

2015-2019 Analysis of Impediments to Fair Housing Choice

Town of East Hartford, Connecticut

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**Prepared for the
Town of East Hartford**

By



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Executive Summary

Introduction

Title VIII of the Civil Rights Act of 1968, more commonly known as the Fair Housing Act (the Act), ensures protection of housing opportunity by prohibiting discrimination in the sale or rental of housing on the basis of race, color, religion, sex, and national origin (the protected classes). The Act was amended in 1988 to include familial status and disability as protected classes. The State of Connecticut has also enacted its own fair housing protections that include the Federal protected classes as well as the classes of creed, ancestry, marital status, age, lawful source of income, sexual orientation, and gender identity or expression.

The Town of East Hartford, Connecticut receives funds from the United States Department of Housing and Urban Development's (HUD's) Community Development Block Grant (CDBG) and is required to complete a fair housing study known as an Analysis of Impediments to Fair Housing Choice (AI) to ensure that HUD-funded programs are being administered in a manner that furthers fair housing for federally protected classes.

Historical Overview of East Hartford

The Town of East Hartford is located on the east bank of the Connecticut River and east of Hartford, Connecticut. East Hartford is located at the crossroads of Interstates 91 and 84 and is governed by a Mayor/Council system of government.¹ East Hartford, along with West Hartford, Bolton, Vernon, and Manchester, was originally part of the Town of Hartford, Connecticut. The tract of land which encompasses East Hartford, along with towns such as South Windsor was purchased in 1659 from a Chief of the Podunk Native American Tribe. East Hartford became a separate Town in 1783.²

East Hartford has a diverse mix of neighborhoods. Notable neighborhoods within the Town include Burnside Avenue and Mayberry Village. Through the 1960s housing in East Hartford consisted mainly of racially and economically homogeneous subdivisions. The Town was essentially divided into two parts in the 1950s through the building of two major highways. Between 1900 and 1970 many African Americans settled in Connecticut, during the Great Migration. East Hartford, like other urban areas, has experienced decreases in White residents from central cities into nearby suburban areas and significant increases in

¹ Bacon, Nick. "Podunk after Pratt: Place and Placelessness in East Hartford, CT." Pp. 46-64 in *Confronting Urban Legacy: Rediscovering Hartford and New England's Forgotten Cities*. (2013). Lanham, MD: Lexington Books.

² About East Hartford. <http://www.easthartfordct.gov/about-east-hartford>. Accessed on May 10, 2015.

the racial and ethnic diversity within the Town, since the 1960s.³ The period from 1980 to the early 2000s brought many changes to the Town including, focus on the waterfront as pertinent to planning for the Town's future, revitalization planning for the Town's central business district and commercial corridors, and the availability of acreage for development at Rentschler Field.⁴

Socioeconomic Overview

The Town of East Hartford, like many locations across the nation, experienced socio-economic challenges during and following the Great Recession. While the Town is currently experiencing a recovery, economic impacts of the recession persist. Key demographic characteristics include:

- Between 2000 and 2010, the population of residents ages 55 to 64 increased by 1.9%, or about 1,200 people, indicating a growing need to address the housing concerns of this age group.
- Income in the Town decreased substantially between 2010 and 2013. Both median and mean family income decreased by over 13.0%. Median earnings for workers also dropped by 8.8%.
- East Hartford income levels were 22.3% lower than County income levels and 33.9% lower than State income levels.
- Poverty rates in East Hartford rose by 9.1% between 2011 and 2013.
- Nearly 1 in 4 residents in the Town use the SNAP program to get assistance purchasing food.
- Race and ethnicity are related to poverty in East Hartford. The poverty rate for White residents is 6.6%, compared to 13.8% for African Americans, 20.1% for Latinos, and 6.7% for Asians.

Protected Class Analysis

The protected class analysis examined the East Hartford population relative to race and ethnicity, national origin, familial status, householder sex, and disability. Findings reveal a significant increase in racial and ethnic diversity from 2000 to 2010, with the minority population growing by 48.9% and the White population declining by 27.4%. The population also became more diverse in terms of national origin – by 2010, over one-fifth of the Town's residents were non-US natives.

³ Schlichting, Kurt, Peter Tuckel, and Richard Maisel. "Residential Segregation and the Beginning of the Great Migration of African Americans to Hartford, Connecticut A GIS-Based Analysis." *Historical Methods: A Journal of Quantitative and Interdisciplinary History* 39.3 (2006): 132-144.

⁴ East Hartford, Connecticut. Office of Grants Administration. "Analysis of Impediments to Fair Housing" (2009).

About one-third of households in East Hartford had children, and nearly 40% had female householders, as of 2010. Since 2000, married couples (with and without children) declined as a share of total households, while the proportion of single-headed households, male and female, with and without children, grew by rates ranging from 17 to 37%.

The protected class analysis also examined protected class concentrations by census tracts. Several tracts contained a concentration of multiple protected classes – tracts 5106, 5104, and 5103 each had concentrations of racial and ethnic minorities; tract 5104 also had a concentration of foreign born residents, while tract 5106 also had concentrations of female householders and residents with a disability.

Segregation Analysis

Segregation, or the degree to which two or more racial or ethnic groups live geographically separate from one another, can directly affect the quality of life in cities and neighborhoods. While segregation and concentrated racial and ethnic poverty is low in the Town, the following characteristics related to segregation in the Town should be noted:

- Minority populations in East Hartford increased between the 2000 and 2010 Census and, during that time, minority residents became more likely to be located in the same census tracts as one another.
- Minority residents became more isolated from other races/ethnicities between 2000 and 2010.
- Whites in East Hartford are the most isolated, in effect segregated, from other racial and ethnic groups.

Public Investment, Infrastructure and Education

East Hartford has a mature street system that provides connectivity to locations outside the Town and enables persons with personal transportation to access job opportunities, services, and recreation in East Hartford. The regional transit system includes bus, paratransit, and rail services that are essential for residents without excess to private means of transportation. Area public transit also includes a paratransit component that provides transport and accessibility opportunities for disabled residents. While the transit schedule does not always accommodate the needs of third-shift workers, overall the system is well developed and bus and rail system improvements continue.

Water and sewer services are currently adequate for the needs of East Hartford for the foreseeable future, but attention should be given to protect the groundwater aquifer, which lies under much of the Town, from contamination. The system of earthen embankments that protect East Hartford from flooding is a public facility that is essential to commerce

and a sound quality of life in the Town. East Hartford should be prudent in properly maintaining these structures to protect businesses, homes, and public property.

The education system in East Hartford is a critical component in the Town's infrastructure. Student performance and graduation rates generally fall below State targets and performance thresholds. Stakeholders identified these issues as related to quality of life, residential stability, and attracting new residents and business.

Access to Areas of Opportunity

This analysis relied on neighborhood opportunity indices developed by HUD to compare poverty, school proficiency, labor market engagement, and access to jobs by census block group in East Hartford. Overall, these indicators suggest that the highest level of opportunity relative to the first three factors (poverty, schools, and labor market engagement) is in the Town's southeast corner, bordering Manchester and Glastonbury. In terms of access to jobs, the Town's western block groups, closest to Hartford, reflected the highest opportunity levels.

Land Use and Zoning

Because zoning codes present a crucial area of analysis for a study of impediments to fair housing choice, the East Hartford Zoning Regulations, as amended through December 3, 2014, were reviewed and evaluated against a list of 16 common fair housing issues to identify potential risks of housing discrimination.

East Hartford's total risk score indicated that overall there is low risk of the Zoning Regulations contributing to discriminatory housing treatment or impeding fair housing choice. East Hartford received only one "3" (high risk) score on of the 16 issues evaluated, related to regulations for siting residential substance abuse treatment facilities for 6 or fewer persons. However, the Town received a "2" (medium risk) score on certain issues where the Zoning Regulations still have the potential to negatively impact fair housing, and where improvements to the rules and policies could be made to more fully protect the fair housing rights of its residents.

Housing Profile

The Town's housing market was impacted by both the Great Recession and limited land for development. In East Hartford:

- The largest percentage of housing units (49.9%) are single family attached units.
- The median value for a home in East Hartford was \$167,400 in 2013, falling slightly below median national home values of \$173,200, and well below the state median of \$271,500.

- Nearly three-quarters (73.9%) of East Hartford’s housing stock was built prior to 1970. Over half (58.2%) of the Town’s housing was constructed between 1940 and 1969.
- East Hartford has a significant percentage of homeowners and renters spending more than 30% of their annual household income on housing-related costs. Between 2011 and 2013, 46.3% of homeowners with a mortgage and 57.4% of renters spent 30%, or more, of their income on monthly housing costs.
- Nearly one half of renters (45.3%) spend more than 35% of their income on housing costs.
- As of 2013, 617 families reside in the Town of East Hartford’s public housing units and 987 families are enrolled in the housing assistance program funded through housing choice vouchers from HUD.
- Housing assistance programs are also heavily used by disabled residents, with more than 1 in 2 public housing residents having a disability.

Home Mortgage Disclosure Act (HMDA) Analysis

This analysis examined HMDA data regarding home mortgage loan applications in East Hartford from 2009 to 2013. Results indicate that:

- Female applicants are not denied home mortgage loans at a higher rate than male applicants or male/female co-applicants, regardless of applicant income.
- Regardless of applicant gender, debt-to-income ratio was the most common reason for loan denial, with other common reasons being credit history, collateral and “other” reasons.
- The distribution of loan applicants by race and ethnicity closely matches that of East Hartford’s overall population.
- At each income level examined, loan approval and denial rates varied by applicant race and ethnicity. Minority applicants face higher denial rates than White applicants at low and moderate incomes. At high incomes, their applications were approved more often than Whites, but the low number of observations at this income level prevents stronger conclusions.
- Overall, regardless of income, African American loan applicants were denied mortgage loans 1.4 times as frequently as Whites; Latino applicants were denied 1.3 times as often as Whites.

Fair Housing Organizations & Activities

(HUD) is responsible for carrying out the delivery of fair housing information and for handling housing discrimination complaints, through its Office of Fair Housing and Equal Opportunity (FHEO), headquartered at the HUD Central Office in Washington, D.C., from its

ten regional offices, and from its local office in Hartford. East Hartford is included in HUD Region I with offices located in Boston, Massachusetts.

In the study area for this AI, residents are served primarily by the three organizations that provide Fair Housing services. Persons who believe they have been victims of housing discrimination are fortunate to have agencies such as these which offer services ranging from counseling, training and education, complaint investigation, complaint mediation, referral of complaints to the State of Connecticut (the Connecticut Commission on Human Services and Opportunities (CHRO), or to the Federal Government (United States Department of Housing and Urban Development (FHEO)). Complainants also have the option of seeking legal redress in State or Federal courts.

Housing Discrimination Complaints & Lawsuits

FHEO maintains databases of and investigates complaints of housing discrimination, as well as complaints in the areas of employment, housing, public accommodations and hate violence. From September 1, 2005 to March 31, 2015 the HUD FHEO Region I Office in Boston, MA received 22 housing discrimination complaints filed for alleged Fair Housing Act violations that occurred in the Town of East Hartford. Of the 22 complaints, 8 cases were conciliated/settled or resolved through judicial consent order. Six cases were determined to be without cause, three complaints were withdrawn without resolution, two cases were withdrawn after resolution, and one complainant failed to cooperate with HUD. A total of \$19,025 in settlement compensation was paid regarding the “with cause” claims. Two complaints were open as of April 23, 2015.

An examination of housing discrimination complaints from East Hartford investigated by the HUD FHEO Region I Office reveals that disability status (6 or 27.3%) and race (5 or 22.7%), were the two largest basis categories of the 22 cases. The overwhelming majority (16 or 72.7%) of the 22 complaints were associated with discriminatory acts associated with rental housing and the next most reported complaint issue was failure to make reasonable accommodation for persons with disabilities (4 or 18.2%).

Review of Connecticut Lawsuits

A review of the nature, extent, and disposition of significant housing discrimination lawsuits and/adjudications between January 2010 and April 2015 within Connecticut or Federal courts revealed cases that had a substantial impact on the availability of fair housing choice. The cases presented fall under four main fair housing categories: (1) a complaint brought against a local municipality to challenge how the government defines and enforces limitations on “family” in single family zoning districts; (2) complaints brought against housing providers and local municipalities for alleged familial status discriminatory zoning or land use practices; (3) complaints brought against housing

providers and local municipalities for housing discrimination against persons with disabilities; and (4) complaints brought against housing providers and local municipalities for alleged discriminatory zoning or land use practices on the basis of race and/or color.

These cases may not specifically involve East Hartford litigants or the local government, but because they were adjudicated by the federal Second Circuit and the district court of Connecticut and by Connecticut state courts, the issues presented provide precedent for future legislation and litigation or fair housing choice policy within East Hartford.

Impediments and Recommendations

Impediment #1: Continued Need for Affordable Housing

Quantitative data obtained from the Census Bureau and HUD, supported by comments provided by key stakeholders, demonstrate that a significant number of households in East Hartford have insufficient income to afford appropriate housing. Findings further indicate that minority and disabled households typically have lower incomes than their White and non-disabled counterparts, putting them at an increased need for affordable housing.

Based on a 2013 report by The Connecticut Conference of Municipalities entitled *Disproportionate Burdens: Major Challenges Facing Connecticut's Poorer Communities*, East Hartford is a “distressed community” based on factors, such as income, poverty rate, and changes in employment. The Town has experienced increasing rates of poor residents (living at the poverty line) and “very poor” residents (living 100% or more below the poverty line). In addition, the region has experienced stagnant and decreasing wages, stagnant job growth, and unemployment rates that exceed national rates. In East Hartford 30% of families have limited assets and cannot afford to meet all of the family’s basic needs requiring choices to be made between housing, food, clothing, health care, and other household needs.

The American Community Survey reports that more than two-fifths (41%) of East Hartford households were cost-burdened in 2011, meaning that they spend more than 30% of income on housing costs. Over half of renters occupy unaffordable housing: 57.4% pay more than 30% of their income for housing. Meanwhile, more than 1 in 3 homeowners (38.7%) reside in housing that is unaffordable based on HUD standards.

Poverty rates in East Hartford indicate lower incomes for minority households. While 6.6% of White households are in poverty, rates are more than double for African Americans (13.8%) and Latinos (20.1%). The poverty rate is also higher for disabled persons (21.0% versus 12.2% for non-disabled persons), and disabled householders whose sole source of income is Supplemental Security Income receive a maximum of \$901 per month. To

maintain HUD's affordability level of 30% or less of total income, these households could spend a maximum of \$270 on housing each month.

Recommendations

The Town and its public and private sector partners should develop a new long-term strategy that would serve as an ongoing vision for affordable housing. The strategy should set measurable goals for affordable housing preservation and identify possible opportunities to encourage affordable housing units in existing housing stock. The strategy should be developed with public input and participation which is critical to the successful community buy-in and implementation. Moving forward, this strategy should serve as a guiding affordable housing planning instrument, containing housing goals and objectives that are to be followed and implemented into the Consolidated Plan and Annual Action Plans. Due to the low level of CDBG funding received for the Town, it is critical that additional non-HUD funding streams be identified and made available if this initiative is to be successful.

Impediment #2: Source of Income Discrimination in the Rental Market

The community survey conducted by the Town in conjunction with this study indicated that just over 10% of respondents experienced housing discrimination (16 persons). Ten of the 16 persons who reported discrimination indicated being discriminated against by a landlord. Complaint data gathered from the FHEO regional office also showed that the majority of housing discrimination complaints were associated with rental housing (16 of 22 complaints, or 72.7%).

One-third of stakeholders reported that residents with housing vouchers had their applications denied, were charged higher rents, refused new leases, or had their rents increased without approval. It was reported that due to this discrimination, housing voucher use and acceptance is concentrated in areas with higher poverty rates. Other forms of source of income discrimination reported were discrimination and denial of rental applications of residents with "unearned" income, i.e. income for social security, welfare, or disability benefits.

Although HUD's complaint data tracked only federal protected classes, stakeholders interviewed for this study identified discrimination against residents based on a state protected class – lawful source of income, or more specifically, against housing voucher holders. Identified discrimination included refusal to rent to voucher holders, denial of rental applications based on income not being related to employment, and higher rentals costs or increases in rental cost after a year for voucher holders.

While lawful source of income is not a federally protected class, the demographic profile of voucher holders in East Hartford shows that they are more likely to be members of other, federally protected classes. The vast majority (93%) of voucher holders are minority, compared to 58% of the population town-wide, and 16% are disabled, versus 13% throughout East Hartford. Thus, discrimination against voucher holders is more likely to affect minority and disabled populations as well.

Recommendations

Ongoing fair housing education for landlords and tenants will be key to addressing source of income and other types of discrimination. The Town currently offers landlord-tenant education programs through the Housing Education Resource Center (HERC), and should continue these programs with a focus on increased outreach to maximize participation. Education sections should be sure to include discussions on source of income discrimination, penalties, and remedies for tenants.

Fair housing education for voucher holders is crucial to addressing discrimination. The Town of East Hartford should work with the East Hartford Housing Authority to ensure that voucher holders receive comprehensive information about their fair housing rights and steps to take if they feel they are discriminated against. The Town should also ensure that tenant education includes information on voucher availability and how to conduct rental property searches. Voucher holders could also be offered additional time and extensions to allow for adequate time to locate suitable homes.

In addition to education, the Town of East Hartford should devote some of its funding for fair housing efforts, either through CDBG or alternate sources, to support testing by a local agency. Alternatively, the town could participate in any regional testing efforts that may be conducted in the metro area.

Impediment #3: Siting Requirements for Group Homes

Under East Hartford's Zoning Regulations, substance abuse treatment centers may not be sited within 1,000 feet of any lot classified as residential, within 1,000 feet of another substance abuse treatment facility, or within any residential zones. No exception is made for facilities wherein residents live together as a common household unit. However, persons recovering from substance abuse are considered handicapped under the Fair Housing Act and Americans with Disabilities Act, and therefore protected from discrimination. Further, state law requires that community residences for up to six residents for persons recovering from substance abuse not be treated differently than other single family dwellings.

Recommendations

The Town of East Hartford should amend its zoning ordinance to identify a distinction between community residences for persons recovering from alcohol and drug dependence and larger, more institutional type uses. Siting regulations for community residential treatment facilities for six or fewer residents should be removed, and they should be treated no differently than single family homes.

Impediment #4: Age and Condition of Existing Housing Stock

East Hartford's housing stock includes a significant percentage of homes that were built prior to current ADA accessibility requirements and housing standards. More than half of all units in the Town were constructed prior to 1960 (53.5%), and another 32.3% before 1980. As housing ages, maintenance costs and the likelihood of problems due to deferred maintenance increase, placing a burden on low income households, property owners, and managers. With nearly 14% of African Americans, 20% of Latinos, and 21% of disabled persons living in poverty, these protected class households are more likely to face difficulties maintaining owned homes, or affording well-maintained rental properties.

Recommendations

As part of its long-term housing strategy, the Town should include a rehabilitation component. This strategy should focus on how the Town's rehabilitation needs can be met and should include public and private funding sources not restricted to grant monies received from HUD. Any existing organizations or programs currently providing rehabilitation services should be examined and, if feasible, potentially incorporated as a part of the implementation components of the long-term housing strategy.

Impediment #5: Disparities in Mortgage Lending

An analysis of Home Mortgage Disclosure Act (HMDA) data for Town of East Hartford census tracts from 2009 through 2013 shows that minority applicants for home purchase loans were denied mortgages more frequently than non-Latino Whites. Black applicants who completed loan applications were denied mortgages 1.4 times as frequently as Whites, and Latino applicants were denied 1.3 times as often. While these disparities may arise from legitimate factors such as differences in debt-to-income ratio, credit history, collateral, or credit applications, they still have the effect of limiting housing choice for racial and ethnic minorities in the Town of East Hartford.

Recommendations

Patterns of lending disparity revealed in HMDA data should be studied further to determine whether discrimination is taking place. While HMDA records include loan outcomes, reasons for denials are not required to be reported, nor does the data capture instances of discrimination that may lead an applicant to withdraw or not complete their

application. These data limitations require an alternate means of further study. Specifically, fair housing testing of mortgage lenders through local fair housing organizations should be conducted to further evaluate potential impediments to fair housing. Additionally, outreach efforts should be conducted to ensure that minority households have sufficient access to and information about home buyer counseling and other forms of assistance.

Impediment #6: Limited Supply of Accessible Housing

East Hartford has a diverse population, including special populations of elderly and disabled residents. One of the greatest challenges faced by persons in these special needs categories is the availability of affordable and accessible housing. Throughout this analysis, key stakeholders consistently indicated that the current housing stock is not adequate to serve the needs of individuals from these populations. Stakeholders also reported a lack of supportive services, case management, social services, nutritional support, and units with limited physical accessibility for those with mobility issues.

A large percentage of the Town's housing units were built prior to current ADA requirements and standards. Elderly and disabled residents are more likely to be on fixed incomes from Social Security. Affordable rent for an SSI recipients is \$216 per month, although less than 10% of East Hartford renters have payments within this range. Stakeholders also identified extremely limited affordable housing and supportive services for residents with mental health needs or disabilities.

Recommendations

Organizations that serve persons with physical and mental disabilities are important advocates for these individuals. The Town should include both organizations serving elderly and disabled residents and residents with disabilities as engaged participants in housing strategy development to ensure that policies, programs, and potential funding streams are identified and included that will result in the development or rehabilitation of housing that is accessible and affordable for persons with disabilities. These projects should also be planned to include supportive services that are essential to this population, as appropriate. The Town should ensure that outreach strategies target disabled residents who are racial and ethnic minorities, elderly, younger disabled residents, residents for whom English is a second language, and those who are less familiar with technology. Outreach efforts should include collaborative efforts with local social service agencies and the East Hartford Housing Authority.

In order to serve elderly residents with disabilities who choose to remain independent and live in their own homes, the Town should encourage a long-term housing strategy that promotes accessibility modifications to housing for seniors and elderly residents in its housing strategy. As some elderly residents may need affordable housing units with additional supportive services, a part of the Town's overall affordable housing strategy should address market rental properties, subsidized rental properties, and supportive elderly housing that may include healthcare and other appropriate supportive services.

Impediment #7: Lack of Education Regarding Fair Housing Rights

While just over 10% of survey respondents reported experiencing housing discrimination, 82% of those experiencing discrimination opted not to report it. The most frequently listed reason for not reporting discrimination was that the resident did not know if it would do any good. The common perception is that individuals with more knowledge are more likely to pursue a complaint than those with less knowledge of fair housing laws. Therefore, there is an association between knowledge of the law, the discernment of discrimination, and attempts to pursue it. Locally, it is critical that there are efforts in place to educate, to provide information, and to provide referral assistance regarding fair housing issues in order to better equip persons with the ability to assist in reducing impediments.

Recommendations

The Town should continue its landlord-tenant education program, with increased attention and targeted outreach to residents and tenants including racial and ethnic minority groups, female-headed households, and tracts with higher concentrations of poor residents (refer to Census tracts identified in the Socio-economic and Housing Profile sections). Continued areas of focus for the Town's education program should include:

- What are acts of housing discrimination;
- What protection is provided for protected classes under the Fair Housing Act;
- How and where should housing discrimination be reported; and
- What remedies are available to victims of housing discrimination, including potential monetary settlements.

Due to the high number of respondents who reported not filing a complaint regarding housing discrimination because they did not know what good it would do, the Town should be sure to focus on remedies available to victims of housing discrimination.

The Town should continue outreach to landlords and also include property managers, real estate professionals, mortgage lenders, and Town employees. These educational activities should be carried out by HUD-approved fair housing organizations using funding provided by HUD or the Town. The Town should provide monitoring and oversight of these outreach and education efforts to report on their effectiveness as a part of their annual report (CAPER) submitted to HUD.

Introduction

Equal access to housing choice is crucial to America's commitment to equality and opportunity for all. Title VIII of the United States Civil Rights Act of 1968, more commonly known as the Fair Housing Act, provides housing opportunity protection by prohibiting discrimination in the sale or rental of housing on the basis of race, color, religion, sex, and national origin. The Act was amended in 1988 to provide stiffer penalties, establish an administrative enforcement mechanism and to expand its coverage to prohibit discrimination on the basis of familial status and disability. The U.S. Department of Housing and Urban Development (HUD), specifically HUD's Office of Fair Housing and Equal Opportunity (FHEO), is responsible for the administration and enforcement of the Fair Housing Act and other civil rights laws.

Provisions to affirmatively further fair housing (AFFH) are basic long-standing components of HUD's housing and community development programs. The AFFH requirements are derived from Section 808(e) (5) of the Fair Housing Act which requires the Secretary of HUD to administer the Department's housing and urban development programs in a manner to affirmatively further fair housing.⁵

Local communities, such as East Hartford, that receive grant funds from HUD through its Entitlement process satisfy this obligation by performing an "Analysis of Impediments to Fair Housing Choice" (AI) within their communities and developing and implementing strategies and actions to overcome any impediments to fair housing choice based on their history, circumstances, and experiences. Through this process, local entitlement communities promote fair housing choices for all persons, including Protected Classes under the Fair Housing Act, and provide opportunities for racially and ethnically inclusive patterns of housing occupancy, identify structural and systemic barriers to fair housing choice, and promote housing that is physically accessible and usable by persons with disabilities. The Town of East Hartford has contracted with WFN Consulting to prepare this Analysis of Impediments to Fair Housing Choice.

HUD will presume that the grantee is meeting its obligation and certification to affirmatively further fair housing by taking actions that address the impediments, including:

- Analyzing and eliminating housing discrimination within the jurisdiction;
- Promoting fair housing choice for all persons;

⁵ U.S. Department of Housing and Urban Development Office of Fair Housing and Equal Opportunity. *Fair Housing Planning Guide: Volume 1 (Chapter 1: Fair Housing Planning Historical Overview, Page 13)*. March 1996.

- Providing opportunities for racially and ethnically inclusive patterns of housing occupancy;
- Promoting housing that is physically accessible to all persons to include those persons with disabilities; and
- Fostering compliance with the nondiscrimination provisions of the Fair Housing Act.

Through its Community Planning and Development (CPD) programs, HUD's goal is to expand mobility and widen a person's freedom of choice. The Department also requires Community Development Block Grant (CDBG) Program grantees to document AFFH actions in the annual performance reports that are submitted to HUD.

Definitions & Data Sources

Definitions

Affirmatively Further Fair Housing – In keeping with the latest proposed guidance from HUD, to Affirmatively Further Fair Housing Choice (AFFH) is to comply with “the 1968 Fair Housing Act’s obligation for state and local governments to improve and achieve more meaningful outcomes from fair housing policies, so that every American has the right to fair housing, regardless of their race, color, national origin, religion, sex, disability or familial status.”⁶

Fair Housing Choice - In carrying out its Analysis of Impediments to Fair Housing Choice, East Hartford utilized the following definition of “Fair Housing Choice”:

- The ability of persons of similar income levels to have available to them the same housing choices regardless of race, color, religion, sex, national origin, familial status, or handicap.

Impediments to Fair Housing Choice - As adapted from the HUD *Fair Housing Planning Guide*, impediments to fair housing choice are understood to include:⁷

- Any actions, omissions, or decisions taken because of race, color, religion, sex, disability, familial status, or national origin which restrict housing choices or the availability of housing choices.
- Any actions, omissions, or decisions which have the effect of restricting housing choices or the availability of housing choices on the basis of race, color, religion, sex, disability, familial status, or national origin.

Protected Classes - In carrying out its Analysis of Impediments to Fair Housing Choice, the following definition of federal; Protected Classes is used in this document:

- Title VIII of the Civil Rights Act of 1968 prohibits housing discrimination based on race, color, national origin or ancestry, sex, or religion. The 1988 Fair Housing Amendments Act added familial status and mental and physical handicap as protected classes.

Affordable - Though local definitions of the term may vary, the definition used throughout this analysis is congruent with HUD’s definition:

⁶ U.S. Department of Housing and Urban Development. “HUD Publishes New Proposed Rule on Affirmatively Furthering Fair Housing Choice.” Press Release No. 13-110. July 19, 2013.

⁷ U.S. Department of Housing and Urban Development Office of Fair Housing and Equal Opportunity. *Fair Housing Planning Guide: Volume 1 (Chapter 2: Preparing for Fair Housing Planning, Page 2-17)*. March 1996.

- HUD defines as "affordable" housing that costs no more than 30% of a household's total monthly gross income. For rental housing, the 30% amount would be inclusive of any tenant-paid utility costs.
- For homeowners, the 30% amount would include the mortgage payment, property taxes, homeowners insurance, and any homeowners' association fees.

Data Sources Used in this Analysis

Decennial Census Data – Data collected by the Decennial Census for 2010 and 2000 is used in this Assessment (older Census data is only used in conjunction with more recent data in order to illustrate trends). The Decennial Census data is used by the U.S. Census Bureau to create several different datasets:

- 2010 and 2000 Census Summary File 1 (SF 1) – This dataset contains what is known as “100% data”, meaning that it contains the data collected from every household that participated in the 2010 Census and is not based on a representative sample of the population. Though this dataset is very broad in terms of coverage of the total population, it is limited in the depth of the information collected. Basic characteristics such as age, sex, and race are collected, but not more detailed information such as disability status, occupation, and income. The statistics are available for a variety of geographic levels with most tables obtainable down to the census tract or block level.
- 2000 Census Summary File 3 (SF 3) – Containing sample data from approximately one in every six U.S. households, this dataset is compiled from respondents who received the “long form” Census survey. This comprehensive and highly detailed dataset contains information on such topics as ancestry, level of education, occupation, commute time to work, and home value. The SF 3 dataset was discontinued for the 2010 Census; therefore, SF 3 data from the 2000 Census was the only tract-level data source available for some variables.

American Community Survey (ACS) – The American Community Survey is an ongoing statistical survey that samples a small percentage of the U.S. population every year, thus providing communities with more current population and housing data throughout the 10 years between censuses. This approach trades the accuracy of the Decennial Census Data for the relative immediacy of continuously polled data from every year. ACS data is compiled from an annual sample of approximately 3 million addresses rather than an actual count (like the Decennial Census’s SF 1 data) and therefore is susceptible to sampling errors. This data is released in two different formats: single-year estimates and multi-year estimates.

- 2012 ACS 1-Year Estimates – Based on data collected between January 2012 and December 2012, these single-year estimates represent the most current information available from the U.S. Census Bureau, however; these estimates are only published for geographic areas with populations of 65,000 or greater.
- ACS Multi-Year Estimates – More current than Census 2010 data and available for more geographic areas than the ACS 1-Year Estimates, this dataset is one of the most frequently used. Because sampling error is reduced when estimates are collected over a longer period of time, 5-year estimates will be more accurate (but less recent) than 3-year estimates. ACS datasets are published for geographic areas with populations of 20,000 or greater. The 2009-2012 ACS 5-year estimates are used most often in this assessment.

Previous Works of Research – This AI is supported by, and in some cases builds upon, previous works of significant local research conducted for and by the Town of East Hartford or other agencies in the Hartford area. These include the following:

- Town of East Hartford - Analysis of Impediments to Fair Housing Choice 2009 – This document was prepared by the East Hartford Grants Administration Office. The study is the immediate predecessor to this new AI being prepared by WFN Consulting and contained a community and housing information (profile, affordability, programs, and priorities), demographic and economic analyses, and impediments to fair housing choice.
- Town of East Hartford - Consolidated Plan 2010-2014 - This Consolidated Plan is being replaced with a new Consolidated Plan 2015-2019 being prepared for the Town during 2015. The Consolidated Plan is the multiyear strategic plan that governs the investment of HUD CDBG funds received by the Town.
- Town of East Hartford Action Plan 2014. The most recent annual program for the use of CDBG funds received from HUD.
- Town of East Hartford Citizen Participation Plan, October 2014. This document is a component of the Consolidated Plan that describes the processes followed by the Town to ensure opportunities for residents of East Hartford to provide input on proposed plans, funding, and reports developed for HUD grant programs.
- Capitol Region Plan of Conservation and Development, 2014-2014. The plan, completed by the Capitol Region Council of Governments in 2014 is a general guide for the future conservation and development of the greater Hartford area.
- Knowledge Corridor Fair Housing and Equity Assessment: New England's Sustainable Knowledge Corridor – One Region – One Future, October 2014. This

regional FHEA is similar to an AI and was prepared under the HUD Sustainable Communities Program by the Capitol Region Council of Governments, the Pioneer Valley Planning Commission, and the Connecticut Fair Housing Center.

- Town of East Hartford Plan of Conservation and Development, June 2014. The Town uses this plan as its guide for conservation and development. In some states, this plan is often known as a “Comprehensive Plan.”

Stakeholder Engagement

Survey – A survey was used by East Hartford to collect input from a broad spectrum of the residents. The survey was conducted as a part of the preparation of the Consolidated Plan 2015-2019 and respondents were asked to rate needs from lowest to highest priority for distinct types of community facilities, infrastructure, community services, special needs services, neighborhood services, consisted of distinct items, including 6 questions specifically dealing with fair housing and housing discrimination. In all, 105 survey responses were received.

Stakeholder Interviews – Key community stakeholders were identified, contacted, and interviewed either individually or in small groups as part of this Analysis. These stakeholders included representatives of nonprofit organizations, Town staff, fair housing advocates, lenders, and real estate agents. Other stakeholders not belonging to any of these groups were occasionally interviewed as dictated by the course of research carried out for this Analysis.

Public Meeting – A public meeting was held to provide a forum for East Hartford residents and other interested parties to contribute to the identification of problems, issues, and barriers to fair housing choice for this AI. The meeting was advertised via flyers and emails distributed by the Town using their various email distribution lists. Notes were taken of the public comments and comments received are compiled and summarized.

Landlord Tenant Workshop

May 5, 2015

6:30 pm

East Hartford Town Hall

740 Main Street, East Hartford, CT 06108

Public Comment Period – A 15-day public comment period on the draft Analysis of Impediments was held from June 16, 2015 to June 30, 2015. No comments were received during this period.

Limitations of this Analysis

This Analysis of Impediments to Fair Housing Choice was prepared by WFN Consulting for the Town of East Hartford. This report analyzes the current fair housing climate, identifies impediments to fair housing choice and equity, and recommends strategies for overcoming the identified impediments. Some of the impediments identified in this report will require additional research and on-going analysis. This report is not intended to constitute a fair housing action plan or any other type of community plan; however, it should be a key resource for such plans as they are developed.

HUD's primary guidance for developing Analyses of Impediments is found in the Fair Housing Planning Guide, published in 1996. Since that time, HUD's approach to fair housing has evolved significantly and formal guidance is being developed. In 2013, HUD released a new proposed rule titled "Affirmatively Furthering Fair Housing" that outlines significant changes to the development of local fair housing studies. Because this proposed rule has yet to be finalized, the methodology and components of this AI, to the greatest extent possible, meet both the revised criteria of the proposed rule as well as the traditional AI requirements found in the Fair Housing Planning Guide.

While licensed attorneys with land use and fair housing experience have participated in the research contained herein, no portion of this Analysis shall constitute or be relied upon as legal advice or as a legal opinion.

Throughout this analysis, the authors have made careful choices regarding which datasets to use. The choice of a dataset often involves tradeoffs among criteria. For example, more recent datasets often have a limited number of data variables available for analysis. Additionally, there is the unavoidable tradeoff between geographic and socio-economic detail (less detailed data for smaller geographies) that sometimes restricts the availability of data. Also, the detailed definitions of data variables can change over time limiting their comparability.

Finally, all source data used in the preparation of this analysis is assumed to be accurate, whether from national sources (e.g. the U.S. Census Bureau), local sources (e.g. the 2014 East Hartford Plan of Conservation and Development), or from proprietary sources (e.g. the National Low Income Housing Coalition's *Out of Reach* report).

Historical Overview

The Town of East Hartford is located on the east bank of the Connecticut River and sits directly east of Hartford, Connecticut. East Hartford is located at the crossroads of Interstates 91 and 84. East Hartford has a diverse mix of neighborhoods. The northeast and southeast sections of East Hartford are more suburban and architecture resembles that of neighboring towns such as South Windsor and Glastonbury. Residents in this area largely middle income. The older and more urban areas of East Hartford are home to the Town's more moderate and low- income residents. Notable neighborhoods within the Town include Burnside Avenue and Mayberry Village. The town has a total area of 18.7 square miles. East Hartford is governed by a Mayor/Council system of government.⁸

East Hartford, along with West Hartford, Bolton, Vernon, and Manchester, was originally part of the Town of Hartford, Connecticut. The tract of land which encompasses East Hartford, along with towns such as South Windsor, was purchased in 1659 from a Chief of the Podunk Native American Tribe. East Hartford's first settlers arrived from Cambridge, Massachusetts in 1635 seeking economic and agricultural opportunities within close proximity to the river. The east side of the Connecticut River was at that time part of Hartford. Early settlers included William Goodwin, Thomas Burnham, and William Pitkin. East Hartford became a separate Town in 1783, following several rejected petitions to the General Assembly. Manchester was included in its town limits until 1823.⁹

Between the years of 1900 and 1970, the United States experienced the Great Migration, in which over six million African Americans from the South moved to northern regions of country. During this time, many African Americans settled in Connecticut. Additionally, Connecticut companies actively recruited Southern African Americans, Blacks from the West Indies, and Puerto Ricans to work in factories and on tobacco farms. During the 1960's to present day, urban areas, including East Hartford, experienced large decreases in non-Hispanic White residents from central cities into nearby suburban areas. These events significantly increased the racial and ethnic diversity within the Town.¹⁰

East Hartford's Residential History

Through the 1960s housing in East Hartford consisted mainly of racially and economically homogeneous subdivisions. The Town was essentially divided into two parts in the 1950s

⁸ Bacon, Nick. "Podunk after Pratt: Place and Placelessness in East Hartford, CT." Pp. 46-64 in *Confronting Urban Legacy: Rediscovering Hartford and New England's Forgotten Cities*. (2013). Lanham, MD: Lexington Books.

⁹ About East Hartford. <http://www.easthartfordct.gov/about-east-hartford>. Accessed on May 10, 2015.

¹⁰ Schlichting, Kurt, Peter Tuckel, and Richard Maisel. "Residential Segregation and the Beginning of the Great Migration of African Americans to Hartford, Connecticut A GIS-Based Analysis." *Historical Methods: A Journal of Quantitative and Interdisciplinary History* 39.3 (2006): 132-144.

through the building of two major highways (I-84 and I-91), commonly referred to as the “Mixmaster.” Although the highways were built with the intent of encouraging housing development in the east and south regions of the Town, the highways, instead, served as geographic barriers in the Town. The period from 1980 to the early 2000’s brought many changes to the Town including, focus on the waterfront as pertinent to planning for the Town’s future, revitalization planning for the Town’s central business district and commercial corridors, and the availability of acreage for development at Rentschler Field.¹¹

Mayberry Village is located in the east central region of East Hartford. It was built in 1941 to provide housing for the influx of workers from Pratt & Whitney, which was expanding production of airplane engines during World War II. The upper section of Mayberry Village, which consists mainly of multiple-unit construction, was built first, followed by the “New Village,” consisting mostly of single-family and duplex units. While Mayberry Village was once a vibrant and prominent area within the Town, it declined following the contraction of employment at the Pratt & Whitney. The neighborhood has experienced consistent decreases in population and the number of lower-income residents has gradually increased over time. The neighborhood is bordered by Home Terrace, Highview, Edgewood and Arbutus streets. In recent years, Mayberry Village has seen a decrease in investment in the community and increased rates of crime.¹²

Burnside Avenue was originally considered a separate village from the rest of East Hartford. Due to its terrain and close proximity to the Hockanum River, the area was dominated economically by the paper mill industry. Burnside’s development was initially as a streetcar suburb of East Hartford. Burnside developed prior to Pratt & Whitney which explains its high density relative to other post-war housing in East Hartford. Burnside Avenue connects East Hartford to Manchester through Main Street. Currently, Burnside Avenue encompasses a large number of low income, Latino, and African American residents of East Hartford.^{13,14}

¹¹ East Hartford, Connecticut. Office of Grants Administration. “Analysis of Impediments to Fair Housing” (2009).

¹² East Hartford Courant. East Hartford Seeks Improved Neighborhood Village. http://articles.courant.com/1996-12-16/news/9612160449_1_david-murray-tenants-neighborhood. Accessed on May 10, 2015.

¹³ Goodwin, Joseph Olcott. *East Hartford: Its History and Traditions*. Hartford, Connecticut: Case, Lockwood, and Brainard Co. (1879)

¹⁴ Bacon, Nick. “Podunk after Pratt: Place and Placelessness in East Hartford, CT.” pp. 46-64 in *Confronting Urban Legacy: Rediscovering Hartford and New England’s Forgotten Cities*. Xiangming Chen and Nick Bacon (eds.) Lanham, MD: Lexington Books (2013)

Socioeconomic Analysis

This section presents demographic and economic information collected from the Census Bureau, the Bureau of Economic Analysis, the Bureau of Labor Statistics, and other sources. Data was used to analyze a broad range of socioeconomic characteristics, including population growth, age, employment, income, poverty, and health care access and status. Ultimately, the information presented in this section helps illustrate the underlying conditions that have shaped housing market behavior and housing choice in the study area.

To supplement 2000 and 2010 census data, information for this analysis was also gathered from the Census Bureau's American Community Survey (ACS). The ACS data covers similar topics as the decennial counts, but also includes data not appearing in the 2010 census such as household income and poverty. The key difference in these datasets is that ACS data represents samples as opposed to a 100% count; however, population distributions from the ACS data can be compared to those from the census.

Population Dynamics

The Town of East Hartford has experienced population growth at a rate of 0.5% since 2012, just slightly above growth for the Hartford County (0.4%) and the State of Connecticut (0.4%) for the same time period. According to the Connecticut Economic Resource Center (CERC), the Town is expected to experience population growth of 0.5% between 2012 and 2020.

Table 1				
Population Change in the Town of East Hartford, 2000 to 2012				
Jurisdiction	2000	2010	2012	% Change 2000-2012
East Hartford	49,575	50,974	51,171	0.5%

Source: 2000 and 2010 U.S. Census and American Community Survey 2012 1-Year Estimates

Population trends based on age between the 2000 and 2010 Census consist of slight changes to a few age groups including a nearly 2% increase in residents ages 55 to 64 and 0.7% increase residents ages 20 to 24. Although the population of older adults ages 55 to 64 increased in this time period, the population of senior citizens, elderly, and frail elderly ages 64 to 85 decreased by 1.9 percentage points during this same time period.

Table 2 Population By Age in the Town of East Hartford					
Age	2000 Census		2010 Census		00 - 10 % Change
	Population	Share of Total	Population	Share of Total	
Under 5 years	3,223	6.5%	3,339	6.5%	0.0%
5 to 19	9,749	19.7%	9,953	19.4%	-0.3%
20 to 24	2,835	5.7%	3,286	6.4%	0.7%
25 to 34	7,075	14.2%	7,252	14.2%	0.0%
35 to 54	14,334	28.9%	14,516	28.3%	-0.6%
55 to 64	4,686	9.5%	5,861	11.4%	1.9%
65 and Over	7,733	15.6%	7,045	13.7%	-1.9%
Total	49,575	100.0%	51,252	100.0%	21%

Source: 2000 and 2010 U.S. Census

Economic Analysis

Data regarding the labor force, defined as the total number of persons working or looking for work, and employment, or the number of persons working, as gathered from the decennial census and American Community Survey estimates are presented below.

Labor Force and Total Employment

According to the Bureau of Labor Statistics, the Town of East Hartford has an unemployment rate of 8.1% as of 2015, up one percentage point over the 2014 figure. The Town's unemployment rate exceeds the national rate of 5.4%. East Hartford's unemployment rate and job losses have consistently been in the top 10 of Connecticut towns, especially during the Great Recession which impacted the state from approximately 2008-2011. The state has experienced increasing job loss during the past 25 years.¹⁵

Table 3 Unemployment Rates in the Town of East Hartford					
Year	2011	2012	2013	2014	2015
Unemployment Rate	9.7%	9.1%	8.1%	7.1%	8.1%

Source: Bureau of Labor Statistics Local Area Unemployment, <http://www.bls.gov/lau/lamtrk09.htm>

¹⁵ State of Working Connecticut: Jobs, Unemployment, and the Great Recession. http://www.cga.ct.gov/coc/PDFs/youth_employment/voices_state_of_working_ct_2011.pdf. Accessed May 13, 2015.

The State of Connecticut had the worst national rate for job creation between the years of 1990 and 2010. During this same period, the number of residents in the working age population increased by 120,000 people, which increased unemployment rates. Towns and neighborhoods that already had communities with high rates of poverty were impacted the worst. Additionally, the state has seen a significant decrease in entry-level jobs that are accessible to low-skill workers. Between 2002 and 2010 58,000 jobs paying less than \$15,000 annually were lost while 25,000 jobs paying between \$15,000 and \$40,000 per year were lost. These losses represent an annual 2.5% decrease. More specifically, 25,000 jobs in manufacturing, and 8,000 jobs in construction, two of the larger employment sectors for East Hartford were lost. This job shortage has resulted in low skilled workers being unable to find an entry into the labor market. The growth of poverty in the state, and the state's towns, has been closely linked with the stagnation of jobs within the area.¹⁶

As of 2013, according to CERC, the top employment industries in East Hartford are: Construction, Manufacturing, Retail Trade, Professional, Scientific, and Technical Services, Administrations, Waste Management, and Remediation, and Health Care and Social Assistance. The top employers as of 2014 are Pratt & Whitney, Freemont Riverview LLC, DTZ, Goodwin College, and Clearwater Paper Corp. One of the key issues the Town is facing, as addressed in the 2014 East Hartford Plan of Conservation and Development, in relation to employment is that a high number of Town residents work outside of the Town in surrounding areas. In 2010, only 13.8% of East Hartford residents worked in the Town, while 20.8%, or over 1 in 5 residents, worked in nearby Hartford, complicating residential stability within the area as residents may move closer to employment.

