Project - \$100,000 HOME funds (31 units of assisted living elderly rental housing), CIP #213511 (*FY 2011*) Mental Health Center of Greater Manchester Merrimack St. Group Home Renovation Project - \$30,000 of HOME funds and \$30,000 of Affordable Housing Trust funds. Past Actions - *Planning and Community Development Dept. Housing Initiative – South Porter Street Housing Project*– \$200,000 of HOME funds were used to construct thirty-one units of assisted living elderly rental housing.

***Foreclosures.*** High delinquencies and foreclosures may be symptomatic of predatory and unfair lending practices. Foreclosures also affect the health of the housing market itself.

**Actions Taken:**

- Consolidated Plan Strategy Element - Provide foreclosure prevention seminars and one on one foreclosure counseling. Proposed Actions - CIP #611211 (*FY 2011*) Neighborworks Greater Manchester – Neighborworks Homeownership Center - \$50,000 HOME funds (100 Foreclosure/Default one on one counseling sessions). Past Actions - *Neighborworks Greater Manchester Operational Assistance – NeighborWorks Homeownership Center* – Program funding resulted in the provision of one-to-one foreclosure prevention counseling to 100 individuals. *Planning and Community Development Dept. - Homeless Prevention Rapid Re-Housing Project* - Program aimed at housing stabilization providing temporary financial assistance and or services to assist Manchester residents gain housing stability; temporary assistance service as a bridge to long term stability.

***Language/Cultural Issues.*** Persons who do not speak English may be vulnerable to discrimination or unfair acts.

**Actions Taken:**

- Consolidated Plan Strategy Element - Coordinate and support the implementation of a service network to provide refugee populations with access to safe housing and all essential services. Proposed Actions – CIP #213811 (*FY 2011*) Southern NH AHEC Medical & Legal Interpretation Training – \$10,000 CDBG funds (Program to provide medical and legal interpretation training for bilingual individuals and to increase cultural competency of service providers in Manchester), CIP #213911 (*FY 2011*) Southern NH Services Multi Cultural Services – \$15,000 CDBG funds (Funding to facilitate assimilation of Manchester's newest immigrants and refugees into the community). Past Actions - *Planning and Community Development Department - New Citizens Assimilation* – In order to meet the needs of the growing number of immigrants and refugees in Manchester, the City recently partnered with Southern New Hampshire Services and the Southern NH Area Health Education Center (SNHAHEC) to provide capacity building and referral services to the immigrant and refugee populations.

***Land Use Regulations.*** Land use regulations may increase the cost of housing and create impediments to fair housing choice.

**Actions Taken:**

- Consolidated Plan Strategy Element - Procurement of consultants to conduct studies and analyses that cannot be accomplished by the Planning Department staff. Proposed Actions - CIP #810111 (*FY 2011*) Planning and Community Development Department - Community Development Initiatives – CDBG funds (Funds to be used for consultant services and associated costs of community development, management and facility programs). Past Actions - *Planning and Community Development Dept. – Master Plan Support* – Approximately \$12,000 of CDBG funding was used to hire a consultant to update the City’s Master Plan.

***Predatory Lending Practices.*** Mortgage lending practices of sub-prime lenders may prey upon low-income and minority populations.

**Actions Taken:**

- Consolidated Plan Strategy Element - Support homeownership-training programs that help low-income households understand the responsibilities of homeownership and assist people with financing in order to obtain a home upon graduation from the program. Proposed Actions - CIP #611211 (*FY 2011*) Neighborworks Greater Manchester – Neighborworks Homeownership Center - \$50,000 HOME funds. Past Actions - Neighborworks Greater Manchester *Operational Assistance* – *NeighborWorks Homeownership Center* - HOME funds were provided to NGM staff people responsible for facilitating the homebuyer-counseling program. 186 unduplicated individuals were counseled of which 35 became homeowners. All households who purchased were low or moderate-income families.

***Housing Discrimination.*** The Federal Reserve Bank of Boston, with the cooperation of the federal financial institutions regulatory agencies and the U.S. Department of Housing and Urban Development (HUD), released a detailed study on mortgage loan denial rates in the Boston area. Data shows the highest conventional purchase loan denial rates were for blacks and Hispanics which may indicate housing discrimination.

