



AFFORDABLE HOUSING ADVISORY COUNCIL

Joint Executive Committee & Legislative Committee Agenda

April 21, 2023; 9:30 am – 11:30 am

Conference Room 123c, 12000 Government Center Parkway

[Affordable Housing Advisory Council | Housing and Community Development \(fairfaxcounty.gov\)](#)

Virtual Attendance Option – [Click here to join the meeting](#)

1. Welcome, Convening and Announcements – Kerrie Wilson & Rip Sullivan
 - a. Membership News
 - b. FCRHA Scholarship Opportunity – Application Deadline -May 19, 2023
 - c. Other
2. Fairfax County Budget Update – Kerrie Wilson / Joe Mondoro
3. 2023 VA General Assembly Legislation Summary – Linda Hoffman
4. AHAC Legislative Committee Update – Jerry Poje
 - a. VA General Assembly Legislative Program
 - i. [Fairfax County 2023 Final Legislative Report – March 7, 2023](#)
 - ii. [Fairfax County 2023 Legislative Program – December 6, 2022](#)
 - iii. AHAC 2023 Recommendation Letter to the BOS
 - iv. AHAC 2024 Recommendations Discussion
 - b. Housing Related Legislation Resources
 - i. [Virginia's Legislative Information System - 2023 Session](#)
 - ii. [VA Housing Alliance Legislative Tracker](#)
5. AHAC Fair Housing Committee – Mary Paden
 - a. [COG Regional Fair Housing Plan](#)
 - b. Fairfax County Listening Session Comments
 - c. Next Steps
6. Upcoming AHAC Meetings – Kerrie Wilson
 - a. AHAC – Next Scheduled Full Council Meeting - June 23, 2023
 - b. Proposed AHAC Executive Committee
 - i. The Second Friday of each month - Next Meeting - May 12, 2023
 - ii. August Recess
7. Other Business



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AHAC Executive Committee Members

- Kerrie Wilson (Co-Chair)
- Richard Sullivan (Co-Chair)
- Maura Williams (CoC, Chair)
- Rev. Dr. Keary Kincannon (Mount Vernon)
- Joe Mondoro (Providence)
- Ava Nguyen (Business)
- John Boylan (Business)
- Nick Bracco (Real Estate)
- Dr. Eleanor Vincent (Advocacy)
- Jill Norcross (NVAHA)
- Dr. Jerry Poje (Human Services Council)
- Kamilah McAfee (Development)

<https://www.fairfaxcounty.gov/housing/ahac>



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Thank you for the opportunity to provide testimony today, and for your service on behalf of Fairfax County residents. I am Kerrie Wilson, CEO of Cornerstones, and speaking tonight on behalf of the Fairfax County Affordable Housing Advisory Council.

The Board rechartered AHAC in 2021 to recommend strategies and monitor progress against the community-wide housing strategic plan. This charge includes resource and policy requirements for new housing production, strategies to preserve and enhance existing affordable units and neighborhoods, increasing internal capacity, and promoting inter-departmental coordination around related issues of homelessness, and fair housing, among other policies.

Your appointees to this council have embraced this charge and come to this work with the **unequivocal understanding that housing is foundational** for the economic success of this county and every resident. Your commitment to providing affordable housing for low-income workers, their families and dependents is **essential to achieving the “One Fairfax” policy – and I am so grateful to work with them in this cause.**

Our priorities for the FY2024 budget as it relates to affordable housing and the connected supportive services reflect areas you have championed, and that require continued planning and investment as foundational for our county’s growth and family self-sufficiency. Given the needs you hear individually from constituents and through the course of these public hearings, we are asking for you to invest more this year.

First – AHAC asked to acknowledge this Board for its commitment to the recommendations we have made to address the wide range of affordable housing options for the workforce and individuals and families with special needs for service-enriched housing. AHAC has spoken to these issues in prior hearings, but applaud your commitments to:

- Doubling the County new housing production goal to provide 10,000 new units by 2034 that are affordable to our families and residents at 60% AMI or approximately \$70,000, and committing to no net loss of committed affordable housing.
- Authorizing an affordable housing preservation policy aimed at maintaining the affordability of our existing multifamily and manufactured housing stock.
- Elevating the importance of Housing and related Supportive Services within the County Legislative Program for the Virginia General Assembly.
- Commitment to an expanded policy, program and action on Fair Housing for county residents.
- Recognizing that funding sufficient staffing resources for HCD and nonprofit partners is critical to achieving the goals we are all striving to achieve together.