Poverty & Distressed Community Status

The Connecticut Conference of Municipalities released a report in 2013, entitled *Disproportionate Burdens: Major Challenges Facing Connecticut's Poorer Communities*. This report identified the top 25 "distressed communities" in Connecticut based on per capita income, changes in per capita income, poverty level, changes in employment and population, age of housing stock, educational attainment for residents ages 25 and older, and the net grand list. Based on this criterion. The Town of East Hartford ranks 19 out of the 25 identified Towns and is considered a "distressed community."

The Census Bureau uses a set of income thresholds that vary by family size and composition to determine poverty status. If a family's total income is less than the threshold for its size, then that family, and every individual in it, is considered poor. The poverty thresholds do not vary geographically, but they are updated annually for inflation using the Consumer Price Index. The official poverty definition counts income before taxes

¹⁶ Meeting the Challenge: The Dynamics of Poverty in Connecticut. (2014). <http://www.cafca.org/files/CT%20Poverty%20Report.pdf> Accessed on May 15, 2015.

and does not include capital gains and non-cash benefits such as public housing, Medicaid, and food stamps. Further, poverty is not defined for persons in military barracks, institutional group quarters, or for unrelated individuals under age 15 such as foster children.

The poverty threshold for the state of Connecticut is approximately \$11,000 in income annually for an individual and \$22,000 for a family of four. Poverty rates, similar to trends in national and state rates, have increased throughout the Town. In the years between 2008 and 2010 the percentage of families living below the poverty level averaged 13.1%, according to the American Community Survey. In the years between 2011 and 2013 the share of families living below the poverty level averaged 14.3%, an increase of 1.2 percentage points. Families experienced high rates of poverty in East Hartford in the period between 2011 and 2013. Families with children below the ages of five years old, experienced a poverty rate of 37.2%, or over 1 in 3 families in East Hartford with children under the age of five lived below the poverty level between 2011 and 2013. Female headed households with children under the age of five experienced extremely high poverty rates (64.9%) during this time, with more than one out of every two families living below the poverty line.

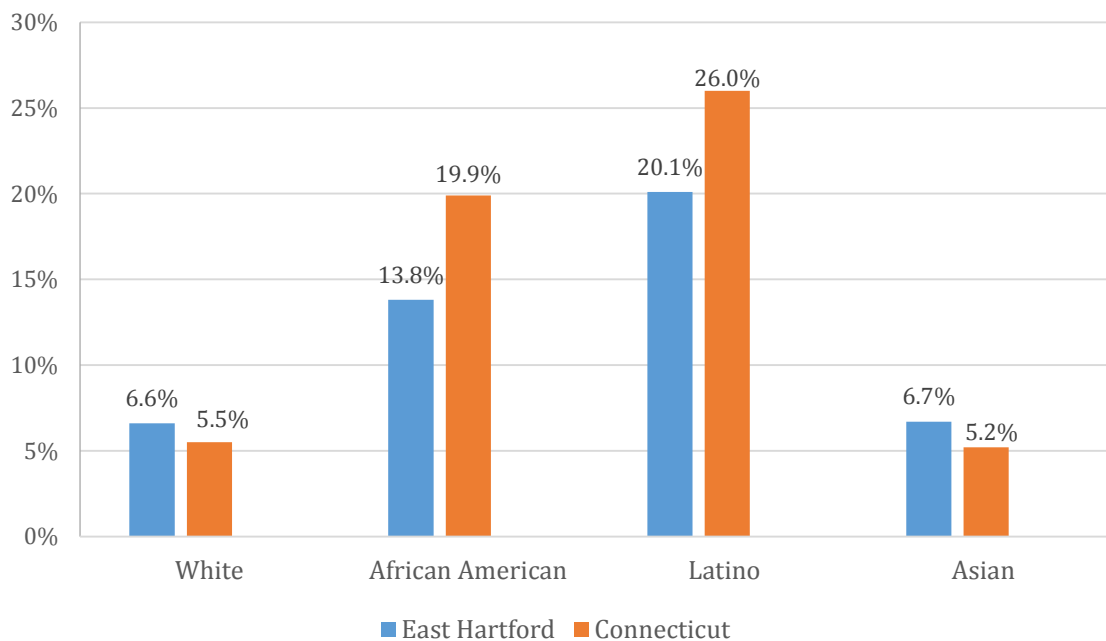
A joint analysis conducted by the Connecticut Association for Community Action, the Connecticut Center for Economic Analysis, and BWB Solutions in 2014, found East Hartford to have one of the highest rates of “very poor” residents (i.e., persons below the federal poverty level) in the state. According to the 2010 ACS, between 2005 and 2010, East Hartford had 7,467 very poor residents, which accounts for 14.8% of the Town’s overall population. According to the 2010 Census, the Census tracts with the highest poverty rates were: 5103 (22.1%), 5106 (22.1%), 5104 (21.7%), and 5102 (18.5%) with each tract having approximately 1 in 5 residents living in poverty. Complicating this issue, is the Town’s close proximity to Hartford, which was one of the state’s top six poorest towns during this time, and Manchester also a town with one of the state’s highest rates for “very poor” residents. Thus, the Town is situated in a region of the state that is struggling as a whole with poverty, and as highlighted earlier in this section, stagnate wages and job growth.

According to the ACS, the poverty rate for children in the Town was 23.4% with more than one in five children experiencing poverty. Poverty rates for senior citizens were also high with over one in ten (11.1%) of residents ages 65 years or more living below the poverty line. Poverty rates for the elderly and children both had modest increases in the years between 2011 and 2013, growing by 1-2 percentage points. However, poverty rates for families with children under the age of five increased by 14.2% after 2010 and poverty rates for single female households rose by 13.7 percentage points after 2010. Residents

with disabilities also experienced high poverty rates for both males (24.9%) and females (30.3%).

As indicated in the chart below, race and ethnicity is related to poverty in the Town, with African Americans (13.8%) and Latinos (20.1%) experiencing poverty at rates more than double that of Whites (6.6%). Only Asians (6.7%) had a rate nearly equal to that of White residents. With the exception of Asian and White residents, the Town had lower poverty rates for racial and ethnic groups compared to the State.

Figure 1. Race and Poverty Rates in East Hartford



Source: <http://www.city-data.com/poverty/poverty-East-Hartford-Connecticut.html>

Household Income

Income in the Town decreased substantially as measured by the 2011-2013 ACS estimates compared to the 2008-2010 ACS figures. Median family income decreased from \$62,638 to \$55,098. Mean family income decreased from \$73,350 to \$66,310. Median household income decreased from \$36,658 to \$29,908 while mean household income decreased from \$46,374 to \$43,759. Median earnings for workers also dropped from \$33,293 to \$30,360. Income levels in East Hartford are lower than income levels in both the State and County. In 2010, the town median family income was \$52,569 compared to \$64,279 for Hartford County and \$70,340 for the State. Rising poverty rates and decreased earnings and income have led to an increase in use of public service and welfare benefits. Use of Supplemental Security Income rose from 4.4% to 7.4% while use of Supplemental Nutrition Assistance Program benefits (SNAP, formerly food stamps) increased by nearly 10 percentage points,

from 15.5% to 24.1%. Nearly 1 in 4 residents in the Town use the SNAP program to get assistance purchasing food.

This trend is reflective of a larger trend within the State. Connecticut's median wages have seen little increase over the past decade. Younger, minority, and less educated residents have experienced the most stagnant wages. Wage stagnation for East Hartford is of particular concern due to the increasing number of residents who are racial and ethnic minorities. The racial income inequality gap has not lowered in the State since its first measurement in 2002. Connecticut's median hourly wage has consistently fallen since 2000. Progress with closing the state's gender pay gap has lagged behind national progress for the past three decades. Wage growth in the state has essentially been flat for workers of all education levels post 2000. Additionally, high-wage industry jobs are being replaced by jobs in lower-wage sectors.¹⁷ These issues are pertinent to affordable housing in the Town as decreased wages and income inequality is highly likely to negatively impact housing affordability for protected classes within the Town. Of note, however, is the fact that the State of Connecticut has committed to raising its minimum wage from \$9.15 in 2015 to \$10.10 by 2017.

In 2014, the Connecticut United Way released a listing of the State's towns that met the requirement for ALICE or Asset Limited, Income Constrained, Employed. The ALICE measure focuses on families lacking the financial resources to meet all the household's basic needs. ALICE families are working families without enough income to provide for the costs of housing, transportation, child care, health care, and food. ALICE families are also more vulnerable because the limitations of their assets means that they do not have a monetary safety net. This lack of a safety net means they are closer to homelessness and less likely to have money for rental and utility deposits associated with housing. The United Way notes that housing is a key issue for these families. According to the 2014 report, 30% of East Hartford families are ALICE families.¹⁸ According to the 2010 Census, the lowest incomes are in Census tracts 5102, 5103, 5104, and 5106 which is representative of areas on Burnside Avenue, Park Street, Silver Lane, and the downtown region. Median incomes in this area range from approximately \$35,000 to \$40,000 annually.

The table below illustrates changes in annual household income for East Hartford residents between 2010 and 2013. The Town has a slight rise in families earning less than \$10,000 annually. Households earning \$100,000 or more annually also increased modestly for the Town.

¹⁷ The State of Working Connecticut. <http://www.ctvoices.org/sites/default/files/econ14workingct.pdf>. Accessed on May 13, 2015.

¹⁸ ALICE: Study of Financial Hardship. Connecticut. http://www.unitedwayalice.org/documents/14UW%20ALICE%20Report_CT_Lowres_3.23.15.pdf. Accessed on May 15, 2015.

Table 4 Town of East Hartford Households by Income, 2010 and 2013				
Income Range	2010		2013	
	Households	Percent	Households	Percent
Less than \$10,000	1,535	7.6%	1,679	8.24%
\$10,000 to \$14,999	1,070	5.3%	1,123	5.51%
\$15,000 to \$24,999	2,061	10.2%	2,284	11.23%
\$25,000 to \$34,999	1,980	9.8%	2,333	11.46%
\$35,000 to \$49,999	3,010	14.9%	2,693	13.22%
\$50,000 to \$74,999	3,798	18.8%	3,595	17.65%
\$75,000 to \$99,999	2,505	12.4%	3,153	15.48%
\$100,000 to \$149,999	2,667	13.2%	2,542	12.48%
\$150,000 to \$199,999	889	4.4%	586	2.88%
\$200,000 or more	707	3.5%	376	1.85%
Total	20,206	100%	20,364	100%

Source: U.S. Census Bureau, American Community Survey 2010 and 2013 3-Year Estimates

Health Care Access and Status

In December of 1994, the Town of East Hartford was designated as a medically underserved area. Medically underserved areas (MUA) indicate areas in which the general population has limited access to primary health care. Decreased access to care can be due to residents residing in rural or remote locations or an overall shortage in primary health care physicians and workers in a certain area. Additional indicators of medically underserved areas, as provided by the Department of Health and Human Service's Health Resources and Services Administration, include high rates of infant mortality, poverty, and elderly residents. East Hartford is also designated as a Healthcare Professional Shortage Area (HPSA) indicating a shortage of health care workers.¹⁹

Low-income and poor residents are particularly vulnerable in MUA regions due to inability to afford to travel for medical care or they may have public health insurance that is not accepted by physicians and hospitals due to low reimbursement rates. Lowered access to primary care typically results in less routine and preventive care and higher individual and government health care costs. The nearby City of Hartford has four areas designated as MUA and 11 areas designated as HPSA and the neighboring Town of Manchester is also designated as an HPSA, making it even more difficult for poor residents to seek health care.

¹⁹ State and County Medically Underserved Areas. <http://muafind.hrsa.gov/index.aspx>. Accessed on May 12, 2015.

HPSAs in the State of Connecticut are clustered in lower-income communities.²⁰ In East Hartford, InterCommunity, Inc. serves as a healthcare resource for low-income residents by providing primary care services regardless of ability to pay. InterCommunity was designated as a Federally Qualified Health Center Look Alike (FQHC LA) as of March 2015.

The Town of East Hartford has high rates of uninsured residents. According to five year estimates for the American Community Survey, between 2009 and 2013, residents ages 18 to 64 who were currently employed have an uninsured rate of 13.8%-more than one in ten. The uninsured rates for those who are not participating in the work force (16.1%) and the unemployed (33.2%) were higher with the uninsured rate for the unemployed being approximately 1 in 3.

The 2007, the Data Scan on health by the State of Connecticut indicated the projected rising rates of poorer residents and residents from racial and ethnic minority groups and projects increased rates of chronic illness. According to the Center for Disease Control, chronic diseases are the leading cause of disability and death in the United States (accounting for 70% of all deaths) and is a leading cause of premature death. Chronic diseases are also responsible for 75% of health care costs in the United States. Research associates chronic diseases with higher rates of absenteeism and lower productivity at work, higher rates of unemployment, and lowered rates of income and educational attainment.

The State and Town are also designated as areas with limited professionals to treat mental illness and mental health issues. According to the National Alliance on Mental Illness, untreated mental illness can result in disability, unemployment, substance abuse, homelessness, and high rates of incarceration. Untreated mental illness also has staggering economic costs. NAMI estimates that untreated mental illness results in an annual cost of \$100 billion per year in the United States. Experiences with mental illness can also negatively impact health, making it difficult for those with mental illness to participate in preventive, routine, and health promoting behaviors. Additionally, having a chronic disease can also trigger serious mental illness, like major depression or anxiety disorders.

Finally, the Town has high rates of childhood and adolescent poverty as discussed earlier in this section. High and persistent rates of childhood poverty are the leading cause of post-traumatic stress disorder, a Serious Mental Illness (SMI). SMI is a medical condition that disrupts mood, feeling, and thinking in a manner that interferes with or impairs daily functioning and social interactions. Mental illness is also a leading cause of disability and nationally, accounts for 25% of years lost to disability and premature death.

²⁰ Keeping Connecticut Healthy. Healthcare for Connecticut's Underserved Populations. Identifying and Assisting the Medically Underserved in Connecticut. (2011). http://www.ct.gov/dph/lib/dph/hisr/pdf/medically_underserved_issuebrief2011.pdf. Accessed May 13, 2015.

Protected Class Analysis

The Fair Housing Act and similar state fair housing laws list seven prohibited bases for housing discrimination:²¹ race, color, national origin, gender, familial status, disability, and religion. State of Connecticut fair housing law also prohibits discrimination based on sexual orientation, gender identity or expression, creed, ancestry, marital status, age, and lawful source of income. This protected class analysis addresses each of the federally protected population groups and their geographic distribution in the Town of East Hartford.

Race and Ethnicity

As of 2010, the Town of East Hartford had an estimated population of 51,252 people, up by 3.4% since 2000. The largest share of the population was non-Hispanic White (41.9%), with Latino residents making up the second largest racial/ethnic group at 25.8% of the total. Other minority population segments include African Americans (24.2%), Asians (5.7%), persons of other or multiple races (2.2%), and American Indians/Alaska Natives (0.2%).

Table 5 Population by Race and Ethnicity in the Town of East Hartford					
Race by Ethnicity	2000		2010		2000-2012 % Change
	Count	Share	Count	Share	
Non-Latino	42,023	84.8%	38,020	74.2%	-9.5%
White	29,557	59.6%	21,452	41.9%	-27.4%
African American	9,051	18.3%	12,393	24.2%	36.9%
American Indian/Alaska Native	110	0.2%	101	0.2%	-8.2%
Asian	1,972	4.0%	2,899	5.7%	47.0%
Native Hawaiian/Pacific Islander	9	0.0%	6	0.0%	-33.3%
Other race	148	0.3%	177	0.3%	19.6%
Two or more races	1,176	2.4%	992	1.9%	-15.6%
Latino	7,552	15.2%	13,232	25.8%	75.2%
Total Population	49,575	100.0%	51,252	100.0%	3.4%

Sources: U.S. Census 2000 SF1 Table P008 and 2010 SF1 Table P5

Since the 2000 Census, racial and ethnic diversity increased considerably in East Hartford, as it did nationally and in Connecticut, although to a lesser extent. The Town's White population fell significantly, by 27.4% (or 8,105 persons), while its Latino population grew by 75.2%, adding 5,680 residents. The Town's African American and Asian populations also saw considerable growth from 2000 to 2010, increasing by 36.9% and 47.0%, respectively.

²¹ *Live Free: Annual Report on Fair Housing FY 2010*, U.S. Department of Housing and Urban Development.

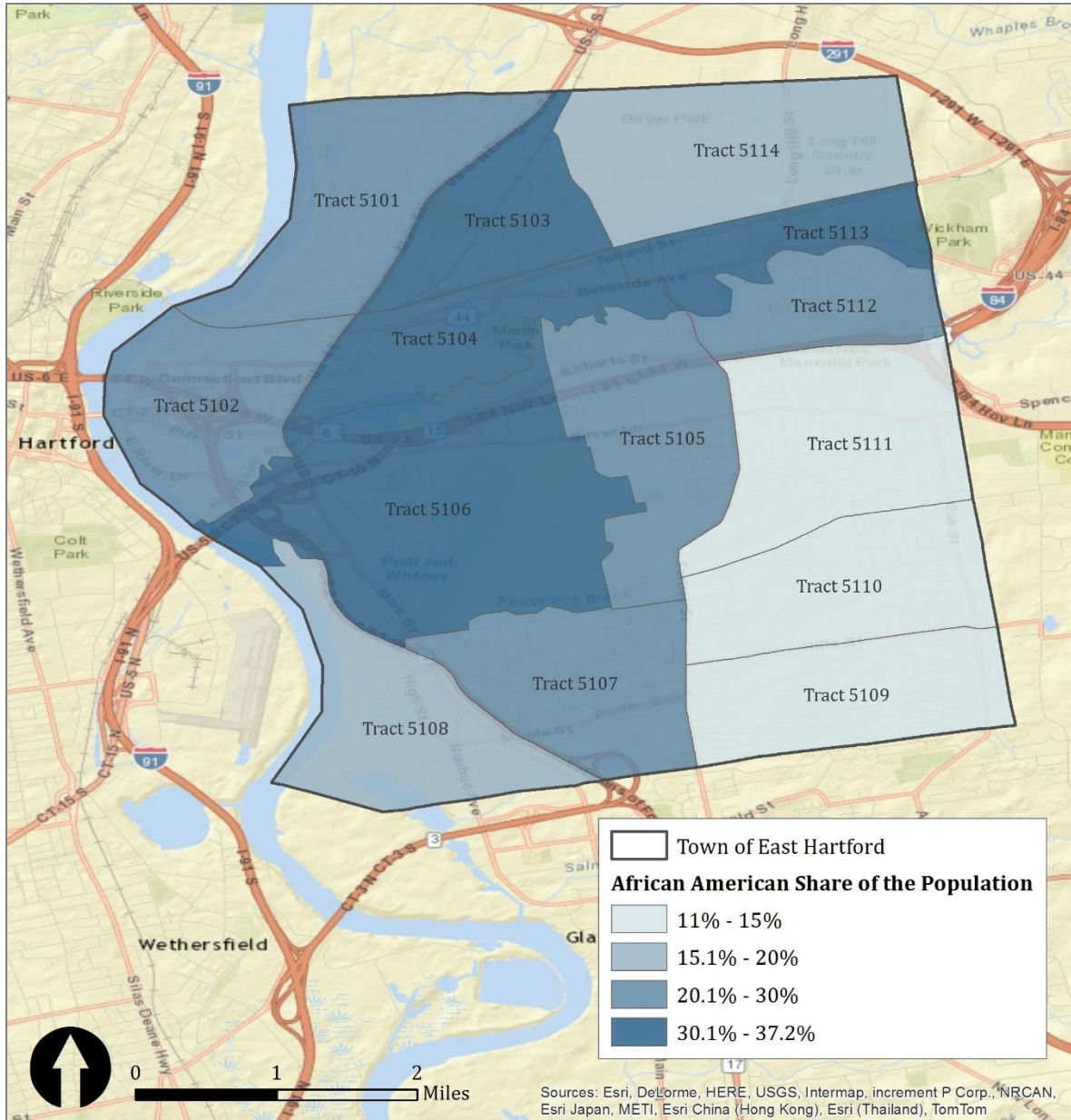
Given the small share they make up of East Hartford's total population, growth rates vary for other minority population segments, although none changed by more than 200 persons.

Latino population growth and a stagnant/decreasing White population are not unique to East Hartford. Nationally, the Latino population grew by 43.0% from 2000 to 2010, well above the population growth rate for Whites of 1.2%. In Connecticut, the Hispanic population expanded by 49.6% and the White declined by 3.5%.

The maps on the following pages show the racial and ethnic composition of the Town of East Hartford by census tract. The first map displays the share of the population that is African American by census tract in 2010. African Americans made up more than 30% of the population in four of East Hartford's 14 census tracts. The largest concentrations of African American residents are to the north of Pratt & Whitney and along Burnside Avenue. Tracts with the lowest African American populations (between 11 and 15%) are in the town's southeast corner, bordering Glastonbury and Manchester.

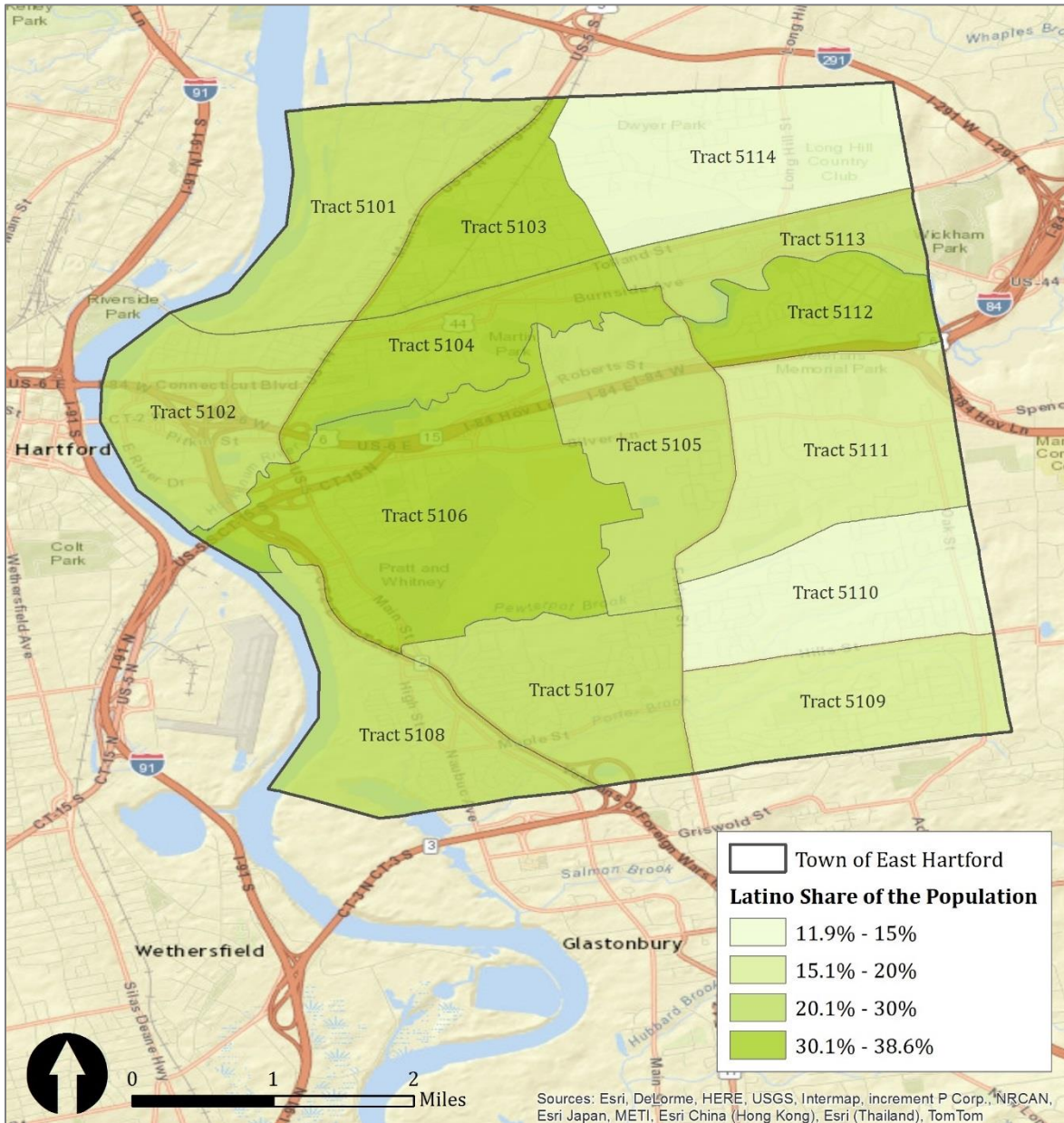
Figure 3 shows Latino population by census tract in 2010. Like African Americans, Latinos made up more than 30% the population in four East Hartford census tracts. Three of these tracts (5103, 5104, and 5106) are also at least 30% African American, indicating that more than half of the population there are racial/ethnic minorities. Again, tracts in the southeast corner of the town had low Latino populations (12-15%), as did the tract in the town's northeast corner. The segregation analysis will further compare and quantify residential patterns by race and ethnicity in East Hartford.

Figure 2. African American Share of the Population by Census Tract in the Town of East Hartford, 2010



Source: U.S. Census 2010 SF1 Table P5

Figure 3. Latino Share of the Population by Census Tract in the Town of East Hartford, 2010



Source: U.S. Census 2010 SF1 Table P5

Racially and Ethnically Concentrated Areas of Poverty

In addition to looking at residential patterns of protected classes, this section uses a methodology developed by HUD to identify racially and/or ethnically concentrated areas of poverty (RCAP/ECAPs). HUD defines an RCAP/ECAP as a census tract with an individual poverty rate of 40% or greater (or an individual poverty rate at least 3 times that of the tract average for the metropolitan area, whichever is lower) and a non-White population of 50% or more.

As of the 2009-2013 American Community Survey, there were no racially or ethnically concentrated areas of poverty in East Hartford. While nine tracts were majority minority (i.e., minority populations over 50%), none had an individual poverty rate above three times of the Hartford-West Hartford-East Hartford metropolitan statistical area (MSA) (30.9%, as of the 2009-2013 5-year American Community Survey). Poverty rates by tract ranged from as low as 1.7% in tract 5109 to a high of 25.3% in tract 5104. Three tracts (5102, 5104, and 5106) had a poverty rate above 20%, and an additional five from 10 to 20%.

National Origin

As of the 2009-2013 American Community Survey, 21.8% of East Hartford's population was foreign born, above the foreign born population share in the MSA (12.8%), the state (13.6%) and the U.S. (12.9%). Since the 2000 Census, the town's non-native population grew by 49.8%, a rate that was above that of the state (31.7%) and nation (29.7%). In 2000, East Hartford was home to 2.0% of the state's non-native residents; by 2009-2013, it was home to 2.3%.

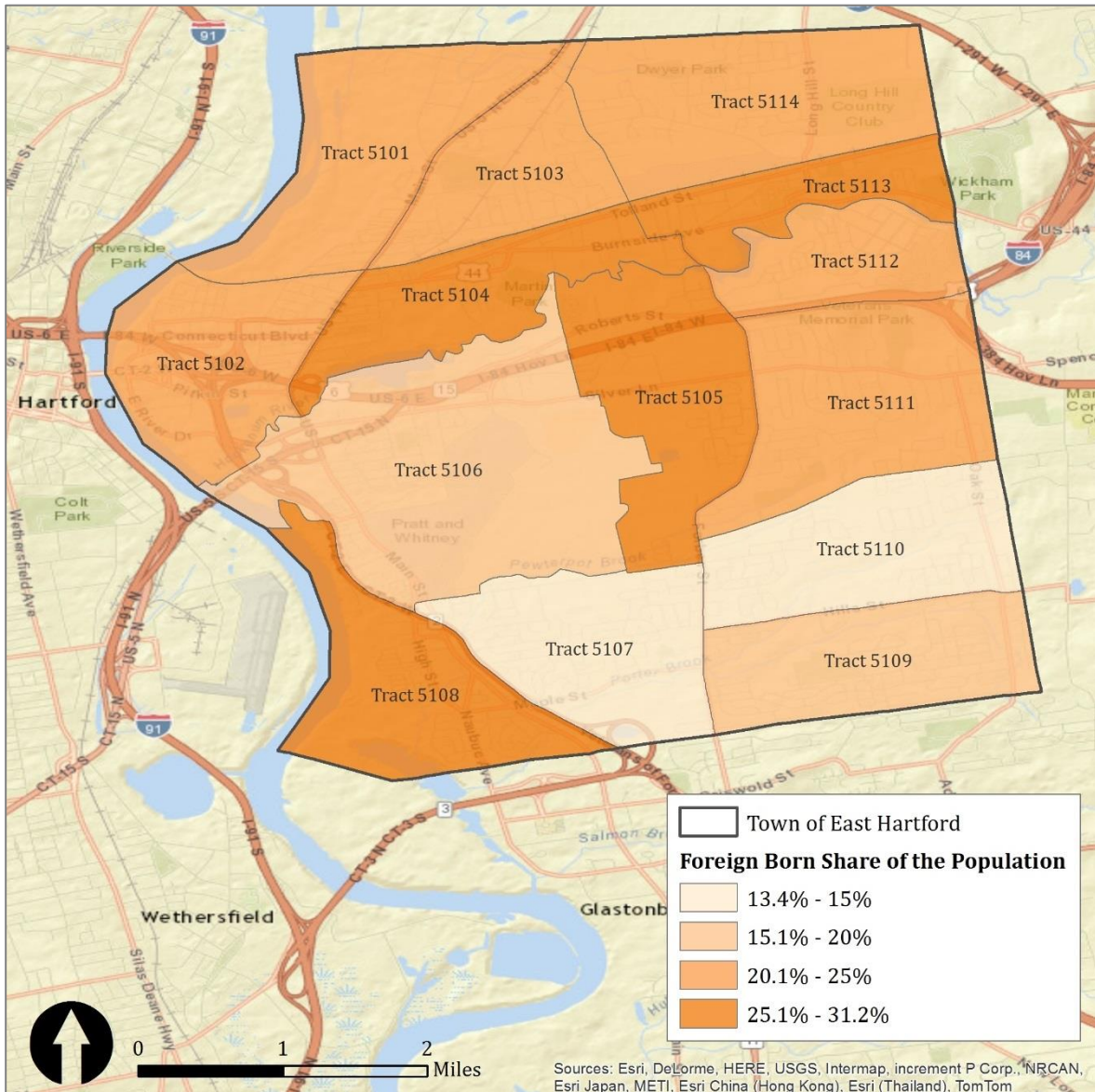
National Origin	2000		2009-2013		Percent Change
	Count	Share	Count	Share	
Europe	1,802	24.2%	1,376	12.3%	-23.6%
Asia	1,660	22.3%	2,722	24.4%	64.0%
Africa	546	7.3%	1,370	12.3%	150.9%
Oceania	5	0.1%	6	0.1%	20.0%
Americas	3,432	46.1%	5,679	50.9%	65.5%
Caribbean & Central America	1,821	24.5%	3,706	33.2%	103.5%
South America	919	12.3%	1,606	14.4%	74.8%
North America	692	9.3%	367	3.3%	-47.0%
Foreign Born Population	7,445	100.0%	11,153	100.0%	49.8%
Foreign Born Population as % of Total	15.0%		21.8%		

Sources: U.S. Census 2000 SF3 Table PCT019 and 2009-2013 5-Year American Community Survey Table B05006

The largest share of foreign born East Hartford residents are from the Caribbean and Central America (33.2%), compared to 45.8% of the U.S. population. Asians make up 24.4% of East Hartford's foreign born population, and South Americans constitute the third largest group at 14.4% of all non-U.S. natives.

The map below identifies East Hartford's foreign born population by census tract. In four tracts, non-US natives make up at least one-quarter of the population. These include tracts 5104 and 5113 along Burnside Avenue, tract 5105 to the east of Rentschler Field, and tract 5108 in the town's southwest corner. Tract 5104 also had a high concentration (30% or more) of African American and Latino residents.

Figure 4. Foreign Born Share of the Population by Census Tract in the Town of East Hartford, 2009-2013



Source: 2009-2013 5-Year American Community Survey Table B0500

Familial Status & Householder Gender

As of the 2010 Census, there were 20,195 households in East Hartford, of which nearly two-thirds (63.9%) were families.²² More than half of families (51.5%) and nearly one-third of total households (37.4%) included children. Nearly one-third of family households (31.8%) and over one-half of non-family households (53.4%) had female householders, together totaling 8,000 (or 39.6% of total householders). Nationally, two-thirds of households were family households (66.4%) in 2010, 31.3% had children, and 34.9% had female householders. In comparison, East Hartford has a higher share of both households with children and female householders.

Table 7					
Familial Status and Sex of Householder in the Town of East Hartford					
Household Type	2000		2010		2000-2010 % Change
	Count	Share	Count	Share	
Family Households	12,828	63.5%	12,908	63.9%	0.6%
Married couple householders	8,389	41.5%	7,581	37.5%	-9.6%
With related children under 18	3,487	17.3%	3,192	15.8%	-8.5%
No related children under 18	4,902	24.3%	4,389	21.7%	-10.5%
Male householder, no wife	921	4.6%	1,220	6.0%	32.5%
With related children under 18	479	2.4%	658	3.3%	37.4%
No related children under 18	442	2.2%	562	2.8%	27.1%
Female householder, no husband	3,518	17.4%	4,107	20.3%	16.7%
With related children under 18	2,469	12.2%	2,795	13.8%	13.2%
No related children under 18	1,049	5.2%	1,312	6.5%	25.1%
Nonfamily Households	7,378	36.5%	7,287	36.1%	-1.2%
Male householders	3,421	16.9%	3,394	16.8%	-0.8%
Female householders	3,957	19.6%	3,893	19.3%	-1.6%
Total Households	20,206	100.0%	20,195	100.0%	-0.05%
Total female householders	7,475	37.0%	8,000	39.6%	7.02%
Total households with children	6,435	31.8%	6,645	32.9%	3.26%

Sources: U.S. Census 2000 SF1 Tables P027 and P035 and 2010 SF1 Tables P29 and P39

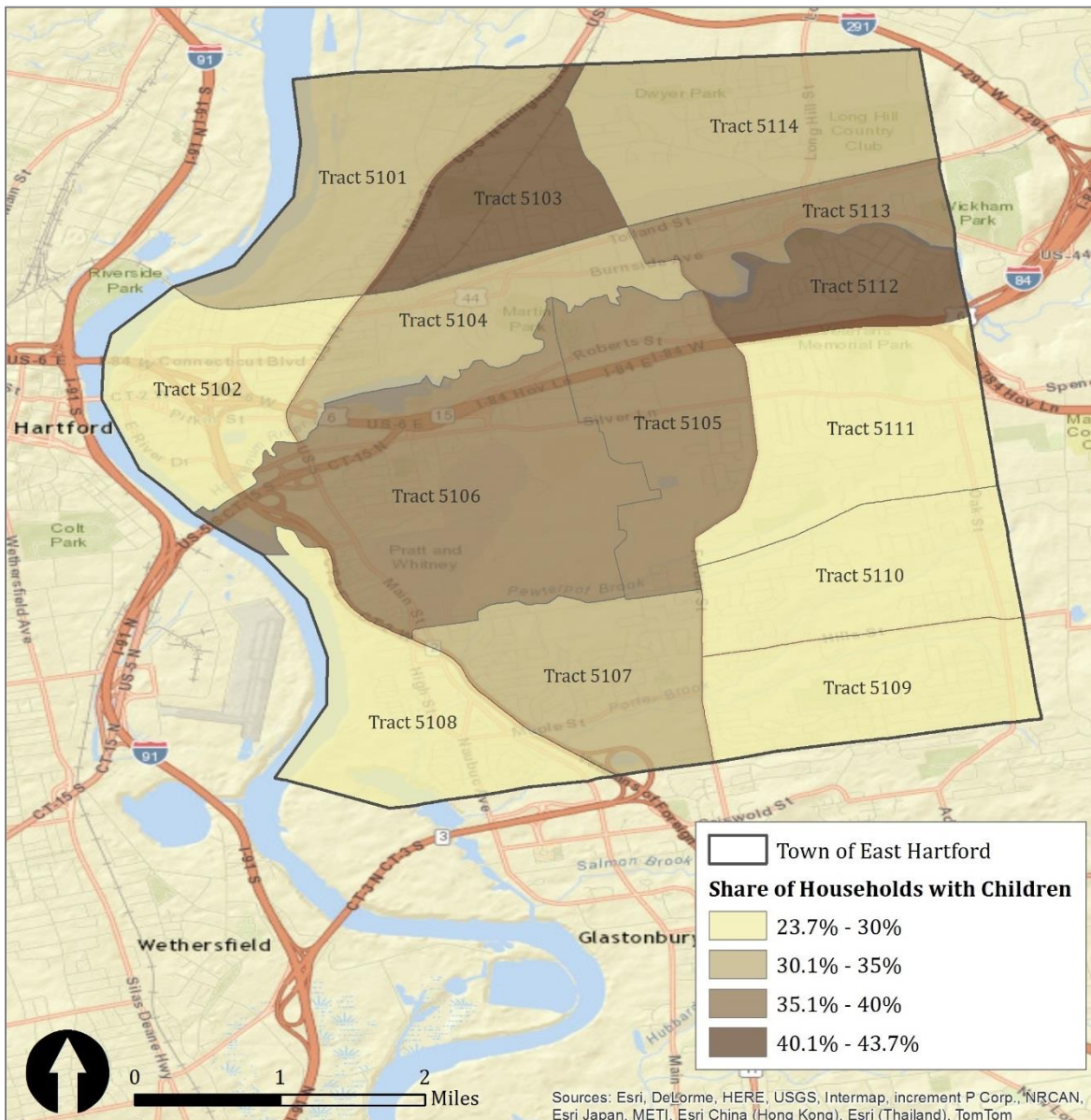
An analysis of changes in household types in East Hartford between 2000 and 2010 indicates a drop in the number of married couple households (by 808 households or 9.6%); married couples with children fell by 8.5%. Other family households (i.e., single

²² The Census defines a family household as a household with two or more people (one of whom is the householder) related by birth, marriage, or adoption residing together. A family household also includes any unrelated people who may be residing with the family.

householders with and without children), meanwhile, grew by rates ranging from 13.2% to 37.4%. These trends indicate a growing diversity in terms of householders and family type in East Hartford that is reflective of national trends.

The map below identifies concentrations of households with children by census tract. Households with children make up more than 40% of the total households in two tracts – 5103 and 5112, which includes Mayberry Village. Households with children are less common in the areas bordering Manchester and Glastonbury, constituting less than 30% of total households in each tract.

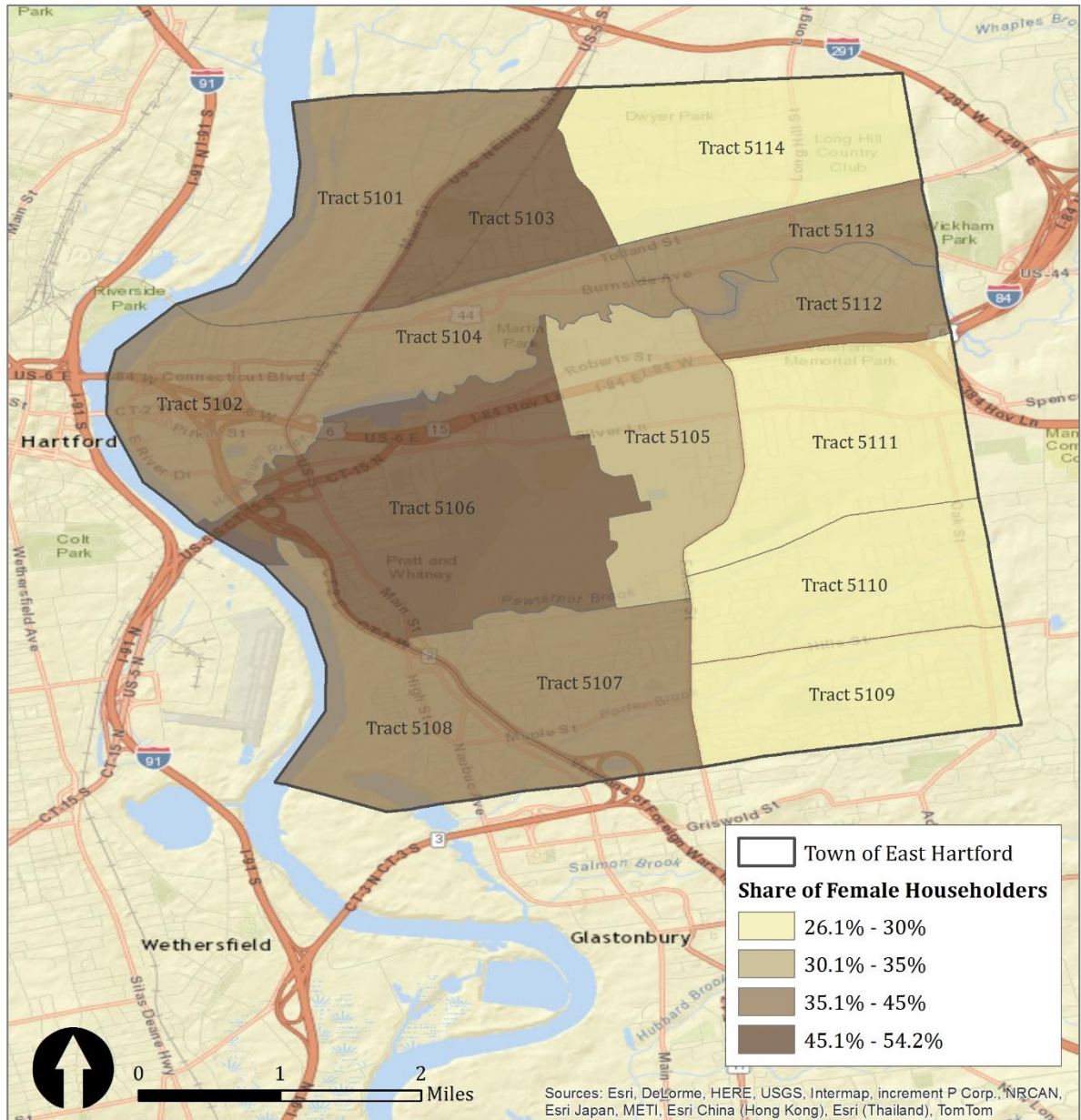
Figure 5. Share of Households with Children by Census Tract in the Town of East Hartford, 2010



Source: U.S. Census 2010 SF1 Table P39

Female householders as a share of total householders by census tract are shown in Figure 6. Of the six tracts constituting the Town's eastern border, four had female householder shares under 30%. In tracts to the west, closer to Hartford, female householders were more common. As shown in Figure 6, more than 45% of householders in tracts 5106 and 5103 are female, and as Figure 2 and Figure 3 indicate, these tracts also have Latino and African American population shares above 30%.

Figure 6. Share of Female Householders by Census Tract in the Town of East Hartford, 2010



Source: U.S. Census 2010 SF1 Tables P29 and P39

Disability

As of the most recent American Community Survey data (2009-2013), the Town of East Hartford had a disabled population of 6,743 (or 13.3% of total population). This rate was above that of both the state (10.6%) and nation (12.1%). Of persons with a disability, two-thirds were under the age of 65 and the remaining one-third were 65 or over.

Housing needs for residents with a disability vary depending on several factors including disability type. Ambulatory difficulties affect the largest portion – over half (52.5%) – of East Hartford residents with a disability. Cognitive difficulties and independent living difficulties are the next most common, affecting 41.7% and 35.9% of residents, respectively. Note that the total number of difficulties is 1.9 times East Hartford’s total disabled population, indicating that many people face more than one difficulty.

