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Minnesota Housing
Attn: Action Plan/AI
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Re: Action Plan/AI

To whom it may concern:

Thank you for this opportunity to comment on the State of Minnesota's draft Analysis of Impediments to Fair Housing Choice.

Minnesota Housing Partnership.
Minnesota Housing Partnership (MHP) convenes, guides, and supports a diversity of partners working to improve conditions of home and community. Building on decades of experience, we strengthen development capacity and promote policies that expand opportunity, especially for people at the lowest income levels. MHP's mission is to promote homes for all Minnesotans and assist Minnesota communities in the creation and preservation of housing affordable to low- and moderate-income people.

Addendum to Twin Cities Regional Analysis of Impediments (AI).
Beginning in 2016, HUD contracted with MHP to support the engagement activities for the addendum to the Twin Cities region's 2014 Fair Housing Analysis of Impediments (AI). MHP facilitated a fair housing community advisory committee and a community engagement micro-grant program. The advisory committee was responsible for assisting the development of the AI addendum, with membership representing the major fair housing stakeholders in the Twin Cities. The micro-grants went to organizations closely connected to low-income populations and communities of color to gain community expertise on fair housing issues.

MHP documented its involvement in the AI addendum engagement process, and the perspective of community member participants, with a July 2017 report titled "A New Approach to Fair Housing Community Engagement." MHP recommends that the Twin Cities approach to community engagement in the Twin Cities Regional AI, with a staff/consultant-supported committee of stakeholders and funded community-led outreach and interviews, be used as a model for effective participation in fair housing planning by people most impacted by that planning, particularly communities of color.

Comments on State of Minnesota's draft Analysis of Impediments to Fair Housing Choice:

- MHP commends the State for utilizing the new Affirmatively Furthering Fair Housing rule promulgated by HUD in 2015, including the Assessment of Fair Housing planning tool, even though the state is not required by HUD to use the new rule until 2021. MHP agrees with the state's reasons for utilizing the new rule in 2018: using the AFH tool now will better prepare the state for its developing a new plan in 2021 and will result in an AI with a more developed and

holistic set of recommendations. The state's decision to utilize the new rule is noteworthy and significant in furthering fair housing in Minnesota, benefitting our state and residents.

- **Community engagement critical to the draft AI.** MHP appreciates the state's efforts to incorporate community engagement into its plan development process, including its review of the community engagement results from the Twin Cities Regional AI Addendum process that MHP helped to facilitate. As only 69 residents participated in community conversations conducted state-wide as part of the draft AI's community engagement process, this is a concerningly small number and MHP recommends that more must be done by the state to adequately engage the community. MHP notes, as well, that community members expended substantial effort, expertise, and time in the year-long process to develop the Twin Cities Regional AI Addendum, and it is important that this work is acknowledged and incorporated into the broader state plan. MHP encourages Minnesota Housing to incorporate more of the action steps from the Twin Cities Regional AI Addendum into the State's draft AI, honoring the solutions surfaced by low income and communities of color during the Twin Cities Regional AI community engagement process.

- **Commit to Fair Housing Testing**. The Draft AI's Executive Summary, on page 360 of 405, notes that "Regulatory review findings [show that] [a]nnually about 100 Minnesotans file fair housing complaints." This small number of complaints should be notable to the state and raise questions about potential underreporting of fair housing complaints, especially in light of the significance of disability and race-based disparities noted in other areas of the Draft AI. MHP recommends that Minnesota Housing examine, in partnership with agencies and organizations with civil rights and housing complaint experience, the barriers to filing complaints and ensure complaints to non-state agencies and to non-profits providing legal services have also been captured. MHP further recommends that the State include fair housing testing as an action item, to ensure the state more fully examines the extent of discrimination in the marketplace and its impact on opportunities for fair housing. The Twin Cities Regional AI Addendum recommends fair housing testing as goal 10D.

- **State Leadership Needed on Evictions**. In 2016 alone, 8,976 evictions were filed in Hennepin and Ramsey counties, according MN State Court records. A City of Minneapolis report by its Innovation Team found that more than 90% of evictions are for non-payment of rent, including situations where tenants withhold payments due to substandard conditions. The significant impact of evictions is mentioned in the draft AI's summary of housing issues on page 361 of 405 ("Tenant screening can include ... evictions of rental applicants. ... Expungement of eviction difficult to achieve (state barrier)." While the state does recommended the action step of "monitor[ing]" regulatory changes on evictions and identify implications for projects financed by Minnesota Housing," MHP recommends urges greater state leadership on evictions and additional action steps, including research to better understand the extent and impact of evictions and unlawful detainer (UD) actions, examining barriers to expungement of UD's, and convening stakeholders to develop solutions.

- **Section 8 – Housing Choice Vouchers.** The state's draft AI describes many challenges for Section 8 Housing Choice Voucher recipients, who are some of the most vulnerable residents in our state. The challenges listed include a lack of landlords that will accept Section 8, particularly in high opportunity communities. MHP supports the draft AI's proposed action of working with Local Housing Authorities to address barriers to utilizing housing choice vouchers and

encourages even stronger action steps by the state in this critical area. MHP also notes that the Twin Cities Regional AI has several recommended action steps to address fair housing concerns relating to Section 8 Housing Choice Vouchers.

- **Displacement and Loss of Affordable Units as a Fair Housing Issue.** The Summary of Findings notes, on page 358 of 405, that "segregation in the Twin cities is declining as a result of migration of Black/African American residents into suburban communities, overall growth in Hispanic residents, and an increase of white households in inner-city neighborhoods." Yet, this finding is not connected to fair housing concerns, particularly in the Twin Cities region, of displacement of communities of color and gentrification, compounded by increasing prices of real estate and rental units. This point is made more clearly in the Twin Cities Regional AI Addendum, pages 166-179, and in the recommendations - Goal 2. This may also be one way that issues of segregation and displacement are experienced differently in the Twin Cities than in greater Minnesota communities. MHP recommends that the state review the Twin cities Regional AI Addendum's section on Gentrification, Displacement, and Loss of Affordable Units and incorporate this issue as a fair housing concern.

- **Historical context.** MHP recommends that the state add historic context to its draft AI, describing in more detail the actions and inactions by federal, state and local government, as well as private actors, in prohibiting communities of color, Jewish community members, and other protected classes from fair opportunities to purchase and rent homes in Minnesota. Better understanding of this recent history is important context to the report findings and recommendations of the draft AI.

- **Develop Intentional Strategies to Address Fair Housing Issues in Greater Minnesota and the Twin Cities Metropolitan Region**. While impediments to fair housing are state-wide issues, the presentation of these issues are different in greater Minnesota than in the Twin Cities metropolitan area. The impact of transportation needs, issues of segregation and displacement, and workforce housing are just a few issues that have different fair housing impact for residents and call for different solutions in different parts of the state. MHP recommends that the state develop more actions that are specific to the particular needs of different areas of our state, to more effectively address fair housing needs.

- **Further Focus Needed on 30% AMI.** MHP urges the state to develop action steps specific to the great need for more housing serving those residents at 30% of AMI. This statewide need is a fair housing concern, which requires focused and intentional strategies.

Thank you for the opportunity to comment on the state's draft Analysis of Impediments to Fair Housing Choice. MHP is committed to assisting the state in its efforts to further fair housing and offers its expertise and partnership. Please do not hesitate to call on us for information or assistance.

Sincerely,

Elizabeth Glidden
Director of Strategic Initiatives and Policy