Your commitment to these policies has been demonstrated in the investments in a number of affordable housing projects that are moving us towards that 10,000 unit goal. These include:

- \$14 million-dollar FCRHA financing in January 2023 to support development of Phase I of the



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- \$13 million-dollar allocation in December 2022 to support the SOMOS project in Tysons.
- \$3 million-dollar tax exempt bond authorization by the Board of Supervisors in October 2022 to support financing 148 units within the Ovation at Arrowbrook project.

Finally, we acknowledge the Board has taken action to make strategic investments of one-time funding that has been available to fill gaps in the funding necessary, including your allocation of:

- \$45 million of ARPA funding allocated to affordable housing initiatives.
- The proposed \$10 million recommended as part of FY23 3rd quarter review, and
- Use of similar resources for affordable housing in the future (through carryover funding and quarterly reviews).

In every way It is crucial that we prioritize affordable housing, and as the funds become available.

However, in order to meet the goals that you have set, AHAC is asking the board to invest this year address the stated need for baseline funding as supported in the Communitywide Housing Strategic Plan and the 2019 Affordable Housing Resource Panel recommendations.

With the exhaustion of the federal funds which have proven so successful over the last several years supplementing County General Funds, the County should work to build baseline County funds over the next few years to reach a total investment of two pennies on the Real Estate Tax rate for the preservation of existing and the development of new affordable housing units. Until this baseline funding is achieved, staff should be identifying quarterly review opportunities to provide sufficient funding to meet the cashflow needs of Board approved projects.

In the County's Budget Guidance for FY 2023 and 2024, the Board made a commitment to "build baseline County funds over the next few years to reach a total investment of two pennies on the Real Estate Tax Rate for the preservation of existing and the development of new affordable housing units."

This budget falls short of that goal, and we ask that you take steps to achieve that goal. We understand there are competing priorities for the \$90 million balance included in the FY2024 Advertised Budget. However, allocating an additional 1/2 cent would use only \$16 million of this available balance and the full additional penny would use \$32 million of the available balance—moving us nearer to the stabilized funds we need.

Finally, we would like to recognize the need to provide operating dollars for crucial supportive services, especially as we work to truly address homelessness in Fairfax with funding and policy. Without these crucial services needed in best-practice permanent affordable housing, we will not be able to properly address and house the most vulnerable in our communities.

As AHAC has commented in previous statements, the provision of affordable housing is only one aspect of the Board's priority and commitment. The other is to ensure that sufficient wrap around services exist



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for the occupants of the affordable housing. This is most often provided by your nonprofit partners or community programming, and the funding for these services has often lagged the need. To better address these needs, we encourage the Board of Supervisors to ensure that the ongoing cost for related social and resident services be included in the initial conversations about developing units and the costs be planned for in the appropriate future operating budgets.

Creating budgets means having to make hard choices. The influx of federal pandemic-related funding over the last few years helped us address the crisis, but with that funding ending, now is the time to create local, long-term, sustainable and affordable housing solutions for our residents and workforce. Thank you.

Kerrie Wilson
Co-Chair, Affordable Housing Advisory Council

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MEMORANDUM

TO: Fairfax County Board of Supervisors

FROM: Northern Virginia Affordable Housing Alliance

DATE: April 11, 2023

SUBJECT: **Recommendations for Fairfax County's Advertised FY2024 Budget**

My name is Jill Norcross with the Northern Virginia Affordable Housing Alliance (NVAHA) and I would like to thank you for the opportunity to speak tonight in support of an increase in funding for affordable housing, primarily as a representative of a regional organization working to meet the diverse housing needs of Northern Virginia residents. I am also a member of the Affordable Housing Advisory Committee, and a Fairfax County resident.

First, I would like to acknowledge the progress made on many efforts to increase the production and preservation of affordable housing in our community.