**Actions Taken:**

- Consolidated Plan Strategy Element - Utilize CDBG funding to enforce fair housing and advocate for individuals who have been discriminated against. Proposed Actions – CIP #810111 (*FY 2011*) Planning and Community Development Department - Community Development Initiatives - CDBG funds (Funds will allow for continuation of series of educational forums on fair housing and landlord/tenant laws). Past Actions - *NH Legal Assistance Fair Housing Program* – CDBG funds were utilized to hold a series of educational forums (17) on fair housing, lead paint laws and landlord/tenant laws. In 2009, NHLA staff provided legal services to 483

Manchester clients and their 637 household members for a total of 1,120 Manchester residents served. 171 of these new cases for Manchester clients were housing cases, which involved issues ranging from foreclosures to evictions. In addition, NHLA staff made 425 referrals to other service providers in Manchester. The organization also trained 6 individuals to become Fair Housing Testers. The testers engage in fair housing testing initiatives designed by the staff. *Planning and Community Development Dept.* – New Citizens Assimilation - Funding was utilized to facilitate assimilation of Manchester's newest immigrants and refugees into the community.

***Lack of Housing for the Homeless.*** The New Hampshire Coalition to End Homelessness states that during the summer 2008 and winter 2008 Statewide Homeless Counts estimated that 2,248 persons were homeless on any given day in New Hampshire. This includes a lack of housing for persons released from mental health facilities and prisons. This Analysis of Impediments suggests actions for reducing or eliminating these impediments. In 2008, an average of 71 people stayed in the New Horizons Manchester Shelters each night.

**Actions Taken:**

- Consolidated Plan Strategy Element - Coordinate with the City's Homeless Service Coordinator to implement the goals and objectives that have been outlined as a part of the 2008 Ten Year Plan to End Homelessness, develop housing to accommodate homeless individuals transitioning from shelters into permanent apartments and continue to collaborate with non-profit organizations to operate a security deposit program. Proposed Actions – CIP #210011 (*FY 2011*) Families in Transition – Spruce Street Transitional Housing - \$15,000 Affordable Housing Trust funds, CIP #610511 (*FY 2011*) Families in Transition – Lowell Street Housing Project - \$68,600 HOME funds, CIP #610611 (*FY 2011*) Harbor Homes – Somerville Street Veterans Housing Project - \$100,000 HOME funds, CIP #610911 (*FY 2011*) Heritage United Way – Homeless Service Coordinator - \$5,000 ESG and \$23,517 Affordable Housing Trust funds, CIP #612211 (*FY 2011*) The Way Home – Tenant Based Rental Assistance - \$54,000 HOME funds and CIP #612111 (*FY 2011*) The Way Home –



Homeless Housing Counseling & Services - \$10,000 ESG funds. Past Actions - *The Way Home - Homeless Prevention Tenant Based Assistance, Essential Services - The Way Home* assists low-income families at risk of homelessness to obtain decent, affordable housing by providing tenant education, budgeting, advocacy, landlord-tenant negotiations, security deposit loans and homeless prevention grants. Eligible applicants for The Way Home's services are individuals/families that are low income or at risk of homelessness due to hardship. Many of its clients have housing problems or are seeking to improve their housing situation. People accepted into the program become partners with the agency and are given the opportunity to assist others through the agency's peer support programs. *Liberty House – Renovations & Structural Repairs* - \$25,000 of CDBG funds were expended on improvements to bring the Liberty House Transitional Housing Facility into compliance with life-safety codes. *Families in Transition – Spruce Street Transitional Housing* - Five single fathers with children served. *Housing Initiatives – Homeless Coordinator* – coordinated with the Continuum of Care to implement Manchester's 10-year Plan to end homelessness. *Planning and Community Development Dept. - Homeless Prevention Rapid Re-Housing Project* - Program aimed at housing stabilization providing temporary financial assistance and or services to assist Manchester residents gain housing stability; temporary assistance service as a bridge to long term stability.

