



1

40 Years: Oregon's Goal 10 and Government Assisted Housing:

Little Progress, Missing Linkages

APA Oregon Chapter Conference, May 2013,

OCT 2013 FAIR HOUSING UPDATE

TOM CUSACK,
OREGON HOUSING BLOG
WWW.OREGONHOUSING.BLOGSPOT.COM

Contact Information

2

Email: housepdx@gmail.com

Oregon Housing Blog:
<http://www.oregonhousing.blogspot.com>

Twitter: [@oregonhousing](https://twitter.com/oregonhousing)

Disclaimers and Experience

3

- ▶ Not a Planner/Not An Attorney
- ▶ HAVE:
 1. Stayed in Holiday Inn Express...
 2. Participated extensively in Metro housing related groups in past.
 3. MORE recently
 - ▶ Participated in Lake Oswego Comprehensive plan rewrite and Foothills Urban renewal district planning.
 - ▶ Participated in state housing competitive funding cycle rewrite/QAP planning.

My Stipulations/POV

4

- ▶ Compared to What May Have Happened without it, Goal 10 has likely:
 - ▶ Increased density;
 - ▶ Increased supply of attached/MF housing.
 - ▶ Likely increased OVERALL affordability especially in Metro Portland, particularly if transportation costs are included.
 - ▶ Spurred reinvestment, reduced sprawl.

My Stipulations/POV

5

- ▶ **But...** Has had NO significant positive impact on the supply of **government assisted housing** and "concern" has not translated into effective action.
- ▶ ORS 197.307 (1) *The availability of affordable, decent, safe and sanitary housing opportunities for persons of lower, middle and fixed income, including housing for farmworkers, is a matter of statewide concern.*

Needed Housing, Goal 10

6

ORS 197.295 (3)

"Government assisted housing" means housing that is financed in whole or part by either a federal or state housing agency or a housing authority as defined in ORS 456.005, or housing that is occupied by a tenant or tenants who benefit from rent supplements or housing vouchers provided by either a federal or state housing agency or a local housing authority.

NOTE: 3 Out of 4 HUD Assisted Renter HH's are headed by women....elderly, disabled are also major populations served by HUD Assisted housing programs.

Linkage Problems

7

- ▶ Comprehensive Plan Review
 1. Long Delays /Underfunding
 2. Housing Needs Analysis Major Problems

Problems: Delays/Underfunding.

8

As of October 2012:

COMMISSION ACTION	
<u>SUSPENDED AS OF JULY 2009</u>	<u>DELAYED INDEFINITELY</u>
HAPPY VALLEY	BAKER CITY
MILWAUKIE	GLADSTONE
NEWBERG	NEWPORT
ROSEBURG	REDMOND
SHERWOOD	WEST LINN
TILLAMUCC	WOODVILLE

NO COMMISSION ACTION	
<u>OTHERS BECOMING ELIGIBLE IN 2009-11</u>	<u>OTHERS BECOMING ELIGIBLE IN 2011-13</u>
HILLSBORO	CORVALLIS
KING CITY	EAGLE POINT
OREGON CITY	FAIRVIEW
PHOENIX	GRANTS PASS
TALENT	JACKSONVILLE
	PHILOMATH
	PRINEVILLE

Housing Needs Analysis Problems

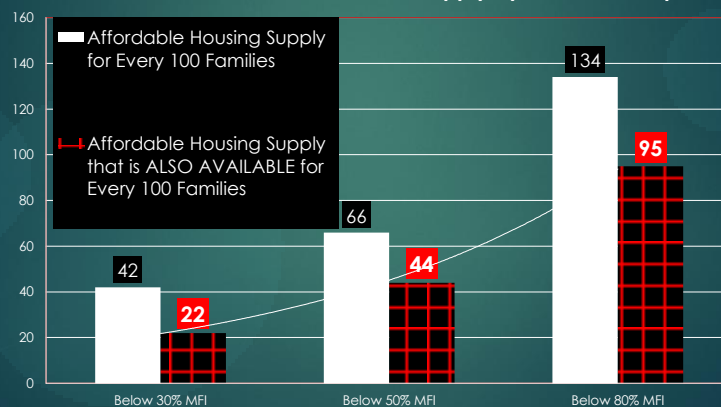
9

- ▶ No **standard** methodology for estimating need for government assisted housing.
 - ▶ What income levels
 - ▶ Appropriate Housing Types
- ▶ No **“affordable and available”** housing supply” analysis.
 - ▶ Biggest impact on lowest income, those eligible for government assisted housing
 - ▶ Data for all Oregon counties IS **available**.

Affordable and Available Example

10

Oregon 2010 : 1. Affordable Rental Supply ;
2. Affordable **AND** Available Supply by Income Group



Housing Needs Analysis Problems

11

- ▶ No linkages to housing needs data from
 - ▶ State Housing Agency
 - ▶ Local Housing Authority
 - ▶ Local CD Agency
- ▶ No Connection to **existing data sources** on the existing **supply** of government assisted housing. State and **Preserve Oregon Housing** non profit both post extensive inventories of assisted rental housing. **(26,000 LIHTC units alone).**

Housing Needs Analysis Problems

12

- ▶ No linkage between government assisted housing and high density buildable land.
 - ▶ *Shortages of High Density land=de facto exclusion of government assisted housing?*
 - ▶ *Even Buildable High Density land NOT sufficient by itself to product government assisted housing..*
Example:
 - ▶ *Redevelopment of choice downtown LO block projected at 240 units with rents at \$**1,500**-\$2,600.*
 - ▶ *HNA says that need is for 35% of rental housing to be below 60% MFI with tax credit 1 BR rent maximum of **\$781** (including utilities).*

HNA Problems (Cont)

13

- ▶ Jobs data does not include [job openings](#) or work shed analysis of local jobs vs. commuters.
 - ▶ [Clackamas County](#): 66% of projected job openings w Avg. wage Less than 60% MFI.
 - ▶ Lake Oswego: 9 out of 10 private jobs are held by those living **outside city**. Economic and Housing Needs analysis did not provide that information. [Source: [On the Map](#) inflow/outflow tool].