- We commend the County for doubling our housing production goal to provide 10,000 new affordable units for residents earning 60% of the Area Median Income by 2034.
- We appreciate the adoption by the Board of Supervisors of the Affordable Housing Preservation Comp Plan Amendment aimed at maintaining the affordability of our existing multifamily housing stock and also your continued work on preservation policies for the manufactured housing stock, in addition to committing to no net loss of committed affordable housing.
- We recognize the committed funding of sufficient staffing resources for the Department of Housing and Community Development and their many non-profit partners which is critical to achieving our shared goals around housing production and keeping residents equitably and stably housed.

In addition, thank you for taking these specific recent actions to demonstrate commitment to achieving our 10,000 new units.

- \$14 million-dollar FCRHA financing in January 2023 to support development of Phase I of the [Residences II at the Government Center](#)
- \$13 million-dollar allocation in December 2022 to support the [SOMOS project in Tysons](#).
- \$3 million-dollar tax exempt bond authorization by the Board of Supervisors in October 2022 to support financing 148 units within the [Ovation at Arrowbrook project](#).

We continue to appreciate one-time funding to fill the gaps, including:

- \$45 million of ARPA funding allocated to affordable housing initiatives
- Proposed \$10 million as part of FY23 3rd quarter review
- And the County's continued ability to identify similar resources for affordable housing in the future (through carryover funding and quarterly reviews). It is crucial that we prioritize affordable housing as the funds become available.

However, despite our well-documented need for affordable housing, our policies to address inequities in the housing delivery system, and our well articulated and agreed upon goals, the County can do more to adequately address the significant funding needs in order to make this important investment in our communities.

- Pre-COVID, Fairfax County had a stated need for increased baseline funding as supported in the 2018 [Communitywide Housing Strategic Plan](#) and through the 2019 [Affordable Housing Resources Panel](#) Recommendations.
- In the County's Budget Guidance for FY 2023 and 2024, the Board made a commitment to "build baseline County funds over the next few years to reach a total investment of two pennies on the Real Estate Tax Rate for the preservation of existing and the development of new affordable housing units."
- As we continue to move toward that goal, we recognize the time is overdue to step up the commitment to ask for a significant increase in the real estate tax baseline funding beyond the 1 cent previously committed.
- We understand there are competing important priorities for the \$90 million balance included in the FY 2024 Advertised Budget, however, an additional 1/2 cent would use only \$16 million of this available balance and the full additional penny would use \$32 million of the available balance—moving us nearer to the \$60 million annual contributions we stated we needed even before COVID.
- Finally, we would like to recognize the need to provide operating dollars for crucial supportive services, especially as we work to truly address homelessness in Fairfax with funding and policy. Without these crucial services needed in best-practice permanent affordable housing, we will not be able to properly address and house the most vulnerable in our communities.

Please consider that increased funding for affordable housing is an investment that we need to ensure that Fairfax County retains our economic advantage of being a strong and thriving business community, as well as, ensure that Fairfax County retains our commitment to addressing the disparities in our resident's outcomes under our One Fairfax initiative. Affordable housing supports both goals. Having a healthy, sustainable and equitable Fairfax County is good for ALL of our residents and for our collective future success.

Thank you for this opportunity to speak today and for your careful consideration of our budget needs for FY 2024.

Speakers no. 36-47 BOS Budget Hearing April 12, 2023. Note that speakers in the mobile home parks section may not make the new time for testimony and will be heard when they arrive around 6 pm. Testimony block organized by Fairfax NAACP Housing Committee.

First speaker in each section should announce to topic of that section.

OVERVIEW

1. Mary Paden, chair of South County Task Force

Good evening Supervisors. I am Mary Paden, Chair of the South County Task Force, founded in 1975 to advocate for low-income people on Rte 1. We have organized a block of excellent speakers on behalf of the Fairfax NAACP housing committee in four areas of affordable housing. I will give you an overview.

Topic 1. Displacement: The county is building more affordable housing, but we fear it is losing housing out the back door as rents are increased and older garden apartments are scheduled for redevelopment displacing many tenants (who are not all covered by the new no-net-loss policy). Mobile home park communities along Rte 1 are being bought by out-of-state equity firms and one park located in a future BRT area is ripe for sale to a developer. These parks are longstanding communities of color.