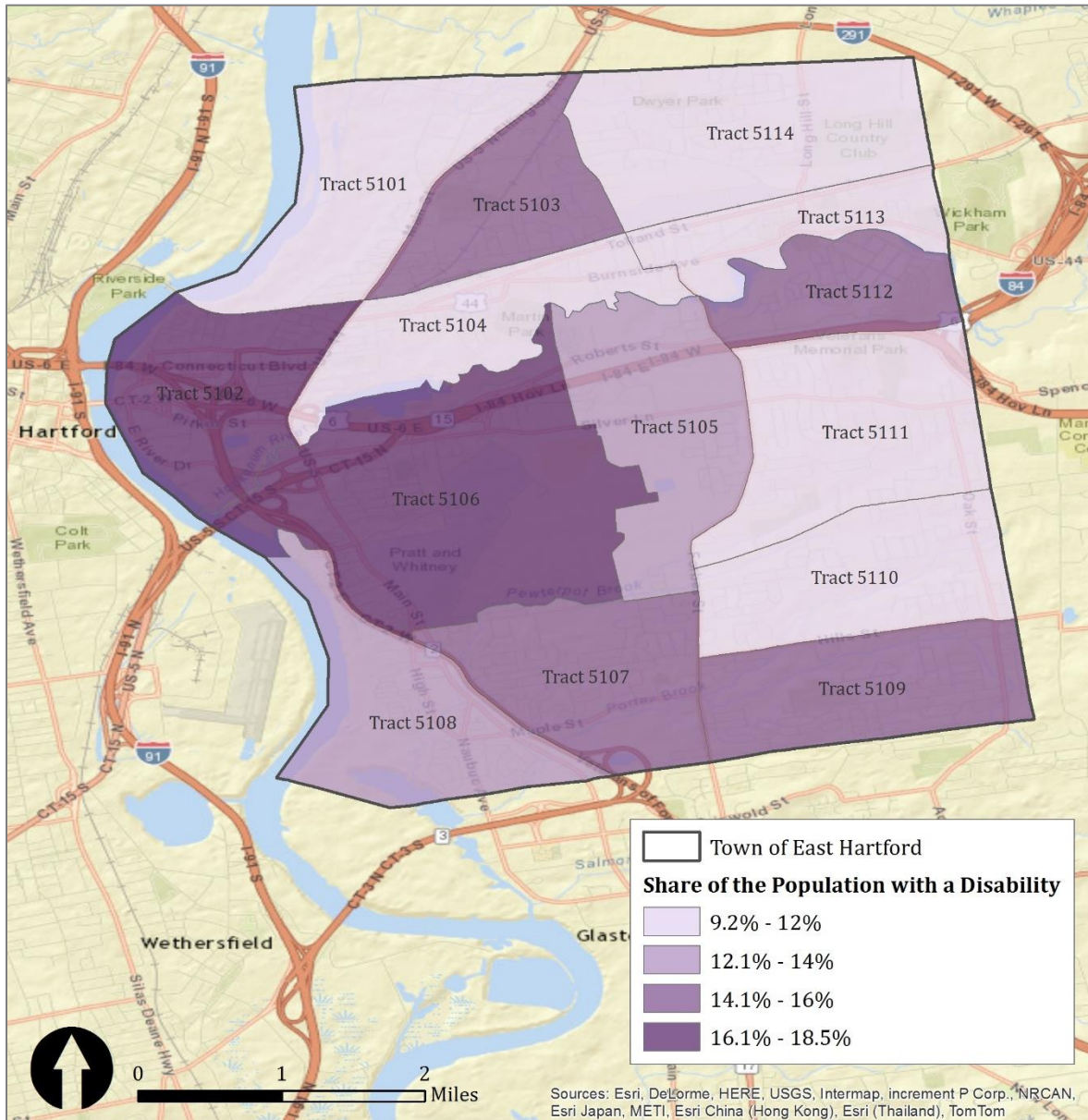
Table 8 Disability Status of the Population in the Town of East Hartford, 2009-2013		
Disability Status	Count	Share of Total
By Age		
Total population	50,768	100.0%
With a disability	6,743	13.3%
Population under age 65	44,344	100.0%
With a disability	4,426	10.0%
Population age 65 and over	6,424	100.0%
With a disability	2,317	36.1%
By Type of Disability		
Total disabled population	6,743	100.0%
Hearing difficulty	1,551	23.0%
Vision difficulty	1,459	21.6%
Cognitive difficulty	2,813	41.7%
Ambulatory difficulty	3,543	52.5%
Self-care difficulty	1,279	19.0%
Independent living difficulty	2,423	35.9%

Source: 2009-2013 American Community Survey Tables B18101 to B18107

The map on the next page shows the geographic distribution of the disabled population in East Hartford. More than 16% of residents in two tracts have a disability – tract 5106 surrounding Pratt & Whitney and tract 5102 on the Town’s western edge adjacent to the Connecticut River and Great River Park. Disabilities are less common in the tracts bordering Manchester and South Windsor (tracts 5101, 5114, 5113, 5111, and 5110). The Town’s ability to meet the housing needs of its disabled residents is impacted by an array

of factors – such as zoning regulations for group homes, the ease with which modifications may be made to existing homes, and the availability of fair housing services – which are each examined in other sections of this report.

Figure 7. Share of Population with a Disability by Census Tract in the Town of East Hartford, 2009-2013



Source: 2009-2013 American Community Survey Table B18101

Religious Affiliation

Religion is not one of the questions surveyed by the U.S. Census Bureau making dependable, comprehensive data on religious affiliation difficult to find. The data used in this report appear in the 2010 U.S. Religion Census: Religious Congregations & Membership Study, a county-by-county enumeration of religious bodies in the U.S. published by the Association of Statisticians of American Religious Bodies (ASARB). The smallest geography for which data is available in this study is the county level, and thus no figures are available for East Hartford or its census tracts; however, data for Hartford County is provided below.

Religious Affiliation	Count	Share
Catholic	278,203	31.1%
Evangelical Protestant	50,619	5.7%
Mainline Protestant	73,522	8.2%
Black Protestant	8,446	0.9%
Orthodox	3,665	0.4%
Other	28,183	3.2%
Judaism	14,131	1.6%
Muslim	3,056	0.3%
Other	10,996	1.2%
Unclaimed	451,376	50.5%
Total Population	894,014	100.0%

Source: Association of Statisticians of American Religious Bodies, *2010 U.S. Religion Census: Religious Congregations & Membership Study*

In Hartford County, the half of the population – 50.5% – did not adhere to a religion as of 2010.²³ Of those claiming a religious affiliation, Catholics made up the largest share at 31.1% of the population, followed by Mainline Protestants at 8.2%. The only other religion adhered to by more than 5% of Hartford County’s population was Evangelical Protestants at 5.7%.

Sexual Orientation and Gender Identity

Sexual orientation and gender identity are not specifically named as protected classes under the federal Fair Housing Act, however, a lesbian, gay, bisexual, or transgender person may experience discrimination due to his or her sexual orientation or gender identity that

²³ Congregational adherents include all full members, their children, and others who regularly attend services. “Unclaimed,” are not adherents of any of the 236 groups included in the Religious Congregations & Membership Study, 2010.

is considered to be unlawful under one of the existing classes protected by the statute. Additionally, discrimination on the basis of sexual orientation or gender identity may violate federal regulations if perpetrated by an entity funded or insured by HUD or the Federal Housing Administration. Further, Connecticut's fair housing laws include sexual orientation and gender identity as protected classes at the state level, thereby prohibiting housing discrimination based on these factors.

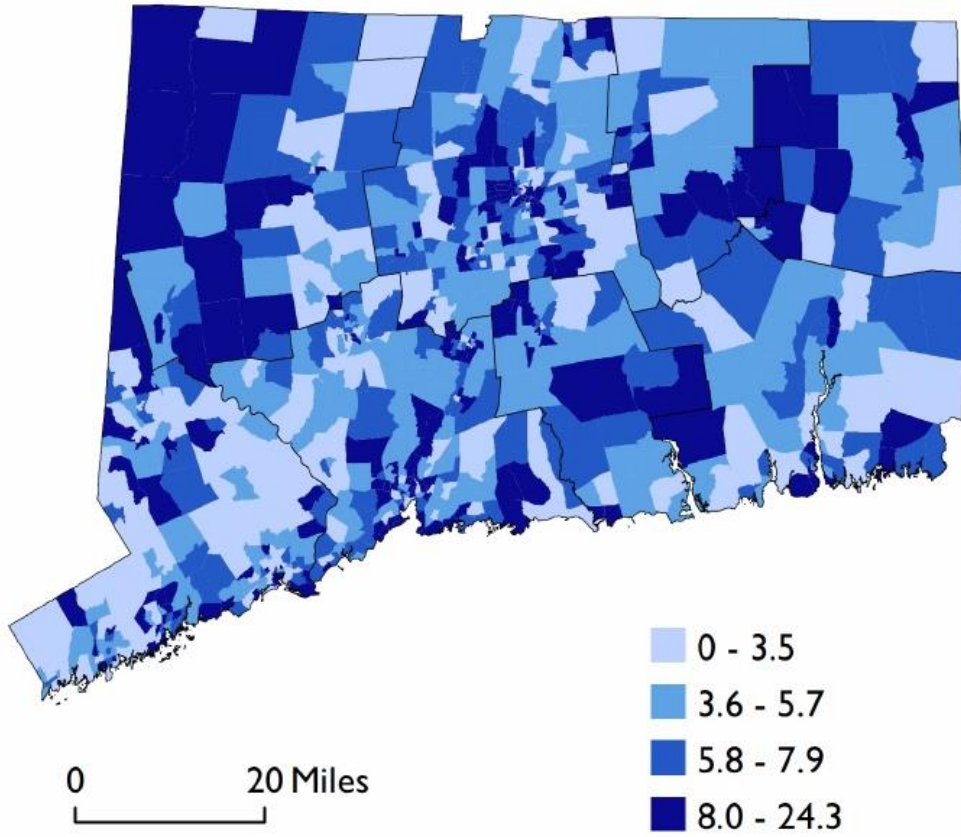
Currently no comprehensive, uniform data on sexual orientation is collected, however, analysis of Census data can approximate the distribution and concentration of same sex couples. The Williams Institute at the UCLA School of Law adjusts Census 2010 tabulations of state-level data where a head of household has indicated a "husband/wife" or "unmarried partner" relationship with another same-sex adult in the household. While this methodology is not perfect (e.g. same-sex couples where neither is the head of household are not counted and different-sex couples who may have miscoded their gender are included), it is a reasonably reliable source in the absence of a more direct sexual orientation question in the census surveys. It must also be noted that data on same-sex couples, while related to issues of sexual orientation, does not approximate or substitute for data on the lesbian, gay, bisexual, and transgender population as a whole.

The Williams Institute's 2010 data showed 7,852 same-sex couples in Connecticut, or 5.7 per 1,000 households.²⁴ While adjusted tract-level data is mapped for the state as a whole (Figure 8), the raw data is available only down to the county level. By that count, Hartford County ranked sixth of Connecticut's eight counties for its number of same-sex couples, with an adjusted total of 2,121 or 6.04 per 1,000 households.²⁵ Overall, there was relatively little variation in the rate of same-sex households by county, ranging from 4.60 in Fairfield County to 6.54 in Windham County.

²⁴ The Williams Institute: UCLA School of Law, "Connecticut Census Snapshot: 2010," Accessed April 27, 2015. http://williamsinstitute.law.ucla.edu/wp-content/uploads/Census2010Snapshot_Connecticut_v2.pdf

²⁵ Ibid.

Figure 8. Same-Sex Couples per 1,000 Households by Census Tract (adjusted) for the State of Connecticut, 2010



Source: The Williams Institute: UCLA School of Law, "Connecticut Census Snapshot: 2010"

Segregation Analysis

Segregation, or the degree to which two or more racial or ethnic groups live geographically separate from one another, can directly affect the quality of life in cities and neighborhoods. A study by the Federal Reserve Bank of Cleveland compared the economic growth of more than 100 areas in the U.S. between 1994 and 2004 and concluded that racial diversity and inclusion was “positively associated with a host of economic growth measures, including employment, output, productivity, and per capita income.”²⁶ In general, diverse communities have been found to benefit from greater innovation arising out of the varied perspectives within the community. Additionally, multilingual and multicultural regions are best positioned for success in the global marketplace. In contrast, “persistent economic and racial residential segregation is implicated in enduring racial and ethnic inequality.”²⁷

The task in this Segregation Analysis is to determine the degree to which residents of the Town of East Hartford are segregated by race and ethnicity, based on population counts from the 2000 and 2010 U.S. Censuses.

Early in the field of residential segregation analysis Duncan and Duncan²⁸ defined a “dissimilarity index” which became the standard segregation measure for evenness of the population distribution by race. By 1988 researchers had begun pointing out the shortcomings of dissimilarity indices when used apart from other measures of potential segregation. In a seminal paper, Massey and Denton²⁹ drew careful distinctions between the related spatial concepts of sub-population distribution with respect to evenness (minorities may be under- or over-represented in some areas) and exposure (minorities may rarely share areas with majorities thus limiting their social interaction).

This analysis uses the methodology set forth by Duncan and Duncan for the measurement of evenness of the population distribution by race (dissimilarity index) as well as measures of exposure of one race to another (exposure and isolation indices), based on the work of Massey and Denton. Workers in the field generally agree that these measures adequately capture the degree of segregation. These measures have the advantage of frequent use in segregation analyses and are based on commonsense notions of the geographic separation of population groups. An additional analysis for the entropy index will provide a measure

²⁶ PolicyLink. 2011. “America’s Tomorrow: Equity is the Superior Growth Model.” http://www.policylink.org/atf/cf/%7B97c6d565-bb43-406d-a6d5eca3bbf35af0%7D/SUMMIT_FRAMING_WEB_FINAL_20120127.PDF

²⁷ Bruch, E. 2005. “Residential Mobility, Income, Inequality, and Race/Ethnic Segregation in Los Angeles.” Princeton, NJ: Princeton, University, pp. 1.

²⁸ Duncan, Otis D., and Beverly Duncan. 1955. “A Methodological Analysis of Segregation Indices.” *American Sociological Review*, Vol. 20.

²⁹ Massey, Douglas, S. and Denton, N. A., 1988. “The Dimensions of Residential Segregation.” *Social Forces*, Vol. 67, No. 2, University of North Carolina Press.

of multi-group diversity not accounted for by the other indices which necessarily are limited to two racial or ethnic groups at a time.

Dissimilarity Index

The Dissimilarity Index (DI) indicates the degree to which a minority group is segregated from a majority group residing in the same area because the two groups are not evenly distributed geographically. The DI methodology requires a pair-wise calculation between the racial and ethnic groups in the region. Evenness, and the DI, are maximized and segregation minimized when all small areas (census tracts in this analysis) have the same proportion of minority and majority members as the larger area in which they live (here, the Town of East Hartford). Evenness is not measured in an absolute sense, but is scaled relative to some other group. The DI ranges from 0.0 (complete integration) to 1.00 (complete segregation). HUD identifies a DI value between 0.41 and 0.54 as a moderate level of segregation and 0.55 or above as a high level of segregation.

The area-wide proportion of the minority population can be small and still not be segregated if evenly spread among tracts. Segregation is maximized when no minority and majority members occupy a common area. When calculated from population data broken down by race or ethnicity, the DI represents the proportion of minority members that would have to change their area of residence to achieve a distribution matching that of the majority (or vice versa).

Although the literature provides several similar equations for the calculation of the DI, the one below is the most commonly used. This equation differences the magnitude of the weighted deviation of each census tract's minority share with the tract's majority share which is then summed over all the tracts in the region:³⁰

$$D = \left(\frac{1}{2}\right) \sum_{i=1}^n \left| \frac{Min_i}{Min_T} - \frac{Maj_i}{Maj_T} \right|$$

where:

D = Dissimilarity Index;

Min_i = Minority group population of census tract i;

Min_T = Minority group regional population;

Maj_i = Majority group population of census tract i;

³⁰ Calculation after [Desegregation Court Cases and School Demographics Data](http://www.s4.brown.edu/schoolsegregation/desegregationdata.htm), Brown University, Providence, Rhode Island. Source: <http://www.s4.brown.edu/schoolsegregation/desegregationdata.htm>. Accessed February 27, 2013.

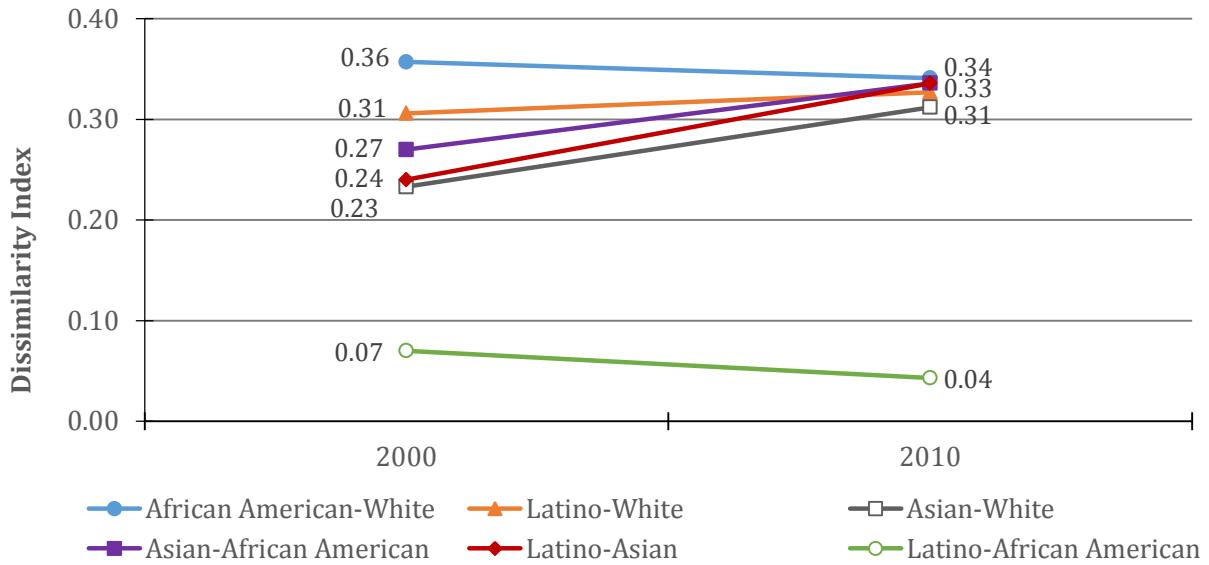
Maj_T = Majority group regional population; and
 n = Total number of census tracts in the region.

The table below presents the results of these calculations between non-Hispanic Whites, non-Hispanic Blacks, non-Hispanic Asians, and Hispanics in the Town of East Hartford.³¹ The graph that follows presents the same data in a visual format so that trends can be more readily identified.

Table 10 Dissimilarity Index for the Town of East Hartford			
Group Exposure	2000	2010	Change
African American-White	0.36	0.34	-0.02
Latino-White	0.31	0.33	0.02
Asian-White	0.23	0.31	0.08
Asian-African American	0.27	0.34	0.07
Latino-Asian	0.24	0.34	0.10
Latino-African American	0.07	0.04	-0.03

Sources: U.S. Census 2000 SF1 Table P008 and 2010 SF1 Table P5

Figure 9. Dissimilarity Index by Race and Ethnicity in the Town of East Hartford



Sources: U.S. Census 2000 SF1 Table P008 and 2010 SF1 Table P5

³¹ The DI methodology requires that each group be distinct from each other. Each racial or ethnic group cannot overlap. This study focuses primarily on four groups: Hispanics, non-Hispanic Whites, non-Hispanic Blacks, and non-Hispanic Asians (to be called “Whites,” “Blacks,” and “Asians” for simplicity).

Overall, the DI calculations show low levels of segregation between all pairs of population segments as of 2010. Latino and African American residents show virtually no segregation, with a dissimilarity index of only 0.04. The indices for remaining pairs range from 0.31 to 0.34. The DI of 0.34 for African Americans and Whites, for example, indicates that 34% of African American residents *or* 34% of White residents would have to move census tracts in order for the two groups to be identically distributed geographically and thus eliminate segregation.

Since 2000, the dissimilarity index fell for two pairings – African Americans and Whites and Latino and African Americans. Segregation increased for remaining pairings, from 0.02 for Latinos and Whites to 0.10 for Latinos and Asians. These figures indicate that as minority populations in East Hartford grew from 2000 to 2010, residential patterns became less integrated, most noticeably for Asians, who saw increased segregation relative to each of the other three racial/ethnic groups examined.

Exposure Index

Two basic, and related, measures of racial and ethnic interaction are exposure (this section) and isolation (next section). These two indices, respectively, reflect the possibility that a minority person shares a census tract with a majority person (Exposure Index, EI, this section) or with another minority person (Isolation Index, II, next section).

“Exposure measures the degree of potential contact between minority and majority group members.”³² Exposure is a measure of the extent two groups share common residential areas and so it reflects the degree to which the average minority group member experiences segregation. The EI can be interpreted as the probability that a minority resident will come in contact with a majority resident, and ranges in value from 0.0 to 1.0, where higher values represent lower segregation.

As with the Dissimilarity Index, each calculation of EI involves two mutually exclusive racial or ethnic groups. The EI measures the exposure of minority group members to members of the majority group as the minority-weighted average (the first term in the equation below) of the majority proportion (the second term) of the population in each

$$Prob = \sum_{i=1}^n \left(\frac{Min_i}{Min_T} \right) \left(\frac{Maj_i}{Tot_i} \right)$$

census tract, which can be written as:

where:

³² Massey and Denton, 1988.

Prob = Probability that minority group members interact with majority group members

Min_i = Minority group population of census tract i ;

Min_T = Minority group regional population;

Maj_i = Majority group population of census tract i ;

Tot_i = Total population of census tract i ; and

n = Total number of census tracts in the region.

The EI is not “symmetrical” so the probability of a typical African American person meeting a White person in a tract is not the same as the probability of a typical White person meeting an African American person in that tract. An illustrative example of this asymmetry is to imagine a census tract with many White residents and a single African American resident. The African American person would see all White people, but the White residents would see only one African American. Each would see a much different world with respect to group identification.

The maximum value of the EI depends both on the distribution of racial and ethnic groups and on the proportion of minorities in the area studied. Generally, the value of this index will be highest when the two groups have equal numbers and are spread evenly among tracts (low segregation). If a minority is a small proportion of a region’s population, that group tends to experience high levels of exposure to the majority regardless of the level of evenness.³³

The “Exposure Index” table shows that in 2010 the typical probability of an African American person interacting with a White person within their census tract was 36%, while the probability of a White person interacting with an African American person was somewhat lower at 21%. These rates can also be interpreted to mean that on average 36 of every 100 people an African American person met were White, and 21 of every 100 people a White person met were African American.

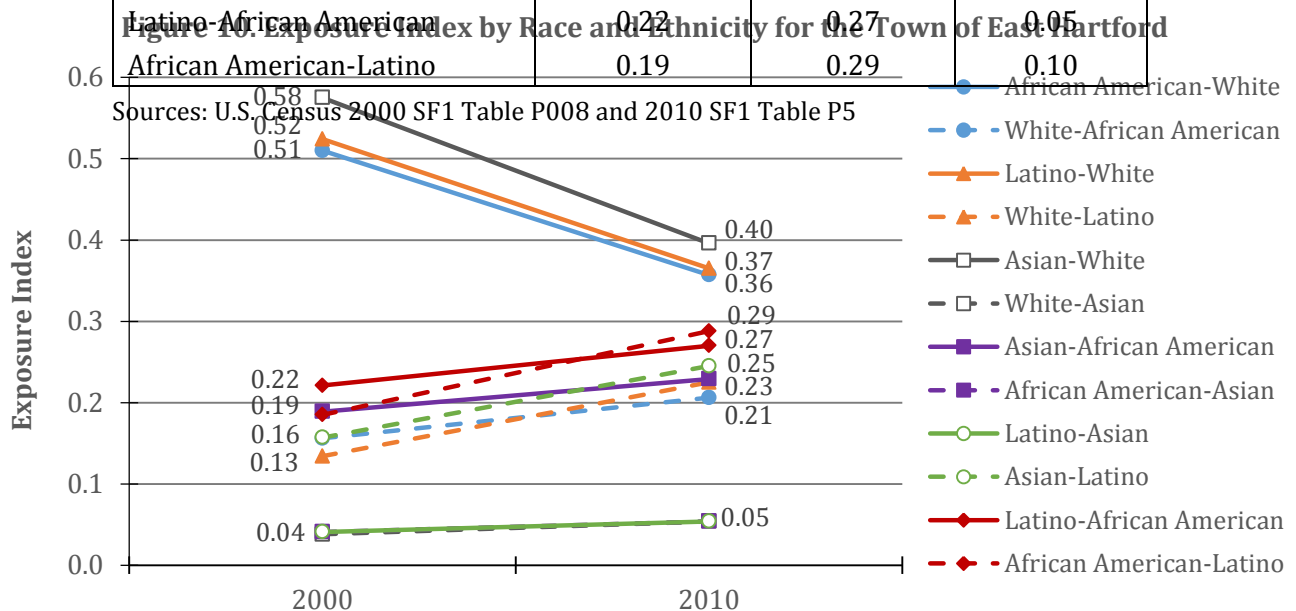
Asians and Latinos had relatively similar likelihoods of interacting with Whites as did African Americans (40% and 37%, respectively). Exposure to Asian residents was considerably lower for all groups (at 0.05), not surprising given their relatively small population share of 5.7% in 2010. Indices for all remaining pairings (Asians to African Americans and Latinos, and African Americans and Latinos to one another) were in the

³³ John Iceland, Weinberg D.H., and Steinmetz, E. 2002. “Racial and Ethnic Residential Segregation in the United States: 1980-2000.” U.S. Census Bureau. Paper presented at the annual meetings of the Population Association of America, Atlanta, Georgia.

0.20s, suggesting a considerable degree of interaction amongst persons of different races and ethnicities in East Hartford.

The “Exposure Index by Race and Ethnicity” graph shows three downward sloping lines indicating declines in exposure of each minority population segment to Whites from 2000 to 2010, ranging from a fall of 0.15 for African Americans to 0.18 for Asians. These declines reflect the growing population diversity over the decade. As the White population decreased and minority populations increased, the likelihood of interacting with Whites also fell. All other pairings saw increased exposure, with the most pronounced growth being in exposure to Latino residents as they went from 15.2% of the population in 2000 to 25.8% in 2010.

Table 11 Exposure Index in the Town of East Hartford			
Interacting Groups	2000	2010	Change
African American-White	0.51	0.36	-0.15
White-African American	0.16	0.21	0.05
Latino-White	0.52	0.37	-0.16
White-Latino	0.13	0.23	0.09
Asian-White	0.58	0.40	-0.18
White-Asian	0.04	0.05	0.02
Asian-African American	0.19	0.23	0.04
African American-Asian	0.04	0.05	0.01
Latino-Asian	0.04	0.05	0.01
Asian-Latino	0.16	0.25	0.09
Latino-African American	0.22	0.27	0.05
African American-Latino	0.19	0.29	0.10



Sources: U.S. Census 2000 SF1 Table P008 and 2010 SF1 Table P5

Isolation Index

The Isolation Index (II) measures “the extent to which minority members are exposed only to one another” (Massey and Denton, p. 288). Not a measure of segregation in a strict sense, the II is a measure of the probability that a member of one group will meet or interact with a member of the same group. The II can be viewed more as a measure of sociological isolation.

A simple change in notation from the Exposure Index equation yields the formula for the Isolation Index given below. This measure is calculated for one racial or ethnic group at a time so unlike the DI or EI, it does not compare the distribution of two groups. Instead, each calculation measures the isolation of a single group.

Similar to the EI, this index describes the average neighborhood for racial and ethnic groups. It differs in that it measures social interaction with persons of the same group instead of other groups. The II is the minority weighted average (the first term of the

$$Prob = \sum_{i=1}^n \left(\frac{Min_i}{Min_T} \right) \left(\frac{Min_i}{Tot_i} \right)$$

equation) of each tract’s minority population (the second term) and can be defined as:

where:

Prob = Probability that minority group members share an area with each other;

Min_i = Minority group population of census tract i;

Min_T = Minority group regional population;

Tot_i = Total population of census tract i; and

n = Total number of census tracts in the region.

The II is a region-level measure for each race/ethnicity summed up from tracts within the region. The II can be interpreted as a probability that has a lower bound of 0.0 (low segregation corresponding to a small dispersed group) to 1.0 (high segregation implying that group members are entirely isolated from other groups).

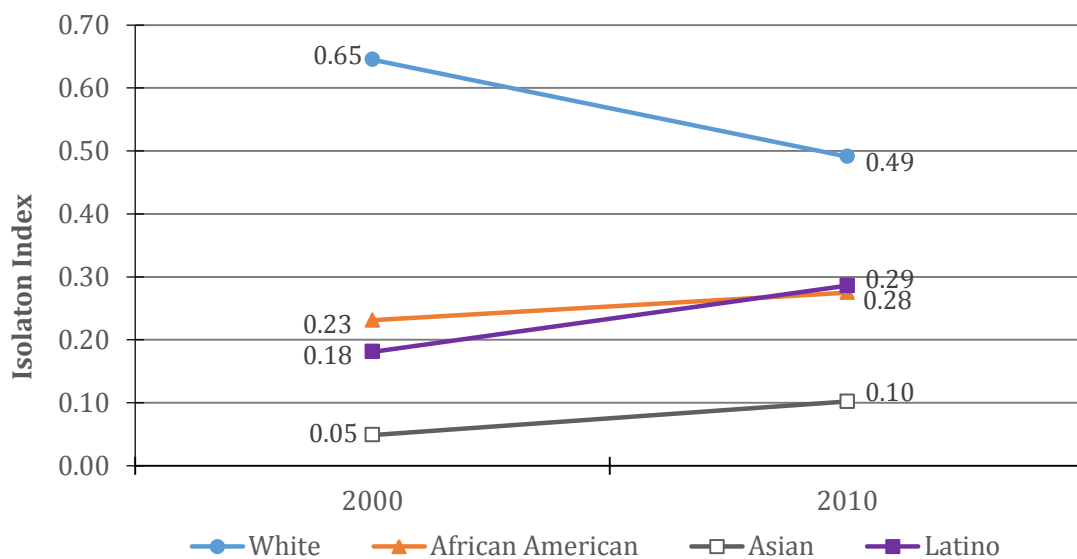
The Isolation Index values for East Hartford show Whites to be the most isolated, in effect segregated, from other racial and ethnic groups. In 2010, the average White resident lived in a tract that was 49% White, down from an average of 65% in 2000. Isolation for other population segments increased over the decade. For African Americans, it went from 0.23 in 2000 to 0.28 in 2010; Latino isolation indices grew by 0.11, from 0.18 to 0.29; and Asian II values doubled, from 0.05 to 0.10. Increased isolation echoes the findings based on the

dissimilarity index that as minority population in East Hartford grew between the last two Censuses, minority residents became more likely to be located in the same census tracts as one another.³⁴

Table 12 Isolation Index in the Town of East Hartford			
Group	2000	2010	Change
White	0.65	0.49	-0.16
African American	0.23	0.28	0.05
Asian	0.05	0.10	0.05
Latino	0.18	0.29	0.11

Sources: U.S. Census 2000 SF1 Table P008 and 2010 SF1 Table P5

Figure 11. Isolation Index by Race and Ethnicity for the Town of East Hartford



Sources: U.S. Census 2000 SF1 Table P008

Entropy Index

Entropy, a mathematical concept based on the spatial evenness of the distribution of population groups, can be used to calculate diversity among racial and ethnic groups in a geographical area.³⁵ Both the Dissimilarity Index and Exposure Index can only measure the

³⁴ The Exposure and Isolation Index methodologies implicitly assumes that the tract populations are evenly distributed within a census tract so that the frequency of social interactions is based on the relative population counts by tract for each race or ethnicity. Within actual neighborhoods racial and ethnic groups are not homogenous (e.g., families or small area enclaves) so that the chances of one group meeting another of the same group may be different than an even distribution might imply.

³⁵ Iceland, John. 2004. "The Multigroup Entropy Index (Also Known as Theil's H or the Information Theory Index)." University of Maryland.

segregation of two groups relative to each other, but the Entropy Index has the advantage of being able to measure the spatial distribution of multiple racial and ethnic groups simultaneously.

The Entropy Score (h) for a census tract is given by:

$$h_i = - \sum_{j=1}^k p_{ij} \ln(p_{ij})$$

where:

k = Number of groups;

p_{ij} = Proportion of population of jth group in census tract i (= n_{ij}/n_i);

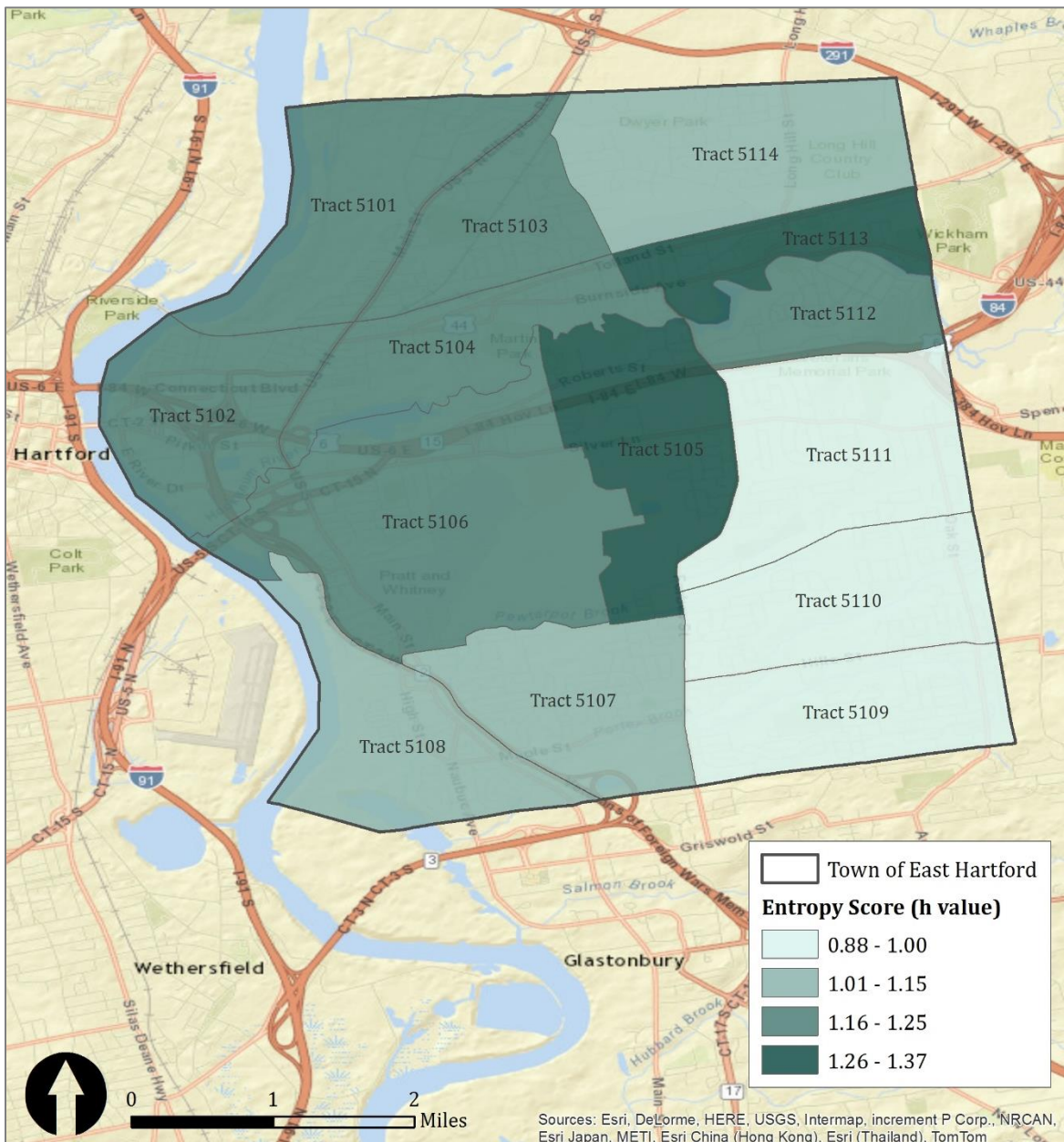
n_{ij} = Number of population of jth group in tract I; and

n_i = Total population in tract i.

The higher the calculated value for h, the more racially and/or ethnically diverse the tract. The maximum possible level of entropy is given by the natural logarithm (ln) of the number of groups used in the calculations. The maximum score occurs when all groups have equal representation in the geographic area. In this case k = 4 (non-Latino Whites, non-Latino African Americans, non-Hispanic Asians, and Latinos) so the maximum value for h is $\ln(4) = 1.39$. A tract with h = 1.39 would have equal proportions of all groups (high diversity) and a tract with h = 0.0 would contain only a single group (low diversity).

The Diversity Index map below shows the results of the tract-level calculations of the Entropy Score as a measure of diversity in East Hartford in 2010.

Figure 12. Diversity Index by Census Tract in the Town of East Hartford, 2010



Source: U.S. Census 2010 SF1 Table P5

The Entropy Score is not a true measure of segregation because it does not assess the distribution of racial and ethnic groups across a region. A region can be very diverse if all minority groups are present but also highly segregated if all groups live entirely in their own neighborhoods (or census tracts). However, Entropy Scores, measures of tract-level

diversity, can be used to calculate the Entropy Index³⁶ (EI) which measures the distribution of multi-group diversity across tracts and an entire region.

The EI measures unevenness in the distribution of multiple racial and ethnic groups in a region by calculating the difference in entropy between census tracts and the larger region as a whole. The Entropy Index (H) for a region is the weighted average variation of each tract’s entropy score differenced with the region-wide entropy as a fraction of the region’s total entropy (Iceland 2004):

$$H = \frac{\hat{H} - \bar{H}}{\hat{H}}$$

where:

\hat{H} = Entropy for the region’s tracts as a whole;

\bar{H} = Average of the individual census tracts’ values of h weighted by the population; and

H = Entropy Index for the region.

The EI ranges between H = 0.0 when all tracts have the same composition as the entire region (minimum segregation) to a maximum of H = 1.0 when all tracts contain one group only (maximum segregation).³⁷ Regions with higher values of H have less uniform racial distributions and regions with lower values of H have more uniform racial distributions.

The below Entropy Index table gives the result of an entropy calculation for East Hartford as a whole. Over the 2000-2010 decade the H value remained steady at 0.07. This method of entropy analysis gives a concise summary statement that levels of diversity in East Hartford census tracts are quite similar to diversity throughout the town and have remained so over the last ten years.

Table 13 Entropy Index for the Town of East Hartford		
2000	2010	Change
0.07	0.07	0.00

Sources: U.S. Census 2000 SF1 Table P008 and 2010 SF1 Table P5

³⁶ Iceland, John. 2002. “Beyond Black and White: Metropolitan Residential Segregation in Multi-Ethnic America,” U.S. Census Bureau, Housing and Household Economic Statistics Division, paper presented at the American Sociological Association meetings, Chicago, Illinois.

³⁷ White, Michael J. 1986. “Predicted Ethnic Diversity Measures for 318 U.S. Metropolitan Areas by Census Region, 1980.” *Population Index*, Vol. 52.

Housing Profile

The housing profile presents a snapshot of current housing conditions in East Hartford, CT and includes components such as the characteristics of housing stock, housing conditions, housing market sales, foreclosure data, owner/renter affordability, and housing problems. This housing assessment is an essential piece of understanding the historical aspect of the housing market in East Hartford.

Overview of Housing Market

In the State of Connecticut, despite the Great Recession which impacted the State between 2008 and 2011, and the low rate of inflation, the cost of basic housing, along with other necessities such as child care, transportation, food, and health care has increased by 13%. Economic conditions including employment opportunities worsened across the State through 2007 and 2010. These challenges have made housing affordability an issue throughout the State. While conditions have improved, they have not returned to the levels seen prior to 2008. Low income households are facing significant challenges locating affordable housing and job opportunities in the same location. Across the state, there is a mismatch between housing stock and current housing needs, with a lack of affordable rental units and low-income households that are able to afford a mortgage lacking the required down payment.³⁸ The Partnership for Strong Communities 2013 report on Housing in Connecticut describes housing as expensive and scarce throughout the State. Median monthly housing costs for the State are the 6th most expensive nationally. In 2013, the National Low Income Housing Coalition reported that Connecticut has the 8th highest housing wage, necessary earnings for a worker to afford a 2 bedroom apartment.

According to the 2014 Comprehensive Housing Marketing Analysis by HUD, in the Hartford-West Hartford-East Hartford MSA the home sales market is stabilizing, with owner vacancy rates ticking slightly upward (0.1%), since 2010. Both the numbers of homes for sale and the prices of homes for sale have increased, although they remain well below pre Great Recession levels. The rental market for the MSA is tight, with declining vacancy rates.

Characteristics of Housing Stock

The type of units present in a housing market help examine housing problems such as overcrowding (discussed in another section of this report), but also helps gauge a city's preparation for current and emerging trends in housing needs. National demographic trends include an aging population, increased immigrant and racial and ethnic populations,

³⁸ Alice Study of Financial Hardship in Connecticut. http://alice.ctunitedway.org/files/2014/11/14UW-ALICE-Report_CT.pdf. Accessed on May 19, 2015.

and increasing numbers of millennial workers. These changing aspects are expected to increase demand for multi-family housing units, rental units, and units with accessibility for disabled residents.³⁹ In addition, the Town of East Hartford has a large population of racial and ethnic minorities, with African Americans and Latinos each comprising about one-quarter of total residents. Both of these groups are more likely to live in multiunit rental housing than are White households. According to the 2009-2013 5-year ACS, 59.8% of Latino households and 64.2% of African American households rent their homes, compared to 24.9% of Whites. Further, about one-third of Black and Latino households live in multiunit structures (5 or more units) versus 12.6% of Whites.

The Town’s housing stock was comprised of 22,366 housing units in the period between 2011 and 2013, according to the American Community Survey’s 3 year estimates. There were 20,977 units in the years between 2008 and 2010, a percentage change of 6.62%. Homeowner vacancy rates increased slightly by 0.4 percentage points, from 2.0% to 2.4 % over this period. The mix of housing types remained essentially the same with small increases or decreases of less than 1-2% for this period between 2008-2013, with the exception of multi-family housing with 20 or more units which decreased by 2.8 percentage points. Half of housing units (49.9%) were single family detached units.

Table 14 Housing Units by Type in the Town of East Hartford, 2011-13		
Type of Unit	Number	Share
1-unit, detached	11,160	49.9%
1-unit, attached	984	4.4%
2 units	2,012	9.0%
3 or 4 units	2,483	11.1%
5 to 9 units	961	4.3%
10 to 19 units	1,028	4.6%
20 or more units	2,929	13.1%
Mobile home	782	3.5%
Boat, RV, van, etc.	0	0.0%
Total housing units	22,366	100.0%

Source: U.S. Census Bureau, American Community Survey 2013 3 year estimates

During interviews, several stakeholders identified the age of housing stock as a barrier to affordable housing, and reported extremely limited residential construction since the late 1970s. Housing units were frequently described as lacking modifications and retrofitting necessary for ADA compliance, making retrofitting for disabled and elderly residents a key

³⁹ <http://www.brookings.edu/research/reports/2009/03/metro-demographic-trends>

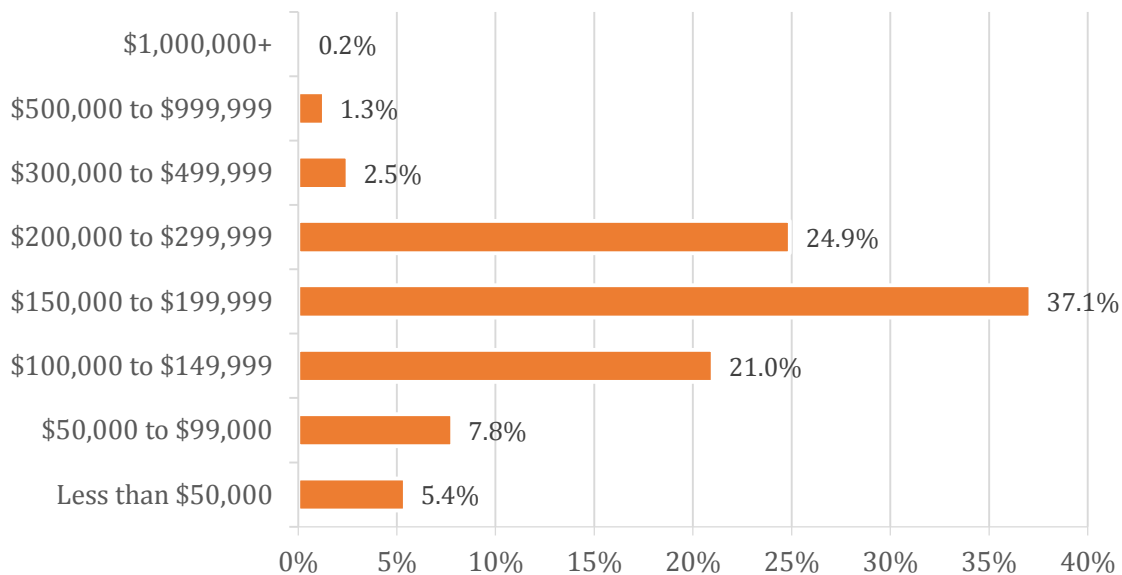
need. Additional issues related to the age of housing include lead hazard remediation, proper interior insulation, and improvements in energy efficiency. Most stakeholders reported increased rehabilitation efforts and code enforcement in relation to current housing stock as a more crucial need than construction of new housing. Some stakeholders emphasized the need for rehabilitation efforts for one-to-four unit structures, as these properties frequently house the elderly who are “aging in place.”

Home Values

According to the 2011-2013 3-year ACS estimates, the median value for a home in East Hartford was \$167,400. This figure is slightly below the national median value of \$173,200, and significantly below Connecticut’s median of \$271,500. It represents a drop in value when compared to the Town’s 2008-2010 3-year ACS median of \$193,000. The main decrease was in homes priced between \$200,000 and \$299,999. Homes priced in this category decreased by 13.4 percentage points during this time frame.

These differences demonstrate the degree to which the East Hartford housing market was negatively impacted by the Great Recession and continues to rebound back to previous levels. The most expensive home values, exceeding \$170,000, based on the 2010 Census can be found in Census tracts 5110, 5111, 5114, 5102, and 5101. Homes with the lowest values are in Census tracts 5106 and 5107 with values of \$150,000 or less. The charts below depict owner reported number and percentages of home values, obtained from the American Community Survey, in East Hartford:

Figure 13. East Hartford Home Values, 2011-2013



Source: 2011-2013 3-Year American Community Survey

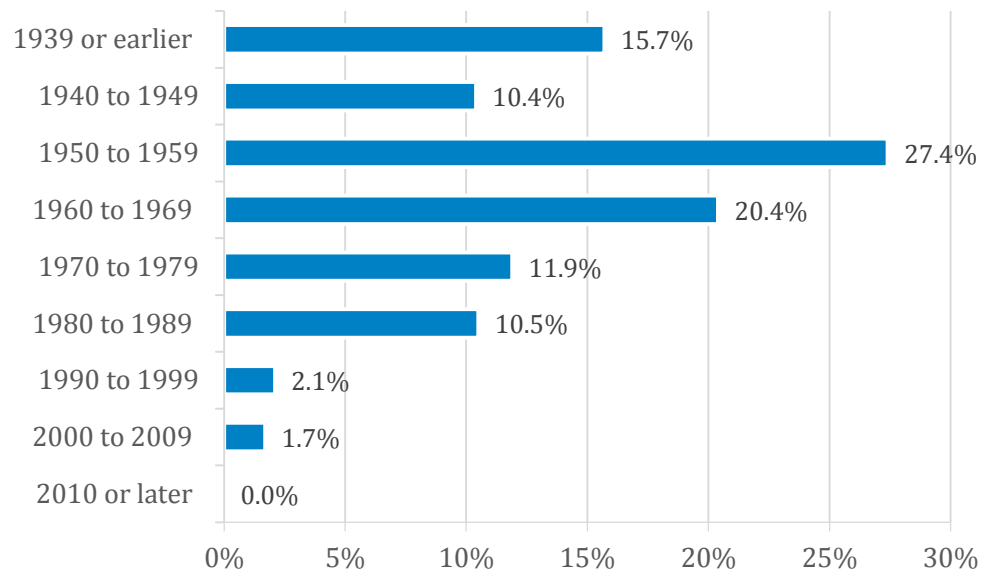
Housing Conditions

The age of an area's housing stock typically has a substantial impact on the overall housing conditions in a community. The time period in which housing was built can be indicative of when repairs, rehabilitation, and revitalization projects for building will be required. Post World War II housing stock typically has a life cycle of 20-30 years before repairs are needed. As housing ages, maintenance costs rise, which can present significant housing affordability issues for low- income and moderate-income homeowners.