**e. Existing patterns of segregation.**

Manchester is a city of 12 distinct neighborhoods, a fact that has both positive and negative impacts. Much of Manchester's minority population has deep historical roots in particular neighborhoods. Within these ethnically based neighborhoods, residents feel a strong sense of community and can access shops, services, religious and social organizations. Data analysis included in this AI indicates that within the City of Manchester minority concentration varies by neighborhood and does not extend to the suburban areas of Greater Manchester. The Greater Manchester area includes 5 suburban communities that are predominately white, while the area's minority population is concentrated in the urban core of Manchester's downtown. These patterns

of segregation cross municipal boundaries and therefore cannot be addressed by City actions alone.

**f. Language barriers & cultural differences.**

Language barriers and cultural differences were also identified as another potential impediment to fair housing in this AI. Hispanics are the fastest growing minority group in Manchester, increasing by 55.8% according to the 2000 Census. Language barriers can exacerbate discrimination in accessing rental housing, homeownership, and appropriate mortgage financing. For Manchester's newest immigrant groups, those from Southeast Asia and the former Soviet republics, differences in how housing is accessed and financed can create barriers. For example, Southeast Asian immigrants are often not familiar with the standard American mortgage process for home ownership and prefer to work and save until they are able to buy with cash. As is common with nearly all new immigrant groups, later arrivals tend to move into neighborhoods where others from their home country already live. This pattern creates interesting and diverse ethnic neighborhoods but also results in concentration of minority groups and segregation.

**g. The age of housing stock and the prevalence of lead-based paint hazards.**

According to the analysis included in this AI the age of Manchester's housing stock and the prevalence of lead-based paint hazards is another impediment to fair housing in the city. The City of Manchester has an abundance of old housing stock, with 80% of the dwellings in six center city tracts being built prior to 1940. This is true for both renter and owner-occupied housing. The age of the housing stock creates impediments to fair housing for several reasons. It means that much of the housing is in need of repair and expensive to operate, repair, and to maintain in good condition for both homeowners and rental property owners. The cost of maintaining older housing represents a barrier to homeownership for low and moderate-income buyers. The current housing shortage has exacerbated the challenges in securing affordable, lead-safe housing for families.

The age of the housing stock is also an impediment to fair housing for those with physical disabilities in that older housing is likely to contain physical barriers such as steep stairs, narrow