OUR ASK: We reiterate the importance of new position in the Dept. of Housing and Community Development focused on mobile home parks. Now is the time to put up *a sizeable strike fund for Preservation of Affordable Homes*, both stick and manufactured. *We ask for about \$30M in a strike fund as well as the use of other financing.*

In its budget guidance, the Board promised \$60M in the FY24 budget for both building and preserving affordable housing, but only about \$30M is included in this FY24 budget. We repeat our ask for \$60M in the FY24 housing trust fund: \$30M for new housing and \$30M for preservation. That is equivalent to 2 cents on \$100 of property valuation. It is imperative to increase funding now because, after a lull, development pressures are picking up and we need to be nimble in grabbing opportunities for preservation-- or they will be lost forever.

Topic 2. Fair Housing. The massive COG report on fair housing found that even as Fairfax County is becoming more diverse, it is getting more segregated, and inequality is increasing. People of color live mostly in segregated low-income areas.

OUR ASK: Today we will highlight the issue of enabling lower-income minority residents to own a home to build intergenerational wealth. This is so hard two reasons: Lack of lower-priced homes and possible discrimination in mortgage lending. We need to enlarge the supply of for-sale homes and conduct further mortgage discrimination testing followed up with lawsuits or enforcement against firms that discriminate.

Topic 3. Tenants Rights: During the pandemic, the county helped many tenants avoid eviction by providing access to legal assistance and rent relief funds. Although the pandemic is officially over, low-income communities are not back to normal. Yet last month they faced a sharp drop in food and rental assistance.

OUR ASK: We are grateful for the addition of a legal service attorney in eviction court and a proposal to increase rent relief from carryover funding, but it may not be enough. We support the Right to Counsel in eviction court. We encourage you to pay close attention to indicators of needs on the ground and act before the situation becomes desperate.

Topic 4. Homelessness. On April 1, 2022, 1,500 people were turned out of hypothermia shelters. They got tents and sleeping bags and went to live in the woods or elsewhere. A county task force on how to protect unsheltered people from the health effects of rising temperatures and frequent storms was told no additional funds were needed.

OUR ASK: Closely monitor the summer plan. Conduct an evaluation in September and continue developing a more robust program. The **Beacon Hill replacement for the old Kennedy shelter** finally made it to the drawing board but is still four years from completion. Meanwhile, the 100 -plus- year-old Kennedy shelter is well past being fit for service. **It is imperative this year to fund repairs to its HVAC system and drain the stinking cesspool in the subbasement or find interim shelter.**

The ultimate solution to homelessness is affordable housing, including more permanent supportive housing for those too old or ill to work.

DISPLACEMENT/MOBILE HOME PARKS

2. Marianela Renaydo

Good evening Chairman McKay and Supervisors. I am Marianela, speaking on behalf of Tenants and Workers United. For more than 35 years, TWU has worked with low-income communities of color across Northern Virginia, including in south Fairfax County along the Route 1 Corridor, with a focus on mobile home communities.

I started working with mobile home communities when the pandemic hit the country. Some folks used to tell me to be careful of the mobile home properties, saying those communities are dangerous and even calling them derogatory names like “ The Trailers of Terror”. However, what I found was united communities, hard workers who take care of each other. They love their homes because their work, schools, and other services are nearby. Working class people that were struggling not only because of the pandemic, but also because of their housing conditions, forgotten for decades by the local government.

It's great that the County is focusing on building more units of affordable housing. However, we must be aware that while you may be building housing on one hand, on the other hand you are losing great opportunities to preserve communities like mobile home properties. We know that you have approved the recommendations of the Mobile Home Task Force, and that you have allocated funding for one staff person to work with mobile home residents, but we need more than that. We need funding and action to protect families.

Mobile home communities provide unique opportunities for low income families to own their own homes. Over the past two years, large out-of-state companies have bought up various mobile home communities, leaving current residents uncertain about their future and unable to control any drastic and unfair increases in fees or rent.

While you work on the 2024 budget, we urge you to:

1. Allocate \$60 million total to preserving or replacing affordable housing
2. Allocate a significant amount of that funding for mobile home residents to buy the land of their community, with support from community partners and other stakeholders
3. Allocate \$750,000 total for mobile home owners to make health and safety repairs and improvements

The One Fairfax Policy promises that you will “look intentionally, comprehensively and systematically at barriers that may be creating gaps in opportunity.” One way to address these systemic opportunities is to allocate adequate funding to the preservation and improvement of mobile home communities. We invite you to explore all possibilities, including but not limited to land purchases, co-ops, and land trusts, to help residents secure home ownership and housing stability in the communities they love. We must get creative and proactive with how we reimagine affordable housing.