Additionally, the age of housing stock also indicates the likelihood that the housing is accessible to people with disabilities, and, by extension, that housing choice is truly available.

East Hartford is comprised of older housing stock – nearly three-quarters of homes (73.9%) were built before 1970. The largest shares were constructed during the 1950s (27.4%) and 1960s (20.4%). Only a small portion of the housing stock (1.9%) was built after 2000, and no units were constructed in 2010 or later. The chart below depicts the percentage of housing stock in relation to the year constructed:

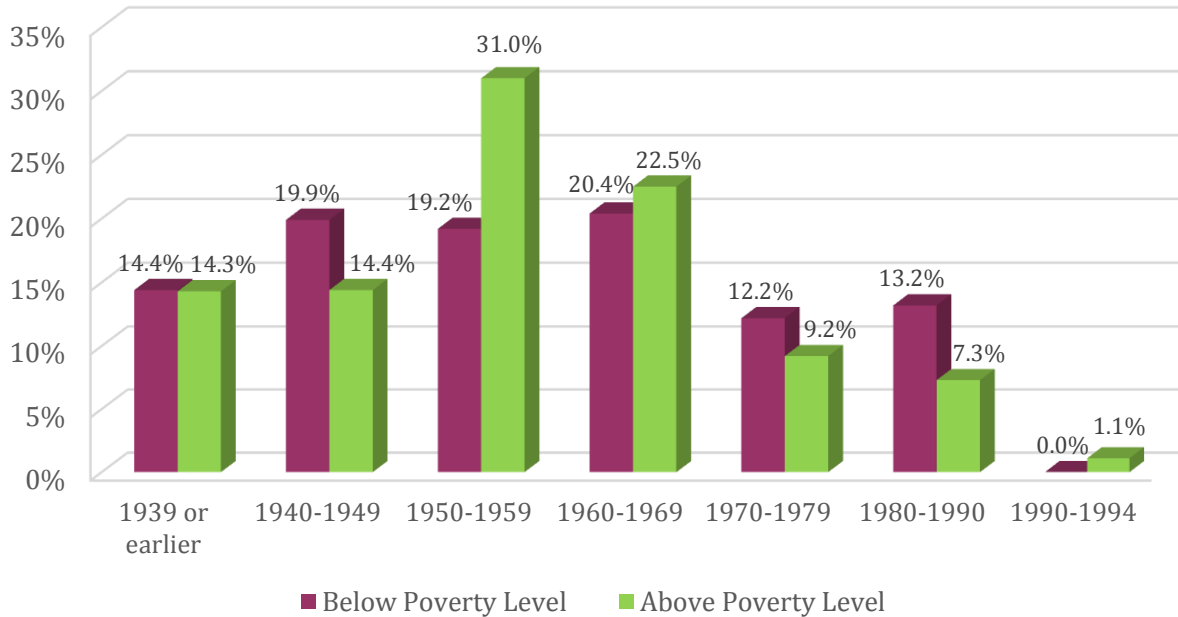
Figure 14. East Hartford Housing Units by Year Built



The data regarding age of housing by poverty level is inconclusive in East Hartford. Town residents living below the poverty line are more likely to live in housing stock built between 1940 and 1949 (19.9% versus 14.4%) and 1970 to 1990 (25.4% versus 16.5%). In contrast, East Hartford residents living above the poverty level are more likely to live in

housing stock built between 1950 and 1969.⁴⁰ The chart that follows depicts housing stock occupancy based on poverty level:

Figure 15. Age of Housing by Poverty Status



Source: <http://www.city-data.com/poverty/poverty-East-Hartford-Connecticut.html>

Household Cost Burdens

Affordability is an important aspect to fair housing choice and to individuals being able to obtain secure, safe, and decent housing. It is also a significant factor for residents attempting to select housing that meets their family needs. HUD considers housing affordable if it costs less than 30% of a household’s income.⁴¹ Households that spend over that threshold are considered by HUD to be “cost burdened” and may have difficulty affording the other basic household necessities such as food, clothing, and transportation. Yet, according to HUD, 12 million renters and homeowners in the United States spend more than 50% of their income on housing. Cost burden occurs when a household has gross housing costs that range from 30 to 49.9% of gross household income.

Severe cost burden occurs when gross housing costs represent 50% or more of gross household income. For homeowners, gross housing costs include property taxes, insurance,

⁴⁰ www.city-data.com/city/East-Hartford-Connecticut.html

⁴¹ U.S. Department of Housing and Urban Development, <http://www.hud.gov/offices/cpd/affordablehousing/index.cfm>

energy payments, water and sewer service, and refuse collection. If the homeowner has a mortgage, the determination also includes principal and interest payments on the mortgage loan. For renters, this figure represents monthly rent plus utility charges, but does not include the costs of home maintenance. Given the age variation of housing stock in the region, the home maintenance and repair costs associated with older construction can add significant additional housing cost burden.

Housing affordability and cost burdens are important in East Hartford, due to the fact that poverty is continually rising, wages and job creation are declining, and the number of working class families in the community, and diverse and elderly populations are increasing. Residents in poverty are more likely to be negatively impacted by high cost burdens and less likely to be able to afford basic necessities when impacted by high cost burdens.

The National Low Income Housing Coalition's (NLIHC's) *Out of Reach* 2015 Annual Report⁴² is designed to examine housing affordability by using HUD's Fair Market Rents (FMR) and calculating the necessary wages to afford a property based on HUD's recommendation that housing costs not exhaust more than 30% of monthly income. Data is available for the Hartford-West Hartford-East Hartford Metropolitan Statistical Area, where the FMR for a two-bedroom unit is \$1,144. To afford this rent without spending more than 30% of income on housing, a resident would need an hourly wage of at least \$22, assuming a 40-hour work week. However, the NLIHC reports that the mean hourly wage for a renters in the MSA at \$15.05, an income discrepancy of \$6.95 per hour, or \$278.12 per week. For the region, a resident earning the mean wage, would need 1.5 fulltime jobs to afford a two-bedroom apartment.

Looking at minimum wage earners, the NLIHC reports that they would need at least 2.4 jobs in order to afford a two-bedroom apartment in the MSA at the State's current minimum wage of \$9.15. According to the United States Bureau of Labor Statistics, in 2014, 883,000 workers in Connecticut earn hourly wages and 19,000 of those workers earn minimum wage. At that wage, affordable rent is \$476, well below FMR for all number of bedrooms. The State of Connecticut will raise minimum wage to \$10.10 by 2017, which would result in an affordable rent of \$525.

Note that as Table 15 shows, the majority of rents in East Hartford are below the two-bedroom FMR for the MSA of \$1,144. While FMRs are established on a regional basis, housing costs vary throughout the Hartford MSA, with higher costs in West Hartford and lower costs in East Hartford.

⁴² National Low Income Housing Coalition, "Out of Reach Data." Accessed on June 11, 2015 via <http://nlihc.org/oor/connecticut>.

The NLIHC also identifies housing affordability levels for recipients of Supplemental Security Income (SSI), a federal income supplement program for elderly and disabled persons. The maximum SSI benefits for Connecticut are \$901 per person per month, although benefits are lower if the recipient receives income from other sources. For an individual whose sole source of income is SSI, the maximum affordable monthly housing costs is \$270; costs above this level would exceed HUD's 30% affordability threshold.

East Hartford has a significant percentage of homeowners and renters spending more than 30% of their annual household income on housing-related costs. According to the 2011-2013 American Community Survey (ACS), 46.3%, or nearly half, of homeowners with a mortgage spend 30.0% or more of their income on monthly housing costs. Conversely, only 27.0% of homeowners without a mortgage expended more than 30% of their income on monthly housing costs, which is to be anticipated due to the elimination of mortgage principal and interest costs. Yet, 1 in 4 homeowners in the Town are cost burdened despite not having a monthly mortgage. Additionally, a high percentage of renters (57.4%), or more than 1 in 2, spend more than 30% of their income on housing costs and nearly half (45.3%) spend more than 35%. Only 9.6% of renters pay \$200-\$299 dollars per month on rent, which fits within the affordability rate (\$270/monthly) for residents receiving only SSI benefits. Only 5.9% of renters spend \$300-\$499 per month on rent, while the affordability rate for rent is \$429 dollars a month for minimum wage earners. And, 65.5% of Town residents pay more than \$721 a month for housing, which is affordable rent based on the mean wage for workers in the region.

These numbers indicate a low availability of housing for elderly, disabled, and minimum wage earners. Current studies indicate that the typical minimum wage earner is more likely to be an adult, a female, disabled, and to have financial responsibilities to children and/or a household. While minimum wage earners are statistically more likely to be younger (under 25 years of age), studies place the numbers of minimum wage earners who are 25 years or more of age and with households that include children at between 50% and 56%. Owners and renters with a severe cost burden are at risk of homelessness. Cost-burdened households that experience a financial setback often must choose between rent and food or rent and health care for their families or face eviction or foreclosure.

Several stakeholders interviewed for this study reported that housing was affordable in East Hartford, particularly in comparison to the surrounding area; however, one-third of stakeholders reported that housing affordability was an issue. These interviewees explained that residents were paying approximately 40-50% of their monthly income on housing expenses, which exceeds HUD's affordability standards. The overall cost of housing including needed repairs and updates to meet current ADA, environmental, and code standards was described as especially difficult for low-wage, elderly, and disabled homeowners. Stakeholders reported that homes often have code violations, are in

disrepair, or show signs of blight, such as peeling paint, due to affordability issues. According to interviewees, East Hartford locations in need of new affordable housing and/or rehabilitation of affordable units are in the downtown area near transit and medical services.

Table 15		
Town of East Hartford Affordability Snapshot		
Value	Estimate	Percent
Median (dollars)	\$167,400	-
Mortgage Status		
Owner-occupied units	11,428	100.0%
Housing units with a mortgage	7,828	68.5%
Housing units without a mortgage	3,599	31.5%
Selected Monthly Owner Costs as a Percentage of Household Income		
Housing units with a mortgage	7,883	100.0%
Less than 20.0%	2,778	24.2%
20.0% to 24.9%	1,897	16.6%
25.0% to 29.9%	1,485	13.0%
30.0% to 34.9%	1,234	10.8%
35.0% or more	4,056	35.5%
Housing unit without a mortgage	3,595	100.0%
Less than 10.0%	1,013	28.2%
10.0% to 14.9%	643	17.9%
15.0% to 19.9%	503	14.0%
20.0% to 24.9%	244	6.8%
25.0% to 29.9%	219	6.1%
30.0% to 34.9%	226	6.3%
35.0% or more	744	20.7%
Gross Rent		
Occupied units paying rent	9,058	100.0%
Less than \$200	425	4.7%
\$200 to \$299	869	9.6%
\$300 to \$499	534	5.9%
\$500 to \$749	1,295	14.3%
\$750 to \$999	2,817	31.1%
\$1,000 to \$1,499	2,726	30.1%
\$1,500 or more	390	4.3%
Median (dollars)	888	---
Gross Rent as a Percentage of Household Income		
Occupied units paying rent	8,829	100.0%
Less than 15.0%	962	10.9%
15.0% to 19.9%	794	9.0%
20.0% to 24.9%	662	7.5%
25.0% to 29.9%	1,342	15.2%
30.0% to 34.9%	1,068	12.1%
35.0% or more	3,999	45.3%

Source: U.S. Census Bureau, 2013 American Community Survey

Housing Problems

The physical condition of housing units can exacerbate housing affordability problems for low income residents. An examination of housing problems can reveal data related to overcrowding, incomplete plumbing or kitchen facilities, and cost burdens. According to the Census Bureau, a housing unit is classified as lacking complete plumbing facilities when any of the following are not present: piped hot and cold water, a flush toilet, and a bathtub or shower. The term of overcrowding occurs when a housing unit has more than one person per room but less than 1.5 with severe overcrowding occurring with 1.5 persons per room or more.

Housing problems are not severe in East Hartford. There are no reported facilities with incomplete plumbing between 2011 and 2013, and less than 1% of properties have incomplete kitchen facilities. Only 1% of households are without telephone services. Overcrowding is also extremely limited in East Hartford with just over 1% of households experiencing overcrowding.

Table 16 Overcrowding and Severe Overcrowding		
Selected Characteristics	Number	Percent
Occupied housing units	20,758	100%
Lacking complete plumbing facilities	0	0.0%
Lacking complete kitchen facilities	62	0.3%
No telephone service available	332	1.6%
Occupants per Room		
Occupied housing units	20,758	100%
1.00 or less	20,259	97.6%
1.01 to 1.50	249	1.2%
1.51 or more	249	1.2%

Source: U.S. Census Bureau, 2013 American Community Survey

Subsidized Housing

The rising rate of poverty within the Town and the housing market difficulties that arose during the Great Recession make subsidized and public housing an area of the Town's housing market appropriate for analysis. The subsidized housing choice voucher rental assistance program enables a jurisdiction to provide affordable housing options for very low-income households. A family that is issued a housing voucher is responsible for finding a suitable housing unit of the family's choice where the owner agrees to rent under the program. Rental units are required to meet HUD minimum housing standards, as

determined by the public housing agency (PHA). In many cases the housing subsidy is paid directly to the landlord by the PHA on behalf of the participating family. The family will then pay the difference between the actual rent charged by the landlord and the amount subsidized by the program each month. Under certain circumstances, if authorized by the PHA, a family may use its voucher to purchase a modest home. Since the demand for housing assistance often exceeds the limited resources available local housing authorities, long waiting list periods are common. In the Town, waiting lists range on average from 21 to 29 months.

As of 2013, there were 617 families residing in the Town of East Hartford’s public housing units and 987 families enrolled in the housing assistance program funded through housing choice vouchers from the department of Housing and Urban Development. Housing assistance programs are heavily used by disabled residents with more than 1 in 2 residents in public housing having a disability. Waiting lists for both programs are long with public housing residents waiting just over two years on the wait list and housing voucher recipients waiting just under 4.5 years. According to HUD’s 2013 Picture of Subsidized Households, East Hartford has a total of 3,287 low income persons that were served through its public housing units or housing choice voucher programs. The table below shows demographics related to the Town’s affordable housing.

Table 17 East Hartford Affordable Housing Inventory		
	Public Housing	Housing Choice Vouchers
Total Units	617	987
Percent occupied	99%	95%
Percent disabled residents	57%	16%
Percent minority residents	62%	93%
Percent Black residents	29%	44%
Percent Hispanic residents	30%	50%
Percent in poverty (census tract)	18%	19%
Average months since move-in	88	117
Average months on waiting list	25	55

Source: HUD Picture of Subsidized Households for 2013,
<http://www.huduser.org/portal/datasets/picture/yearlydata.html>

Affordable Housing Supply

There are several properties within the Town that offer affordable housing units. Per the 2009-2013 ACS, 13.4% of residents in East Hartford live below the federal poverty level. As

discussed previously, poverty rates in East Hartford have risen since the Great Recession and a large percentage of residents exceed the 30% threshold on household expenses. Housing affordability issues are more likely to affect racial and ethnic minorities and persons with disabilities in East Hartford, given their lower incomes and higher rates of poverty. ACS data shows that African American and Latino residents are more than twice as likely to live in poverty as White residents. It also reveals that residents with disabilities face higher poverty rates than their non-disabled counterparts (21.0% and 12.2%, respectively). Thus, the availability of affordable housing is more likely to impact these protected classes. Below is a listing of affordable housing properties owned and operated by the East Hartford Housing Authority.

Table 18 Subsidized Housing in the Town of East Hartford	
Property	Occupancy
Shea Gardens	Elderly /Disabled
Rochambeau	Elderly/Disabled
Meadow Hill	Elderly/Disabled
Elms Village	Elderly/Disabled
The Highlands	Elderly/Disabled
Heritage Gardens	Elderly/Disabled
Raymond Miller Gardens	Elderly/Disabled
Hutt Heights	Elderly
Hockanum Park	Family
King Court	Family
Veteran's Terrace	Family
Veteran's Terrace Extension	Family

Source: <http://www.esathartford.gov/housing-authority/pages/available-public-housing>

Other subsidized housing options within East Hartford include low income housing tax credit multifamily developments. According to HUD's Low Income Housing Tax Credit (LIHTC) database, East Hartford has one tax credit property: Easton Place on Jaidee Drive, which provides 50 units for low-income households.

Additionally, there are two HUD approved counseling agencies, Financial Counselors of America and Money Management International, in East Hartford that assists residents with financial management, budget counseling, mortgage delinquency and default resolution counseling, non-delinquency post purchase counseling, pre-purchase counseling, and pre-purchase homeowner education. While not located in East Hartford, the Housing Education

Resource Center of Hartford (HERC) also provides similar types of counseling for East Hartford residents.

Persons with Disabilities & Elderly

According to the 2011-2013 American Community Survey, 5.7% of East Hartford residents have a disability resulting in ambulatory difficulties (walking, standing, climbing), 5.8% of residents have cognitive difficulties, 5.1% of residents have hearing difficulty, 5.2% of residents have vision difficulties, 5.7% have self-care difficulties, and 5.6% of residents have an independent living difficulty.

The 2010 Census reports that 13.7% of East Hartford's residents are age 65 or older. Aging residents are more likely to have needs related to accommodations for disabilities. In East Hartford, over one-third of residents age 65 or older (35.7%) have a disability. More than 1 in 5 residents ages 65 or older have a disability that results in ambulatory difficulty.

As a protected class, people with disabilities have a right to fair housing choice, yet the housing needs of this population can diverge significantly from the needs of other groups. People with mobility impairments are likely to need housing with features that improve accessibility and facilitate maneuverability within the unit, (i.e. first floor units, elevators, ramps, floor level bathrooms tubs. etc.) People with visual and hearing deficiencies may need accommodation for service animals, alternative types of fire and smoke alarms, alternative phone services, communications in Braille, etc. People with cognitive disabilities may require the assistance of live-in aids or group home settings. Group homes are discussed elsewhere in this report in sections related to zoning and land use, however the availability of accessible units is generally discussed here.

Based on HUD's Inventory of Survey of Units for the Elderly and Disabled persons, the Town has two multi-family housing units that serve the elderly population and persons with disabilities. This inventory database is designed to assist prospective applicants with locating units in HUD insured and HUD subsidized multifamily properties that serve the elderly and/or persons with disabilities. These units tend to offer rental assistance and housing credit programs funded through federally funded programs. Below is a listing of units for elderly and disabled residents for East Hartford.

The East Hartford Housing Authority, which owns and operates all properties listed in Table 18, is compliant with Section 504, and is committed to provide individuals with disabilities an equal opportunity to participate in their programs and services. Additionally, currently 16 of the units in InterCommunity's Hope Casa 18 (funded through the State of Connecticut Department of Mental Health and Addiction Services) are located in East Hartford, providing assisted housing for persons with mental health and addiction disabilities.

Table 19 Elderly and Disabled Units in the Town of East Hartford						
Property Name	Occupancy Eligibility	Assisted Units	Units Designated for Elderly	Units Designated for the Disabled	Units with Accessible Features	Available Bedroom Size
Saint Elizabeth Manor	Elderly and Disabled	60	53	6	6	0-BR 1-BR
Veteran's Terrace	Family	150	0	8	8	2-BR 3-BR

Source: HUD's MFH Inventory Survey of Units for the Elderly and Disabled, <http://www.hud.gov/offices/hsg/mfh/hsgrent.cfm>

Lack of decent, affordable housing units retrofitted for elderly and disabled residents was one of the most frequent housing barriers cited by community stakeholders, with over 75% of identifying this a key issue. Many properties were described as older “walk-ups” with limited accessibility for residents with mobility issues. It was reported that the last units built for seniors and elderly residents were constructed four to five years ago.

Several stakeholders also reported a lack of supportive services for elderly and disabled residents, and voiced a need for case management, nutritional, and other social services. Stakeholders identified a need to conduct outreach using methods that reach ethnic and racial minorities, have bilingual services, and use methods that reach residents unfamiliar with technology. Interviewees described the need for larger units with accessible housing to accommodate disabled residents who have families. It was also noted that most accessible units are targeted to elderly, with limited focus on housing for younger residents with disabilities. Stakeholders also reported extremely limited affordable housing options and supportive services for residents with mental health and/or psychiatric disability and needs.

Public Infrastructure and Education

Public investment in infrastructure, community facilities, and education affects the availability and affordability of housing. Housing choices are linked to public resources that are expended for essential facilities and services, including transportation, the availability of safe and accessible drinking water, the availability of sanitary sewer systems that collect, treat, and discharge wastewater, protection from flood hazards, and the status of public education.

Transportation

Historically, transportation has been closely tied to accessibility to housing, services, employment, and education/training. This relationship was recognized in the State of Connecticut's 2015 Analysis of Impediments to Fair Housing Choice (AI). In its AI, the State Department of Housing (DOH) enunciated that the close ties among these factors could be an important component in strategies that are adopted to address impediments to fair housing.⁴³

Roads and Streets

The Town of East Hartford is located within walking distance of the City of Hartford, and this proximity provides ready access to interstate highways and other major thoroughfares (Principal Arterials). Such roads within East Hartford are Interstate 84, and Routes 2 and 5/15, which are limited-access arteries that carry high volumes of traffic.⁴⁴

Other significant roadways (Major or Principal Arterials) serve as connectors to the interstate road system as well as linking economic and other activity centers in the Town: Main Street/High Street (SR 417), Main Street/King Street/Ellington Road (Route 5), and Connecticut Boulevard (Route 44).⁴⁵

⁴³ Connecticut Fair Housing Center, "Connecticut Department of Housing "Analysis of Impediments to Fair Housing Choice, Page 190. 2015. http://www.ct.gov/doh/lib/doh/analysis_of_impediments_2015.pdf

⁴⁴ BFJ Planning/Urbanomics, "Town of East Hartford Plan of Conservation and Development, page 95," June 2014.

⁴⁵ Ibid. Pages 96-97.

Other lower classifications of roads and streets provide connectors to larger roadways and links to neighborhoods. Figure 16 depicts the identities and locations of these roadways and streets in East Hartford. As important as roads and streets are in providing access to employment, housing, and services for the general population, low-income individuals and households are almost universally more dependent on transit to obtain access to these

necessities. The more urban a population, the more likely that transit access and affordability are major determinants in housing choice decision-making.

Figure 16. Roads and Streets in the Town of East Hartford



Source: BFJ Planning/Urbanomics, "Town of East Hartford Plan of Conservation and Development, page 96," June 2014.

Pedestrian Access

Residents of East Hartford, like individuals who live in urban areas throughout the USA, are interested in having increased access to more sidewalks, trails and bikeways with the goal of creating a more “walkable/bikeable community.”⁴⁶ In its Plan of Conservation and Development 2014 (POCD), the Town incorporated recommendations to “calm” traffic by reducing traffic impact on pedestrians and bicyclists. Streetscaping, installation of medians, and providing bicycle paths separated from traffic lanes are identified in the POCD as methodologies that can accomplish these objectives.⁴⁷

The POCD identifies trails and bicycle paths that are planned and exist, but notes that there are gaps to be completed. Most notable is the planned extension of the Charter Oak Greenway, an important multi-use trail that runs parallel to I-84 from Forbes Street/Ridgewood Road and extends east along I-84 and I-384. The extension is planned to run along Silver Lane through Rentschler Field to a connection with the Connecticut River waterfront.⁴⁸

Making access safer and more accessible to pedestrians, including persons with disabilities, will also offer persons and households who do not own vehicles improved access employment and services nearer to their places of residence when transit is not available or when transit schedules are not appropriate for these East Hartford residents.

Transit

While East Hartford relies primarily on its extensive network of roads and streets to move people and goods, persons who have low income or live in poverty often cannot afford to own and operate private automobiles or light trucks. These individuals and households must use public transit for travel to work, medical appointments and services, religious activities, and shopping.

Bus Transit

The State of Connecticut operates CTTransit which serves the Town of East Hartford and other parts of the Capitol Region. East Hartford is served by 10 CTTransit bus routes that connect the Town to other communities: Hartford, Manchester, South Windsor, Vernon, Rockville, Wethersfield, and Glastonbury. While all 10 routes operate a weekday schedule, two routes (85 and 86) operate only on weekdays and route 85 provides express service from Manchester to Hartford with no stops in East Hartford. Two routes operate on

⁴⁶ BFJ Planning/Urbanomics, “Town of East Hartford Plan of Conservation and Development, page 103,” June 2014.

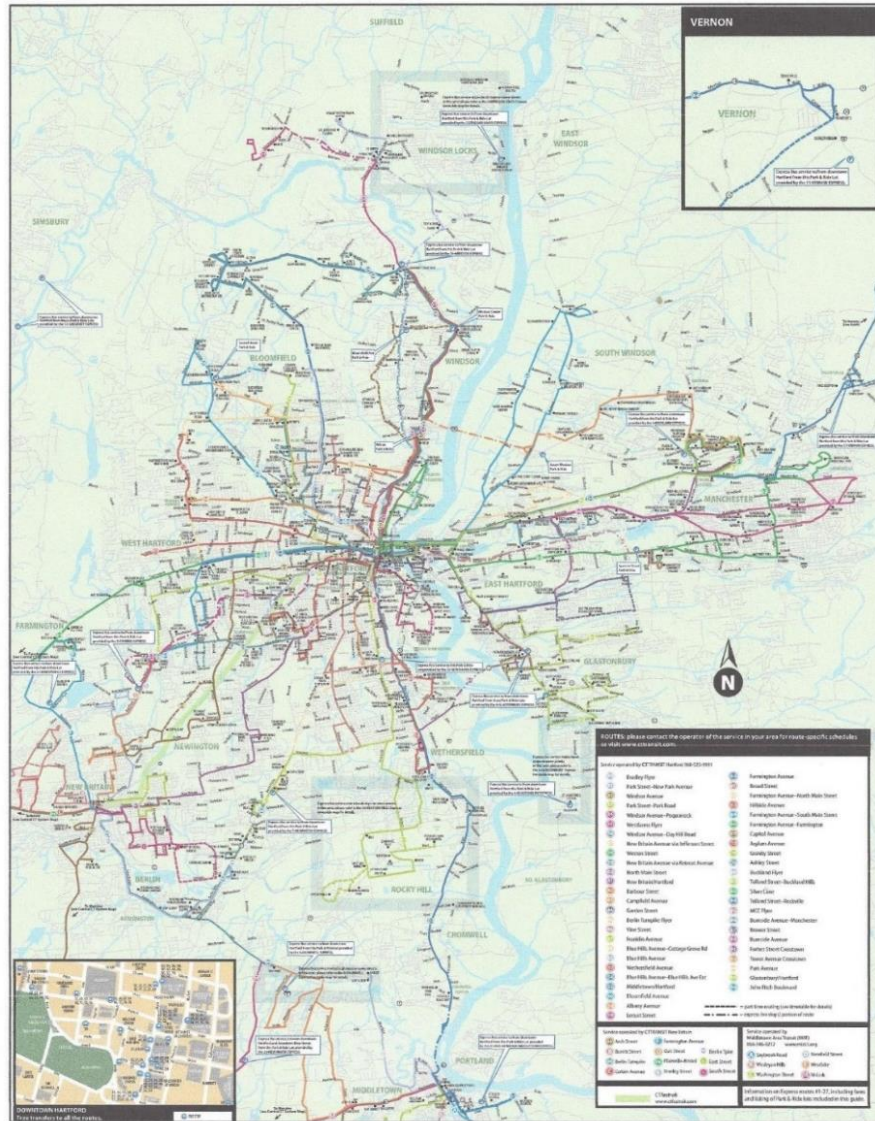
⁴⁷ Ibid.

⁴⁸ Ibid. pages 52, 103.

weekdays and Saturday, with the seven remaining routes providing 7-day per week services.⁴⁹

Figure 17 is a map of the bus transit routes in East Hartford is depicted as a part of the overall bus system operated in the Hartford area by CTTransit.

Figure 17. Bus Transit System in the Town of East Hartford



Source: The Official Website of Connecticut Transit (CTTransit). Accessed May 15, 2015. <http://www.cttransit.com>

The fare structure for buses serving East Hartford is as follows:⁵⁰

⁴⁹ BFJ Planning/Urbanomics, "Town of East Hartford Plan of Conservation and Development, page 103," June 2014.

Regular cash fare	\$1.50
Youth (Ages 5-18) cash fare	\$1.20
Seniors/disabled persons cash fare	\$0.75

Discounted fares are available by purchasing multi-day and multi-ride passes or tickets. Transfers to other buses are free anywhere in the CTTransit system for two hours from the time of issuance until the expiration date/time printed on the transfer.

CTfastrak (Bus Rapid Transit)

A bus rapid transit type service known as CTfastrak Connecting Central Connecticut Communities provides no-transfer service between Hartford and New Britain. CTfastrak service began in March 2015 and in June 2015, Connecticut Governor Dannel Malloy announced that the new state budget will include funding to expand service to the Towns of East Hartford and Manchester. At the present time, one CTfastrak route runs from Manchester Community College through East Hartford to the CTfastrak busway in Hartford. However, this line has no dedicated stations or parking areas and service frequency is lower than the other CTfastrak routes.⁵¹

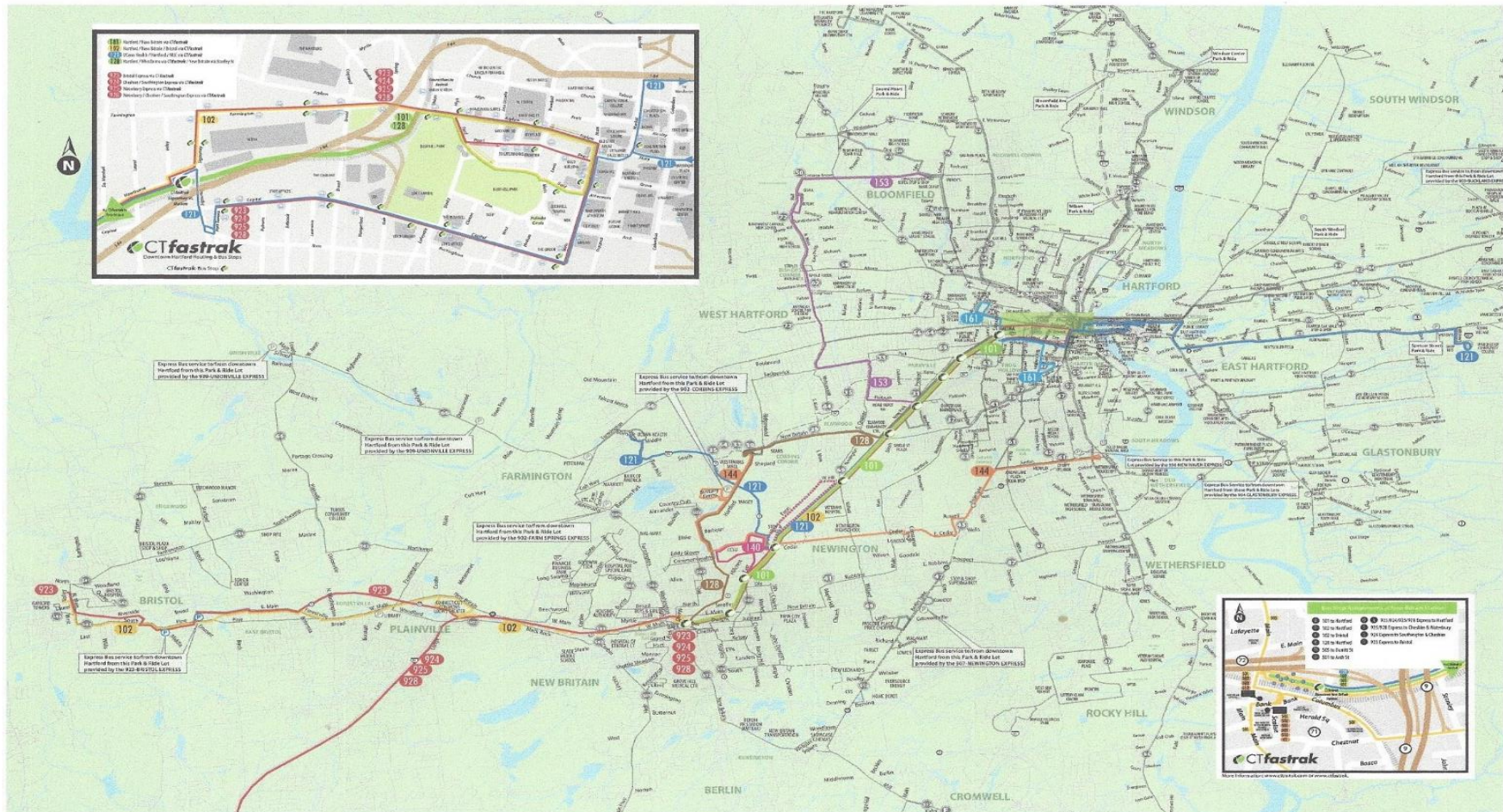
Typical service hours for CTfastrak are weekdays from 5:00 a.m. to midnight Saturdays from 6:00 a.m. to midnight and Sundays and major holidays from 8:00 a.m. to 8:00 p.m. The system map for CTfastrak is presented as Figure 18.⁵² East Hartford residents may connect to the CTfastrak system using CT transit bus service, paratransit, or private means.

⁵⁰ The Official Website of Connecticut Transit (CTTransit). Accessed May 14, 2015.
<http://www.cttransit.com/fares>

⁵¹ Hartford Courant. June 8, 2015. “Malloy Pushing Busway Service to Manchester, East Hartford

⁵² The Official Website of Connecticut Transit (CTTransit). Accessed May 14, 2015.
<http://www.cttransit.com/about>

Figure 18. CTfastrak System Map



Source: The Official Website of Connecticut Transit (CTTransit). Accessed May 15, 2015. <http://www.cttransit.com/about>

Paratransit

Paratransit services are provided to residents of East Hartford through the Greater Hartford Transit District (GHTD). The GHTD is a quasi-municipal corporation that operates under Chapter 103a of the Connecticut General Statutes. The GHTD serves the residents of 16 member towns and serves as a conduit for federal and state funding for transit related capital projects, and provides ADA Paratransit Service in the Hartford area. Paratransit services are provided by the GHTD in compliance with the Americans with Disabilities Act (ADA). The GHTD provides transportation services for individuals who, because of their disability, are unable to travel on the fixed route public transit service operated by CTTransit. The service is designed to provide persons with disabilities with equal access to public transportation in the Hartford area. All of East Hartford is served by GHTD. Elderly persons may also use the East Hartford Dial-a-Ride service taxi service to address their transportation needs and may use transportation services provided at the South End Senior Center.⁵³

Freedom Ride Accessible Taxi Voucher Program

The greater Hartford area is also served by the Freedom Ride Accessible Taxi Voucher Program, which is a partnership between the Greater Hartford Transit District and the Yellow Cab Company. The Freedom Ride Taxi Voucher/Debit Card Program extends beyond ADA paratransit service by providing a taxi voucher debit card to people defined as having a disability under the ADA definition. All of East Hartford is included in the Freedom Ride Service Area.⁵⁴

Rail Service

Although not available in East Hartford, rail service is provided from New Haven to New York City, between New London and New Haven and Amtrak service is available between New Haven, Hartford, and Springfield Massachusetts. As expected, the most heavily traveled rail segment is located between Norwalk and Greenwich and is used by many residents who work in New York City.⁵⁵ East Hartford residents may connect to the rail system through CTTransit buses, GHTD Paratransit, Freedom Ride taxis, or through personal transportation. The State of Connecticut Rail System depicted on the following map was obtained from the Connecticut Department of Transportation website.

⁵³ Town of East Hartford Senior Services website. Accessed June 15, 2015.

<http://www.easthartfordct.gov/senior-services/pages/bus-trips>

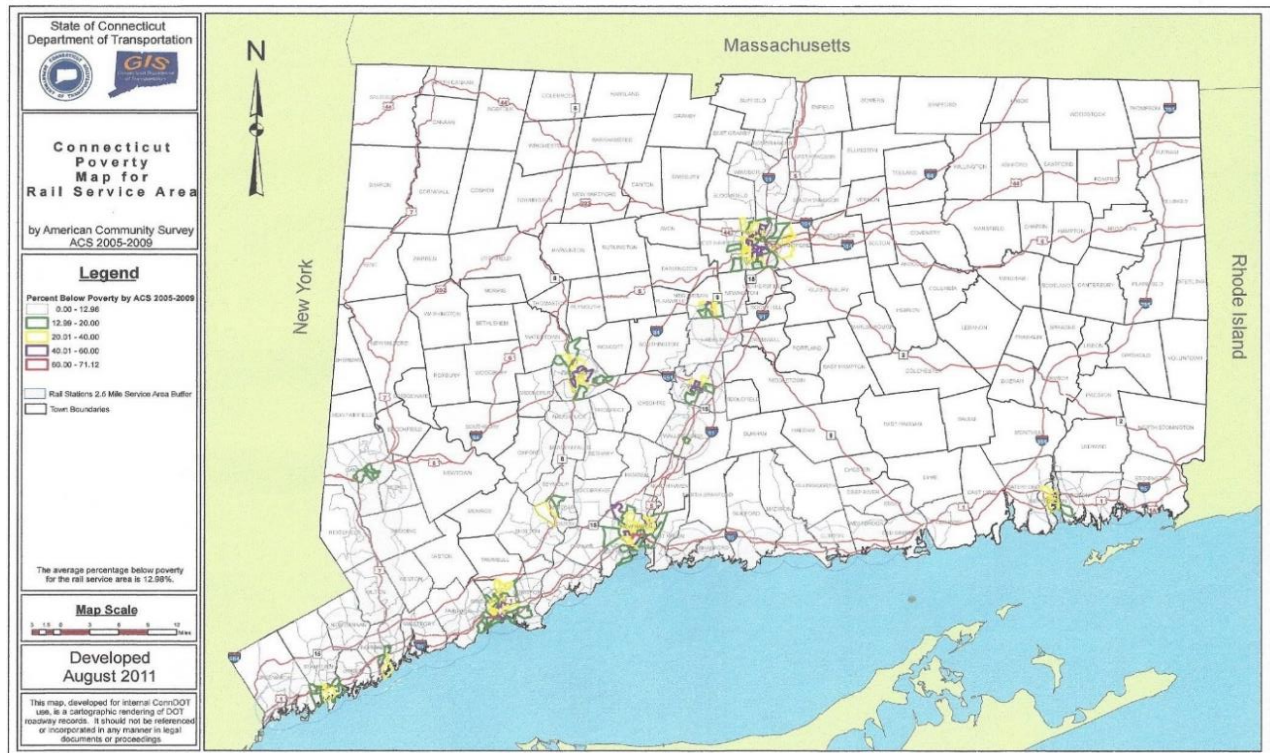
⁵⁴ The Official Website of the Greater Hartford Transit District (GHTD). Accessed May 15, 2015.

<http://www.hartfordtransit.org>; and the State of Connecticut Mental Health/Behavioral Health Network of Care website. <http://connecticut.networkofcare.org/mh/services/subcategory.aspx?tax=BT-4500.6500-800>

⁵⁵Connecticut Fair Housing Center, "Connecticut Department of Housing "Analysis of Impediments to Fair Housing Choice, Page 191." 2015. http://www.ct.gov/doh/lib/doh/analysis_of_impediments_2015.pdf

The majority of stakeholders interviewed for this study reported an affordable and accessible public transportation system. However, some identified a need to continue and expand the fast track system to allow for longer hours and more frequent stops to accommodate residents needing to work later and/or longer shifts and allow time for

Figure 19. Connecticut Rail System



Source: The Official Website of the Connecticut Department of Transportation. Accessed May 15, 2015.
http://www.ct.gov/dot/lib/dot/documents/dpolicy/title6maps/poverty_rail.pdf

working parents to get children to child care facilities. Some stakeholders described Mayberry Village as isolated from public transit routes.

Water and Sewer

Water Supply System⁵⁶

The Metropolitan District Commission is a nonprofit municipal corporation created in 1929 to provide drinking water and sewage services on a regional basis, The MDC serves the Town of East Hartford and seven other municipalities in the greater Hartford region. While the MDC provides the source of drinking water for most residents of the Town, the conservation of groundwater remains important for the protection of potential future drinking water supplies. Figure 20 from the Town of East Hartford’s Plan of Conservation

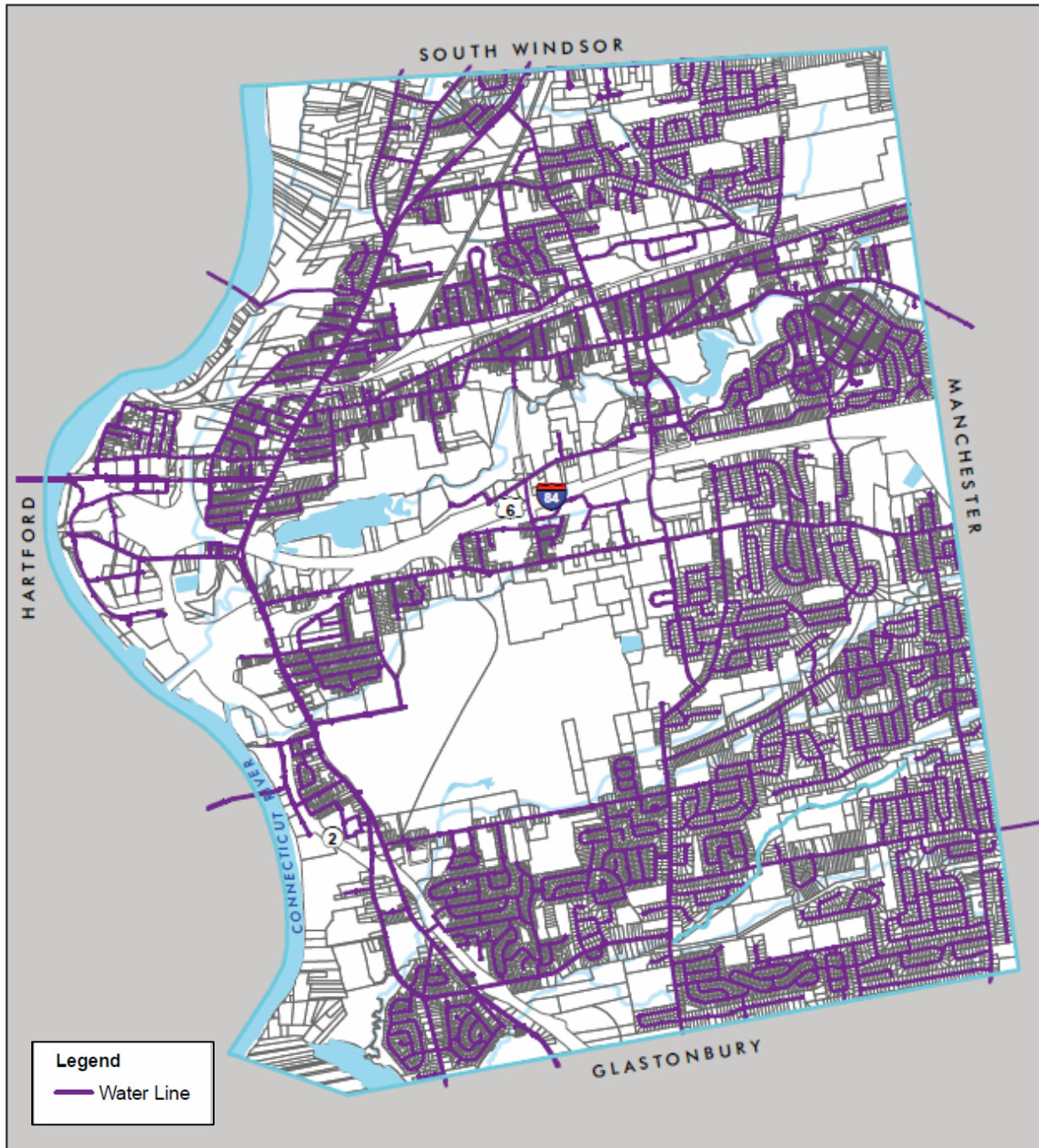
⁵⁶ BFJ Planning/Urbanomics, “Town of East Hartford Plan of Conservation and Development, pages 41-42, 63-67,” June 2015.

and Development 2014 illustrates the service area of the MDC Water System in East Hartford.

The protection of groundwater is particularly important for the Town because a large aquifer lies at a shallow depth beneath East Hartford, making it susceptible to contamination from surface pollutants. One of the particular types of surface pollutants is runoff generated from impervious surfaces such as roadways and parking areas which tend to collect and concentrate the vehicle-related contaminants. Such non-point source pollution could infiltrate the underground aquifer and compromise the quality of the groundwater that lies there.