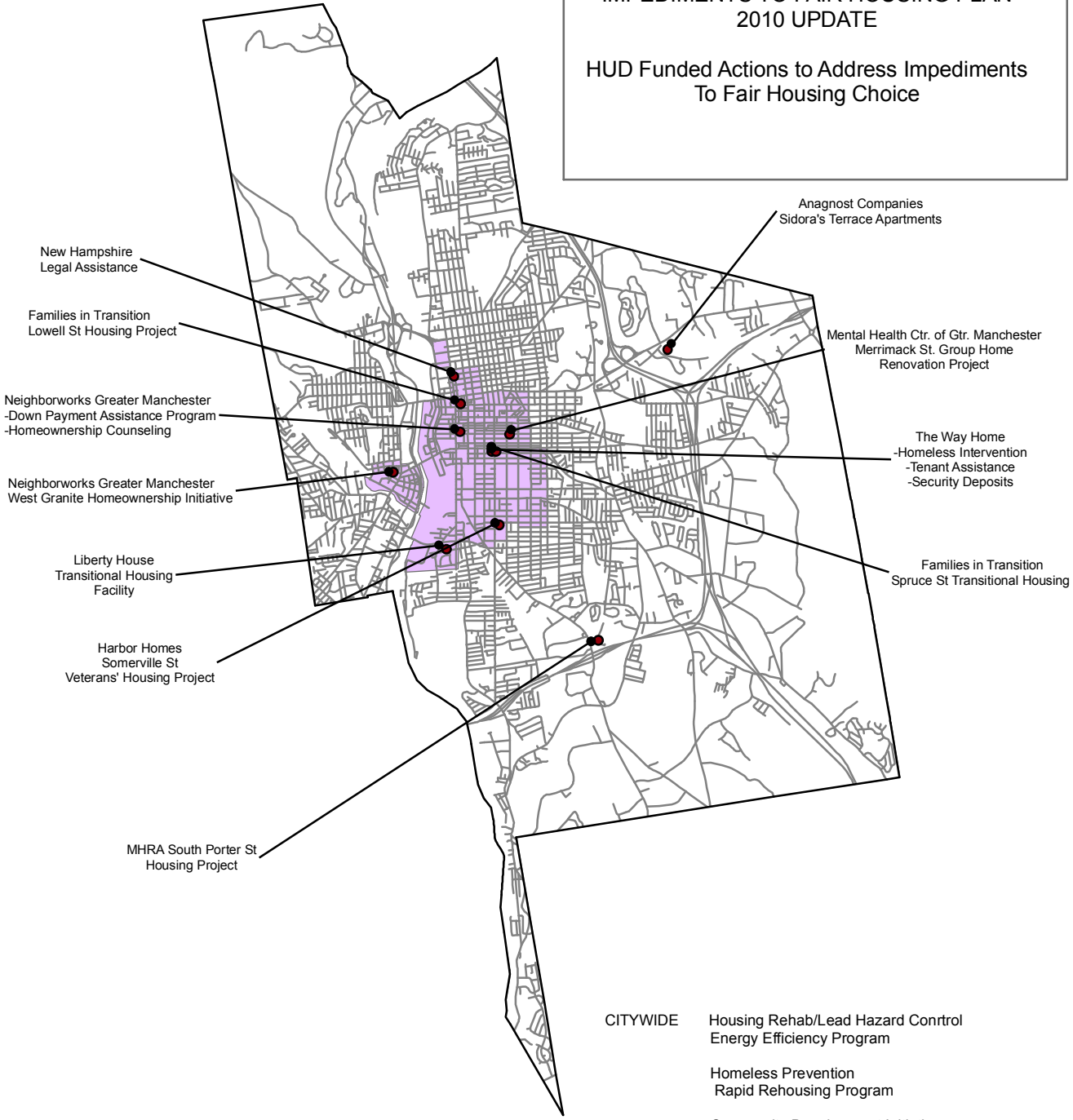
passages and doorways, and small room sizes. The cost of and of making older housing accessible for those with disabilities limits the supply and availability of appropriate and affordable housing for many, especially those with limited income. The age of the housing stock and corresponding significant presence of lead based paint creates another impediment to fair housing. The City of Manchester was declared a high-risk community for lead poisoning due to the abundance of older housing stock with lead paint, and is considered a universal screening site. The cost of addressing lead-based paint hazards limits the supply and availability of appropriate and affordable housing for many, especially families with small children and those with limited income.

#### Actions Taken:

- Consolidated Plan Strategy Elements - Utilize HOME and/or CDBG funding to operate homeowner rehabilitation programs for inner City neighborhoods and other areas of the City deemed in need of assistance, Utilize HOME, CDBG and Office of Healthy Homes funding to eliminate health hazards in housing occupied by very low and low-income families. Code enforcement program created to stabilize and improve conditions increasing the rental housing opportunities in low/moderate income areas. Proposed Actions - CIP #610211 (*FY 2011*) Planning and Community Development Department – Housing Initiatives - \$529,507 for Housing Rehab and Lead Hazard Control Program. CIP #611711 (*FY 2011*) Planning and Community Development – Concentrated Code Enforcement Inspector. \$75,250 CDBG funds. Past Actions - *Planning and Community Development Dept. – Housing Rehabilitation/Lead Hazard Remediation Program* –During the past six years the City has committed \$300,000 of HOME funds, \$203,075 of CDBG funds and \$625,000 of Affordable Housing Trust funds to support the City’s Housing Rehabilitation/Lead Hazard Remediation program. During the last reporting period, \$98,458 of entitlement funding and \$100,000 of Affordable Housing Trust funds were expended to assist 18 property owners with the rehabilitation of 31 housing units. *Planning and Community Development Dept. – Concentrated Code Enforcement* – Annually, the inspector assigned to this position performs inspections

at 431 occupancies. As a result of these inspections, 2,692 violations are issued for sanitation, substandard construction, life safety issues, housing complaints and zoning violations.