Thank you for your consideration.

3. Glenda Benitez (Harmony Place Mobile Park)

4/12/2023

FY2024 Speech

Good evening chairman, McKay and supervisors, thank you for having us here today. I am Glenda Benitez, a community member of Harmony Place Mobile Park.

I moved to Harmony Place in 2017 with my father. Then I met my husband, and the rest is history. I would describe my small home community as exclusive, also a community that has potential. In our community we all help each other. That’s the best part. One of my neighbors changes our water heater, my other neighbor helps us remodel our carpet, and the most important of them all babysits my infant child.

When I moved to the community in 2017, it was in horrible conditions. You can smell something was wrong with the plumbing, homes would flood due to the creek nearby. As I mentioned previously, we fixed our own water heaters, we remodeled our own homes, and we fixed our own plumbing to the best of our abilities. I personally spent cold winters because the circuit breaker had issues, and I had 10 to 15 minutes to shower because the water heater didn’t work. We didn’t have adequate attention.

With the help of the County and a non-profit organization – Tenets and Workers United, we have had some repairs done. But our worries continue to this day. We worry about the rent. What if the property owner decides to add to the rent? Or if the property owner decides to sell? We would be homeless.

While you work on the HY2024 we urge you to allocate a significant amount of funding for the mobile home park acquisition created by community members with the support of community partners and other stakeholders. We are asking for funds to preserve our community. We are asking for funds that can help with repairs. There are homes on the property that are suffering from mold due to plumbing. But mainly supervisors, we want security. We want to **ownership** of our homes, and we want to build on that ownership, creating generational wealth for our children.

Thank you for taking the time to listen to our concerns and our request today.

4. Juan Antonio Margain, Penn Daw Mobile Home Park

Good evening Chairman McKay and Supervisors, My name is Juan Antonio Margain, I am a resident and member of the Penn-Daw Terrace mobile home community.

I have been living in this community for 25 years and paying my taxes to this country. Just like me, there are other residents who have lived here for the same period of time or longer.

Our children were born in this community. For us and our children this is our home and we would not like to lose our houses. All of us are afraid and concerned about the development of the Route 1 corridor. We have seen that in the last year, three mobile home communities have been sold to large companies or investors, and from what we have seen we believe that the same future awaits us. We do not want, nor would we want to, lose our home. We are hard-workers and low-income people. In December we received a rent increase of \$150. Without first receiving a correct notification. We are already paying a rent of \$1,100 a month, so this is added to all the costs for the services of water, electricity, gas, etc.

For this reason we are asking you to help us, listen to us and include us in the budget you are working on today. We ask:

- 2- To allocate funds for the preservation and repair of our communities.
 - 2- Look for a proactive plan so that we, the tenants, own the land, either in conjunction with other non-profit organizations.
- Or that you manage that the entire county buy this land from the current owner. As they have done in previous years in another trailer community that is in this area and where residents pay around \$500 for the land.

Thank you very much for your attention and consideration.

FAIR HOUSING

5. Eugene Buck/ Neera Datta

Note that Neera Datta will deliver Mr. Buck's presentation if he is called to a family emergency. Good evening supervisors. My name is Eugene Buck and I reside at 11811 Briar Mill Lane, Reston, VA. 20194 in the Hunter Mill District. I am chair of the subcommittee on Fair Housing of the NAACP Housing Committee and retired from the Congressional Research Services. For several years my subcommittee has followed the county responses to the [2017 Analysis of Impediments](#) fair housing report, as well as the creation of new goals and strategies for fair housing by 8 jurisdictions in Metro DC overseen by the Council of Governments (COG).

The new goals broaden the scope of fair housing from complaints and investigations of discrimination to include increasing the amount of affordable housing through building and preserving it and through planning and zoning changes to allow it to be built, as well as the need for affordable housing to be near essential services such as public transit, education, and job opportunities. Our housing committee recently filed extensive comments with COG on their report and you will receive copies. We hope to work with you to develop a set of measurable actions under the COG goals and strategies that can be evaluated annually.