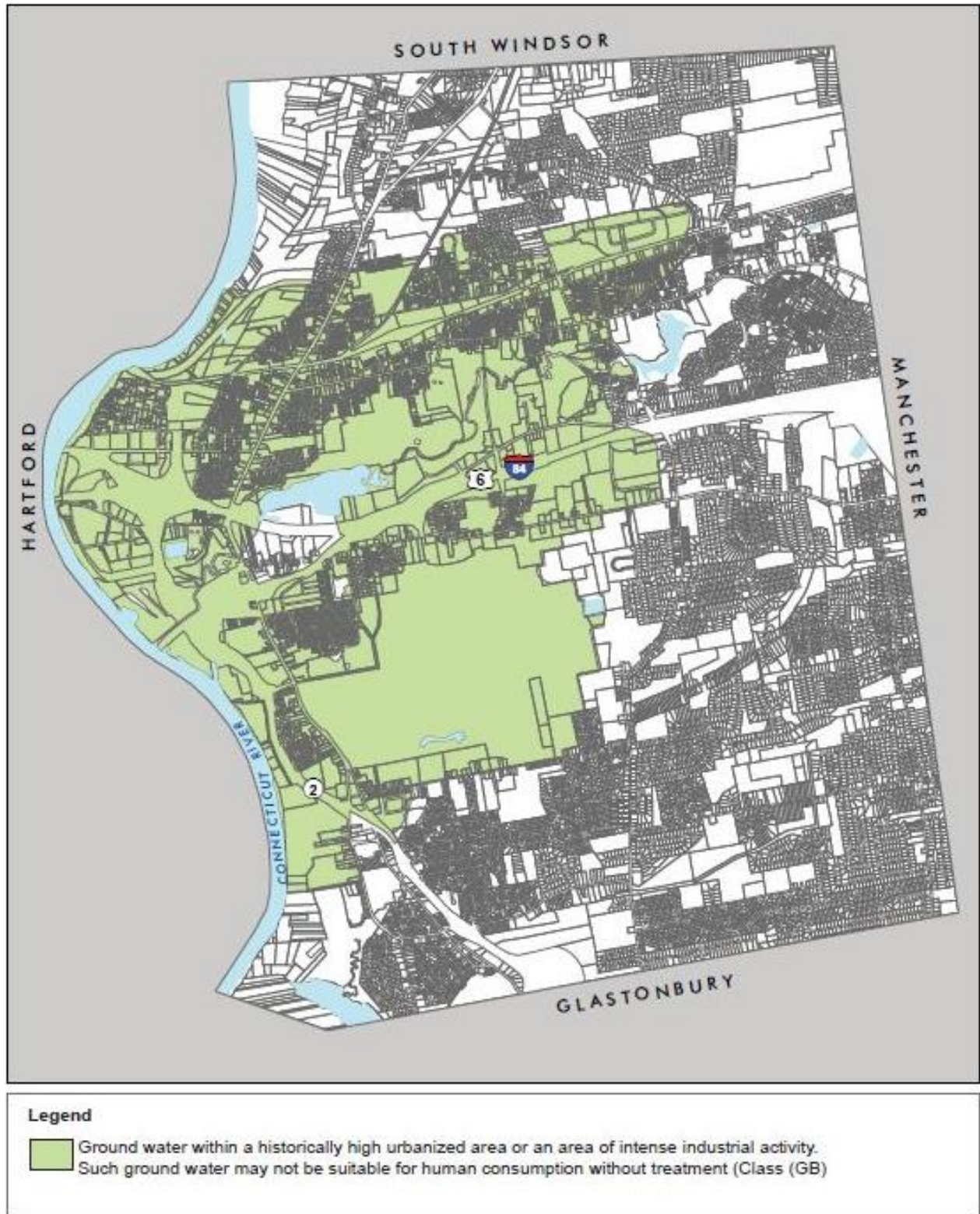
A portion of the Town lies over groundwater that is classified by the State of Connecticut as Class GB, which is groundwater within historically high urbanized areas or areas of intense industrial activity and may not be suitable for human consumption without treatment. Figure 21 on the following page depicts groundwater classifications which underlie the Town of East Hartford.

Figure 20. Water Distribution System Operated by Metropolitan District Commission in the Town of East Hartford



Source: BFJ Planning/Urbanomics, "Town of East Hartford Plan of Conservation and Development, page 66," June 2014.

Figure 21. Town of East Hartford Groundwater Classifications

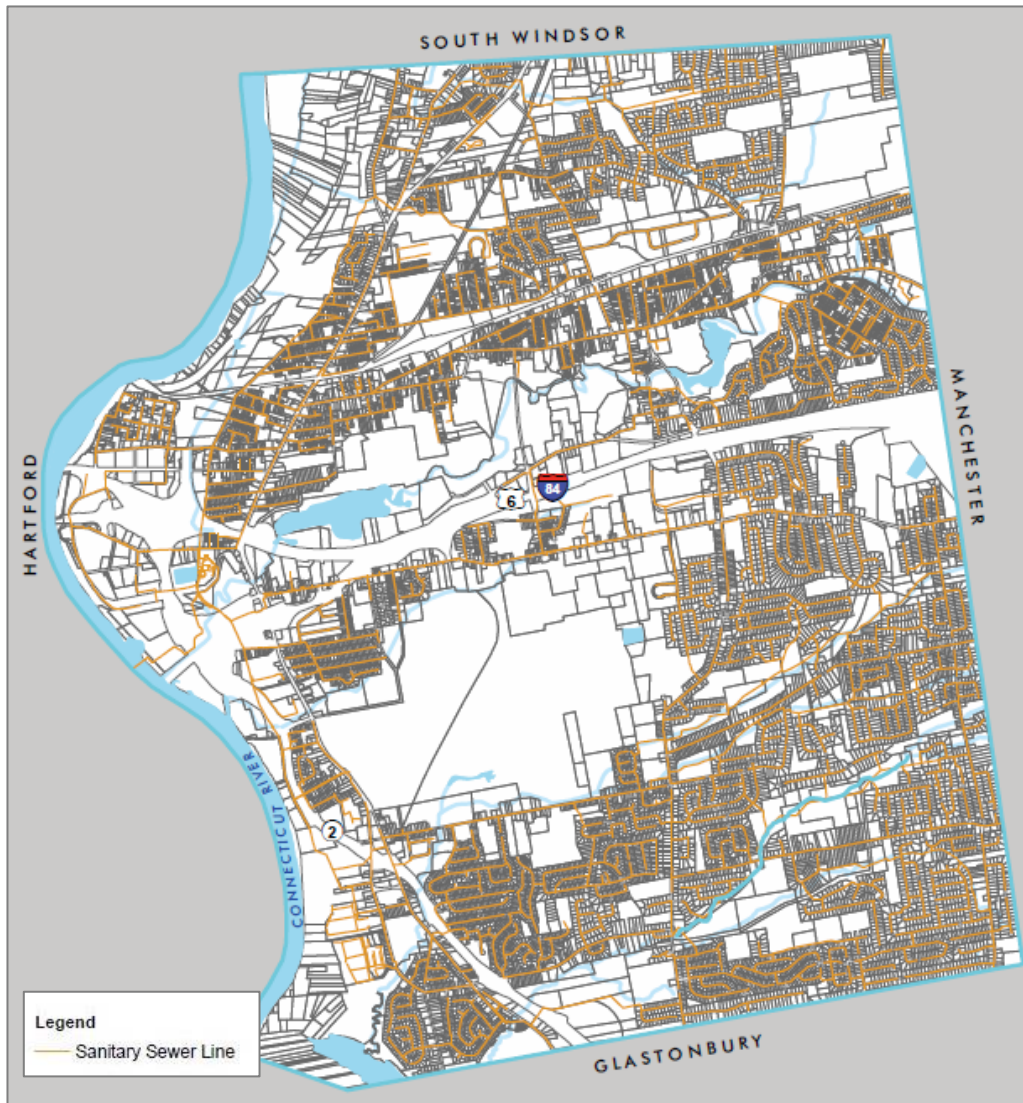


Source: BFJ Planning/Urbanomics, "Town of East Hartford Plan of Conservation and Development, page 42," June 2014.

Sanitary Sewer System⁵⁷

Sanitary sewer services (collection, treatment, and maintenance) for the Town of East Hartford are also provided by the Metropolitan District Commission. The East Hartford Plan of Conservation and Development 2014 reports that the MDC's existing sewer system has the excess capacity to extend its service to all undeveloped areas currently existing in East Hartford. Figure 22 identifies locations served by the MDC sanitary sewer system.

Figure 22. Sanitary Sewer System Operated by Metropolitan District Commission in the Town of East Hartford



Source: BFJ Planning/Urbanomics, "Town of East Hartford Plan of Conservation and Development, page 67," June 2014.

⁵⁷ BFJ Planning/Urbanomics, "Town of East Hartford Plan of Conservation and Development, page 63-67," June 2014.

Stormwater System⁵⁸

During the 1930s, the U.S. Army Corps of Engineers constructed connected earthen structures to protect East Hartford from flooding. The earthworks were upgraded by the Corps over 20 years ago.

When river water levels permit, stormwater is allowed to flow into the river by gravity. The Town operates three stormwater pumping stations that move water over the earthen structures into the Connecticut River during heavy rainstorms and during the early spring when snowmelt occurs.

During Hurricane Katrina, low income persons were particularly affected by the flooding that occurred in the City of New Orleans. Should a flooding event occur in East Hartford due to failure of the earthen embankment structures, similar impacts could be expected for lower income and protected class households living in or near flood hazard zones who do not have sufficient income to purchase flood insurance or to live elsewhere. The East Hartford Flood Hazard Zones are presented in Figure 23.

Community Services

Fire Protection⁵⁹

East Hartford provides its own fire protection services from five fire stations located in strategic areas of the Town. The Fire Department is staffed by 130 career fire personnel and four civilians.

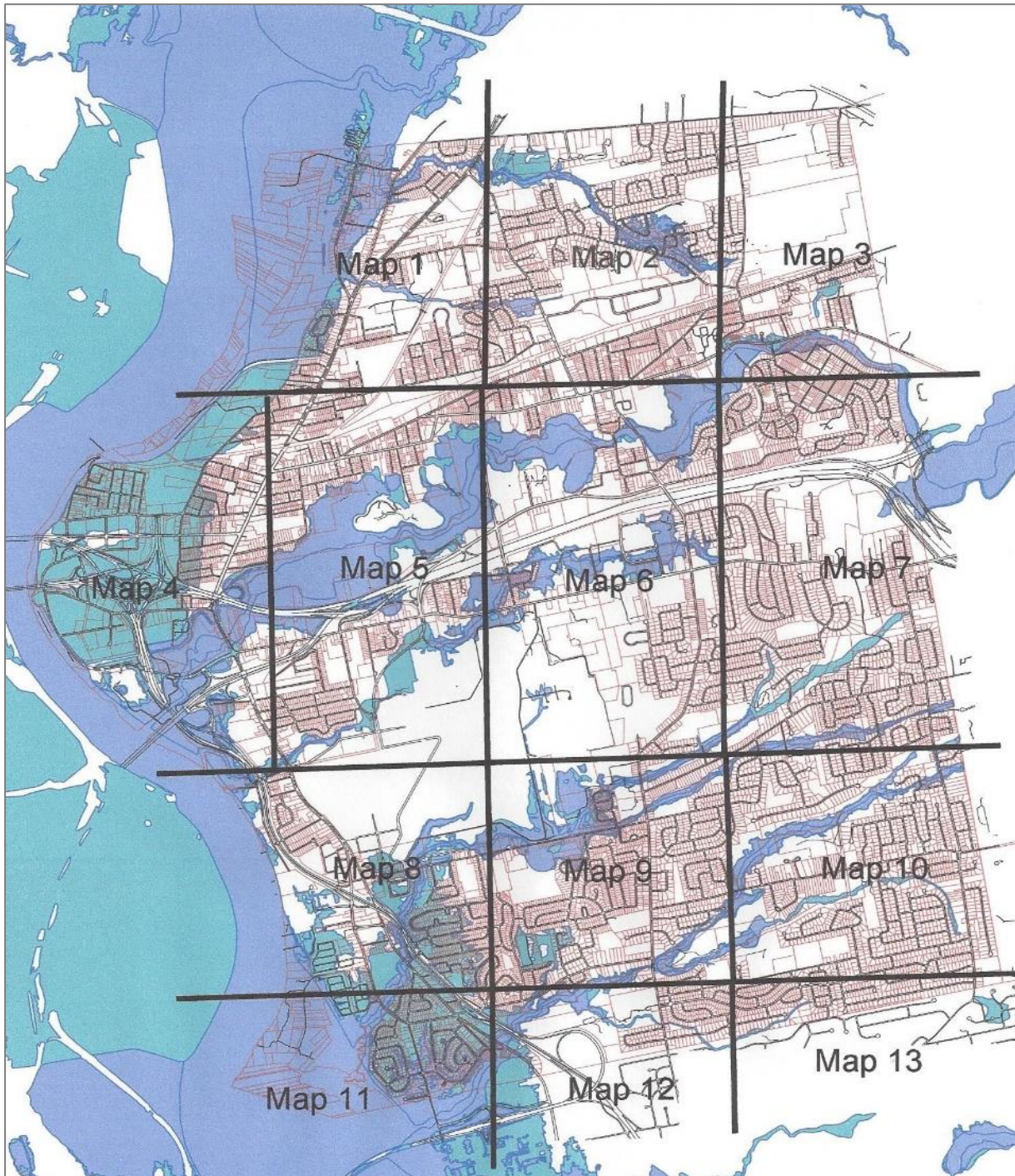
As reported in the Plan of Conservation and Development 2014, while some of the fire stations had building deficiencies or were obsolete, East Hartford addressed these problems by the construction of a new Public Safety Complex in 2006 which included the relocation of Fire Station #3, Fire Department administrative offices, and the office of the Fire Marshal. A new Fire Station #5 was completed in 2010, including a new equipment repair facility and workspace for the Fire Alarm Division.

Additional improvements or replacement of fire stations #1 and #2 two were noted as needed in the POCD. The Town will be using a strategic plan completed in 2008 to address its fire protection facility needs, as funding is available.

⁵⁸ BFJ Planning/Urbanomics, "Town of East Hartford Plan of Conservation and Development, page 64," June 2014.

⁵⁹ BFJ Planning/Urbanomics, "Town of East Hartford Plan of Conservation and Development, page 64," June 2014.

Figure 23. East Hartford Flood Hazard Zone Map



Source: The Official Website of the Town of East Hartford, Accessed May 16, 2015.
http://www.easthartfordct.gov/sites/ehartfordct/files/file/file/fema_flood_hazard_mapping_town.pdf

Police Protection⁶⁰

The Police Department is staffed by 125 authorized sworn police officers and 34 civilian support staff. The department operates from the East Hartford Public Safety Complex located at 31 School Street. The Public Safety complex also houses the Fire Department headquarters, Fire Station #3 and Public Safety Communications, which includes the 911 call center.

No plans are in place at this time to construct police substations or satellite facilities. However, as additional development and redevelopment occurs such needs will be reevaluated and actions taken as determined appropriate by the Town.

Education

The Town of East Hartford is served by 16 public schools with approximately 6,800 students. The State of Connecticut scores every school district using a District Performance Index (DPI) that takes into account student performance on two tests: the Connecticut Mastery Test (CMT) and the Connecticut Academic Performance Test (CAPT).⁶¹ The DPI scores range from 0 to 100; a score of 88 on each test is the target performance goal for school systems. An achievement gap occurs when a difference of at least 10 DPI points exists between the majority of subgroups and all students in a school district (except high needs). For the East Hartford School District, the last reported DPI scores are for the 2012-2013 school year. The East Hartford scores were 60.5 for the CMT DPI (27.5 points below 88) and 58.9 for the CAPT DPI (29.1 points below 88).

In addition to evaluating school districts, the State also classifies individual schools as follows, based on CMT and CAPT test scores: Excelling, Progressing, Transitioning, Review, Focus, and Turnaround. Definitions of each classification are included in an appendix to this document.⁶² East Hartford school scores as of 2012-2013 are provided in the table below, along with student enrollment. None of the 14 schools were classified as excelling, the highest performers, or turnaround, the poorest performers. Five schools were progressing or transitioning (35.7%) and nine were under review or under focus (64.3%).

⁶⁰ Ibid.

⁶¹ The Official Website of the Connecticut State Department of Education, "East Hartford School District 2012-13 Performance Report, page 1." Accessed May 17, 2015.

http://www.csde.state.ct.us/public/performance-reports/Reports/Dist_043.pdf

⁶² Connecticut State Department of Education. Connecticut 2012-2013 School Classifications. Accessed May 17, 2015. http://www.sde.ct.gov/sde/lib/sde/pdf/evalresearch/accountability/2012-13_school_classification_summary.pdf

Table 20 East Hartford School Classifications and Enrollment		
School	2012-2013 Classification	2013-2014 Student Enrollment
Pre-K		
Willowbrook Early Childhood School	Not classified	99
Grades K through 12 Therapeutic Education Program		
Woodland School	Not classified	127
Grades K/Pre-K through 6		
Governor William Pitkin School	Progressing	320
Joseph O. Goodwin School	Transitioning	279
Dr. Thomas S. O'Connell School (East and West)	Transitioning	642
Dr. Franklin H. Mayberry School	Review	343
Dr. John A. Langford School	Review	371
Hockanum School	Review	286
Robert J. O'Brien School	Review	479
Anna E. Norris School	Focus	277
Silver Lane School	Focus	282
Grades 4 through 6		
Sunset Ridge School Elementary	Transitioning	261
Grades 6 through 8		
East Hartford Middle School	Review	1,064
Grades 9 through 12		
East Hartford High School	Review	1,678
Stevens Alternate High School	Review	60
Connecticut International Baccalaureate Academy	Progressing	195
Total Enrollment		6,763

Source: BFJ Planning/Urbanomics, "Town of East Hartford Plan of Conservation and Development, pages 72-73," June 2014; The Official Website of the Connecticut State Department of Education, "Connecticut 2012-2013 School Classifications." Accessed May 18, 2015. http://www.sde.ct.gov/sde/lib/sde/pdf/evalresearch/accountability/2012-13_school_classification_summary.pdf.

As of fall 2012, 55 schools throughout Connecticut were classified as focus schools, and were required to design and implement targeted actions to improve student performance. Focus schools must demonstrate two consecutive years of improvement by meeting performance targets for the subgroup that was the reason for their identification as a focus school in order to exit that status. During 2012-2013, 13 focus schools statewide met the required subgroup performance targets. Two of the 13 schools are in the East Hartford

district: Doctor Franklin H. Mayberry School (focus subgroup – Hispanic/Latino) and Robert J. O’Brien School (focus subgroup – Black/African American).

The State of Connecticut also maintains a Schools of Distinction list each year for the schools that have the highest performing subgroup, the highest progress, and the highest overall performance. None of the East Hartford public schools achieved School of Distinction status in 2012-2013.⁶³

Other Educational Facilities

School facilities not owned by East Hartford Public Schools include a recently expanded Goodwin College main campus located on Riverside Drive. The campus now totals 660 acres along the Connecticut River on the site of a former oil terminal, which was remediated and redeveloped. Goodwin College has constructed three new inter-district magnet schools. One of these schools is owned by Goodwin College and the college operates the other two. East Hartford Public Schools also operates the Connecticut International Baccalaureate Academy which uses a pre-university curriculum and promotes international understanding.

Also located in East Hartford are schools operated by the Capitol Region Education Council (CREC): Two Rivers Magnet Middle School which has a science and technology focus, as well as an alternative high school, the Polaris School. The CREC operates the Glastonbury East Hartford Elementary Magnet school which is located in Glastonbury, but also serves East Hartford. This school utilizes a science and technology themed curriculum and has been designated a Magnet School of Excellence by Magnet Schools of America in 2011 and 2012.⁶⁴

Parochial private schools providing elementary and secondary education in East Hartford are: Saint Christopher School and the New Testament Baptist Church School.⁶⁵

Student Demographic Profile

Information is available on student demographics in East Hartford via the national rating website, publicschoolreview.com. The table below provides student and teacher information by school type for the Town of East Hartford. As shown, minority students make up the majority of the student body for pre-K, elementary, middle, and high schools,

⁶³ The Official Website of the Connecticut State Department of Education. “Connecticut 2012-2013 School Classifications.” Accessed May 17, 2015.

http://www.sde.ct.gov/sde/lib/sde/pdf/evalresearch/accountability/distinction_schools_2013.pdf

⁶⁴ Capitol Region Education Council. <http://www.crecschools.org/our-schools/glastonbury-east-hartford-elementary-magnet-school/about-our-school/>. Accessed June 10, 2015.

⁶⁵ BFJ Planning/Urbanomics, “Town of East Hartford Plan of Conservation and Development, pages 73-74,” June 2014.

ranging from 77% to 83%. In contrast, minority students constitute less than one-third (29%) of private school enrollment in East Hartford. Private schools included in this comparison by Public School Review.com are parochial schools operated by the Roman Catholic and Baptists faiths that provide elementary–high school curriculums. This comparison does not include any private magnet schools.⁶⁶

Table 21 Town of East Hartford School Demographics				
Type of School	Number of Schools	Number of Students	Minority Student Enrollment	Student/Teacher Ratio
Pre-K	4	1,162	83%	13:1
Elementary	12	4,038	82%	13:1
Middle School	4	2,206	77%	11:1
High School	7	2,583	77%	11:1
Private	3	366	29%	15:1
Total	30	10,355	N/A	18:1

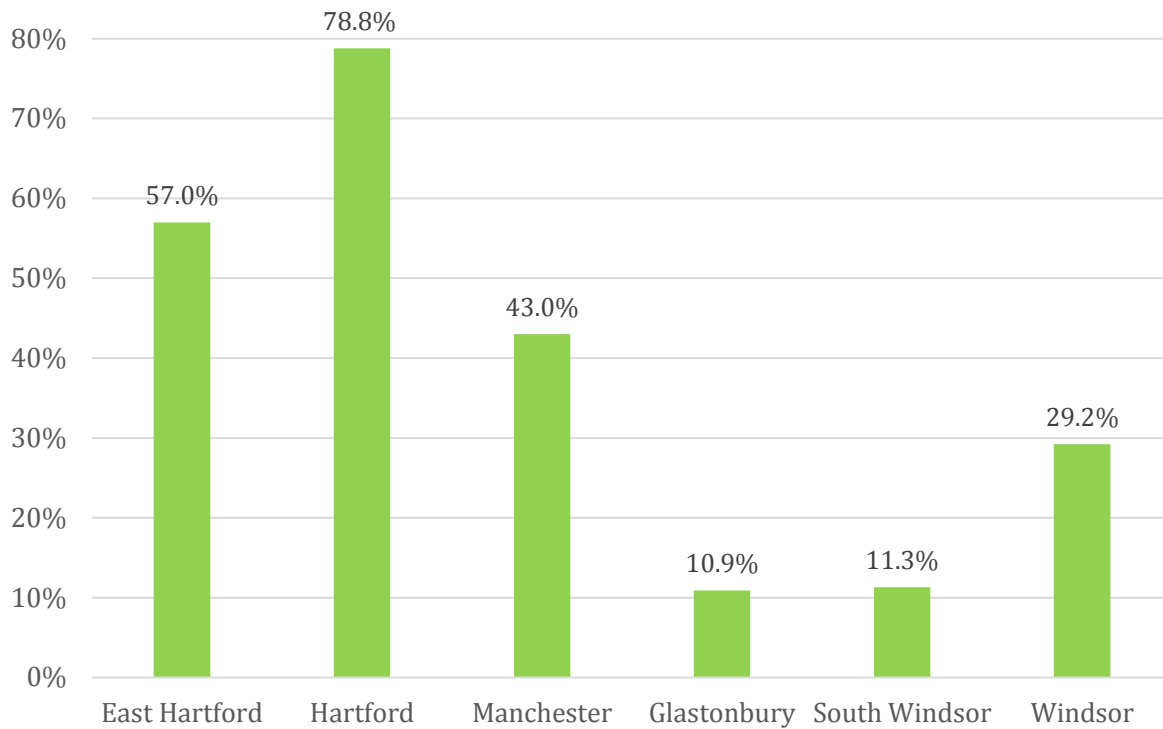
Source: <http://www.publicschoolreview.com>. Accessed May 17, 2015.

According to the Association for Supervision and Curriculum Development, children from lower income families and children experiencing poverty have higher rates of absenteeism and tardiness and lowered rates of concentration, attention span, comprehension, memory, and academic performance. Children attending schools in areas with high levels of poverty and classmates who are poorer, are more likely to perform poorly in school even if they are not experiencing poverty themselves.

The free and reduced school lunch program is often used to identify children from low-income and high-poverty areas. Use of the free and reduced lunch program can also indicate a lack of food at home, which can inhibit concentration and academic performance. The figure below depicts use of the free and reduced lunch program for the Town of East Hartford in comparison to nearby school systems cities in the Hartford area. Slightly more than one-half (57%) of East Hartford students qualify for free and reduced lunches. While this percentage is 31.8% lower than the Hartford School District, it is 14% higher than Manchester, 27.8% higher than Windsor, 45.7% higher than South Windsor, and 46.1% higher than Glastonbury.

⁶⁶ www.publicschoolreview.com/town_schools/state/CT/townid/2671

Figure 24. Free and Reduced Lunches in Hartford Area Public School Systems



Source: <http://www.elementaryschools.org/directory/ct>. Accessed May 17, 2015

Educational Attainment Levels

The table below depicts educational attainment for residents of the Town of East Hartford. Residents who completed education beyond high school graduation, or equivalent, totaled 18.8%, compared with 28.8% for the United States and 31.9% for the State of Connecticut. Rates for high school completion are lower for all age groups in East Hartford (except ages 25-34) when compared to the United States (national average is 86%) and the State of Connecticut average (89.2%).

Poverty rates were higher for residents with lower educational attainment, while median income rises as educational attainment increases. Poverty rates for residents who did not complete high school (23.3%) are slightly higher than Connecticut (22.9%) and 3.8% below the United States (27.1%). This is important due to the Town of East Hartford's high percentage of persons 18-24 (16.1%) who have not completed high school. These individuals, and individuals with limited education in other age groups, are more likely to experience poverty and have lower incomes. The following table is a graphic depiction of poverty rates and median income as they relate to educational attainment in East Hartford.

Table 22 Town of East Hartford Educational Attainment by Age, Poverty Rate and Income					
Educational Attainment	Age 18-24	Age 25-34	Age 35-44	Age 45-64	Age 65+
Less than High School	16.1%	9.5%	16.2%	15.6%	16.4%
High School Completion/Equivalent	39.7%	90.5%	83.6%	84.4%	73.6%
Bachelor's degree or higher	8.8%	28.1%	19.6%	16.1%	13.5%
Educational Attainment	Poverty Rate		Median Income		
Less than High School	23.3%		\$22,827		
High School Completion/Equivalent	10.3%		\$33,604		
Some college or Associate degree	8.0%		\$34,941		
Bachelor's degree or higher	6.1%		\$55,754		
Graduate or professional degree	---		\$58,654		

Source: U.S. Bureau of Census - American Fact Finder, "Town of East Hartford, CT, S1501 Educational Attainment Report and DP03 Selected Economic Characteristics Report DP03, 2008-2013 American Community Survey Five-Year Estimates," Accessed May 17, 2015. <http://factfinder.census.gov>

For persons in East Hartford who did not complete high school or those who received a high school diploma or equivalent, 33.6% were in poverty in 2013. The earning power for these individuals is limited and they need additional education or job training to permit them to obtain employment that can help them raise their income levels. Individuals who live in poverty or who have very-low income (31%-50% of Area Median Income) or extremely low-income (30% or less of Area Median Income) are more likely to be cost-burdened for housing costs and/or are likely to have fewer options when choosing housing that is appropriate for their needs.

High School Graduation Rates

According to Connecticut State Department of Education data released through the academic year 2011-2012, statewide graduation rates have continued to increase over four years. While the ultimate target graduation rate is 94%, only 67 of 188 schools in the state (35.6%) reached the 94% target rate by 2012. Of the 188 high schools in the analysis, 110 (58.5%) had a graduation rate greater than or equal to 90%, while 38 schools experienced graduation rates less than 80%.⁶⁷

⁶⁷ Connecticut State Department of Education News, August 14, 2013. Accessed May 18, 2015. http://www.sde.ct.gov/sde/lib/sde/pdf/pressroom/2013_graduation_rates.pdf

The table below presents detailed graduation data for Connecticut and for East Hartford. The overall statewide four-year graduation rate in Connecticut was 84.8%, while the graduation rate for the East Hartford School District was 76.6%. The graduation rate for whites in East Hartford (76.2%) is slightly lower than the rate for all students in East Hartford (76.6%) and 8.6% lower than Connecticut’s statewide graduation rate for the all students. In East Hartford, with the exception of Asian students, graduation rates for students belonging to racial and ethnic minority groups were lower than the statewide graduation rate for all students (84.8%).

Table 23			
Cohort Graduation Rates for the State of Connecticut and East Harford, 2011-2012			
Category		East Hartford Graduation Rate	State of Connecticut Graduate Rate
All Students		76.6%	84.8%
Ethnicity	Hispanic	70.0%	68.6%
	Non-Hispanic	80.5%	88.2%
Race	Indian or Alaska Native	---	84.5%
	Asian	87.8%	91.9%
	Black	81.9%	73.0%
	Hawaiian or Pacific Islander	---	95.0%
	White	76.2%	91.3%
	Two or More Races	---	83.4%
Sex	Male	70.6%	81.5%
	Female	82.9%	88.3%
ELL Status	English Language Learner (ELL)	62.9%	62.7%
	Non-ELL	77.5%	85.9%
Lunch Status	Eligible for Free Lunch	67.5%	66.6%
	Eligible for Reduced Lunch	83.6%	83.5%
	Not Eligible for Lunch	88.1%	93.1%
Special Education Status	Special Education	55.8%	64.4%
	Non-Special Education	81.1%	88.0%

Source: Connecticut State Department of Education News, August 14, 2013. Accessed May 18, 2015.
http://www.sde.ct.gov/sde/lib/sde/pdf/pressroom/2013_school_and_district_performance_reports.pdf;
http://www.sde.ct.gov/sde/lib/sde/pdf/pressroom/2013_graduation_rates.pdf;
<http://www.sde.ct.gov/sde/lib/sde/excel/evalresearch/cohortgradbydistrict2012.xls>

East Hartford graduation rates for Hispanics (70.0%) were 14.8% lower than the statewide rate for all students and 6.6% below the overall rate for East Hartford. Black/African American student graduation rates averaged 81.9%, 5.3% higher than East Hartford’s rate

for all students, 2.9% lower than the statewide average for all students, and 8.9% higher than the statewide rate for Black/African American students.

According to the Connecticut State Department of Education, on a statewide basis, students eligible for reduced-priced or free school lunch experienced graduation rate increases during the four-year period of 7.0% and 5.9%, respectively. Other improvements were a 4.4% graduation rate increase for Hispanic students and a 1.8% increase for Black/African American students.⁶⁸

While graduation rate gains were made, the largest gap (26.5%) in Connecticut remains the difference between students eligible for free lunch and those not eligible for lunch subsidies. During the four-year period, 54.2% of Hispanic males and 57.6% of Black males who are eligible for free lunch graduated within four years. The graduation rates for Black females over the same four year period was 76.4%, while the rate for Hispanic females was 68.4%.

Factors contributing to lower levels of high school completion among Hispanic students in East Hartford are likely to include: low levels of English proficiency, socio-economic barriers, and high rates of transient students.

A need to increase school proficiency was identified as a need by some stakeholders interviewed for this research. They felt that while the performance of East Hartford schools has improved in recent years, when compared with other neighboring districts, East Hartford schools should continue to focus on raising student achievement levels.

One stakeholder mentioned longer police response time rates to poorer neighborhoods and complexes run by the public housing authority. However, several other stakeholders indicated that public safety response times throughout East Hartford were good, and typically better superior to those in Hartford. Some residents reported safety as an issue at local parks.

Conclusions

This portion of the East Hartford AI has examined the relationship among mobility (transportation), public facilities and services, and education, as each of these factors contribute to the ability of a household to make housing choices.

East Hartford has a mature street system that provides connectivity to locations outside the Town and enables persons with personal transportation to access job opportunities, services, and recreation in East Hartford.

⁶⁸ Connecticut State Department of Education News, August 14, 2013. Accessed May 18, 2015.
[Http://www.sde.ct.gov/sde/lib/sde/pdf/pressroom/2013_school_and_district_performance_reports.pdf](http://www.sde.ct.gov/sde/lib/sde/pdf/pressroom/2013_school_and_district_performance_reports.pdf)

The regional transit system includes bus, paratransit, and rail services, so essential to mobility for persons who do not own personal vehicles or choose to use transit. This system also includes a paratransit component that provides accessibility opportunities for persons with disabilities. While the transit schedule does not always accommodate the needs of 3rd shift workers, overall the system is well developed and bus and rail system improvements continue.

Water and sewer services are currently adequate for the needs of East Hartford for the foreseeable future, but attention should be given to protect the groundwater aquifer that lies under much of the Town from contamination.

The system of earthen embankments that protect East Hartford from flooding are a public facility that is essential to commerce and a sound quality of life in the Town. The Town should be prudent in properly maintaining these structures to protect businesses, homes, and public property.

The education system in East Hartford is a critical component in the Town's infrastructure that needs attention for it to prepare students for higher education or employment. Student performance and graduation rates generally fall below State targets and performance thresholds. Efforts to remedy these problems should continue if East Hartford wishes to provide a quality of life that attract business investments and to remain a desirable residential community.

Access to Areas of Opportunity

An analysis of access to areas of opportunity helps develop an informed understanding of the gaps or needs that exist within a community and the impact these gaps have on residents. To measure economic and educational conditions at a neighborhood level, HUD's Office of Policy Development and Research developed a methodology to "quantify the degree to which a neighborhood offers features commonly associated with opportunity."⁶⁹ For each block group in the U.S., HUD provides a score on several "opportunity dimensions," including poverty, school proficiency, labor market engagement, and jobs access, calculated based on the following:

- Poverty index – family poverty rates and share of households receiving public assistance;
- School proficiency index – school-level data regarding elementary school student performance on state exams;
- Labor market engagement index – employment levels, labor force participation and educational attainment; and
- Job access index – distance to job locations and labor supply levels.

For each block group, a value is calculated for each index and results are then standardized on a 0 to 100 scale based on relative ranking within the metro area (or non-metro balance of the state). For each opportunity dimension, a higher index score indicates more favorable neighborhood characteristics.

The maps that follow show the HUD-provided opportunity scores for block groups in the Town of East Hartford for poverty, school proficiency, labor market engagement, and jobs access. In each map, lighter shading indicates areas of lower opportunity and darker shading indicates higher opportunity.

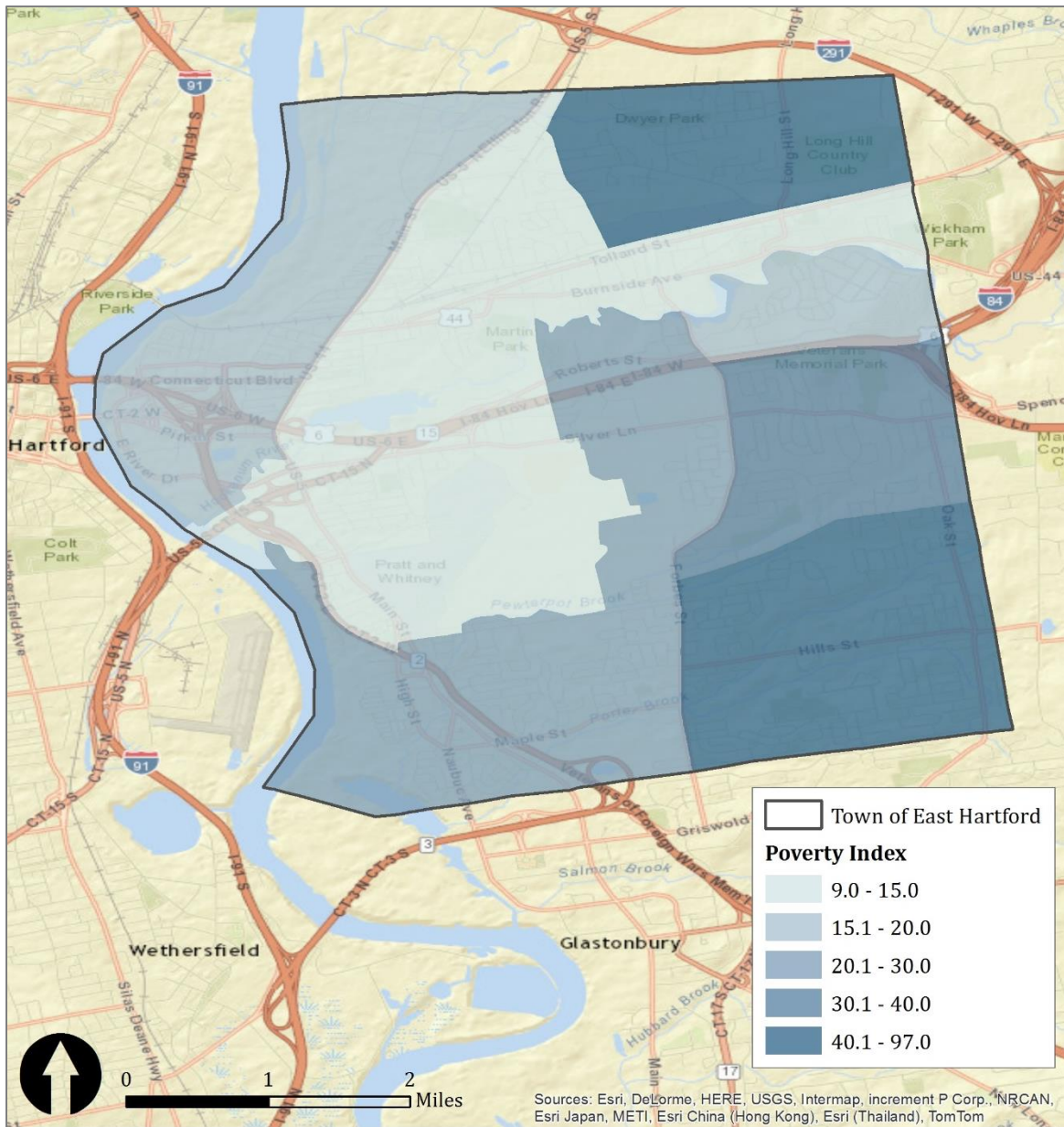
Figure 25 through Figure 27 reveal highest opportunity relative to poverty, elementary school proficiency, and labor market engagement in the east portion of East Hartford, including census tracts bordering Manchester and Glastonbury. Tract 5106 in the Town's center contains some of East Hartford's highest concentrations of protected classes, including African American, Latino, and disabled residents, along with female householders. It also has some of the Town's lowest opportunity index scores relative to poverty, labor market engagement, and school proficiency.

In contrast, for jobs access, highest opportunity levels tend to be in the block groups located closest to Hartford, in the Town's center and along its western edge. Areas in the east have considerably lower access.

⁶⁹ HUD Office of Policy Development and Research, "FHEA Data Documentation," Draft. 2013. p. 4.

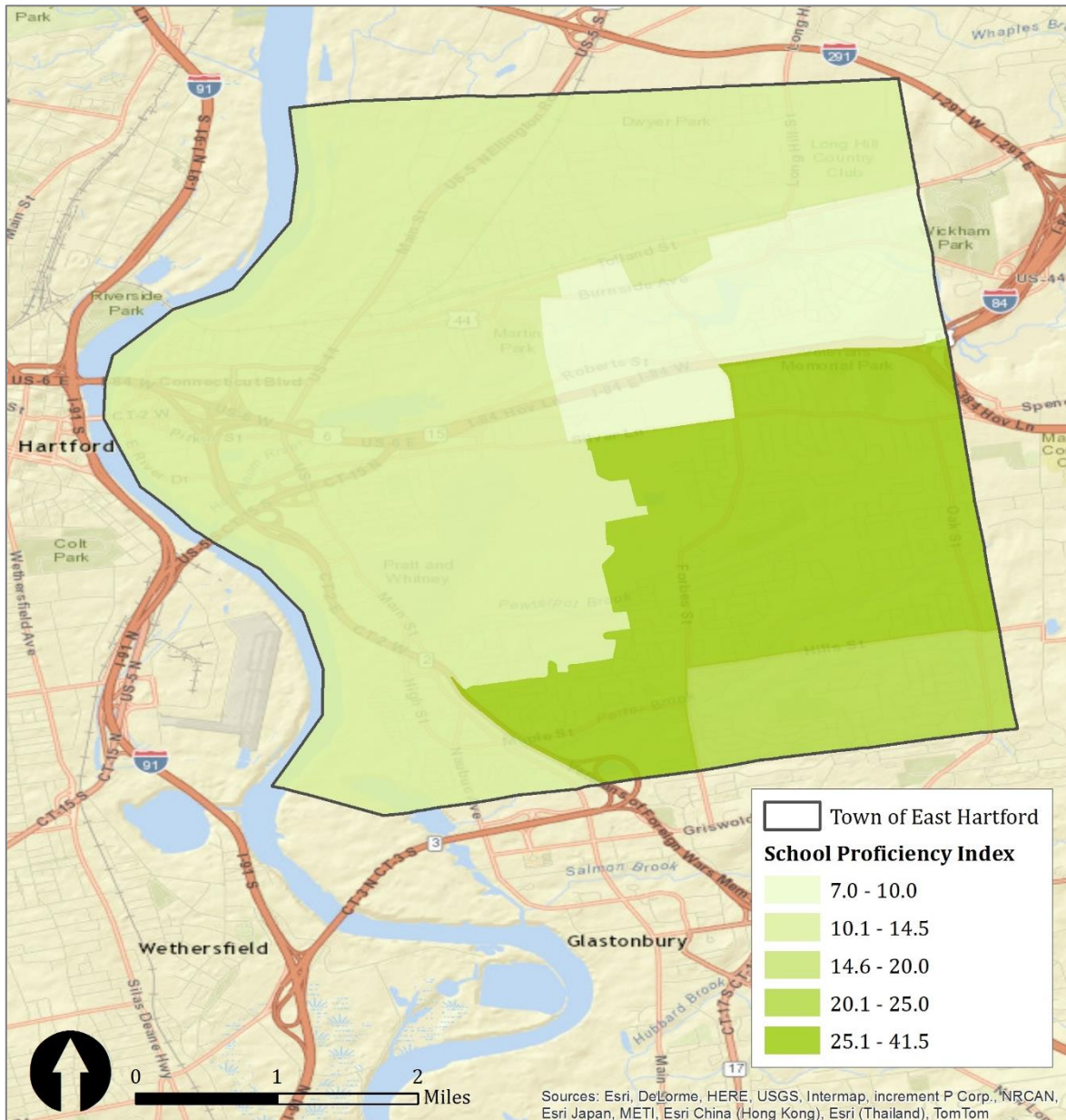
Note that HUD calculated index values based on scores for the entire Hartford-West Hartford-East Hartford MSA. Thus, block groups in East Hartford are ranked against those in Hartford and West Hartford. This comparison means that while some areas of the Town show greater opportunity relative to others, they may still have low or modest level of opportunity relative to the entire MSA. Looking at elementary school proficiency, for instance, the highest scores in East Hartford are in the 25-45 range along the Town's eastern border. While these values are above other East Hartford locations, they are low relative to the region, where a maximum score of 100 is possible. Thus, according to HUD's school proficiency index, East Hartford offers considerably lower levels of opportunity than other parts of the MSA.