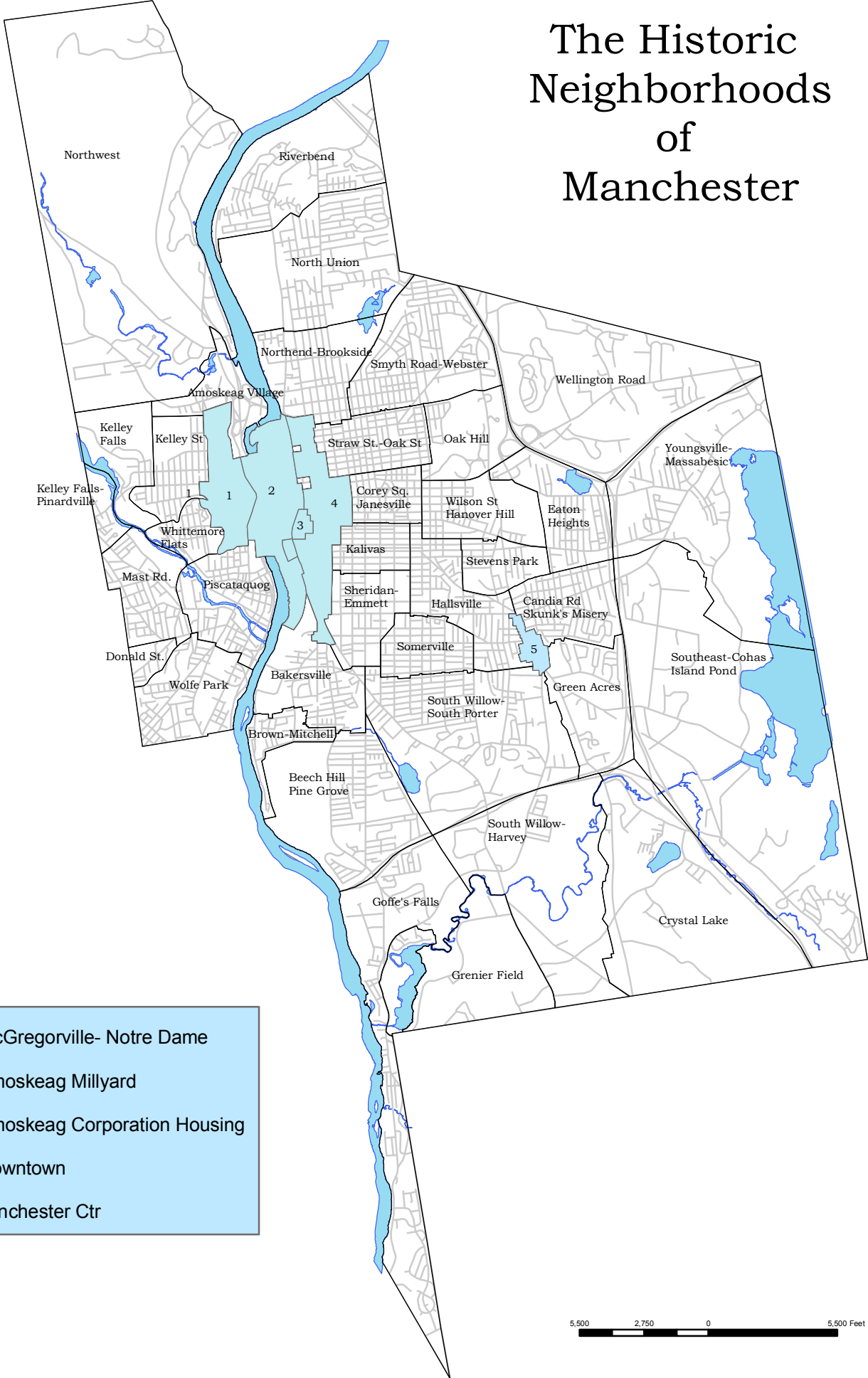
CITY OF MANCHESTER  
 IMPEDIMENTS TO FAIR HOUSING PLAN  
 2010 UPDATE  
 HUD Funded Actions to Address Impediments  
 To Fair Housing Choice



Neighborhood Revitalization Strategy Area (NRSA)

- CITYWIDE
- Housing Rehab/Lead Hazard Control Energy Efficiency Program
  - Homeless Prevention Rapid Rehousing Program
  - Community Development Initiatives
  - Heritage United Way Homeless Coordinator
  - City Concentrated Code Enforcement

# The Historic Neighborhoods of Manchester



- 1 - McGregorville- Notre Dame
- 2 - Amoskeag Millyard
- 3 - Amoskeag Corporation Housing
- 4 - Downtown
- 5 - Manchester Ctr

5,500 2,750 0 5,500 Feet