Today I will address only one goal with two proposed solutions, both of which need county funding. The goal is to increase the rate of homeownership by people of color, especially Black people who faced generations of housing discrimination and being pushed off their own land in NOVA, as elsewhere, as documented in the recent report [Deeply Rooted](#).

Currently, In Fairfax County minority homeownership is stifled by 1) a shortage of affordable homes (including townhouses and condos) for sale and 2) a continuing discrimination in mortgage lending. For example, a recent (4-6-2023) search of Zillow found only 24 townhouses between \$350-\$450K and only 54 2-bedroom condos between \$175 and \$350K in Fairfax County. The department of Housing and Community development, which administers the set-aside of a small number of affordable for-sale units in new developments, placed only 5 families in homes last year. A more serious approach might include building prefabricated homes/ townhomes on scattered county sites that would be sold under a shared equity model or creating a county Community Land Trust to allow building under cooperative ownership. We could also offer more serious downpayment assistance.

A Black loan applicant in the United States is more than twice as likely to be denied a home mortgage as a white applicant. [Recent research](#)¹ shows signs of continuing discrimination in mortgage lending and we have indications of it in Fairfax County based on paired testing that shows black and white applicants were treated differently.² We need to fund additional testing and follow through on enforcement by the county attorney on lenders that discriminate. We should also remove all county funds from banks that discriminate in mortgage lending as recommended by the author of the 2017 report on Impediments to Fair Housing.³ We should also continue testing and enforcement for discrimination in rentals.

Thank you for this opportunity to speak with you.

6. Cookie Blitz

Good afternoon. My name is CHB and I live in HM district. I am a member of the NAACP fair housing subcommittee and will address some of housing barriers People with disabilities face.

The COG Fair Housing report states that federal funding and inclusionary zoning are inadequate to meet housing needs for PWD. Fairfax County needs to identify and employ innovative funding streams to supplement these efforts. PWD may be disproportionately excluded from rental housing under some federal program rules, particularly those with criminal records/interaction with the criminal justice system. Our county needs to ensure that reasonable accommodations for PWD are strongly considered in this regard, and educate landlords and other community members as well.

¹ Debra Kamin, Nov. 29, 2022 , *Discrimination Seeps Into Every Aspect of Home Buying for Black Americans* *The National Association of Real Estate Brokers says discrimination is holding Black buyers back in all steps of the home buying process, starting with the rejection of a mortgage application*, New York Times .

² Fairfax County Human Rights Commission, 2002, Fair Housing : Rental, Sales, Lending Testing Report.

³ [Analysis of Impediments to Fair Housing](#), 2017, See p. 280 "The county can, however, commit to depositing its cash reserves and operating funds at financial institutions that do not discriminate and withhold such deposits from institutions that do."

A common challenge in finding the right housing is the lack of a readily available, accurate listing of accessible units. This was also cited in the COG report, along with the imperative for neighborhoods with accessible streets and sidewalks, and proximity to transit and paratransit options.

Design standards are an important consideration for affordable, accessible housing. We request a minimum of 10% of all units in multifamily housing that receive public \$ be accessible to those with mobility issues and 4% or more be accessible for those with hearing/visual needs. Universal Design should become a standard *requirement* for supportive housing in FCRHA properties and the 50+ Action Plan.

OHREP enforces the Fairfax County Human Rights Ordinance and the Fairfax County Fair Housing Act. In 2020, 47% of complaints to OHREP regarding housing were disability related. Between 2018 & 20, the # of housing cases based on disability doubled. We request that OHREP devote greater resources to testing and enforcement, so the full depth of discrimination is revealed, fair housing outcomes are delivered to County residents, and landlords and others who are violating the law are effectively deterred.

Accessibility should never be an afterthought, but that is what often happens. Properties are developed, buildings go up, communities take shape and measures to ensure compliance somehow get lost. At the Boro in Tysons which describes itself as “luxury and upscale”, there are no ADA compliant parking spaces on the street. They are all in the parking garage which is contrary to requirements. The creation of a consumer citizen entity to assist in monitoring compliance while planning and construction are occurring is necessary. Mistakes and oversights are identified BEFORE they are literally, and figuratively, cast in stone.