Figure 25. Poverty Index Values by Block Group for the Town of East Hartford



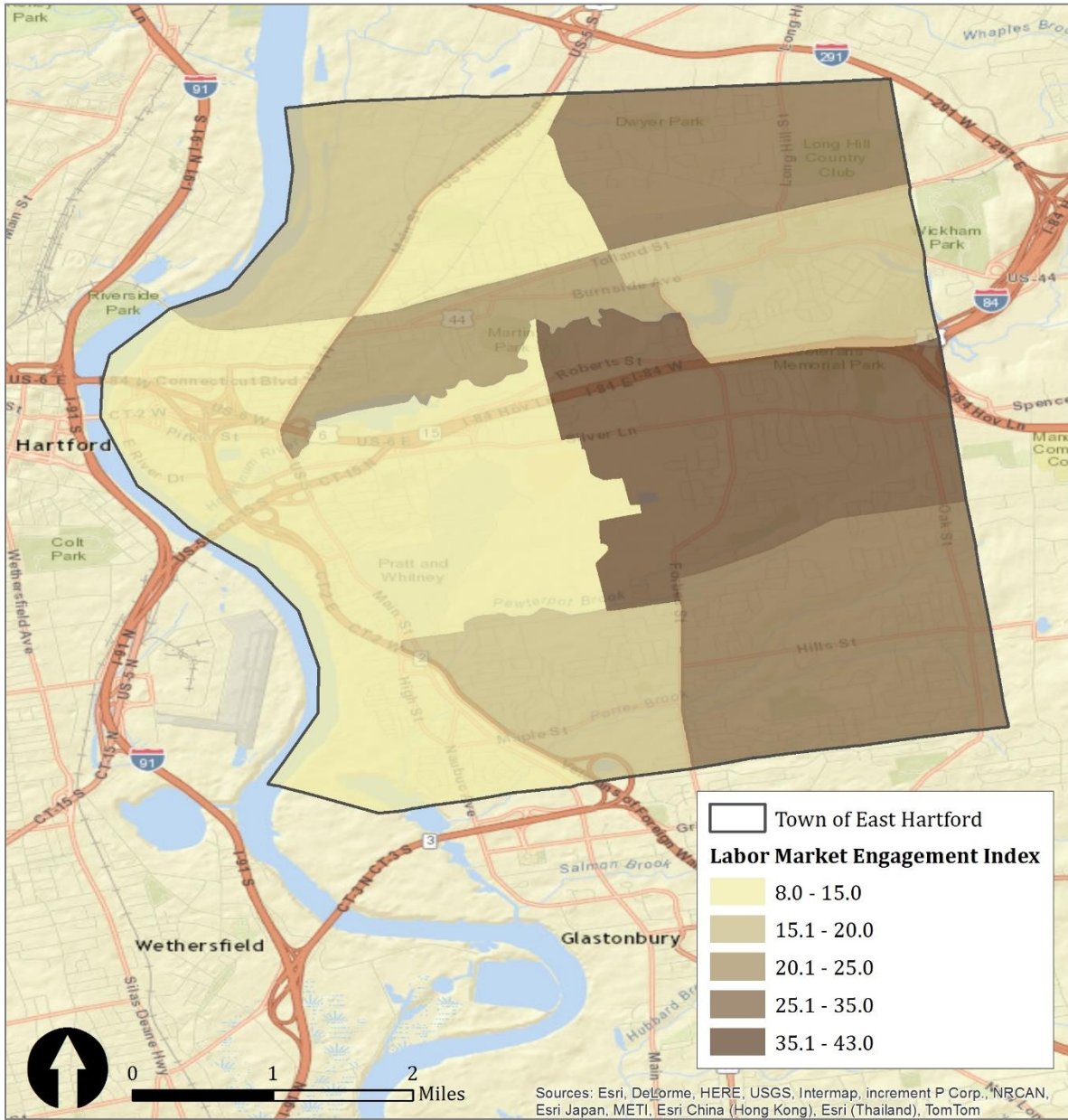
Source: U.S. HUD Office of Policy Development & Research, Regional Planning Grant Program Raw Block Group Data, Retrieved from <http://www.huduser.org/portal/Sustainability/grantees/data.html>

Figure 26. Elementary School Proficiency Index Values by Block Group for the Town of East Hartford



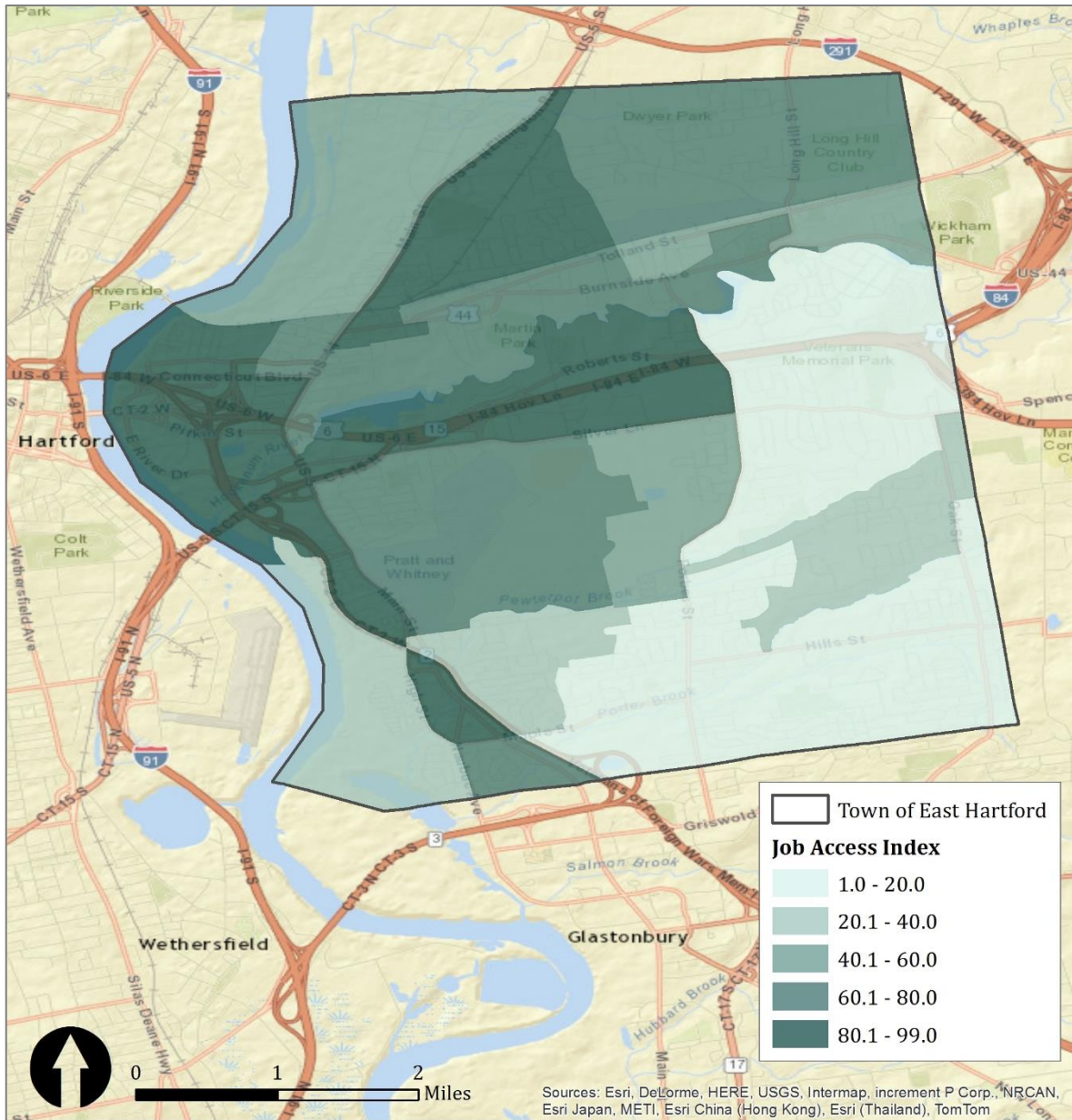
Source: U.S. HUD Office of Policy Development & Research, Regional Planning Grant Program Raw Block Group Data, Retrieved from <http://www.huduser.org/portal/Sustainability/grantees/data.html>

Figure 27. Labor Market Engagement Index Values by Block Group for the Town of East Hartford



Source: U.S. HUD Office of Policy Development & Research, Regional Planning Grant Program Raw Block Group Data, Retrieved from <http://www.huduser.org/portal/Sustainability/grantees/data.html>

Figure 28. Job Access Index Values by Block Group for the Town of East Hartford



Source: U.S. HUD Office of Policy Development & Research, Regional Planning Grant Program Raw Block Group Data, Retrieved from <http://www.huduser.org/portal/Sustainability/grantees/data.html>

Land Use & Zoning

Comprehensive land use planning is a critical process by which communities address a myriad of public policy issues such as housing, transportation, health, recreation, environmental protection, commercial and retail services, and land values, and address how the interconnection and complexity of these issues can ultimately impact the entire municipality. For example, the decision to develop a parcel of land for a shopping mall will not only influence the value and use of surrounding property, but will also impact future traffic and environmental decisions as well (i.e. intensive commercial use will increase traffic flow and large impervious parking lots will increase storm water runoff). For this reason, “(t)he land-use decisions made by a community shape its very character – what it’s like to walk through, what it’s like to drive through, who lives in it, what kinds of jobs and businesses exist in it, how well the natural environment survives, and whether the community is an attractive one or an ugly one.”⁷⁰ Likewise, decisions regarding land use and zoning have a direct and profound impact on affordable housing and fair housing choice.

The following sections will explore (I) how Connecticut state law impacts local land use and zoning authority and decision-making and (II) how East Hartford’s zoning and land use codes impact housing affordability and fair housing choice.

Connecticut State Zoning and Land Use Laws

From a regulatory standpoint, local government measures to control land use typically rely upon zoning codes, subdivision codes, and housing and building codes, in conjunction with comprehensive plans. Courts have long recognized the power of local governments to control land use, and the State of Connecticut authorizes all local municipalities to regulate land use and zoning within their respective jurisdictions through the state zoning enabling statutes (see Conn. Gen. Stat. § 8-1 et seq.).

One goal of zoning is to balance individual property rights with the power of government to promote and protect the health, safety, and general welfare of the overall community. Zoning laws regulate how a parcel of land in a community may be used and the density of development. Local governments may divide their jurisdiction into zoning districts by adopting a zoning map; define categories of permitted and special approval uses for those districts; and establish design or performance standards for those uses. Zoning may regulate the height, shape, and placement of structures and lot sizes or shapes. Jurisdictions also can expressly prohibit certain types of uses within zoning districts. In this way, local ordinances may define the type and density of housing resources available to residents,

⁷⁰ John M. Levy. *Contemporary Urban Planning, Eighth Edition*. Upper Saddle River, NJ: Pearson Prentice Hall, 2009.

developers and other organizations within certain areas, and as a result influence the affordability of housing.

In the Town of East Hartford, the responsibility for administering the local zoning ordinance is divided between the Development/Planning Department, the Town Planning & Zoning Commission, the Board of Zoning Appeals, and the Zoning Enforcement Officer. Permitted uses are those allowed as a matter of right in a zoning district and may be authorized by the Zoning Enforcement Officer with a simple permit. For a use not expressly permitted by right, a property owner may seek special approval through a special use permit, variance, or zoning amendment following a public notice and hearing process. The Planning and Zoning Commission prepares and adopts development plans, establishes and amends zoning regulations and boundaries; hears and decides requests for changes in the regulations or boundaries of zoning districts; and reviews and decides applications for site approval for commercial and industrial facilities, apartments, mobile home parks, subdivisions, re-subdivisions, special permits, and referrals on town real estate purchases. The Board of Zoning Appeals hears appeals where it is alleged that there was an error in any order, requirement or decision made by the official charged with the enforcement of provisions, by-laws, ordinances, or regulations. The Board also hears requests for variance of the zoning regulations.

Intersection of Local Zoning with Federal and State Fair Housing Laws

While local governments have the power to enact zoning and land use regulations, that power is limited by state and federal fair housing laws (e.g., Connecticut Fair Housing Act, the federal Fair Housing Act (FHA), Americans With Disabilities Act (ADA), constitutional due process and equal protection). Fair housing laws do not preempt local zoning laws, but do apply to municipalities and local government units and prohibit them from making zoning or land use decisions or implementing land use policies that exclude or otherwise discriminate against protected persons. And even where a specific zoning decision does not violate a fair housing law, HUD entitlement communities must certify annually that they will set and implement standards and policies that protect and advance fair housing choice for all.

The Connecticut Fair Housing Act (Conn. Gen. Stat. § 46a-64b et seq.) is substantially similar to the federal FHA. As with the FHA, Connecticut's fair housing laws (CT FHA) identify unlawful housing practices and protect against discrimination based on race, color, religion, sex, familial status, national origin, or disability. In addition to these protected classes, the CT FHA prohibits discrimination on the basis of marital status, sexual orientation, age, source of income, and gender identity or expression. Whereas the federal FHA provides exemptions for owner-occupied housing with four units or less and single family homes, the CT FHA narrows the exemptions to owner-occupied housing with two

units or less and owner-occupied rooming houses for all its protected classes except familial status and sexual orientation.

The Act creates a statutory procedure for aggrieved persons to file an administrative complaint within 180 days of the alleged discriminatory act with the state Commission on Human Rights and Opportunities (CHRO). CHRO must then investigate the complaint within 100 days and make a final administrative disposition within one year of filing. If the CHRO finds that the complaint lacks merit, the complainant may request reconsideration or appeal to court. CHRO is the primary governmental entity charged with accepting and investigating fair housing complaints and enforcing the state fair housing. Complaints regarding a violation of federal fair housing law may be filed with and investigated by HUD.

There are also non-governmental agencies available to provide fair housing legal representation and/or to investigate allegations of housing discrimination, including Connecticut Legal Services; Greater Hartford Legal Aid; the Connecticut Legal Rights Project (for victims of housing discrimination based on mental disability); the Connecticut Office of Protection and Advocacy for Persons with Disabilities; and the Connecticut Fair Housing Center.

An aggrieved person also may file a lawsuit directly with the Superior Court within one year of the alleged discrimination in housing, provided the CHRO has not commenced the public hearing or negotiated a settlement of the complaint.

In order to provide more units with accessibility features for persons with physical disabilities, state law (Conn. Gen. Stat. § 29-271) requires that any state assisted rental housing or rental housing project constructed or substantially rehabilitated on or after January 1, 1976, and containing ten or more dwelling units, have at least 10% of the units and all common use areas and facilities accessible to and useable by residents with physical disabilities.

Also, under the state's Affordable Housing Appeals Act (Conn. Gen. Stat. § 8-30g), if less than 10% of the housing in a town is "affordable housing," then certain developers whose housing development plans have been rejected by the town have the right to sue the town. Once in court, the town must prove that its rejection of the proposed development was for legitimate reasons. According to the most recent data collected by the Connecticut Fair Housing Center in collaboration with the Cities Suburbs & Schools Project of Trinity College (available at <http://commons.trincoll.edu/cssp/zoning/>), the percentage of housing stock in East Hartford as of May 2013 which meets Connecticut's statutory definition of affordable housing (including government assisted units, tenant rental assistance, CHFA/USDA mortgages, and deed restricted units) was 15.6%.

The state has authorized local municipalities to adopt their own human rights regulations to: (A) provide for fair housing and (B) adopt a code of prohibited discriminatory practices. East Hartford has not exercised this power (Conn. Gen. Stat. §7-148(c)(9)), nor has the Town adopted policies and incentive programs that would encourage more affordable and low-income housing or more accessible housing units for persons with disabilities. It has established the Commission on Services for Persons with Disabilities to study the needs of and to coordinate programs for persons with disabilities in the Town and make recommendations to the Mayor (East Hartford Zoning Regulations, § 2-57).

Housing Affordability and Fair Housing Choice Issues

Although comprehensive plans and zoning and land use codes play an important role in regulating the health and safety of the structural environment, overly restrictive codes can negatively impact housing affordability and fair housing choice within a jurisdiction. Examples of zoning provisions that most commonly result in barriers to fair housing choice include the following:

- Restrictive forms of land use that exclude any particular form of housing, particularly multi-family housing, or that require large lot sizes or low-density that deter affordable housing development by limiting its economic feasibility;
- Restrictive definitions of family that impede unrelated individuals from sharing a dwelling unit;
- Placing administrative and siting constraints on group homes for persons with disabilities;
- Restrictions making it difficult for residents with disabilities to locate housing in certain neighborhoods or to modify their housing;
- Restrictions on occupancy of alternative sources of affordable housing such as accessory dwellings, mobile homes, and mixed-use structures.

East Hartford's treatment of these types of issues are explored and evaluated in the tables and narrative below. The Town regulates land development activities within its jurisdiction through the Zoning Regulations, the Building Code, the Subdivision Regulations, and the Design Manual. The Zoning Regulations were adopted under the authority granted by the State to local municipalities to regulate land use. Zoning and design standard decisions should be informed by and consistent with the Town's long-range comprehensive plan known as the Plan of Conservation and Development as it is amended and updated.

Because zoning codes present a crucial area of analysis for a study of impediments to fair housing choice, the East Hartford Zoning Regulations, as amended through December 3,

2014, was reviewed and evaluated against a list of 16 common fair housing issues. The ordinance was assigned a risk score of either 1, 2, or 3 for each issue and was then given an aggregate score calculated by averaging the individual scores, with the possible scores defined as follows:

1 = low risk – the provision poses little risk for discrimination or limitation of fair housing choice;

2 = medium risk – the provision is neither among the most permissive nor most restrictive; while it could complicate fair housing choice, its effect is not likely to be widespread;

3 = high risk – the provision causes or has potential to result in systematic and widespread housing discrimination or the limitation of fair housing choice.

The following chart lists the 16 issues reviewed and East Hartford’s score for each issue. A complete report, including citations to relevant statutes, code sections and explanatory comments, is included as an appendix to this document.

Table 24 East Hartford Zoning Code Risk Scores	
ISSUE	RISK SCORE
1. Does the jurisdiction’s definition of “family” have the effect of preventing unrelated individuals from sharing the same residence? Is the definition unreasonably restrictive?	1
2. Does the definition of family discriminate against unrelated individuals with disabilities (or members of any other protected class) who reside together in a congregate or group living arrangement?	1
3a. Does the zoning code treat housing for individuals with disabilities differently from other single family residential and multifamily residential uses by requiring a special or conditional use permit in certain residential districts? Is housing for individuals with disabilities allowed in the same manner as other housing in residential districts? 3b. Is such housing mischaracterized as a “boarding or rooming house” or “hotel”?	1
4. Does the zoning ordinance unreasonably restrict housing opportunities for individuals with disabilities who require onsite supportive services?	1
5. Do the jurisdiction’s policies, regulations, and/or zoning ordinances allow persons with disabilities to make reasonable modifications or provide reasonable accommodation to specific zoning or regulatory requirements?	2

6a. Does the jurisdiction require a public hearing to obtain public input for specific exceptions to zoning and land-use rules for applicants with disabilities?	1
6b. Is the hearing only for applicants with disabilities rather than for all applicants?	
7. Does the zoning ordinance regulate the siting of “housing for older persons” (commonly known as senior housing or age-restricted housing)? Does the code’s definition of senior housing comply with federal law on housing for older persons (i.e. specifically designed for and occupied by elderly persons under a Federal, State or local government program or occupied solely by persons who are 62 or older or houses at least one person who is 55 or older in at least 80% of the occupied units, and adheres to a policy that demonstrates intent to house persons who are 55 or older)? Does the jurisdiction treat housing for older persons differently from other single family residential and multifamily residential uses by the application of a special or conditional use permit?	1
8. Does the ordinance impose spacing or dispersion requirements on certain protected housing types?	2
9. Does the jurisdiction restrict any inherently residential uses protected by fair housing laws (such as residential substance abuse treatment facilities) only to non-residential zones?	3
10. Does the jurisdiction’s zoning and land use rules constitute exclusionary zoning that precludes development of affordable or low-income housing by imposing unreasonable residential design regulations (such as high minimum lot sizes, wide street frontages, large setbacks, low FARs, large minimum building square footage, and/or low maximum building heights)?	1
11a. Does the zoning ordinance fail to provide residential districts where multi-family housing is permitted as of right?	2
11b. Do multi-family districts restrict development only to low-density housing types?	
12. Are unreasonable restrictions placed on the construction, rental, or occupancy of alternative types of affordable or low-income housing (for example, accessory dwellings or mobile/manufactured homes)?	1
13. Is the process by which a use permit (CUP, SUP, SLUP) is obtained unreasonably lengthy, complex, or costly, effectively discouraging applicants?	1
13b. Is there a clear procedure by which denials may be appealed?	
14. Does the zoning ordinance include an inclusionary zoning provision?	2
15. Does the zoning ordinance or municipal code include a discussion of fair housing?	2

16a. Do the jurisdiction’s codes presently make specific reference to the accessibility requirements contained in the 1988 amendment to the Fair Housing Act? 16b. Are the jurisdiction’s accessibility standards (as contained in the zoning ordinance or building code) congruent with the requirements of the Fair Housing Act? 16c. Is there any provision for monitoring compliance?	1
Aggregate Risk Score	1.44

East Hartford’s total risk score (calculated by taking the average of the 16 individual issue scores) is **1.44**, indicating that overall there is low risk of the Zoning Regulations contributing to discriminatory housing treatment or impeding fair housing choice. In most cases, the Zoning Regulations are reasonably permissive and allow for flexibility as to the most common fair housing issues. Remarkably, East Hartford only received a “3” (high risk) score one of the 16 issues evaluated. The Town received a “2” (medium risk) score on certain issues where the Zoning Regulations still have the potential to negatively impact fair housing, and where improvements to the rules and policies could be made to more fully protect the fair housing rights of its residents.

Our research has shown that restricting housing choice for certain historically/socio-economically disadvantaged groups and protected classes can happen in any number of ways and should be viewed on a continuum. The following narrative is not designed to assert whether the Town’s zoning and land use regulations create a per se violation of the FHA or HUD regulations, but to highlight areas where zoning and land use ordinances may otherwise jeopardize the spirit and intent of fair housing protections and HUD’s AFFH standards for its entitlement communities.

Strengths

Often one of the most scrutinized provisions of a municipality’s zoning code is its definition of “family.” Municipalities often use this provision to limit the number of unrelated persons who may live together in a single dwelling. However, East Hartford defines family (Issue #1) without reference to related individuals and does not cap the number of unrelated individuals, only that they live together as a single housekeeping unit. This permissive approach allows for non-traditional family arrangements, and the Town received a low risk “1” score on this issue.

East Hartford also received low risk “1” scores on Issues 2, 3, and 4 related to housing for persons with disabilities. The zoning code makes no distinction between housing for individuals with disabilities and other single family uses and the code does not restrict

persons with disabilities or other protected classes from residing together *because of* their disability or protected status.

A municipality's design regulations regarding minimum lot sizes, minimum livable floor area ratios, minimum setbacks, etc. may not be in direct violation of the fair housing laws yet still may contribute to exclusionary zoning and have the effect of disproportionately reducing housing choice for moderate to low-income families, minorities, families with children, and other protected classes. In East Hartford, the Zoning Regulations' development standards may impact the feasibility of developing affordable housing within some single family districts, but the code provides for lot sizes and densities that could accommodate affordable housing somewhere within the residential districts. For this reason, the Town scored a low risk "1" for Issue # 10, especially when compared to some of its neighbors in the region which have minimum lot sizes of 1 to 2 acres. East Hartford is divided into six residential districts R-1 through R-6. In R-1 the minimum lot size is 30,000 sq. ft. with a minimum livable floor area of 1,000 sq. ft. (for one-story), and maximum height of 35 feet; in R-2, the minimum lot size for each dwelling unit is 15,000 sq. ft., with same minimum livable floor area and height requirements as R-1; in R-3 the minimum lot size for each dwelling unit is 10,000 sq. ft. and same minimum livable floor area and height requirements as R-1; in R-4 and R-5, which both allow two- and three-family dwellings as well, the minimum lot size is 7,600 sq. ft. with a minimum lot area for each dwelling unit of 3,800 sq. ft., and same minimum livable floor area and height requirements as R-1 for single family homes (minimum livable floor area for two and three-family dwellings is 850 sq. ft.; and in R-6 the same development standards are applied as in R-3 for single family homes.

East Hartford also scored a low risk "1" for Issue # 12 for providing for alternative types of affordable housing within some of its residential zones. For instance, homes in the R-4 and R-5 districts may rent rooms to up to three boarders. Mobile home parks are a special permit use in the R-6 residential district.

While the foregoing is a picture of the Town's strengths in terms of how its code protects fair housing choice, the following recommendations illustrate concrete actions East Hartford could make in terms of zoning and land use regulations to uphold the commitment to furthering fair housing. The issues highlighted below show where zoning ordinances and policies could go further to protect fair housing choice for protected and disadvantaged classes, and still fulfill the zoning objective of protecting the public's health, safety, and general welfare.

Recommendations

One area for improvement would be for East Hartford to adopt a reasonable accommodation ordinance for making requests for reasonable accommodation/modification in land use, zoning and building regulations, policies, practices and procedures (Issue #5). The FHA requires accommodation in rules, policies, and procedures if such accommodation (1) is reasonable and (2) necessary to afford persons with a disability the equal opportunity to use and enjoy a dwelling (*42 U.S.C. § 3604(f)(3)(B)*). The requirements for reasonable accommodation under the Americans with Disabilities Act (ADA) are the same as those under the FHA (*42 U.S.C. 12131(2)*). Federal and state fair housing laws require that municipalities provide individuals with disabilities or developers of housing for people with disabilities flexibility in the application of land use and zoning and building regulations, practices and procedures or even waiving certain requirements, when it is necessary to eliminate barriers to housing opportunities. However, the FHA does not set forth a specific process that must be used to request, review, and decide a reasonable accommodation. Currently, the Town's code does not provide a clear and objective process by which persons with disabilities may request a reasonable accommodation to zoning, land use, and other regulatory requirements.

Often local municipalities handle the mandate to provide a reasonable accommodation through their variance or special use permit procedures. However, the purpose of a variance is not congruent with the purpose of requesting a reasonable accommodation. To obtain a variance or special permit, an applicant must show special circumstances or conditions applying to the land and not self-imposed or owing to the applicant. In contrast, a reasonable accommodation is to allow individuals with disabilities to have equal access to use and enjoy housing. The jurisdiction does not comply with its duty to provide reasonable accommodation if it applies a standard based on the physical characteristics of the property rather than considering the need for modification based on the disabilities of the residents of the housing. Whereas simple administrative procedures may be adequate for the granting of exceptions, the variance and special use permit procedures subject the applicant to the public hearing process where there is the potential that community opposition based on stereotypical assumptions about people with disabilities and unfounded speculations about the impact on neighborhoods or threats to safety may impact the outcome. As a recipient of federal housing funds, East Hartford is encouraged to adopt a reasonable accommodation ordinance as part of a larger fair housing or anti-discrimination ordinance (Issue #15) as authorized by Conn. Gen. Stat. §7-148(c)(9). A comprehensive fair housing resolution or ordinance incorporating the non-discrimination language of federal and state fair housing standards and enumerating the specific protected classes, including the government's obligation to provide reasonable accommodations in its

zoning and other rules, policies, practices, or services, is one specific way to address barriers in land use and zoning procedures and would help East Hartford more fully comply with the intent and purpose of fair housing laws.

Model ordinances are available that have been approved by HUD or the DOJ as part of fair housing settlement or conciliation agreements. These include a standardized process and give the Development/Planning Department the authority to grant or deny reasonable accommodation requests without the applicant having to submit to the variance or special use permit or other public hearing process.

There also is potential risk of fair housing discrimination under Issue #8. Under East Hartford's Zoning Regulations, substance abuse treatment facilities may not be sited within 1,000 feet of any lot classified as residential or within 1,000 feet of another substance abuse treatment facility, and no exception is made for those facilities wherein the residents live together as a common household unit. Congress amended the FHA in 1988 to add protections for persons with disabilities. Congress explicitly intended for the FHA to apply to zoning ordinances and other laws that would restrict the placement of homes for persons with disabilities (see *H.R. Rep. No. 100-711, at 24* (1988), reprinted in *1988 U.S.C.C.A.N. 2173, 2185*), stating that the amendments "would also apply to state or local land use and health and safety laws, regulations, practices or decisions which discriminate against individuals with handicaps." Persons recovering from substance abuse, not current illicit drug users, are considered handicapped under the FHA and ADA, and therefore protected from housing discrimination.

State law requires that community residences for up to six residents for persons recovering from substance abuse not be treated differently than other single family dwellings and that the 1,000 feet spacing requirement is not mandatory but may be exempted with zoning approval by the municipality. Spacing requirements for protected classes like persons with disabilities are generally inconsistent with the FHA, unless the jurisdiction could make a showing that the ordinance was passed to protect a compelling governmental interest (e.g. over-concentration of residential treatment homes could adversely affect individuals with disabilities and would be inconsistent with the goal of integrating persons with disabilities into the wider community) and that the spacing requirement is the least restrictive means of protecting that interest. A distinction should be made in the code between community residences for persons recovering from alcohol and drug dependence and more institutional type uses.

The ordinance also received a high risk "3" score for Issue #9 for restricting certain types of inherently residential uses, in this case residential substance abuse treatment facilities, only to non-residential zones. Substance abuse treatment facilities are only allowed as a special permit use in the B-1, B-2, B-3, B-4, B-5, B-6 business districts and the I-1, I-2, and I-

3 industrial districts, and may not be sited within 1,000 feet of any lot classified as residential or within 1,000 feet of another substance abuse treatment facility. Under federal law (e.g. FHA, ADA, Rehabilitation Act), it is discriminatory to deny an individual or entity the right to site a residential treatment program in a residential zone because it will serve individuals with alcohol or other drug problems. The code also is inconsistent with state law, which prohibits treating any community residence that houses six or fewer persons receiving mental health or addiction services differently than other single family dwellings. Under state law, a community residence may be established within 1,000 of another such community residence with zoning approval. As identified with Issue #8, a distinction should be made in the Zoning Regulations between community residences for persons recovering from alcohol and drug dependence and more institutional type uses, so that persons considered disabled under fair housing laws are not impermissibly excluded from residential zoning districts.

East Hartford received a medium risk “2” score on Issue 11 regarding the Town’s allowances for development of multifamily housing. While the Zoning Regulations allow moderate to higher densities of multifamily housing, in the R-5 and B-4 districts respectively, any development of multifamily housing requires a special permit use approval. Under the Zoning Regulations, multifamily housing may be developed in only one primarily residential district –the R-5 district with special use permit approval. The development standards allow for moderate densities: the minimum lot area for multifamily dwellings is 2,500 sq. ft. per dwelling unit and the minimum lot size is 10,000 sq. ft. Multifamily dwellings also are a special permit use in the B-1 and B-2 business districts, where again the minimum lot area per dwelling unit is 2,500 sq. ft. and the minimum lot size is 10,000 sq. ft.

With special permit use approval, the code also accommodates a higher density, mixed use high-rise development in the B-4 business district with frontage along the Connecticut River. High-rise multifamily dwellings in excess of 100 feet in height require a minimum development site of 30,000 sq. ft. These multifamily dwellings may have smaller livable floor areas: 500 sq. ft. for each efficiency unit, 650 sq. ft. for each one-bedroom unit, and an additional 125 sq. ft. of floor area for each additional bedroom. Other 1 to 4 story multifamily dwellings also are a special permit use in B-4, with minimum lot area per dwelling unit of 2,500 sq. ft., except that in the case of a building that is 50 or more feet in height, the minimum lot area per dwelling unit is 500 sq. ft. and minimum lot size is 25,000 sq. ft.

The limited allowances for multifamily housing within the six residential districts and special permit use approval, increases development costs and impedes development of affordable housing throughout the Town’s residential districts.

Finally, to bolster its commitment to affirmatively furthering fair housing, East Hartford could adopt an inclusionary zoning provision (Issue #14) that would provide incentives for the development of affordable multifamily housing such as higher density allowances, waiver of the special permit use process, and a waiver or modification of other development standards and costs.

Home Mortgage Disclosure Act (HMDA) Analysis

To live up to the requirements of fair housing law, all persons must have the ability to live where they want and can afford, including equal access to homeownership opportunities. Prospective homebuyers need access to mortgage credit, and programs that offer homeownership should be available without discrimination. The task in this Home Mortgage Disclosure Act (HMDA) analysis is to determine the degree to which the housing needs of the Town of East Hartford residents are being met by home loan lenders.

The Home Mortgage Disclosure Act of 1975 (HMDA) requires most mortgage lending institutions to disclose detailed information about their home-lending activities annually. The objectives of the HMDA include ensuring that borrowers and loan applicants are receiving fair treatment in the home loan market.

The national 2013 HMDA data consists of information for 17.0 million home loan applications reported by 7,190 home lenders, including banks, savings associations, credit unions, and mortgage companies.⁷¹ HMDA data, which is provided by the Federal Financial Institutions Examination Council (FFIEC), includes the type, purpose, and characteristics of each home mortgage application that lenders receive during the calendar year. It also includes additional data related to those applications including loan pricing information, action taken, property location (by census tract), and additional information about loan applicants including gender, race, ethnicity, and income.

The source for this analysis is tract-level HMDA data for Town of East Hartford census tracts for the years 2009 to 2013, which includes a total of 2,347 home purchase loan application records.⁷² Within each HMDA record some of the data variables are 100% reported: "Loan Type," "Loan Amount," "Action Taken," for example, but other data fields are less complete. For East Hartford, 6.7% of the records lack complete information about applicant/co-applicant gender and income, and 10.8% lack complete data regarding race, ethnicity, and income. According to the HMDA data, records that lack information about gender, race, or ethnicity represent applications taken entirely by mail, Internet, or phone in which the applicant declined to provide this information.

Missing race, ethnicity, and gender data are potentially problematic for an assessment of discrimination. If the missing data are non-random there may be adverse impacts on the accuracy of the analysis. Ideally, any missing data for a specific data variable would affect a

⁷¹ Federal Financial Institutions Examination Council, "Home Mortgage Disclosure Act: Background and Purpose," <http://www.ffiec.gov/hmda/history.htm>

⁷² Includes mortgage applications for the purchase of one-to-four family dwellings in which the property will be occupied as the owner's principal dwelling and in which the mortgage will be secured by a first lien. Includes applications for conventional, FHA-insured, VA-guaranteed, and FSA/RHS-guaranteed mortgages.

small proportion of the total number of loan records and therefore would have only a minimal effect on the analytical results.

There is no requirement for reporting reasons for a loan denial, and this information was not provided for 17.9% of loan denials in East Hartford census tracts. Further, the HMDA data does not include a borrower's total financial qualifications such as an actual credit score, property type and value, loan-to-value ratio or loan product choices. Research has shown that differences in denial rates among racial or ethnic groups can arise from these credit-related factors not available in the HMDA data.⁷³ Despite these limitations, the HMDA data play an important role in fair lending enforcement. Bank examiners frequently use HMDA data in conjunction with information from loan files to assess an institution's compliance with the fair lending laws.

Loan Approvals and Denials by Applicant Gender

The HMDA data for East Hartford census tracts includes complete information about applicant gender and household income for 2,190 of the total 2,347 loan application records (93.3%). Male applicants made up the largest share of applications (38.9%), female applicants made up over one-third (35.7%), and male/female co-applicants one-quarter (25.3%). The table on the following page presents a snapshot of loan approval rates and denial rates for low, moderate, and upper income applicants by gender.⁷⁴

For male applicants and male/female co-applicants, loan approval rates increased and denial rates decreased with applicant income. Female applicants saw higher approval rates at moderate incomes than low incomes; however, only three applications were completed by high income female applicants, and all were denied.

At low incomes, male and female applicants had approval rates of 76.5% and 73.8%, respectively, compared to 60.0% for male/female co-applicants. The latter had a relatively small number of applications (45 completed applications compared to 260 for females and 237 for males), reflecting their greater likelihood of being dual income households and thus having incomes above 50% of the area's median.

Regardless of applicant gender, the majority of applications are in the moderate income category. In that income band, male/female co-applicants again had the highest denial rate (16.0% of loans) compared to 12.3% for female applicants and 14.6% for males. Few loan applications were completed by high income households (94 total), and denial rates were

⁷³ R. B. Avery, Bhutta N., Brevoort K.P., and Canne, G.B. 2012. "The Mortgage Market in 2011: Highlights from the Data Reported Under the Home Mortgage Disclosure Act." Board of Governors of the Federal Reserve System. Federal Reserve Bulletin, Vol. 98, No. 6.

⁷⁴ The low income category includes applicants with a household income below 50% of area median family income (MFI). The moderate income range includes applicants with household incomes from 50% to 120% MFI, and the upper income category consists of applicants with household incomes above 120% MFI.

again higher for male/female co-applicants (10.6%) than male applicants (8.0%). Of the three applications completed by high income female households, all were denied.

Overall, male/female co-applicants were denied loans in 17.5% of cases, compared to 16.9% for female applicants and 18.0% for male applicants. These figures suggest little variation in loan approval/denial based on applicant gender. The distribution of loan applications by income shows that male and female applicants are more likely have low incomes and thus face higher denial rates. However, within each income category they generally have lower denial rates than male/ female co-applicants.

Table 25				
Loan Approval and Denial Rates by Gender for East Hartford Census Tracts, 2009-2013				
Applicant Income	Female Applicant(s)*	Male Applicant(s)*	Male/Female Co-Applicants	All Applicants
Low Income				
Total Applications	292	271	51	614
Completed Applications	260	237	45	542
Approval Rate	76.5%	73.8%	60.0%	74.0%
Denial Rate	23.5%	26.2%	40.0%	26.0%
Moderate Income				
Total Applications	474	550	423	1,447
Completed Applications	422	499	381	1,302
Approval Rate	87.7%	85.4%	84.0%	85.7%
Denial Rate	12.3%	14.6%	16.0%	14.3%
High Income				
Total Applications	16	32	81	129
Completed Applications	3	25	66	94
Approval Rate	0.0%	92.0%	89.4%	87.2%
Denial Rate	100.0%	8.0%	10.6%	12.8%
Total				
Total Applications	782	853	555	2,190
Completed Applications	685	761	492	1,938
Approval Rate	83.1%	82.0%	82.5%	82.5%
Denial Rate	16.9%	18.0%	17.5%	17.5%

*Includes applications with a single male or female applicant and applications with male/ male or female/ female co-applicants.

Source: FFIEC 2009 to 2013 Home Mortgage Disclosure Act Data, Accessed via <http://www.consumerfinance.gov/hmda/>

Under the provisions of the HMDA, reporting institutions may choose to report the reasons they deny loans, although there is no requirement to do so. Of the 347 loan denials examined here, reasons are provided in 81.8% of total cases; reporting rates by applicant gender range from 77.5% for female applicants to 87.4% for male/female co-applicants.

The table that follows breaks down the reasons for loan denials by gender. For each applicant group, the most common denial reason was the same: debt-to-income ratio, which triggered 27.6% of denials for male/female co-applicants, 28.6% for males, and 30.8% for females. Credit history, collateral and “other” reasons were also common factors influencing loan denials. A poor credit history was the reason behind about one-fifth of denials regardless of applicant gender. Insufficient collateral was an issue for 8.3% of denials to females, 13.6% of denials to males, and 19.5% of denials to couples. These three factors each relate to the applicant’s long-term ability to repay the loan, rather than short-term availability of cash (for downpayment and closing costs) or incomplete/unverifiable information. Male/female applicants were more likely be denied for other reasons (23.0%) than either male or female applicants (13.6% and 11.6%, respectively). Employment history was also more likely to trigger denials to male/female co-applicants than male or female applicants (11.5% versus 5.0%).

Table 26						
Reasons for Loan Denial by Applicant Gender for East Hartford Census Tracts, 2009-2013						
Reasons for Denial	Female Applicant(s)*		Male Applicant(s)*		Male/Female Co-Applicants	
	Count	Share	Count	Share	Count	Share
Reason provided	93	77.5%	115	82.1%	76	87.4%
Collateral	10	8.3%	19	13.6%	17	19.5%
Credit application incomplete	6	5.0%	7	5.0%	6	6.9%
Credit history	27	22.5%	30	21.4%	18	20.7%
Debt-to-income ratio	37	30.8%	40	28.6%	24	27.6%
Employment history	6	5.0%	7	5.0%	10	11.5%
Insufficient cash	8	6.7%	11	7.9%	6	6.9%
Mortgage insurance denied	2	1.7%	1	0.7%	0	0.0%
Unverifiable information	5	4.2%	4	2.9%	3	3.4%
Other	14	11.7%	19	13.6%	20	23.0%
Reason not provided	27	22.5%	25	17.9%	11	12.6%
Total Denials	120	100.0%	140	100.0%	87	100.0%

*Includes applications with a single male or female applicant and applications with male/male or female/female co-applicants.

Source: FFIEC 2009 to 2013 Home Mortgage Disclosure Act Data, Accessed via <http://www.consumerfinance.gov/hmda/>

Of the other, less common reasons for loan denials, disparities by gender are small, with no gap of more than 2.0 percentage points. In general, denial reasons follow similar patterns regardless of applicant gender, with debt-to-income ratios, credit history, collateral, and incomplete credit applications being the most common barriers to loan approval.

Loan Approvals & Denials by Applicant Race & Ethnicity

The table on the following page disaggregates loan approval rates by race and ethnicity and income level. Complete race, ethnicity, and income data was available for 2,094 loan records, or 89.2% of the 2,347 total records for the Town of East Hartford census tracts. About half (47.7%) of loan applicants were non-Latino White, one-quarter African American (22.6%) and one-quarter (24.3%) Latino. Asian applicants made up 4.1% of applicants and persons of other races constituted 1.3%. By comparison, the Town of East Hartford's population was 41.9% White, 24.2% African American, 25.8% Latino, and 5.7% Asian as of the 2010 Census.

At each income level, loan approval and denial rates varied by applicant race and ethnicity. At low incomes, Whites were denied loans in 21.8% of cases; minority applicants faced denial rates ranging from 26.8% for Latinos to 30.8% for Asians. At moderate incomes, White and Asian applicants had similar denial rates (11.3% and 11.6%, respectively). Fifteen percent of applications completed by Latinos were denied (15.2%), as were 18.2% of those completed by African Americans. With the exception of moderate income Asian applicants, minority denial rates ranged from 1.2 to 1.6 times those of Whites.

At high incomes, the limited number of loan applications completed by minorities impedes strong conclusions regarding approval/denial rates and applicant race/ethnicity. Whites were denied loans in 14.7% of cases; of the 27 applications completed by minorities, 26 were approved.

Given that the largest share of minority loan applications were by moderate income applicants, and approval rates varied most at this income level, Whites had a higher overall loan approval rate than when looking at all applications irrespective of income. Fourteen percent (14.4%) of all applications completed by Whites were denied; in comparison, 20.7% of all applications by African Americans were denied, as were 17.6% of applications by Asians and 18.6% by Latinos.

Table 27					
Loan Approval and Denial Rates by Applicant Race and Ethnicity for East Hartford Census Tracts, 2009-2013					
Applicant Income	Non-Latino			Latino	All Applicants
	White	African American	Asian		
Low Income					
Total Applications	263	120	30	167	590
Completed Applications	234	109	26	142	519
Approval Rate	78.2%	70.6%	69.2%	73.2%	74.8%
Denial Rate	21.8%	29.4%	30.8%	26.8%	25.2%
Moderate Income					
Total Applications	645	338	51	328	1,378
Completed Applications	582	308	43	290	1,238
Approval Rate	88.7%	81.8%	88.4%	84.8%	85.9%
Denial Rate	11.3%	18.2%	11.6%	15.2%	14.1%
High Income					
Total Applications	90	16	5	14	126
Completed Applications	75	13	5	9	103
Approval Rate	85.3%	92.3%	100.0%	100.0%	88.3%
Denial Rate	14.7%	7.7%	0.0%	0.0%	11.7%
Total					
Total Applications	998	474	86	509	2,094
Completed Applications	891	430	74	441	1,860
Approval Rate	85.6%	79.3%	82.4%	81.4%	82.9%
Denial Rate	14.4%	20.7%	17.6%	18.6%	17.1%

Source: FFIEC 2009-2013 Home Mortgage Disclosure Act Data, Accessed via <http://www.consumerfinance.gov/hmda/>

The table on the following page identifies reasons for loan denials for White, African American, and Latino applicants. Data is not presented for Asians due to the low number of observations for this group. For each minority group, the distribution of loan denial reasons is compared to that of White applicants (as a reference group). Findings are summarized below:

- Denial reasons were not provided in about one-fifth of loan applications, regardless of applicant race or ethnicity (ranging from 18.5% for Whites to 19.3% for Latinos).
- Debt-to-income ratio was the most common loan denial reason for Whites (27.1%), African Americans (31.9%), and Latinos (31.3%). Credit history was the second most

common factor triggering loan denials for each group at 21.7%, 21.3%, and 20.5%, respectively.

- In comparison to Whites, African American applicants were more likely to be denied loans due to insufficient cash (3.4 times), unverifiable information (2.7 times), and debt-to-income ratio (1.2 times). Collateral and employment history were less likely to be reasons for loan denial.
- In comparison to Whites, Latino loan applicants were more likely to be denied loans due to unverifiable information (3.1 times as often), insufficient cash (2.7 times), and incomplete credit applications (2.1 times). Unlike debt-to-income ratios, credit history, and collateral which indicate a limited ability to repay loans over the long term, these reasons for denial all relate to short-term problems – incomplete applications and/or information and lack of cash for a downpayment.

Table 28					
Reasons for Loan Denial by Applicant Race and Ethnicity for East Hartford Census Tracts, 2009-2013					
Reasons for Denial	Non-Latino			Latino	
	White	African American		Share	Ratio to Whites
	Share	Share	Ratio to Whites		
Denial reason provided	81.4%	80.9%	1.0	80.7%	1.0
Collateral	19.4%	11.7%	0.6	8.4%	0.4
Credit application incomplete	4.7%	4.3%	0.9	9.6%	2.1
Credit history	21.7%	21.3%	1.0	20.5%	0.9
Debt-to-income ratio	27.1%	31.9%	1.2	31.3%	1.2
Employment history	7.0%	5.3%	0.8	7.2%	1.0
Insufficient cash	3.1%	10.6%	3.4	8.4%	2.7
Mortgage insurance denied	1.6%	0.0%	---	1.2%	0.8
Unverifiable information	1.6%	4.3%	2.7	4.8%	3.1
Other	13.2%	14.9%	1.1	10.8%	0.8
Reason not provided	18.6%	19.1%	1.0	19.3%	1.0
Total Denials	129	94		83	

Source: FFIEC 2009 to 2013 Home Mortgage Disclosure Act Data, Accessed via <http://www.consumerfinance.gov/hmda/>

Loan Actions by Census Tract Minority Percentage

Census tracts often approximate neighborhoods and can provide a convenient measure of the small area effects of loan discrimination. The following table (HMDA Loan actions by Census Tract Minority Percentage) provides the counts and rates of loan actions⁷⁵ for Town of East Hartford census tracts by level of minority population.

The categories shaded in green show loans that were approved by a HMDA-reporting loan institution. Many loans were approved and resulted in a mortgage (Loan Originated), although in some cases an application was approved but the applicant decided not to finalize the loan; these are categorized as “Approved But Not Accepted.”

More than half of loan applications (51.9%) were for homes in census tracts with minority population shares from 10% to 40% of the tract total. About one-fifth (19.6%) were in tracts with higher minority population shares, from 60% to 90% of the tract total. Overall, loan origination rates tended to decline as the share of minority population increased, although not in every case. For tracts with a relatively low minority population (10 to 30% minority), loan origination rates were in the low to mid 70s. Rates fell to the low to mid 60s for tracts with minority populations above 50%. Denial rates tended to increase as minority population shares rose, growing from 13.6% for tracts with 10-20% non-White population to 19.7% for tracts with 70-80% non-White population. There were only 30 applications in the tract with a minority population share above 80%. Of these, half were denied (50.0%), and 40.0% resulted in loan originations.

⁷⁵ Loan approvals include “Loan Originated” and “Approved but Not Accepted.” “Application Denials by the Financial Institution” was the single category used to calculate Denial Rates. Other loan action categories included “Application Withdrawn by Client” and “File Closed for Incompleteness.”

Table 29
HMDA Loan Actions by Census Tract Minority Percentage for
East Hartford Census Tracts, 2009-2013

Tract Minority Percentage	Loan Originated	Approved, Not Accepted	Denied by Financial Institution	Withdrawn by Applicant	Closed Incomplete	Total
Loan Action (Counts)						
10.1%-20.0%	341	14	62	34	5	456
20.1%-30.0%	141	13	23	20	4	201
30.1%-40.0%	386	31	87	40	16	560
40.1%-50.0%	217	15	50	31	7	320
50.1%-60.0%	225	14	62	41	9	351
60.1%-70.0%	183	11	53	33	12	292
70.1%-80.0%	87	5	27	11	7	137
80.1%-90.0%	12	2	15	1	0	30
Total	1,592	105	379	211	60	2,347
Loan Action (Rates)						
10.1%-20.0%	74.8%	3.1%	13.6%	7.5%	1.1%	100.0%
20.1%-30.0%	70.1%	6.5%	11.4%	10.0%	2.0%	100.0%
30.1%-40.0%	68.9%	5.5%	15.5%	7.1%	2.9%	100.0%
40.1%-50.0%	67.8%	4.7%	15.6%	9.7%	2.2%	100.0%
50.1%-60.0%	64.1%	4.0%	17.7%	11.7%	2.6%	100.0%
60.1%-70.0%	62.7%	3.8%	18.2%	11.3%	4.1%	100.0%
70.1%-80.0%	63.5%	3.6%	19.7%	8.0%	5.1%	100.0%
80.1%-90.0%	40.0%	6.7%	50.0%	3.3%	0.0%	100.0%
Total	67.8%	4.5%	16.1%	9.0%	2.6%	100.0%

Source: FFIEC 2009 to 2013 Home Mortgage Disclosure Act Data, Accessed via <http://www.consumerfinance.gov/hmda/>

Fair Housing Organizations & Activities

This section describes the organizations that provide fair housing services to East Hartford, including education and outreach, housing discrimination complaint investigation and resolution, auditing and testing, and the dissemination of fair housing information. Fair housing agencies also provide landlord/tenant counseling to educate property owners and tenants of their rights and responsibilities under fair housing law and other consumer protection legislation, as well as mediating disputes between tenants and proprietors.