Housing Needs Analysis Problems

14

- ▶ No inclusion of housing/transportation combined costs
 - ▶ NEW [Location Affordability Portal](#) Tool available to block group level for metro areas. (All Oregon data available in my May 5, 2013 blog post). (**PORTAL STILL NOT UP**)
 - ▶ Includes housing and transportation cost estimates for different family types and other transportation cost estimates

Housing Needs Analysis Problems

15

- ▶ No ongoing tracking of whether projected redevelopment of land available for high density housing IS converted to that use and if so at what levels of affordability.
- ▶ ---Bottom Line, No effective **Feedback Loop to see if housing being produced is at affordable levels.**

No Fair Housing Analysis

16

- ▶ Changing demographics
 - ▶ Aging/disability
 - ▶ Family size
- ▶ Affirmatively furthering (**HUD proposed reg now out, 800+ comments**)
- ▶ Disparate Impact
 - ▶ Even if standard is "clear and objective" can it still have a disparate impact?

Statewide Fixes, Legislative Fix 1

17

- ▶ [HB 2639](#): Prohibits rejection of voucher holders based solely on source of income.
 - ▶ HNA Challenges:
 - ▶ How calculate supply of rental housing affordable to voucher holders for different HH sizes?
 - ▶ Tracking the use of vouchers by city and use of small area rents in metro areas.

HB 2639 Update

18

- ▶ I expect advisory committee appointed in late Spring AFTER publication of admin rules.
- ▶ Effective Date is July 1, 2014, will require education prior to that for landlords and voucher holders.
- ▶ Vouchers: [June 2013](#)
 - ▶ Jackson county: 1,900 vouchers
 - ▶ Portland Metro (includes Vancouver) : 14, 200

Statewide Legislative Fix 2

19

- ▶ [HB 2254](#), rewrite of outside Metro area comp plan process
 - ▶ Required rule making would provide opportunity to write standardized method for converting pop estimates into need estimates AND to include government assisted housing needs

HB 2254 Update

20

- ▶ LCDC considered appointment of committee in [September 2013](#)
- ▶ One of committee members is long time land use expert and FHCO Board member.
- ▶ Regular tracking of [LCDC meetings](#) best way to see progress, may be separate web page established for this effort.

Other Statewide Fixes

21

1. Other HNA Fixes
 - ▶ Publication of standard method for calculating need for government assisted housing.
 - ▶ Publication of Best Practices examples, Using Existing data.
2. Adjustments to LIHTC Funding criteria to promote equitable allocations.
3. Create **Pay for Success** Linkages to discretionary funding.

Fixing These Problems (Cont).

22

4. Could be Future Legal Challenges?
 - ▶ Clear and Objective Standards.
 - ▶ Disparate impact of Exclusionary policies.
 - ▶ Affirmatively Furthering obligations.

Fixing These Problems: Metro

23

METRO:

- ▶ Above ALL....**Need Political Will [MIA]**.
- ▶ Existing Functional/RT Plan Provisions Often Forgotten.
 - ▶ Functional:
 - ▶ Timely Publication of detailed supply reports ON TIME, with details on housing in centers and by affordability level. (Was Early Pay for success idea).
 - ▶ **Check LOCAL** Fair Share Goals Progress (1991 1000 Friends Reco)
 - ▶ RTP: Reduce combined housing/transportation costs for avg renter HH by 25% from 2000 levels.

Fixing These Problems , Metro (Cont)

24

- ▶ Create **PAY for SUCCESS** linkages between discretionary funding and production/preservation of government assisted housing. Example, [Construction Excise Tax](#):
 - ▶ [Existing Data](#) on LOCAL Affordable Housing Construction Not Being Captured by Metro.
 - ▶ No recognition in grant making of different local performance in government assisted housing production/preservation.

Fixing These Problems: Metro

25

- ▶ Outside City of Portland, Little documentation on use of existing exception to Inclusionary Zoning prohibition for Urban Renewal Areas and other discretionary local actions.

(**ORS 197.309**) **2 (a)** provides an exception if the affordable housing requirement is a

*"condition of approval creating or implementing an incentive, contract commitment, density bonus or other **voluntary regulation** [emphasis added], provision or condition designed to increase the supply of **moderate or lower cost housing units**;" [emphasis added]*

More Resource Materials

26

NOTE: This presentation and select related materials are posted in MS SkyDrive Folder: <http://sdrv.ms/13UoZ9m>

1. My **October 2011** OR-WA APA Conference Presentation, with Metro focus (PDF).
2. Affordable and Available Housing Supply Data by Oregon County found in **September 12, 2012 Blog Post'**
3. NLIHC **Spotlight Publication** on Affordable and Available Issue.
4. Ketcham, P. and Scot Siegel **1991** "**Managing Growth to Promote Affordable Housing**: Revisiting Oregon's Goal 10 – Technical Report" 1000 Friends of Oregon.

More Resource Materials

27

5. [2008/2009 Oregon Affordable Housing Rule Making Background Materials](#)
6. **September 2013 LCDC Agenda Item**
[Agenda Item 12 – Initiate HB 2254 Rulemaking/Appoint Rules Advisory Committee \(Action\)](#)
7. [June 2013 Count of Vouchers in use by Oregon Public Housing Authority](#)