Fair housing requires both a financial investment and policy commitment to those who have long been denied safe, affordable, appropriate housing in our community.

Thank you for the opportunity to participate in this process.

TENANTS RIGHTS

7. Arona Kessler, eviction court

Thank you for this opportunity to speak on Fairfax County’s budget. I am a housing paralegal during the day. However my testimony today is given as a resident of the Route One corridor and a member of the Fairfax County NAACP Housing Committee.

As you have heard, our county residents have a lot of needs when it comes to housing stability. I would like to highlight a portion of the regional draft fair housing plan for your budgetary consideration. This plan calls for a Right to Counsel pilot program for Fairfax County and neighboring jurisdictions. I am quoting directly from the draft fair housing plan, “Thousands of residents in the region are displaced annually due to evictions. According to local legal services and fair housing organizations, many evictions occur because tenants do not understand their rights and/or their obligations. It is estimated that only a small percentage of tenants facing eviction have legal representation, and those without representation almost always are evicted, regardless of a viable defense. In 2021, Maryland passed a Right to Counsel bill that would provide access to counsel for low-income tenants facing eviction, but it is inadequately funded. There are several legal providers in the region that are well positioned to serve low-income

tenants, including undocumented tenants. Although there would be an up-front investment, legal representation is less costly than serving families experiencing homelessness.”

Important reforms and improvements have been made to the Virginia Residential Landlord Tenant Act over the past couple years, such as requiring Landlords to provide a notice of tenant rights and responsibilities, and an expanded right of redemption, where they pay the amount owed and may stay in their rental unit after losing in court but before an eviction takes place. When a tenant does not have the benefit of an attorney, they may not be aware of these rights, or that there are several, specific steps a landlord needs to go through to lawfully evict them. A tenant cannot assert their rights in court if they do not know what those rights are.

Eviction cases are heard in Fairfax every Friday, and I invite every member of the Board of Supervisors to come and witness up to a hundred tenants try to navigate a legal system that was set up to benefit their landlords. The first court hearing is called a first return, and at that hearing a judge will say to the tenant “you are here because your landlord alleges you are in breach of your lease for non-payment of rent, and they are entitled to a judgment of money and possession, do you agree or disagree?” Tenants are expected to answer this question immediately without an explanation of what it means. In this way many tenants unknowingly waive their right to a trial and eviction proceedings can move forward based on a tenant’s confused admission.

Legal aid is present at the Fairfax County courthouse five-days a week to provide general information and how to apply for their services. Without right to counsel and a commensurate budget allocation, legal aid is not able to meet the current demand for services in Fairfax County. Since pandemic related protections expired, the amount of evictions being filed has increased markedly.

With a robustly-funded right to counsel program, housing attorneys can explain to tenants what their rights and options are. They can help tenants access rent assistance or other resources that can help the tenant comply with their lease. Housing attorneys can also negotiate on behalf of clients for move out agreements or other compromises that allow tenants to leave their current housing with dignity and protect the interests of all involved. This investment in right to counsel can make Fairfax County a regional leader in fair housing and decrease the need for services related to homelessness and emergency shelter.

8. Jerry Poje

I’m **Jerry Poje**, grateful for your leadership towards supporting “Affordable Homes for All.” Better mobilized, our community can and must do more.

My spouse and I, with Ph.D.s in public health and cancer research raised our beloved daughter here but could not duplicate our experience today if starting anew in Vienna. Gentrification excludes all like us. And its worse for many others.

Ensuring affordable homes became my congregation’s imperative - ever since nurturing an interfaith hypothermia shelter. Over 19 years we’ve serves hundreds of neighbors.⁴ Longtime tenure on our County’s Human Services Council and Affordable Housing Advisory Council informs my testimony.

⁴ See our UUCF Congregational Resolution committing us to end and prevent homelessness thru providing affordable homes: <https://uucf.org/social-justice/congregational-resolutions/resolution/>

Within the larger group framework of our group of testifiers, please drive our next county budget to prevent evictions by ensuring two proven strategies: ensuring rights to counsel; and maximizing rental assistance to those in need.

America is facing a historic eviction crisis. Amid a nationwide housing shortage, rents are surging to unprecedented levels, and many renters cannot keep pace.⁵

State eviction protections ended last June. Federal rental relief ended this year. Low-income communities are not back to normal and last month they faced a sharp drop in food benefits and rental assistance. Emergency medical benefits may soon end for some.