National Fair Housing Resources

The United States Department of Housing and Urban Development (HUD) is responsible for delivering fair housing information and handling housing discrimination complaints through its Office of Fair Housing and Equal Opportunity (FHEO). East Hartford is served by the HUD Region I office in Boston, Massachusetts and a local office in Hartford.

FHEO's mission is "to create equal housing opportunities for all persons living in America by administering laws that prohibit discrimination in housing on the basis of race, color, religion, sex, national origin, disability, and familial status."⁷⁶ The office implements and enforces the Fair Housing Act, along with other national civil rights laws related to fair housing. Among its specific activities are managing the Fair Housing Assistance and Fair Housing Initiatives Programs (FHAP and FHIP), interpreting fair housing policy, processing discrimination complaints, conducting oversight to ensure compliance with fair housing laws, and working with government agencies and private organizations on fair housing issues.

Fair Housing Assistance Program (FHAP)

FHEO's Fair Housing Assistance Program (FHAP) provides funding to state and local agencies that enforce fair housing laws that are substantially equivalent to the Fair Housing Act.⁷⁷ FHAP-funded activities help protect families and individuals who believe they have been victims of discrimination on the basis of race, color, national origin, religion, sex, disability or familial status (i.e., the presence of children) in the sale, rental, or financing of housing.

⁷⁶ United States Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity. Accessed April 23, 2015.
http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/aboutfheo/aboutfheo

⁷⁷ United States Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity. Accessed April 23, 2015.
http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/partners/FHAP

The FHAP grantee agency serving the East Hartford study area is the Connecticut Commission on Human Rights and Opportunities (CHRO) headquartered in the City of Hartford and serving all of the state from 4 regional offices. In addition to enforcing the Federal Fair Housing Act under the FHAP program, the CHRO enforces the Connecticut Human Rights and Opportunities Act, which extends protection to additional classes not currently covered by federal fair housing protection.

Fair Housing Initiatives Program (FHIP)

Fair housing organizations and other non-profits that receive funding through FHEO's Fair Housing Initiatives Program (FHIP) assist people who believe they have been victims of housing discrimination.⁷⁸ FHIP organizations partner with HUD to help people identify government agencies that handle complaints of housing discrimination. They also conduct preliminary investigations of claims, including sending "testers" to properties suspected of practicing housing discrimination. Testers are minorities and whites with the same financial qualifications who evaluate whether housing providers treat equally-qualified people differently.

Applicants for FHIP funding must be qualified fair housing enforcement organizations with at least two years of experience in complaint intake, complaint investigation, testing for fair housing violations, and have meritorious claims in the three years prior to the filing of their application. In addition to funding organizations that provide direct assistance to individuals who feel they have been discriminated against while attempting to purchase or rent housing, FHIP recipients promote fair housing laws and equal housing opportunity awareness.

One agency in Connecticut –the Connecticut Fair Housing Center in Hartford – receives FHIP funds.⁷⁹ Details about the Fair Housing Center and the Connecticut Commission on Human Rights and Opportunities, and their respective fair housing activities, are provided later in this section.

National Fair Housing Alliance (NFHA)

The National Fair Housing Alliance (NFHA) is a national organization dedicated to ending housing discrimination. It consists of more than 220 private, non-profit fair housing organizations, state and local civil rights agencies, and individuals. NFHA holds conferences, workshops, and training programs, including a Fair Housing School which trains representatives of public and private fair housing organizations on fair housing

⁷⁸ United States Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity. Accessed April 23, 2015.

http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opp/partners/FHIP

⁷⁹ U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Accessed April 23, 2015. <http://portal.hud.gov/hudportal/documents/huddoc?id=FHIP2014GrantSum.pdf>

basics, investigation and testing of real estate and lender discrimination, and organizational operations. The NFHA also works with the private and public partners to promote better knowledge about housing discrimination.⁸⁰

The Leadership Conference on Civil and Human Rights

The Leadership Conference on Civil and Human Rights was organized to fight for equal opportunity and social justice. The Leadership Conference lobbied for the passage of the Civil Rights Act of 1957, the Civil Rights Act of 1960, the Civil Rights Act of 1964, the Voting Rights Act of 1965, the Fair Housing Act of 1968, and also helped to organize the 1963 March on Washington.⁸¹

Connecticut Fair Housing Agency

The Connecticut Commission on Human Rights and Opportunities (CHRO) is a state agency originally established as the Inter-racial Commission in 1943. Its mission is to eliminate discrimination through civil and human rights law enforcement and to establish equal opportunity and justice for all through advocacy and education.⁸²

CHRO is the only HUD recognized and funded FHAP in Connecticut, and handles fair housing complaints from residents throughout the state, working cooperatively with FHEO to resolve them through mediation or enforcement, as appropriate. CHRO's responsibilities are established by state law and include the following:

- Eliminating illegal discrimination in employment, housing, public accommodations and credit transactions through education and law enforcement;
- Monitoring contract compliance laws and small contractors set-aside provisions by state agencies, contractors and subcontractors;
- Reviewing and monitoring state agency affirmative action plans and compliance with laws requiring affirmative action and equal opportunity in state government; and
- Establishing equal opportunity and justice for all persons in Connecticut through education and outreach.

⁸⁰ National Fair Housing Alliance. <http://www.nationalfairhousing.org>

⁸¹ The Leadership Conference on Civil and Human Rights. <http://www.civilrights.org>

⁸² The Official Website of the State of Connecticut Commission on Human Rights and Opportunities. "Administrative Digest 2013-2014." Accessed April 23, 2015.

http://www.ct.gov/chro/lib/chro/Admin_Digest_2013-2014%28final%29.pdf

In addition to its legislatively prescribed duties, the CHRO also provides education and community outreach activities, discrimination complaint investigation, and development of enforcement strategies to address discrimination.⁸³

Because Connecticut has its own fair housing definitions and statutory protections which exceed the protected classes identified by federal law, CHRO is responsible for the enforcement of these statutory requirements statewide. The primary legislation being enforced by the Commission is the Connecticut Human Rights and Opportunities Act and the Whistleblower Protection Statute.⁸⁴ The Commission also provides staff to the Martin Luther King Jr. Holiday Commission.⁸⁵

The CHRO is governed by a nine member volunteer commission and operates regional offices in Hartford, Waterbury, Bridgeport, and Norwich. As of 2013-2014, the agency had a budget of \$6.5 million and a 72-person staff. East Hartford is located in CHRO's Eastern Region and is served by the agency's Norwich office (see Figure 29).

The Commission maintains a user-friendly website from which individuals may obtain copies of antidiscrimination posters in English and Spanish for federal protected classes and Connecticut-designated protected classes (sexual orientation, age, source of income, and gender identity or expression).⁸⁶

⁸³ The Official Website of the State of Connecticut Commission on Human Rights and Opportunities.

<http://www.ct.gov/chro/cwp/view.asp?a=2524&q=315892>

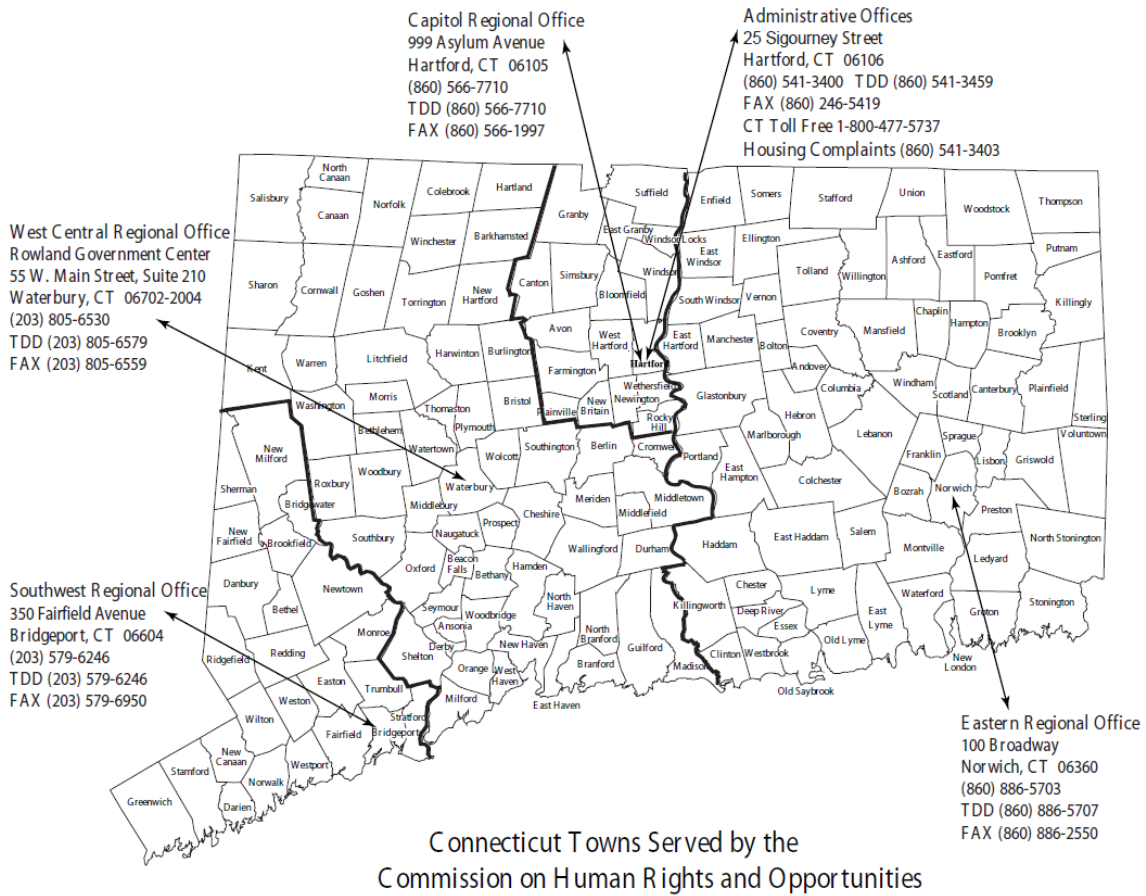
⁸⁴ Conn. Gen. Stat. Sec. 46a-51 et seq.; Conn. Gen. Stat. Sec/ 4-61dd.

⁸⁵ The Official Website of the State of Connecticut Commission on Human Rights and Opportunities website:

<http://www.ct.gov/chro/cwp/view.asp?a=2523&Q=315810&chroPNavCtr=|#45671>

⁸⁶ Ibid. <http://www.ct.gov/chro/cwp/view.asp?a=2523&Q=332054>

Figure 29. CHRO Regions



Fair Housing Organizations Serving East Hartford

East Hartford is served by several HUD-approved housing counseling agencies. While some of the agencies provide general purpose counseling for a number of housing-related issues, only two of the agencies specifically list “fair housing” as one of their services (see Table 30).

HUD does not publish performance results for housing counseling agencies, but HUD’s Office of Housing Counseling Services does provide data at the national level, compiled from all agencies that receive HUD housing counseling funds. The national statistics show that fair housing workshops made up only a small share of training and information provided to clients by housing counseling agencies in 2013. Of the 3.7 million persons served by these agencies, only 14,596 (0.4%) participated in a fair housing workshop. Based on these results, one could conclude that fair housing training is not the highest priority activity among housing counseling agencies and perhaps among their clients.

Table 30 HUD-Approved Housing Counseling Agencies in the East Hartford Area	
Agency	Counseling Services
<p>Housing Education Resource Center (HERC) 901 Wethersfield Avenue Hartford, Connecticut 06114-3127</p> <p>Phone: 860-296-4242-101 Fax: 860-296-1317</p>	<ul style="list-style-type: none"> - Fair Housing Pre-Purchase Education Workshops - Financial Management/Budget Counseling - Mortgage Delinquency and Default Resolution Counseling - Non-Delinquency Post Purchase Workshops - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops - Predatory Lending Education Workshops - Rental Housing Counseling - Services for Homeless Counseling
<p>Neighborhood Assistance Corporation of America (NACA) 241 Main St Floor 2 Hartford, Connecticut 06106-1897</p> <p>Phone: 203-562-6220 Toll-free: 617-250-6222 Fax: 877-329-6222</p>	<ul style="list-style-type: none"> - Fair Housing Pre-Purchase Education Workshops - Financial Management/Budget Counseling - Mortgage Delinquency and Default Resolution Counseling - Non-Delinquency Post Purchase Workshops - Pre-purchase Counseling - Pre-purchase Homebuyer Education Workshops - Predatory Lending Education Workshops

Source: U.S. Department of Housing and Urban Development.
<http://www.hud.gov/offices/hsg/sfh/hcc/hcs.cfm?webListAction=search&searchstate=CT>

Housing Education Resource Center (HERC)

The Housing Education Resource Center was created in 1980 when it was named the Housing Coalition for the Capitol Region of Connecticut. The newly-created organization’s original purpose was to “promote affordable housing throughout the region, to serve as a resource for local supporters of such housing and to develop and disseminate educational materials addressing some of the barriers to affordable housing development.”

The agency assumed additional duties in 1983 when the Capitol Region Council of Governments (CRCOG) transferred its Fair Housing/Housing Services program to the Coalition. Two years later, the Coalition recognized that the demand for counseling services had increased to the point that the focus of the organization needed to expand beyond advocacy to providing direct services. This change resulted in the organization assuming its current name, the Housing Education Resource Center, and adopting following mission statement: “To promote equal and expanded housing opportunities through the provision of direct counseling, information, education and assistance.”⁸⁷

⁸⁷ Housing Education Resource Center. <http://www.herc-inc.org/index.php/about-us>

Through its Direct Services Program, HERC focuses on determining the needs of each client and crafting individual counseling and assistance that is appropriate and that may be understood and followed by that client. The types of counseling assistance provided by HERC include:

- Housing Discrimination and Fair Housing
- Landlord and Tenant Rights and Responsibilities
- Eviction
- Rental Assistance Information and Resources
- Leases and Rental Agreements
- Rent Increases
- Security Deposits
- Heat/Utilities/Repairs Problems
- Housing Code Compliance
- Energy/Rehab Assistance Program information
- Home Buying (General Information)
- Foreclosure (General Information).⁸⁸

HERC maintains a website that contains extensive materials on fair housing and other housing counseling information useful to members of federal and state protected classes.⁸⁹ Also available on HERC's website is a listing of classes available to area residents that deal with topics such as pre-closing education, tenant education, and landlord education.⁹⁰

During the period July 1, 2013 to June 30, 2014, HERC had 1,914 counseling contacts, which included 63 contacts regarding fair housing laws. No discrimination complaints were reported to the agency. During that time frame, 242 East Hartford residents received assistance (see Table 31).

⁸⁸ Housing Education Resource Center. <http://www.herc-inc.org/index.php/programs>

⁸⁹ Housing Education Resource Center. <http://www.herc-inc.org/index.php/publications>

⁹⁰ Housing Education Resource Center. <http://www.herc-inc.org/index.php/latest-news>

Table 31 HERC Yearly Summary, July 1, 2013 to June 30, 2014								
Persons Assisted	Low Income		Race			Hispanic	Sex	
	Yes	No	Black	White	Other		Female	Male
Town of East Hartford								
242	95	7	42	55	5	32	72	30
Total HERC Service Area								
1,480	572	41	257	345	11	171	437	176

Sources: Housing Education Resource Center, "Annual Report 2013-2014," <http://www.herc-inc.org/index.php/publications>

HERC's other fair housing activities include education and outreach on fair housing and fair lending issues throughout the state. Finally, HERC works with cities, towns, housing developers, housing managers and other interested parties to promote and support compliance with federal fair housing laws. In 2008, to assist minority homeowners with issues being caused by foreclosure, HERC expanded its services to include foreclosure prevention, anti-predatory lending, and fair lending practices.

Each year, HERC holds an annual awards dinner, the Mildred and Richard Loving Civil Rights Award Dinner where members of the legal community who have assisted the Center are recognized for their efforts. The Lovings brought the case (*Loving v. Virginia*) to the U.S. Supreme Court in which the Court struck down the statute that banned interracial marriages in Virginia, and through the Loving decision similar laws in other states.⁹¹

HERC serves clients who believe they may have been discriminated against in their efforts to choose housing appropriate for their circumstances. On its website and in its programming, HERC seeks to educate the residents of Connecticut that housing discrimination is illegal in the State (under Federal and State laws) and that it is against the law to deny anyone housing on the basis of their:

⁹¹ 388 U.S. 1 (1967); (see also, Robert Craig Goebel, "Loving v. Virginia and State Anti-Miscegenation Laws: A Case Study in the Constitutional Process," Thesis for the Master of Arts in Political Science, The University of Tennessee, December 1972).

- Race
- Gender identity or expression
- National origin
- Sex (gender)
- Ancestry
- Religion
- Children or familial status
- Disability (mental or physical)
- Marital status
- Age (except minors)
- Sexual orientation

When individuals contact HERC with claims of housing discrimination, staff investigate their complaints to determine if there is evidence of a violation of Federal or State Fair Housing laws. Complaints may be resolved through negotiation or through legal processes, as appropriate. When determined necessary, the HERC's attorneys initiate enforcement activities through the Connecticut Commission on Human Rights and Opportunities (CHRO), the United States Department of Housing and Urban Development, and may submit indirect filings with State and Federal courts.⁹²

While legal steps may be necessary to resolve acts of illegal housing discrimination, additional activities of HERC include Fair Housing training and education that is directed at individuals and families who have low-income, and to social service and housing providers from the public and private sectors. Training is targeted to such groups as:

- Low income households
- Residents and staff of homeless shelters
- Social workers assisting families with children
- Social service agencies assisting clients with housing searches
- Domestic violence advocates
- Independent living advocates
- Medical personnel who work with people with disabilities
- Veterans advocates
- Real estate agents
- Housing managers and maintenance personnel
- Condominium associations
- Housing cooperatives.⁹³

Fair Housing testing is carried out by HERC to determine if people looking for housing are being treated differently based on their membership in one of the protected classes under Federal or State of Connecticut laws.⁹⁴

HERC provides a website that contains numerous resource materials related to Fair Housing. Many documents on the website are available in English and Spanish versions and separate items are targeted at a number of the protected classes in Connecticut.⁹⁵

Conclusion

In the study area for this AI, residents are served primarily by the three organizations that provide Fair Housing services. Persons who believe they have been victims of housing

⁹² Connecticut Fair Housing Center. <http://www.ctfairhousing.org/report-housing-discrimination>

⁹³ Connecticut Fair Housing Center. <http://www.ctfairhousing.org/trainings>

⁹⁴ Connecticut Fair Housing Center. <http://www.ctfairhousing.org/fair-housing-testing>

⁹⁵ Connecticut Fair Housing Center. <http://www.ctfairhousing.org/fair-housing-resources>

discrimination are fortunate to have agencies such as these which offer services ranging from counseling, training and education, complaint investigation, complaint mediation, referral of complaints to the State of Connecticut (the Connecticut Commission on Human Services and Opportunities), or to the Federal Government (HUD FHEO office). Complainants also have the option of seeking legal redress in State or Federal courts.

Housing Discrimination Complaints & Lawsuits

This section provides an overview of recent legal actions related to fair housing, including housing discrimination complaints and lawsuits filed within East Hartford. The review of lawsuits also discusses actions filed in surrounding areas that may have implications on fair housing within the region.

Housing Discrimination Complaints

The HUD Office of Fair Housing and Equal Opportunity (FHEO) administers federal laws and establishes national policies that make sure all Americans have equal access to the housing of their choice. Individuals who believe they are victims of housing discrimination can file a fair housing complaint through the respective regional or state-level FHEO offices directly, or through state agencies designated by HUD. Typically, when a complaint is filed with the agency a case is opened and an investigation of the allegations of housing discrimination are reviewed by HUD.

If the complaint is not successfully mediated, the FHEO determines whether reasonable cause exists to believe that a discriminatory housing practice has occurred. Where reasonable cause is found, the parties to the complaint are notified by HUD's issuance of a "Determination," as well as a "Charge of Discrimination," and a hearing is scheduled before a HUD administrative law judge. Either party (complainant or respondent) may cause the HUD-scheduled administrative proceeding to be terminated by electing instead to have the matter litigated in federal court.

How Much Do We Know, published by HUD in 2002, reports that only half of the public could correctly identify as "unlawful" six out of eight scenarios describing illegal fair housing conduct. Less than one-fourth of the public knows the law in two or fewer of the eight cases. In addition, 14% of the adult population claims to have experienced some form of housing discrimination at one point or another in their lives. Of those who thought they had been discriminated against, 83% indicated they did nothing about it, while 17% say they did pursue a complaint.

In HUD's follow-up study *Do We Know More Now? Trends in Public Knowledge, Support and Use of Fair Housing Law* (published in 2006) "41% of the former survey respondents said it was 'very likely' they would do something about future discrimination compared to only 20% in the 2005 survey, of which African Americans are somewhat more prone to say they would be likely to respond."⁹⁶ The survey revealed that 46% of those who reported having

⁹⁶Martin D. Abravanel and Mary K. Cunningham, *Do We Know More Now? Trends in Public Knowledge, Support and Use of Fair Housing Law*, U.S. Department of Housing and Urban Development, February 2006. <http://www.fhco.org/pdfs/DoWeKnowMoreNowSurvey2006.pdf>

experienced discrimination in the past and did nothing about it said they would be very likely to do something about future discrimination.

Individuals with more knowledge of fair housing laws are more likely to pursue a complaint than those with less information. Therefore, there is an association between knowledge of the law, the discernment of discrimination, and attempts to pursue it. Locally, it is critical that there are efforts in place to educate, to provide information, and to provide referral assistance regarding fair housing issues in order to better equip persons with the ability to assist in reducing impediments.

Each year the National Fair Housing Alliance (NFHA) collects data from both private, non-profit fair housing organizations and government entities to present an annual snapshot of fair housing enforcement in the United States. In April 2015, NFHA released its 2015 Fair Housing Trends report, *Where You Live Matters*. The report stresses the importance of fair housing in obtaining access to “quality education, transit options, health care, job opportunities, and healthy food.”⁹⁷ The report also peers into housing discrimination on a regional level, drawing connections between the rate of segregation and the level of reported housing discrimination. East Hartford receives fair housing posters from the NFHA annually and places them in prominent locations throughout the Town.

Where You Live Matters reports that in 2014 there were 27,528 complaints of housing discrimination nationwide, compared to 27,352 in 2013. As noted in the Report, more disability complaints have been filed (51.8%) than any other type of fair housing complaints. Race represented the next largest percentage (22.0%) of complaints. The higher percentage of disability complaints may be caused by apartment owners’ unwillingness to make reasonable accommodations or modifications for people with disabilities. Surprisingly, instances are still reported where new apartment buildings and condominium complexes do not meet the Fair Housing Act’s standards, despite HUD’s 10 year “Fair Housing Accessibility FIRST” campaign to educate architects and builders about their fair housing responsibilities.

Complaints Filed With HUD FHEO – Region I, Boston, MA

The HUD Region I FHEO Office in Boston receives complaints by households regarding alleged violations of the Fair Housing Act in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont. FHEO’s mission is to protect individuals from employment, housing and public accommodation discrimination, and hate violence. To achieve this mission, the FHEO maintains databases of and investigates complaints of

⁹⁷ “2015 Fair Housing Trends Report, “Where You Live Matters.” April 2015.
<http://www.nationalfairhousing.org/Portals/33/2015-04-30%20NFHA%20Trends%20Report%202015.pdf>

housing discrimination, as well as complaints in the areas of employment, housing, public accommodations and hate violence.

Over the last ten years, the HUD FHEO Region I Office received 22 housing discrimination complaints filed for alleged Fair Housing Act violations that occurred in the Town of East Hartford (see Table 32). Of 22 complaints, 8 cases were conciliated/settled or resolved through judicial consent order. Six cases were determined to be without cause, three complaints were withdrawn without resolution, two cases were withdrawn after resolution, and one complainant failed to cooperate with HUD. Two complaints were open as of April 2015. A total of \$19,025 in settlement compensation was paid regarding the “with cause” claims. A copy of details of these complaints, as reported by the HUD FHEO Regional office in Boston, is provided in an appendix to this document.

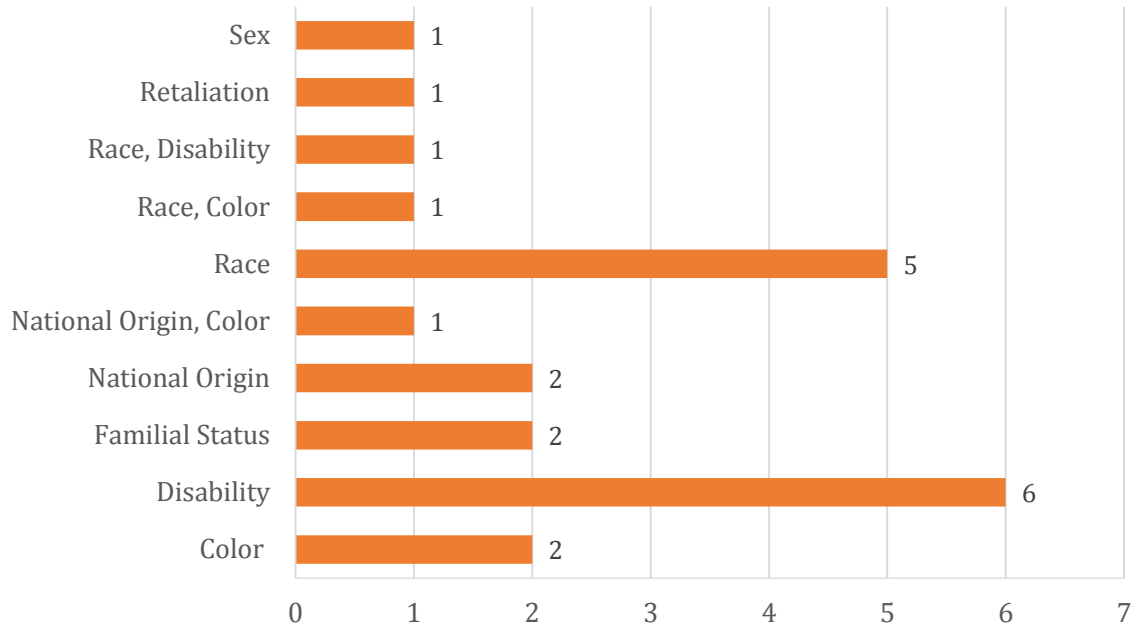
Table 32 Status of Housing Discrimination Complaints from East Hartford Filed with HUD FHEO Region I Office in Boston, MA September 1, 2005 to March 31, 2015		
Complaint Status	Cases	Share of Total
Open Cases	2	9.1%
Complainant Failed to Cooperate	1	4.5%
Conciliated/Settled	7	31.8%
FHAP Judicial Consent Order	1	4.5%
No Cause	6	27.3%
Withdrawal Without Resolution	3	13.6%
Withdrawn After Resolution	2	9.1%
Totals	22	100.0%

Source: HUD FHEO Program Compliance Branch, Region I, Boston, MA. Received April 23, 2015

An examination of housing discrimination complaints from East Hartford investigated by the HUD FHEO Region I Office reveals that disability status (6 or 27.3%) and race (5 or 22.7%), were the two most common bases for complaints (Figure 30). Color, familial status, and national origin were each the basis for two complaints (9.1% each). Finally, tied with one complaint each were national original/color, race/color, race disability, retaliation, and sex.

A lack of filed complaints does not indicate that a problem does not exist. It should be noted that these complaint numbers may exceed the total number of filings, due to multiple discrimination allegations within a single complaint.

Figure 30. Bases of Housing Discrimination Complaints from East Hartford Filed with HUD FHEO Region I in Boston, MA, September 1, 2005 to March 31, 2005



Source: HUD FHEO Program Compliance Branch, Region I, Boston, MA. Received April 23, 2015

The following table reports the alleged housing discrimination issues associated with the 22 complaints filed from East Hartford. The majority (16 or 72.7%) were associated with discriminatory acts associated with rental housing and the next common issue was failure to make reasonable accommodation for persons with disabilities (4 complaints or 18.2%).

Table 33 Issues in Housing Discrimination Complaints from East Hartford Filed with HUD FHEO Region I Office in Boston, MA September 1, 2005 to March 31, 2015		
Complaint Issue	Cases	Percentage
Discriminatory refusal to rent	5	22.7%
Discriminatory refusal to rent and negotiate for rental	1	4.5%
Discriminatory refusal to rent and negotiate for rental, Discriminatory advertising, statements and notices	1	4.5%
Discrimination in terms/conditions/privileges relating to rental	9	40.9%
Discrimination in services and facilities relating to sale	1	4.5%
Other discriminatory acts	1	4.5%
Failure to make reasonable accommodation	4	18.2%
Totals	22	100.0%

Source: HUD FHEO Program Compliance Branch, Region I, Boston, MA; April 23, 2015

Complaints filed with Connecticut Commission on Human Rights and Opportunities (CHRO)

The Connecticut Commission on Human Rights and Opportunities (CHRO), the FHAP grantee serving East Hartford, is headquartered in Hartford and serves all of the state from four regional offices. In addition to enforcing the Federal Fair Housing Act under the FHAP program, the CHRO enforces the Connecticut Human Rights and Opportunities Act.

Complaint data reported by HUD notes that 20 of the 22 cases were initiated by CHRO.

Complaints filed with the Connecticut Fair Housing Center (CFHC)

The Connecticut Fair Housing Center (CFHC) is the only agency in Connecticut that currently receives funding under the HUD Fair Housing Initiatives Program (FHIP). In addition to fair housing education and outreach, fair housing counseling, and testing activities, the CFHC provides assistance to individuals who feel that they have been victims of housing discrimination.

The following complaint information was received from the CFHC:

- Between September 1, 2005 and March 31, 2015, the CFHC received 157 calls from East Hartford. The majority of calls were related either to a fair housing issue or to foreclosure prevention.
- CFHC recorded 82 fair housing allegations in East Hartford between September 1, 2005 and March 31, 2015. Nearly half (48.8%) were related to source of income discrimination and 39.0% were related to discrimination because due to disability status. Protected classes not shown in the table below were not the basis for any housing discrimination allegations.

Table 34 Fair Housing Allegations Filed with the Connecticut Fair Housing Center September 1, 2005 to March 31, 2015		
Protected Class	Cases	Percentage
Race	7	8.5%
National Origin	3	3.7%
Disability	32	39.0%
Source of Income	40	48.8%
Totals	82	100.0%

Source: Connecticut Fair Housing Center

Complaint Referrals by the Housing Education Resource Center (HERC)

The Housing Education Resource Center (HERC) provides housing counseling services to residents of the greater Hartford area, including advising clients on their fair housing rights and assisting them in filing housing discrimination complaints with HUD or CHRO. While persons with potential housing discrimination complaints are referred to HERC, it is not a filing agency.

Public Knowledge of Fair Housing in East Hartford

The Town of East Hartford conducted a Needs Assessment survey during 2015 that was associated with the preparation of its new Consolidated Plan 2015-2019 and its new Analysis of Impediments to Fair Housing Choice 2015. Included in the survey were six questions related to housing discrimination, to which 114 responses were received. Not all respondents answered all questions. Survey highlights are provided below:⁹⁸

- Respondents overwhelmingly felt that housing discrimination was not a problem in their neighborhoods (97 of 105 individuals who answered this question (92.4%)).
- Ninety-two of 103 responses (89.32%) reported that they had not experienced housing discrimination.
- For the 16 persons who reported experiencing housing discrimination, 62.3% (10 persons) reported that landlords were responsible, while 31.3% (5 persons) indicated that real estate agents committed the discriminatory acts.
- Of the 19 persons who reported experiencing housing discrimination, six (31.6%) identified familial status as the basis for the discriminatory act, five (31.3%) reported that gender was the factor, and four (21.1%) reported that race was the reason.
- For persons who reported experiencing housing discrimination, eight of the ten respondents (80%) did not report it. The reasons given for not reporting were ranked as follows: “did not believe it makes a difference” (9 respondents); “too much trouble” (2 respondents); and “afraid of retaliation” (2 respondents).

Stakeholders Perceptions on Housing Discrimination

The majority of stakeholders interviewed for this research did not identify housing discrimination based on race or ethnicity in East Hartford. Many stakeholders described the community as racially and ethnically integrated and reported that most segregation occurred in relation to income. Several stakeholders acknowledged that segregation and

⁹⁸ Town of East Hartford, CT, “Consolidated Plan 2015-2019 and Analysis of Impediments to Fair Housing Choice 2015 Needs Assessment Survey.” 2015.

discrimination in relation to income might result in having a disparate impact on protected classes including racial and ethnic minorities and single-parent families.

One-third of stakeholders indicated knowledge of rental housing discrimination based on source of income. These interviewees reported that residents with housing vouchers had their applications denied, were charged higher rents, refused new leases, or had their rents increased without approval. It was reported that due to this discrimination, housing voucher use and acceptance is concentrated in areas with higher poverty rates. Other forms of source of income discrimination reported were discrimination and denial of applications of residents with “unearned” income, i.e. income for social security, welfare, or disability benefits. One-fourth of stakeholders commented that poor and minority residents were “steered” into Mayberry Village, which was described as having smaller units for higher prices, along with a high number of poorer residents and borderline substandard housing units. Some stakeholders identified Mayberry Village as socially isolated and not as well integrated into the East Hartford community.

Conclusion

An analysis of complaints originating from residents of East Hartford does not reflect a high number of reported housing discrimination acts. However, it is possible that individuals may not understand what actions constitute housing discrimination under federal and state fair housing laws. Another possibility is that individuals did not choose to report acts of housing discrimination for reasons such as they did not expect any results from filing reports or feared retaliation.

As a result, it is recommended that the following activities be continued to promote fair and affordable housing practices in East Hartford:

- Fair housing education and outreach;
- Fair housing training for homebuyers, tenants, real estate professionals, financial institution representatives, as well as and property managers;
- Testing to ascertain the presence of acts of housing discrimination for members of protected classes under Federal and Connecticut laws;
- Investigation of housing discrimination complaints to ascertain if the alleged act violates federal and state laws;
- Mediation of housing discrimination complaint cases; and
- When appropriate, using legal actions to resolve housing discrimination cases.

Review of Lawsuits

This section will provide a summary of the nature, extent, and disposition of significant housing discrimination lawsuits and administrative complaints filed and/or adjudicated between January 2010 and April 2015. The cases discussed below include not only complainants and subject properties within East Hartford, but also significant fair housing cases reviewed by the United States Court of Appeals for the Second Circuit, brought in the federal district court of Connecticut, adjudicated under state fair housing laws in Connecticut state court, and those initiated by HUD or the DOJ on behalf of aggrieved parties in Connecticut for this time period because the issues presented may impact future legislation and litigation or fair housing choice within East Hartford.

Connecticut has adopted a similar version of Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, 42 U.S.C. §§ 3601 *et seq.* (the “Fair Housing Act”), known as the Connecticut Discriminatory Housing Practices Act (Conn Gen. Stat. § 46a-64b) under the Connecticut Human Rights and Opportunities Act. Both the FHA and Discriminatory Housing Practices Act (“DHPA”) prohibit discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on sex, race, color, disability (physical and mental), religion, national origin, or familial status (families with children). In addition, the DHPA prohibits discrimination in housing based on marital status, sexual orientation, age, lawful source of income, and gender identity or expression (Conn Gen. Stat. § 814c(7)). Housing which may not be covered under the DHPA includes rooms for rent in owner-occupied single family dwelling units and rental of units in owner-occupied two-family dwelling units.

An individual who believes he or she has been the victim of an illegal housing practice under the FHA may file a complaint with the Department of Housing and Urban Development (“HUD”) or file a lawsuit in federal or state court. The Department of Justice (“DOJ”) may bring suit on behalf of individuals based on referrals from HUD. The Connecticut DHPA also establishes a statutory procedure to resolve housing discrimination complaints, and provides an alternative procedure for the administrative complaint process than the federal act provides. Under the DHPA, a complainant has 180 days from the date of the alleged discrimination to file a complaint with the Commission on Human Rights and Opportunities (CHRO). An investigator with CHRO will conduct an investigation into the housing complaint. If the complaint lacks merit or is not covered by state law, the complaint will be dismissed. The complainant may request reconsideration or file an appeal in state court. If the CHRO finds sufficient merit in the complaint to go forward, the commission may bring the parties together for mediation or conciliation. If the case cannot be settled and the CHRO issues a reasonable cause finding, the case will be assigned for a formal hearing before a Human Rights Referee.

At the hearing, the State Attorney General may furnish an attorney to represent the State's interests in eliminating housing discrimination. If the Referee finds there was unlawful housing discrimination, the complainant may receive an order awarding damages; an order requiring the housing provider to grant the requested reasonable accommodation; a cease and desist order directing a landlord, agent or provider to stop the discriminatory housing practice; reimbursement of expenses for obtaining alternate housing; reimbursement for storage of goods, moving costs; reimbursement for any other costs related to the discriminatory act; reimbursement for costs related to the public hearing (e.g., cost of expert testimony); and a reasonable attorney's fee. Either party may file a petition with the Superior Court to appeal a decision of the Human Rights Referee within forty-five (45) days from the date of the CHRO's final decision. If the CHRO order is not being implemented by the housing entity, state law authorizes the CHRO to file a petition in the Superior Court seeking appropriate temporary relief or a restraining order.

Rather than using the administrative complaint process, a complainant may file a lawsuit directly with the Superior Court within one year of the alleged discriminatory housing practice, provided the CHRO has not commenced the public hearing or negotiated a settlement of the complaint. The relief available from the Superior Court is similar to the relief that a CHRO Human Rights Referee could provide in the public hearing.

State law also provides impetus for building affordable housing units. Under Conn. Gen. Stat. § 29-271, 10% of the units and all common use areas and facilities of any state assisted rental housing or rental housing project constructed or substantially rehabilitated on or after January 1, 1976, containing ten or more dwelling units must be accessible to and useable by residents with physical disabilities. If this mandate is not followed, a complainant could file a claim under the DHPA with the CHRO.

Though the FHA and DHPA are not identical, they are congruent, and accordingly Connecticut courts have historically been guided by both state and federal law in deciding claims of housing discrimination. See *Miko v. Comm'n on Human Rights & Opportunities*, 220 Conn. 192, 202, 596 A.2d 396 (1991), which states that Connecticut courts look to federal case law to interpret state's fair housing statute. Cases brought in state superior court generally proceed more quickly and are less costly in terms of litigation expenses than cases adjudicated in federal district court, which provides a strong incentive for complainants to seek relief under state fair housing laws. While the complainants in each case could have filed in federal district court for alleged violations of the FHA, the DHPA is substantially similar in terms of its protections.

Housing discrimination claims have been brought against local governments and zoning authorities and against private housing providers. The cases reviewed below reflect the interests of a wide variety of aggrieved plaintiffs including individuals and families

impacted by discrimination, local civil rights advocacy groups on behalf of protected classes, and the Department of Housing and Urban Development (HUD) and the U.S. Department of Justice (DOJ) to protect the public interest. The cases brought by HUD and the DOJ are highlighted because they demonstrate the government's interest in protecting fair housing choice and redressing housing discrimination even on a small, localized scale where the case raises an issue of general public importance under the FHA.

Disparate Impact Claims and the FHA

All of the federal circuits, including the Second Circuit which has jurisdiction to hear appeals from Connecticut district courts, have held or implied that the FHA affords plaintiffs the ability to prove fair housing violations on the theory of disparate impact. A disparate impact analysis under the FHA examines whether a facially neutral policy has a differential impact or effect on a particular group. See *Huntington Branch N.A.A.C.P. v. Huntington*, 844 F.2d 926, 933 (2d Cir. 1988). To prevail on a disparate impact claim under the FHA, plaintiffs must first establish a prima facie case by showing that the challenged policy has a discriminatory effect, in that it actually or predictably results in discrimination. Under this theory, the plaintiff is not required to show discriminatory intent on the part of the defendant. Generally, plaintiffs establish such an effect by using statistical evidence to compare those affected by the policy with those unaffected by the policy. See *Tsombanidis v. West Haven Fire Dep't*, 352 F.3d 565, 575–76 (2d Cir.2003).

Moreover, on February 15, 2013, HUD issued a Final Rule establishing that disparate impact claims are cognizable under the FHA (the "Disparate Impact Rule"). See 78 Fed. Reg. 11460 (Feb. 15, 2013) (codified at 24 C.F.R. § 100.500 (2013)). The Disparate Impact Rule formalizes HUD's recognition that liability under the FHA may arise from a facially neutral practice that has discriminatory effects on certain protected groups of people, regardless of whether discriminatory intent can be shown. The Disparate Impact Rule also establishes a three-step burden-shifting approach to deciding disparate impact claims. Despite the federal circuit courts' recognition of disparate impact claims under the FHA and HUD's codification of the theory through its rule-making authority, the Disparate Impact Rule has received a lot of pushback and criticism, especially from the lending and insurance industries. Housing advocates and legal scholars fear that if the disparate impact theory were struck down by the Supreme Court, it would essentially gut the purpose and effectiveness of the FHA.

Now the U.S. Supreme Court is poised to finally determine whether disparate impact claims are cognizable under the Fair Housing Act or whether the aggrieved protected class must meet a higher standard by proving intentional discrimination. On October 2, 2014, the Supreme Court granted the petition for certiorari by the Texas Department of Housing and Community Affairs in *Texas Department of Housing and Community Affairs v. The Inclusive*

Communities Project, Inc., 747 F.3d 275 (5th Cir. 2014), *cert. granted*, 189 L. Ed. 2d 896 (2014), after the Texas DHCA was sued over the allocation of tax credits for low-income building projects. The Court heard oral arguments on January 21, 2015, but as of May 11, 2015, had not issued an opinion. The case gives the Supreme Court its third opportunity since 2012 to rule on the issue. The prior two cases, *Mt. Holly Gardens Citizens in Action, Inc. v. Township of Mount Holly*, 658 F.3d 375 (3d Cir. 2011), *cert. granted*, 133 S. Ct. 2824, 186 L. Ed. 2d 883 (2013) and *Magner v. Gallagher*, 619 F.3d 823 (8th Cir. 2010), *cert. granted*, 132 S. Ct. 1306 (2012) were both settled after the completion of briefing but before the Court could hear oral argument and answer the question presented.

Under Connecticut and Second Circuit precedent, a plaintiff can establish a violation under the FHA by proving discrimination in the form of: (1) disparate treatment or intentional discrimination; (2) disparate impact of a law, practice or policy on a covered group; or (3) by demonstrating that the defendant failed to make reasonable accommodations in rules, policies, or practices so as to afford people with disabilities an equal opportunity to live in a dwelling. See *Tsombanidis v. West Haven Fire Dept.*, 352 F.3d 565 (2nd Cir. 2003), for fair housing claims “plaintiffs have three available theories: (1) intentional discrimination (disparate treatment); (2) disparate impact; and (3) failure to make a reasonable accommodation.” The cases discussed below in Section III generally proceed under one or more of these theories of housing discrimination.

Analysis of Case Law

The cases presented in this section fall under four main fair housing categories: (1) a complaint brought against a local municipality to challenge how the government defines and enforces limitations on “family” in single family zoning districts; (2) complaints brought against housing providers and local municipalities for alleged familial status discriminatory zoning or land use practices; (3) complaints brought against housing providers and local municipalities for housing discrimination against persons with disabilities; and (4) complaints brought against housing providers and local municipalities for alleged discriminatory zoning or land use practices on the basis of race and/or color.

Again, these cases may not specifically involve East Hartford litigants or the local government, but because they were adjudicated by the federal Second Circuit and the district court of Connecticut and by Connecticut state courts, the issues presented provide precedent for future legislation and litigation or fair housing choice policy within East Hartford.

Issue 1: The extent of private citizens' right to privacy and equal protection in terms of familial associations contrasted with the right of local governments to define "family" for purposes of zoning and land use controls.

- ***City of Hartford v. Rozza*, Civil Action No. HHD-CV15-6058199-S (Superior Ct. of Hartford)**

On March 24, 2015, the City of Hartford filed suit against two owners of a nine-bedroom home on Scarborough Street in a wealthy West End neighborhood in Hartford for alleged violations of the City's Zoning Regulations. The subject property is located in an R-8 zoning district which limits residential housing to single-family dwellings. The Zoning Regulations define "family" as a single person, no more than two unrelated persons, or a group of two or more people related by consanguinity, marriage, or adoption. The definition, which the subject property's residents characterize as antiquated, also allows an unlimited number of live-in domestic servants. According to the City's complaint, more than two unrelated people are residing in the home— in all eight adults and three children (known as the "Scarborough 11"), comprising four families under the zoning regulations' definition of "family." The Scarborough 11 assert that the adults and three children consider themselves a family, with household members sharing expenses, chores, and ownership of the house.

On October 29, 2014, the City sent a cease and desist notice which calls on the named defendants to remove the "additional families" in the home. On November 20, 2014, the Scarborough 11 filed an appeal with the Zoning Board of Appeals. The ZBA denied the appeal following a public hearing. The Scarborough 11 failed to comply with the cease and desist order, and the City then filed an action for injunctive relief in state superior court to enforce the cease and desist order and prevent the use of the property in violation of the zoning code.

The superior court judge issued a show cause order on March 24, 2015, for a hearing to be held April 20, 2015, to decide whether a temporary injunction should be issued against the residents to cease using the property in violation of the zoning regulations.

The Scarborough 11 then filed a federal lawsuit against the City, stating claims under 42 U.S.C. §1983, the 14th Amendment, and the state constitution for the City's alleged violation of their right to privacy, substantive due process, and equal protection in that the City's definition of "family" and its actions interfere with their familial associations and the organization of their home life, including with respect to raising children. The residents emphasized they have made a deliberate decision to live cooperatively with each other and to share the financial and other responsibilities of living together as a single household.

The Scarborough 11 filed a motion for preliminary injunction on April 6, 2015. The parties have agreed to hold the Emergency Motion for a Preliminary Injunction in abeyance in the hope that they will be able to participate in an expedited hearing on the merits. The district court has set a May 23, 2015 deadline to file dispositive motions.

In the line of cases examining local definitions of “family” implemented to maintain single-family neighborhoods and zoning districts, courts have looked for some reasonable relationship between the zoning regulation and the legitimate goals sought to be achieved by the regulation. Both the U.S. Supreme Court and the New York Court of Appeals have been active in striking down zoning definitions of “family” which are so narrowly drawn as to exclude certain family members or families which are not biologically related or are non-traditional, but still function as a single household. See *City of Edmonds v. Oxford House, Inc.*, 514 U.S. 725 (1995), holding that definitions of “family” and rules regarding family composition are plainly subject to the FHA and while limitations on unrelated residents is not per se invalid, they must be scrutinized carefully for their discriminatory intent or effect; *Moore v. City of East Cleveland*, 431 U.S. 494 (1977), holding that, in keeping with due process, a zoning ordinance may not differentiate between relatives of varying degrees of kinship; *City of White Plains v. Ferraioli*, 34 N.Y.2d 300, 357 N.Y.S.2d 449 (1974), invalidating a restrictive definition of family limited to blood relatives and spouses, which would have excluded foster children; *Group House of Port Washington v. Board of Zoning and Appeals of the Town of North Hempstead*, 45 N.Y.2d 266, at 272 (1978), holding that in zoning for single-family/traditional neighborhoods, local governments must include the “functional and factual equivalent of a natural family”; and *Baer v. Town of Brookhaven*, 73 N.Y.2d 942, 540 N.Y.S.2d 234 (1989), holding that a jurisdiction cannot restrict the number of unrelated persons living together as the functional equivalent of a natural family while allowing an unlimited number of related persons to reside together because it violates State due process protections. New York courts have adopted discretionary review techniques for determining whether a group meets the factual and functional equivalent test. See *Unification Theological Seminary v. City of Poughkeepsie*, 201 A.D.2d 484, 607 N.Y.S.2d 383 (2nd Dept. 1994), holding that it was valid to use a rebuttable presumption to establish which groups of unrelated individuals should be considered a family, where the zoning administrator considered such factors as whether the group: (1) shares the entire house; (2) lives and cooks together as a single housekeeping unit; (3) shares household expenses; and (4) is permanent and stable as opposed to transient.

The Scarborough 11 case is significant because it presents Connecticut state and federal district courts with the opportunity to address the constitutionality of local governments’ restrictions on what does and does not constitute a family for purposes of land-use impacts.

Issue 2: The extent of the protection afforded by the FHA on the basis of familial status discrimination, for example where a private housing provider uses occupancy policies to limit housing choice for families with children and mortgage companies disqualify pregnant applicants from receiving home loans.

- ***Gashi v. Grubb & Ellis Property Management Services, Inc.*, Civil Action No. 3:09-cv-01037-JCH, 801 F.Supp. 2d 12 (D. Conn. June 23, 2011) (settled and dismissed Oct. 4, 2011).**

Individual plaintiffs brought this case against defendants, a property management company and condominium association, alleging that the defendants discriminated against the plaintiffs on the basis of their familial status, in violation of the FHA, 42 U.S.C. § 3601, *et seq.* The plaintiffs made claims of intentional discrimination under 42 U.S.C. § 3604 (a)–(c), as well as intentional interference with their right to fair housing in violation of 42 U.S.C. § 3617. Plaintiffs also made a claim under a disparate impact theory of recovery alleging that the defendants’ occupancy policy has a disparate impact on families with children and operates to exclude families with children from living at the condominium, in violation of 42 U.S.C. § 3604(a)–(c).

The facts showed that Ms. Gashi purchased a one-bedroom condo in Stamford, Connecticut in 2003, married Mr. Gashi in 2005, and gave birth to a son in 2006. The condo association had an occupancy policy that limits occupancy to no more than two persons per bedroom in each dwelling unit, although neither the Stamford fire code nor housing code limits occupancy to two persons per bedroom. The condominium association sought to enforce its occupancy policy against the Gashis, notifying the Gashis by letter that they were in violation of the policy because two adults and one child resided in the apartment and directing them to correct the situation. As a result of this letter, the Gashis vacated and sold their apartment.

In a motion for partial summary judgment, the plaintiffs used the United States Census Bureau’s Public Use Microdata Sample (“PUMS”) to establish their disparate impact claim and show a causal connection between the occupancy policy and the effect on three person families. Plaintiffs’ expert demonstrated that 30.76% of households with children in Stamford are affected by the occupancy policy, while only 9.88% of households without children are affected.

In a published opinion, 801 F.Supp. 2d 12 (D. Conn. June 23, 2011), the Court found that the plaintiffs had set forth a *prima facie* case of disparate impact. Defendants tried to rely on absolute numbers rather than proportional statistics to rebut plaintiffs’ evidence, but as this approach contradicts Second Circuit law in that it significantly underestimates the disproportionate impact of the defendants’ policy, the Court found that defendants failed to

come forward with evidence that would contradict the plaintiffs' statistical evidence. Defendants also failed to convince the court that the policy furthered a legitimate interest and that "no alternative would serve that interest with less discriminatory effect."

Following plaintiffs' success on their disparate impact claim, the parties reached a settlement. The case was dismissed on October 4, 2011.

- ***United States v. Landings Real Estate Group*, Civil Action No. 3:11-cv-01965-SRU (D. Conn.) (complaint filed Dec. 20, 2011; consent order entered and case dismissed Dec. 6, 2012).**

In March and April 2009, Complainant attempted to rent a two-bedroom apartment at the subject property in Groton, Connecticut for herself and her four minor children. Defendants, the owners and managers of the 156-unit subject property, informed Complainant (wrongly) that state and local occupancy limits only permitted two persons per bedroom, and that since they only had two-bedroom units available they would not rent a unit to her.

Complainant filed a timely Complaint with HUD on or about January 11, 2010, under the Fair Housing Act, claiming that Defendants' occupancy policy discriminated against her based on familial status. HUD conducted and completed an investigation of the Complaint, and then HUD attempted conciliation without success. It then prepared a final investigative report wherein it determined that reasonable cause existed to believe that illegal discriminatory housing practices had occurred. HUD issued a charge of discrimination on September 28, 2011. Complainant made a timely election to have the claims asserted in the HUD charge resolved in a civil action pursuant to 42 U.S.C. § 3612(a). The DOJ then brought this action in district court on behalf of Complainant.

The complaint alleges that as applied in this case, defendants' two-person-per-bedroom occupancy limit is more restrictive than state and local law, and unreasonably limits the ability of families with children to rent at the property. The State of Connecticut Fire and Safety Code provides that apartment buildings must maintain 200 square feet per person. Under the Town of Groton Housing Code, which was in effect at all times relevant to this Complaint, the subject property's 1,100 square foot apartments could legally accommodate five occupants. Given the overall size and configuration of the 1,100 square foot apartment at the subject property, the size of the bedrooms and the loft area, and the local and state governmental occupancy restrictions, the occupancy limitation imposed by the Defendants unreasonably limited the ability of families with children to rent the property. The complaint asserts claims under the FHA, alleging that defendants have discriminated against Complainant by making housing unavailable to her because of familial status, in violation of Section 804(a) of the Fair Housing Act, 42 U.S.C. § 3604(a).

Without admitting to any violation of the FHA or other liability, the defendants agreed to settle complainant's and the DOJ's claims through the entry of a Consent Order. The consent order, entered by the Court on December 6, 2012, requires defendants to pay \$40,000 to the Complainant and requires that they not maintain or enforce an occupancy policy at the property that is more restrictive than the applicable local code. Defendants' employees and agents also were required to undergo fair housing training with respect to discrimination on the basis of familial status.

The case was dismissed with entry of the Consent Order, but the Court retained jurisdiction to enforce its terms for a period of two years.

- ***Complainants v. Luxury Mortgage Corp., HUD Case No. 02-11-0581-8 (Conciliation Agreement effective Oct. 24, 2011).***

On June 8, 2011, Complainant and her husband filed a housing discrimination complaint with HUD alleging that the Stamford, Connecticut mortgage company and its employee discriminated against them on the basis of their familial status and Complainant's sex, in violation of the FHA. More specifically, Complainant alleges that the mortgage company denied her a loan because she was on maternity leave, despite Complainant's employer providing a letter to the mortgage company that her employment status had been active since February 2006 and that she was on paid maternity leave. 42 U.S.C. § 3605 makes it unlawful to discriminate in the terms and conditions of a real estate-related loan because of sex and/or familial status. The mortgage company denied liability and stated that it was merely seeking income verification from her employer.

Before HUD reached a final cause determination, the parties agreed to settle the claims through the conciliation process and entered into a settlement agreement. The mortgage company agreed to pay Complainant \$12,000 in full settlement of her claims. In addition, to protect the public interest, the mortgage company agreed to adopt a company policy addressing the availability of home loans regardless of the applicant's status as pregnant or taking pregnancy, maternity, or parental leave from work. The company also agreed to revise its underwriting rules to ensure nondiscrimination in underwriting based on an applicant's status as pregnant or a parent or on pregnancy, maternity, or parental leave (including for an adoption).

On June 1, 2011, HUD also announced a settlement agreement with Cornerstone Mortgage Company (Cornerstone), a national mortgage lender based in Houston, which HUD accused of engaging in discriminatory lending practices against expectant mothers. Under the terms of settlement, Cornerstone was required to create a \$750,000 victims' fund to compensate Cornerstone borrowers who experienced discrimination because they were on pregnancy or maternity leave at the time they were applying for a loan. HUD launched multiple investigations into the lending practices of certain mortgage lenders to determine if they

illegally denied families mortgages because the mother is pregnant or on pregnancy-related leave, and in separate actions has charged other companies with engaging in pregnancy discrimination in issuing mortgage insurance in violation of the Fair Housing Act. These findings also prompted HUD to review Fannie Mae and Freddie Mac's underwriting guidelines to determine if they satisfy the Fair Housing Act, including income verification for persons taking maternity or parental leave.

Issue 3: The extent of the protection afforded by the FHA on the basis of disability discrimination, for example whether “dwelling” includes protected uses of an accessory building in connection with the residency, whether a housing authority can require persons with disabilities to verify ability to live independently, and whether a local government can subject housing for persons with disabilities to additional administrative requirements not required by the plain language of its zoning regulations.

- ***Drazen v. Town of Stratford*, Civil Action No. 3:09-cv-00896-WWE (D. Conn.) (order on parties' cross motions for summary judgment, April 2, 2014).**

This action stems from a zoning decision by defendant Town of Stratford concerning the Harry Rosen House (“HRH”), a nine bedroom rooming house that provides a sober living environment for persons recovering from substance abuse. A carriage house on the property had been used from 1998 to 2007 to hold weekly twelve-step programs attended by residents, alumni, sponsors and members of the public. In 2007, a fire destroyed the carriage house and plaintiffs filed an application for a permit to rebuild the carriage house. Following completion of construction, plaintiffs applied for a Certificate of Occupancy and a Final Zoning Certificate of Compliance.

The Town approved the building for storage only and informed the owner that any meetings in the building would be in violation of zoning. Plaintiffs appealed to the State Building Codes Review Panel and the Town's Board of Zoning Appeals. The BZA approved the carriage house for meetings but with limitations to only the number of residents of the house. Plaintiffs then filed this lawsuit and alleged that the Town violated the FHA and ADA.

In a memorandum of decision dated April 2, 2013, the district court denied plaintiffs' motion for summary judgment and granted defendant's motion for summary judgment on the FHA claim and ADA disparate impact claim but denied summary judgment on the ADA disparate treatment and reasonable accommodation claims. In that order, the Court held that the carriage house was not covered by the FHA because it was an accessory building that did not facilitate any resident's access for purpose of inhabiting the sober house.

However, upon motion for reconsideration, the Court vacated its prior holding regarding the carriage house, finding the carriage house does fall within the statute's (Section 3604(f)(2)) contemplation of provision of services or facilities in connection with a dwelling. The administrative regulations define discrimination as "(l)imiting the use of privileges, services or facilities associated with a dwelling because of . . . handicap . . . of an owner, tenant or a person associated with him or her." 24 C.F.R. § 100.65(b)(4). The carriage house represents a facility that residents use for meetings in connection with their residency at the sober house. Accordingly, the Court then denied defendant's motion for summary judgment on the FHA claim, leaving that claim to be decided at trial.

The parties then reached a settlement prior to trial and the case was dismissed on March 20, 2014.

- ***Maziarz v. Housing Authority of the Town of Vernon*, Civil Action No. 3:10-cv-02029-JCH (D. Conn.) (consent decree entered Nov. 12, 2013).**

Plaintiff filed this action against the Housing Authority of the Town of Vernon (the "VHA"), alleging that the VHA illegally discriminated against him and other tenants in senior-disabled housing, in violation of the FHA and ADA. The VHA is a quasi-public agency that receives state and federal funds in order to operate and manage subsidized housing in Vernon. Specifically, plaintiff asserted that by conditioning housing on the tenant signing a Personal Care Sponsor Agreement and Statement (the "PCS form"), which required that applicants for housing verify that his/her personal health condition is favorable for self-maintenance and independent living, the VHA made unavailable or denied housing to him because of his disability, in violation of 42 U.S.C. § 3604(f)(1); discriminated on the basis of disability status in the terms, conditions, and privileges of the rental of a dwelling, in violation of 42 U.S.C. § 3604(f)(2); and made discriminatory statements, in violation of 42 U.S.C. § 3604(c). In addition, plaintiff argued that, as a qualified individual with a disability, he was denied the benefits of particular services, in violation of 42 U.S.C. § 12132.

The VHA disputed whether tenants were required to execute the PCS form as a condition of tenancy. The parties agreed "that a housing authority may not require an applicant to demonstrate an ability to 'live independently,'" as "(s)uch a requirement has the effect of discriminating against handicapped individuals and is in violation of federal statutes and regulations concerning discrimination in housing."

In a ruling dated February 27, 2012, the district court denied the VHA's motion for summary judgment, finding that material issues of fact exist as plaintiff points to sufficient evidence to allow a reasonable jury to find that the VHA required tenants to execute the PCS form as a condition of tenancy. In that same order, the court granted plaintiff's motion to certify a class action to include "all current and former residents of the Housing Authority of the Town of Vernon's senior-disabled housing who were required to certify

their ability to live independently and comply with the requirement of the Personal Care Sponsor Agreement as a condition of their tenancy from December 23, 2008 until the present.”

Following these rulings, but without admitting liability, the VHA agreed to settle plaintiff's claims by Consent Decree, entered by the court on November 12, 2013. Under the Consent Decree, the VHA is enjoined from (1) requiring tenants in its senior-disabled housing to identify personal care sponsors; (2) imposing any independent living requirement in its senior-disabled housing; (3) subjecting tenants in its senior-disabled housing to different terms or conditions for tenancy based upon disability; (4) enforcing the provisions of any Personal Care Sponsor Statement and Agreement executed by any tenant in its senior-disabled housing; and (5) making any discriminatory statements on the basis of disability, including, but not limited to publishing independent living requirements.

The Consent Decree also included a monetary award of \$215,000 to the named plaintiff.

- ***Doe v. Options Unlimited, Inc., Civil Action No. HHD-CV14-5037757-S (Superior Ct. of Hartford).***

Jane Doe, a resident of East Hartford, filed an action in state superior court against the defendant, a licensed operator of community living arrangements (CLA) in Connecticut. The defendant operated a CLA in East Hartford known as Woodbridge House and/or King Street CLA, and charged the state for the services, facilities, supervision, assistance and care furnished to its clients. Plaintiff began residing at the subject property CLA on January 1, 2009. She suffered from developmental disabilities, psychiatric disorders, and behavioral issues. Plaintiff's complaint alleged that from the time of admission and up through March 2013, defendant's employees engaged in a continual pattern of cruel, painful, physical and mental abuse, neglect, mistreatment, and torture in an attempt to control plaintiff or to punish her for undesirable behavior. Plaintiff alleged that defendant knew or should have known that its employees were engaging in resident abuse yet defendant failed to implement remedial actions or to report the suspected abuse to plaintiff's guardian or others legally entitled to know.

The complaint alleges state law claims of negligence, violations of state regulations, negligent supervision, negligent training, negligent hiring, negligent infliction of emotional distress, recklessness, intentional abuse/assault/battery.

On March 30, 2015, defendant McCann, the founder of Options Unlimited, filed a motion for summary judgment. Plaintiff filed an objection to defendant's motion. As of May 13, 2015 the court had not yet ruled on the motion.

- ***Valley Housing LP v. City of Derby*, Civil Action No. 3:06-cv-01319-TLM, 802 F.Supp.2d 359 (D.Conn.)**

Plaintiffs filed a complaint in this federal action on August 24, 2006, in the District of Connecticut after the City refused to issue certificates of zoning compliance (CZCs) for the plaintiffs to rehabilitate and use certain multi-family properties to house and provide supportive services for persons with disabilities. Plaintiffs develop and manage affordable housing for low-income people and supportive housing for low-income disabled people in the Naugatuck Valley of Connecticut. Plaintiffs Valley Housing and HOME Inc. acted in a joint venture to develop three multi-family properties in Derby, Connecticut and two multi-family buildings in Ansonia. The Derby properties are located in the Central Development District zone which allows residential use. HOME Inc. was to be the developer and the manager for Valley Housing, and Valley Housing contracted with the Birmingham Group to be the social services provider for the intended tenants of the Derby properties. The intended tenants included persons with mental disabilities, a history of substance abuse, and/or HIV/AIDS, capable of independent living and productive community membership with provided support services. All services by Birmingham Group would be provided off-site, or through sporadic home visits, thus not interfering with the multi-family character of the housing.

Final approval of plaintiffs' Connecticut Housing Finance Authority ("CHFA") application for funding, however, was dependent on plaintiffs being able to show that any properties purchased for supportive housing complied with all applicable zoning requirements. In accordance with CHFA's funding requirements, plaintiffs were required to apply for and obtain certificates of zoning compliance prior to the issuance of a building permit authorizing any renovation of the Derby properties.

The city refused to grant the CZCs and required the plaintiffs to apply for variances, which the city then also denied. The plaintiffs appealed the ZBA's denial and rejection of their variance requests to the Connecticut Superior Court. On February 2, 2007, after plaintiffs filed their federal action, the superior court judge presiding over the state court case found in favor of plaintiffs on their appeal of Derby's denial of the CZCs. The superior court judge further stated that under well-established zoning law and Conn. Gen. Stat. § 8-2, "the City of Derby does not have the power to require an owner of nonconforming buildings or structures to apply for variances to allow renovations of those buildings or structures." On March 23, 2007, the city issued CZCs for plaintiffs' Derby properties.

In an opinion dated July 29, 2011, the district court found that the city's proffered reasons for the denial of the CZCs were a pretext for discrimination on the basis of disability, in conformity with the then-Mayor's wishes. The defendants' explanation was contrary to both state and local zoning law and was based on an ever-changing "interpretation" of the

Derby zoning regulations. The Mayor had publicly voiced his view of Derby as a "dumping ground" for persons with social service needs and was part of a widely-held town view that Derby already had done more than its fair share in the Naugatuck Valley for persons with social service needs, including services for persons with disabilities, and that additional programs to help persons with disabilities and other social service needs should not be located in Derby. The court also found that the procedural irregularities of the ZBA and the city requiring plaintiffs to pursue variance approval when not actually required by a plain reading of the zoning regulations supported a conclusion of discriminatory decision making.

On July 13, 2006, while plaintiffs' appeal to the Superior Court was pending, plaintiffs requested that the defendants grant them a reasonable accommodation pursuant to the Fair Housing Act. The district court found that plaintiffs were not required to apply for a reasonable accommodation because they were entitled to CZCs for their properties under Derby zoning regulation Section 195-87(F): "A nonconforming building or structure that is not devoted to a nonconforming use may be reconstructed, structurally altered, restored or repaired in whole or in part, without the need of a variance, but must get a zoning certificate of compliance from the Zoning Officer."

The district court found that discrimination was not only a significant factor in Derby's dealings with and decisions not to grant plaintiffs CZCs but further that discrimination was the sole reason for Derby's actions under the FHA, ADA, the Connecticut Fair Housing Act (Conn. Gen. Stat. § 46a-64c(6)(c)) and the Rehabilitation Act.

In an amended judgment entered July 9, 2012, the court awarded plaintiffs a total of \$2,789,613.42, including (1) damages of \$676,279.65 to Valley Housing Limited Partnership and Home Development Inc., and \$73,768.78 to Home Operations Management Enterprises, Inc.; (2) attorney fees of \$918,620.17; and (3) interest of \$1,120,944.82 for the period of August 24, 2006 to March 30, 2012. The case was terminated on July 29, 2012.

Issue 4: The extent of the protection afforded by the FHA on the basis of race and/or color discrimination, for example where a local government denies permit approval to develop affordable housing; where a local government imposes a residency preference for subsidized housing; where a local government refuses to rebuild demolished public housing; and where a private housing provider refuses to rent to a sublesor because of her race.

- ***Hamer v. Darien Planning & Zoning Commission*, Civil Action No. 3:11-cv-01845-WWE (D. Conn.) (order on defendant's summary judgment motion Sept. 30, 2014).**

Plaintiffs, private housing developers, filed this action against the local government responsible for planning and zoning matters alleging racial discrimination in housing pursuant to the federal Fair Housing Act, 42 U.S.C. §§ 3601 *et seq.*; the Connecticut Discriminatory Housing Practices Act, Conn. Gen. Stat. §46a-64c *et seq.*; and 42 U.S.C. § 1983. Specifically, plaintiffs alleged that they were denied permission to develop ten residential condominiums because it would constitute affordable housing that was perceived by defendants as attracting racial minorities. Defendants rejected the application on January 8, 2009, and plaintiffs filed a timely appeal to the Connecticut Superior Court. That case was dismissed as moot after plaintiffs lost the subject property to foreclosure.

In their federal action, plaintiffs presented census data that showed that at the time Darien's population was only comprised of 0.5% African American, while in the neighboring jurisdictions of Stamford to the west and Norwalk to the east, African Americans comprise 21.3% and 22.8% of the populations respectively. Plaintiffs also presented evidence of discriminatory public statements made by the Chairman of the Planning and Zoning Commission, wherein he characterized affordable housing as a "virus" and stated that the Commission's purpose was to maintain the "character" of the town. Plaintiffs alleged that defendants had intentionally attempted to exclude African Americans from Darien by preventing the construction of affordable housing units and keeping housing costs prohibitively high.

In pretrial motions, defendants presented evidence that environmental, health, safety, traffic, and other issues enumerated in the Darien Zoning Regulations provided legitimate reasons for their rejection of plaintiffs' application. Defendants also showed that Darien has approved applications for affordable housing on at least seven occasions since 1985. Defendants have denied the material allegations in plaintiffs' amended complaint and asserted affirmative defenses.

As of May 13, 2015, a settlement had not been reached in the case. Jury selection and trial days are scheduled for August 2015.

- ***Carter v. Housing Authority of the Town of Winchester*, Civil Action No. 3:12-cv-01108 (D. Conn.) (filed Aug. 1, 2012; settled by consent decree Nov. 5, 2013).**

The Connecticut Fair Housing Center and an individual plaintiff brought this action against the Town of Winchester to challenge a residency preference by the housing authority of this predominately white town on the basis that it had a disparate impact on people of color. Plaintiffs claimed damages under the federal FHA.

To avoid the cost and uncertainty of litigation, and without admitting liability, the Town agreed to settle the plaintiffs' claims by Consent Decree. Through the settlement agreement, the housing authority agreed to stop the use of the residency requirement and

residency preference in its administration of the Section 8 Housing Choice Voucher Program (the “Program”) and agreed to other injunctive and monetary relief. Going forward, the Program must be open to all non-residents and Defendant may not selectively open or close its waiting list to particular groups of applicants.

As part of the settlement, Defendant’s employees and the WHA board of directors must attend fair housing educational training to be conducted by the Connecticut Fair Housing Center. The housing authority also was required to adopt a written non-discrimination policy with reference to housing and to advertise the policy. It also must affirmatively market the Program to non-resident minority persons during the term of the Consent Decree, and thereafter as long as the housing authority administers the Program. The housing authority also is required to always offer the next available voucher to the applicant at the top of the waiting list regardless of residency status.

Under the monetary settlement portion of the agreement, Winchester was required to pay \$350,000 to plaintiffs and their attorneys.

The Consent Decree is in effect for five years from the effective date, and the Court retains jurisdiction of this action for the duration of this Consent Decree.

- ***HUD v. Ansonia Housing Authority and the City of Ansonia*, HUD Case Numbers: 01-14-0021-8 (Title VIII), 01-14-0021-6 (Title VI) (settlement announced June 10, 2014).**

This action was prompted following complaints filed with HUD by a former resident of public housing in Ansonia, Connecticut. The complaints alleged that the City and Ansonia Housing Authority (AHA) discriminated against African Americans, Hispanics, and families with children in violation of the FHA on the basis of race and familial status when the city and housing authority demolished and later refused to rebuild public housing units, making housing unavailable for certain protected classes.

In June 2012, AHA received an approval letter from HUD to demolish five public housing buildings located at Riverside Apartments, a former HUD subsidized, low-income public housing complex. HUD approved the demolition on condition that the housing authority then rebuild 48 units and that residents would have the right to return following redevelopment. The approval letter also required that 10% of the redeveloped units will comply with the Uniform Federal Accessibility Standards, 2% of the units will be designed for visually-impaired individuals, and 2% of the units will be designed for hearing-impaired individuals. However, following demolition and displacement of its residents, AHA refused to rebuild the units. The complaint against the city alleged that the former Mayor publicly opposed the redevelopment of the property and interfered with plans to rebuild units on the site.

Without admitting any liability under the FHA, the parties agreed to settle the claims by entering into conciliation agreements approved by HUD.

Under the terms of the agreements, the City, through the office of the Mayor, promises to support the Ansonia Housing Authority in the redevelopment of affordable housing on the subject property. On or before July 15, 2014, the City was required to issue and publicize an official statement of support for the redevelopment of affordable housing on the subject property and appoint a building committee to oversee the redevelopment effort. The settlement agreements require the City to appoint the Complainant as a member of the building committee. The City must actively seek out sources of funding for the rebuilding efforts, including applying for funding from the State of Connecticut and other sources. The rebuilding of the subject property must to the maximum extent feasible, meet the number and type of units as described in the approval for the demolition of the buildings. The AHA must complete construction on the first dwelling unit on the subject property no less than three years from the effective date of the settlement agreement. City and housing authority staff and board members will also receive fair housing training.

HUD retains authority to monitor compliance with the agreements. If the Department has reasonable cause to believe that the City or AHA has breached the agreements, the matter may be referred to the Attorney General of the United States to commence a civil action in the U. S. District Court.

- ***United States v. Hylton*, Civil Action No. 3:11-CV-1543, 944 F.Supp.2d 176 (D. Conn.)**

Following referral from HUD, the Department of Justice brought this case on October 7, 2011, on behalf of three individual complainants, an inter-racial couple and their proposed subtenant, to enforce the FHA when the owners and managers of a property in Windsor Locks, Connecticut allegedly refused to negotiate the rental of the property because of the subtenant's race (in violation of section 3604(a)); discriminated against the inter-racial couple in the terms, conditions, or privileges of renting a dwelling because of race (in violation of section 3604(b)); and made discriminatory statements based on race regarding the rental property (in violation of section 3604(c)).

At the time, Defendants Mr. and Ms. Hylton and their company Hylton Real Estate Management (HREM) owned and rented out eight different properties in Windsor Locks, Manchester, and Hartford Connecticut. Most of their tenants are Puerto Rican or black and a high majority of tenants (between 80 and 99%) receive Section 8 housing. The defendants also are black and of West Indian descent.

Following a two-day bench trial, the court found direct evidence that Mr. Hylton refused to allow Mr. and Mrs. Bilbo to sublet the house to Ms. Wilson because she is black. Mr. Hylton

first agreed to allow Mr. and Mrs. Bilbo to sublet to Ms. Wilson based on Mr. Bilbo's representations that Ms. Wilson had good references, a good job, and would make a good tenant. However, he changed his mind and refused to allow the sublet once he inquired about Ms. Wilson's race and learned that she is black. Accordingly, the court found there is clear evidence that it was Ms. Wilson's race that led to Mr. Hylton's decision to prevent her from subletting. The Hyltons failed to present any evidence that they had a legitimate reason for refusing to sublet to Ms. Wilson. Therefore, the court found that Mr. Hylton violated section 3604(a) of the FHA.

The court also concluded that Mr. Hylton discriminated in the terms, conditions, or privileges of a rental, in violation of section 3604(b), in two ways. First, as to the Bilbos, Mr. Hylton discriminated in the terms and conditions of a rental by preventing the Bilbos from subletting because of Ms. Wilson's race. The lease agreement allowed the Bilbos to sublet if they received written permission from the Hyltons. Mr. Hylton first agreed to allow the Bilbos to sublet to Ms. Wilson. However, when he later learned that Ms. Wilson was black, he recanted his approval and prevented the Bilbos from subletting. He told Mr. Bilbo to try and find some "good white people" who could afford the property. Therefore, it was clear to the court that Mr. Hylton would have allowed the Bilbos to sublet to Ms. Wilson had she been white. By preventing the Bilbos from subletting because of Ms. Wilson's race, Mr. Hylton discriminated against the Bilbos in the terms of their rental based on race, in violation of section 3604(b). Second, Mr. Hylton discriminated against Ms. Wilson in the privileges of a rental by refusing to allow her to rent.

The court found Mr. Hylton's statements explicitly show a preference for a tenant who is white rather than a tenant who is black. He told Mr. Bilbo that he did not want too many black people at the property and that Mr. Bilbo should try and find some good white people who could afford the property. He further told Mr. Bilbo that the only reason he was allowed to rent the house was because his wife is white. Such comments "suggest . . . that a particular race is preferred . . . (and another race is) dispreferred for the housing in question." Therefore, Mr. Hylton violated section 3604(c). Although Ms. Bilbo and Ms. Wilson heard about the statements from Mr. Bilbo, not Mr. Hylton, they were sufficiently injured by the discriminatory remarks. This is sufficient to warrant relief under section 3604(c).

Section 3603(b) provides a limited exemption to violations of §§ 3604(a) and (b). To be eligible for an exemption, the property at issue must be a "single-family house sold or rented by an owner. . . (provided that) such house is sold or rented . . . without the use in any manner of the sales or rental facilities or the sales or rental services of any . . . person in the business of selling or renting dwellings." 42 U.S.C. § 3603(b). The district court held that Mrs. Hylton failed to qualify for the exemption because she used the services of Mr. Hylton in renting the property, and Mr. Hylton testified that he is in the business of owning

and managing rental properties. Mr. Hylton conducted the leasing of the Property even though he held no ownership stake in it, and he used rental applications and leases for the Property with the name of his company, HREM, on them.

In an order dated May 1, 2013, the Court awarded \$76,091 in compensatory damages for loss of housing opportunity, damages for emotional distress, and punitive damages. Although Mr. Hylton is the individual who directly discriminated against Ms. Wilson and the Bilbos, both Mrs. Hylton and the company HREM were held vicariously liable for his discriminatory actions and statements. In an order entered July 26, 2013, the Court also ordered injunctive relief against defendants enjoining future discrimination by defendants and ordering them to take affirmative steps. The case was dismissed Aug. 1, 2013.

Defendants appealed to the Second Circuit Court of Appeals. In an unreported summary order dated October 27, 2014, the court of appeals affirmed the district court's judgment in all respects.

Impediments & Recommendations

In the *Fair Housing Planning Guide*, HUD defines an impediment to fair housing choice as an action, omission or decision based on race, color, religion, sex, disability, familial status, or national origin that restricts or has the effect of restricting housing choices or the availability of housing choices.⁹⁹ Throughout this assessment various community issues have surfaced, both positive and negative. Some of these issues represent general community needs (e.g. the uniqueness of the needs of urbanized areas and those of the rural desert communities) and, while valid, do not restrict or have the effect of restricting housing choice and thus do not constitute impediments.

For this analysis, qualitative data received in the form of input from interviews and community meetings was combined with quantitative data from the U.S. Census and from the other sources consulted. In some cases, the quantitative data collected from a single source was clear and compelling enough on its own to indicate the existence of an impediment. In other cases, and particularly with the use of qualitative data, the cumulative effect of a comment or criticism repeated many times over in many different settings was sufficient to indicate a barrier. Sometimes a weak or inconclusive correlation of quantitative data from one source could be supported by public comments and input or data from another source to constitute an impediment.

In this section, the impediments identified are summarized with supporting information. Each impediment listed is followed by recommendations, the implementation of which will correct, or begin the process of correcting, that impediment. A common theme found in many of the recommendations is the use of collaborative partnerships from the private and public sectors.

Impediment #1: Continued Need for Affordable Housing

Quantitative data obtained from the Census Bureau and HUD, supported by comments provided by key stakeholders, demonstrate that a significant number of households in East Hartford have insufficient income to afford appropriate housing. Findings further indicate that minority and disabled households typically have lower incomes than their White and non-disabled counterparts, putting them at an increased need for affordable housing.

Based on a 2013 report by The Connecticut Conference of Municipalities entitled *Disproportionate Burdens: Major Challenges Facing Connecticut's Poorer Communities*, East Hartford is a “distressed community” based on factors, such as income, poverty rate, and changes in employment. The Town has experienced increasing rates of poor residents

⁹⁹ U.S. Department of Housing and Urban Development Office of Fair Housing and Equal Opportunity. *Fair Housing Planning Guide: Volume 1 (Chapter 2: Preparing for Fair Housing Planning, Page 2-17)*. March 1996.

(living at the poverty line) and “very poor” residents (living 100% or more below the poverty line). In addition, the region has experienced stagnant and decreasing wages, stagnant job growth, and unemployment rates that exceed national rates. In East Hartford 30% of families have limited assets and cannot afford to meet all of the family’s basic needs requiring choices to be made between housing, food, clothing, health care, and other household needs.

The American Community Survey reports that more than two-fifths (41%) of East Hartford households were cost-burdened in 2011, meaning that they spend more than 30% of income on housing costs. Over half of renters occupy unaffordable housing: 57.4% pay more than 30% of their income for housing. Meanwhile, more than 1 in 3 homeowners (38.7%) reside in housing that is unaffordable based on HUD standards.

Poverty rates in East Hartford indicate lower incomes for minority households. While 6.6% of White households are in poverty, rates are more than double for African Americans (13.8%) and Latinos (20.1%). The poverty rate is also higher for disabled persons (21.0% versus 12.2% for non-disabled persons), and disabled householders whose sole source of income is Supplemental Security Income receive a maximum of \$901 per month. To maintain HUD’s affordability level of 30% or less of total income, these household could spend a maximum of \$270 on housing each month.

Recommendations

The Town and its public and private sector partners should develop a new long-term strategy that would serve as an ongoing vision for affordable housing. The strategy should set measurable goals for affordable housing preservation and identify possible opportunities to encourage affordable housing units in existing housing stock. The strategy should be developed with public input and participation which is critical to the successful community buy-in and implementation. Moving forward, this strategy should serve as a guiding affordable housing planning instrument, containing housing goals and objectives that are to be followed and implemented into the Consolidated Plan and Annual Action Plans. Due to the low level of CDBG funding received for the Town, it is critical that additional non-HUD funding streams be identified and made available if this initiative is to be successful.

Impediment #2: Source of Income Discrimination in the Rental Market

The community survey conducted by the Town in conjunction with this study indicated that just over 10% of respondents experienced housing discrimination (16 persons). Ten of the 16 persons who reported discrimination indicated being discriminated against by a landlord. Complaint data gathered from the FHEO regional office also showed that the

majority of housing discrimination complaints were associated with rental housing (16 of 22 complaints, or 72.7%).

One-third of stakeholders reported that residents with housing vouchers had their applications denied, were charged higher rents, refused new leases, or had their rents increased without approval. It was reported that due to this discrimination, housing voucher use and acceptance is concentrated in areas with higher poverty rates. Other forms of source of income discrimination reported were discrimination and denial of rental applications of residents with “unearned” income, i.e. income for social security, welfare, or disability benefits.

Although HUD’s complaint data tracked only federal protected classes, stakeholders interviewed for this study identified discrimination against residents based on a state protected class – lawful source of income, or more specifically, against housing voucher holders. Identified discrimination included refusal to rent to voucher holders, denial of rental applications based on income not being related to employment, and higher rentals costs or increases in rental cost after a year for voucher holders.

While lawful source of income is not a federally protected class, the demographic profile of voucher holders in East Hartford shows that they are more likely to be members of other, federally protected classes. The vast majority (93%) of voucher holders are minority, compared to 58% of the population town-wide, and 16% are disabled, versus 13% throughout East Hartford. Thus, discrimination against voucher holders is more likely to affect minority and disabled populations as well.

Recommendations

Ongoing fair housing education for landlords and tenants will be key to addressing source of income and other types of discrimination. The Town currently offers landlord-tenant education programs through the Housing Education Resource Center (HERC), and should continue these programs with a focus on increased outreach to maximize participation. Education sections should be sure to include discussions on source of income discrimination, penalties, and remedies for tenants.

Fair housing education for voucher holders is crucial to addressing discrimination. The Town of East Hartford should work with the East Hartford Housing Authority to ensure that voucher holders receive comprehensive information about their fair housing rights and steps to take if they feel they are discriminated against. The Town should also ensure that tenant education includes information on voucher availability and how to conduct rental property searches. Voucher holders could also be offered additional time and extensions to allow for adequate time to locate suitable homes.

In addition to education, the Town of East Hartford should devote some of its funding for fair housing efforts, either through CDBG or alternate sources, to support testing by a local agency. Alternatively, the town could participate in any regional testing efforts that may be conducted in the metro area.

Impediment #3: Siting Requirements for Group Homes

Under East Hartford's Zoning Regulations, substance abuse treatment centers may not be sited within 1,000 feet of any lot classified as residential, within 1,000 feet of another substance abuse treatment facility, or within any residential zones. No exception is made for facilities wherein residents live together as a common household unit. However, persons recovering from substance abuse are considered handicapped under the Fair Housing Act and Americans with Disabilities Act, and therefore protected from discrimination. Further, state law requires that community residences for up to six residents for persons recovering from substance abuse not be treated differently than other single family dwellings.

Recommendations

The Town of East Hartford should amend its zoning ordinance to identify a distinction between community residences for persons recovering from alcohol and drug dependence and larger, more institutional type uses. Siting regulations for community residential treatment facilities for six or fewer residents should be removed, and they should be treated no differently than single family homes.

Impediment #4: Age and Condition of Existing Housing Stock

East Hartford's housing stock includes a significant percentage of homes that were built prior to current ADA accessibility requirements and housing standards. More than half of all units in the Town were constructed prior to 1960 (53.5%), and another 32.3% before 1980. As housing ages, maintenance costs and the likelihood of problems due to deferred maintenance increase, placing a burden on low income households, property owners, and managers. With nearly 14% of African Americans, 20% of Latinos, and 21% of disabled persons living in poverty, these protected class households are more likely to face difficulties maintaining owned homes, or affording well-maintained rental properties.

Recommendations

As part of its long-term housing strategy, the Town should include a rehabilitation component. This strategy should focus on how the Town's rehabilitation needs can be met and should include public and private funding sources not restricted to grant monies received from HUD. Any existing organizations or programs currently providing

rehabilitation services should be examined and, if feasible, potentially incorporated as a part of the implementation components of the long-term housing strategy.

Impediment #5: Disparities in Mortgage Lending

An analysis of Home Mortgage Disclosure Act (HMDA) data for Town of East Hartford census tracts from 2009 through 2013 shows that minority applicants for home purchase loans were denied mortgages more frequently than non-Latino Whites. Black applicants who completed loan applications were denied mortgages 1.4 times as frequently as Whites, and Latino applicants were denied 1.3 times as often. While these disparities may arise from legitimate factors such as differences in debt-to-income ratio, credit history, collateral, or credit applications, they still have the effect of limiting housing choice for racial and ethnic minorities in the Town of East Hartford.

Recommendations

Patterns of lending disparity revealed in HMDA data should be studied further to determine whether discrimination is taking place. While HMDA records include loan outcomes, reasons for denials are not required to be reported, nor does the data capture instances of discrimination that may lead an applicant to withdraw or not complete their application. These data limitations require an alternate means of further study. Specifically, fair housing testing of mortgage lenders through local fair housing organizations should be conducted to further evaluate potential impediments to fair housing. Additionally, outreach efforts should be conducted to ensure that minority households have sufficient access to and information about home buyer counseling and other forms of assistance.

Impediment #6: Limited Supply of Accessible Housing

East Hartford has a diverse population, including special populations of elderly and disabled residents. One of the greatest challenges faced by persons in these special needs categories is the availability of affordable and accessible housing. Throughout this analysis, key stakeholders consistently indicated that the current housing stock is not adequate to serve the needs of individuals from these populations. Stakeholders also reported a lack of supportive services, case management, social services, nutritional support, and units with limited physical accessibility for those with mobility issues.

A large percentage of the Town's housing units were built prior to current ADA requirements and standards. Elderly and disabled residents are more likely to be on fixed incomes from Social Security. Affordable rent for an SSI recipients is \$216 per month, although less than 10% of East Hartford renters have payments within this range.

Stakeholders also identified extremely limited affordable housing and supportive services for residents with mental health needs or disabilities.

Recommendations

Organizations that serve persons with physical and mental disabilities are important advocates for these individuals. The Town should include both organizations serving elderly and disabled residents and residents with disabilities as engaged participants in housing strategy development to ensure that policies, programs, and potential funding streams are identified and included that will result in the development or rehabilitation of housing that is accessible and affordable for persons with disabilities. These projects should also be planned to include supportive services that are essential to this population, as appropriate. The Town should ensure that outreach strategies target disabled residents who are racial and ethnic minorities, elderly, younger disabled residents, residents for whom English is a second language, and those who are less familiar with technology. Outreach efforts should include collaborative efforts with local social service agencies and the East Hartford Housing Authority.

In order to serve elderly residents with disabilities who choose to remain independent and live in their own homes, the Town should encourage a long-term housing strategy that promotes accessibility modifications to housing for seniors and elderly residents in its housing strategy. As some elderly residents may need affordable housing units with additional supportive services, a part of the Town's overall affordable housing strategy should address market rental properties, subsidized rental properties, and supportive elderly housing that may include healthcare and other appropriate supportive services.

Impediment #7: Lack of Education Regarding Fair Housing Rights

While just over 10% of survey respondents reported experiencing housing discrimination, 82% of those experiencing discrimination opted not to report it. The most frequently listed reason for not reporting discrimination was that the resident did not know if it would do any good. The common perception is that individuals with more knowledge are more likely to pursue a complaint than those with less knowledge of fair housing laws. Therefore, there is an association between knowledge of the law, the discernment of discrimination, and attempts to pursue it. Locally, it is critical that there are efforts in place to educate, to provide information, and to provide referral assistance regarding fair housing issues in order to better equip persons with the ability to assist in reducing impediments.

Recommendations

The Town should continue its landlord-tenant education program, with increased attention and targeted outreach to residents and tenants including racial and ethnic minority groups, female-headed households, and tracts with higher concentrations of poor residents (refer to Census tracts identified in the Socio-economic and Housing Profile sections). Continued areas of focus for the Town's education program should include:

- What are acts of housing discrimination;
- What protection is provided for protected classes under the Fair Housing Act;
- How and where should housing discrimination be reported; and
- What remedies are available to victims of housing discrimination, including potential monetary settlements.

Due to the high number of respondents who reported not filing a complaint regarding housing discrimination because they did not know what good it would do, the Town should be sure to focus on remedies available to victims of housing discrimination.

The Town should continue outreach to landlords and also include property managers, real estate professionals, mortgage lenders, and Town employees. These educational activities should be carried out by HUD-approved fair housing organizations using funding provided by HUD or the Town. The Town should provide monitoring and oversight of these outreach and education efforts to report on their effectiveness as a part of their annual report (CAPER) submitted to HUD.

Conclusion

This Analysis of Impediments to Fair Housing Choice identifies factors (barriers) that could limit housing choice for residents of the Town of East Hartford, Connecticut. The barriers may also prevent residents from realizing their right to fair and equitable treatment under Federal and State of Connecticut fair housing laws. It is important that East Hartford residents who are members of protected classes under these laws know their fair housing rights and understand the steps that they may take if they believe that they have experienced housing discrimination.

The recommendations proposed in this document address the following impediments: the continued need for affordable housing, the need to preserve the affordable housing stock, the challenge of housing special populations (including persons who are homeless, disabled, and elderly) due to siting requirements for group homes, transit system limitations, source of income discrimination in rental housing, limited supply of housing accessible to persons with disabilities, and lack of knowledge of fair housing rights and responsibilities. The implementation of the recommendations in this report can assist East Hartford in providing a supportive environment for achieving fair housing choice for all of its residents.

The Town of East Hartford will pursue fair housing choice for its residents, using the recommendations presented in this report that address the identified impediments. However, the government of the Town of East Hartford cannot bring about the change necessary to reduce or remove these impediments to fair housing choice acting alone. To fully achieve the objective of housing choice for all, the Town needs the support and engagement of private and public sector stakeholders and partners, fair housing agencies, and, most importantly, the residents of East Hartford.