More than 3.6M evictions are filed each year.⁶ Tenants facing eviction risk losing their home and personal property. Evictions increase the risk of homelessness and further housing instability. Evictions can disrupt employment and education, and lead to adverse mental and physical health effects. During Covid evictions led to increased infections and death. Only 3% of tenants are represented by counsel. Represented tenants are more likely to remain housed, more likely to pay less in costs, and more likely to get more time to move.

We're grateful for supporting an additional legal service attorney in eviction court and a proposal to increase rent relief funding from carryover, but it may not be enough. Pay close attention to the needs through nonprofit and faith communities closest to those at risk. Act before their situation becomes desperate.

On the Rte 1 corridor and elsewhere they have been sounding the alarm that conditions are bad and county assistance is not enough. Some of them testified earlier. We thank you for providing some extra carryover funds funds for rent and food but we insist that you continue to listen to their assessments of the situation and respond.

Second, monitor data on both the number of evictions and the number of unlawful detainers issues each month. The unlawful detainer is the first step in an eviction telling the tenant to go to court. This number rose sharply in January, February and March to the highest levels in years. Many tenants 'self evict' when they get this notice because they don't know how to fight an eviction and they don't want an eviction on their records. Their exit deeply disrupts family life and our local economy. Armed with political will, Fairfax can move in a better direction to our collective benefit. Together we must build back better.

⁵ See the recent report from the ACLU, "No Eviction Without Representation" (2022) <https://www.aclu.org/report/no-eviction-without-representation?redirect=evictionbrief>

⁶ See report from the Eviction Lab: https://www.un.org/development/desa/dspd/wp-content/uploads/sites/22/2019/05/GROMIS_Ashley_Paper.pdf

HOMELESSNESS

9. Kelcy M. Allwein, Major (Ret), US Army & DoD Civilian (Ret)

Good afternoon, Supervisors McKay, Storck, and Lusk, ladies and gentlemen. I am Kelcy Allwein, retired US Army officer and DoD civilian. I have lived in Mount Vernon District for 31 years but mostly drove through it till I retired in 2019 and joined Rising Hope Mission Church as a member and one of the church leaders. Since then I have seen the local community through a new lens showing the poverty and homelessness present along the Highway 1 Corridor. And I have made friends among people who are homeless like David & Lisa who were blessed to get a room in a walkout basement on 1 April just after Rising Hope's Hypothermia Shelter closed. Another friend, Gerry is also homeless and in a wheelchair. David promised his old tent to Gerry just this last weekend since he and Lisa didn't need it. Can you imagine being in a wheelchair and have to put up a tent so you can stay out of the weather? And sleep on the ground when you can barely walk at times. It breaks my heart to see Gerry and others homeless. I see so many good people around the local community who need help getting housing. Many homeless people do not have good credit ratings which is often a requirement for affordable housing. And many have disabilities like Gerry or mental health challenges. I would like to see more affordable housing near the Original Mount Vernon High School. I have been monitoring the redevelopment and am most concerned about the 22 acres which seem to be undesignated in Phase 2 and 3. I would like to see housing so that my friend Gerry and others have a place to live. I would like to see a system set up to help people build credit ratings. Lastly I would like to ensure that the end of the Pandemic Health Emergency doesn't create new homelessness as people lose the resources that it gave to them.

10. Alicia Archer

Good afternoon/evening Chair McKay, Supervisors Lusk and Storck and other supervisors My name is Alicia Archer. I live at 220 Russell Rd, Alexandria, Va in Lorton and I work at Rising Hope Methodist Mission Church on Rte 1 as the community ministries coordinator. I am also in charge of cooking lunch there for homeless people who come in. Sometimes that is the only meal they get in a day. We used to have about 25 come in, but last week we had 60 people. We stretch the food as far as we can, but our food is all donations from other churches and individuals. We don't get money from the county. I understand that some of you think the county provides food and shelter for all poor people, but there are a lot of people who don't get any money from you.

On April 1, when homeless people left our hypothermia shelter (which is really just the floor of our meeting room) they had nowhere to go except out to sleep in the woods or at a bus stop, or maybe double up with somebody. At the hypothermia shelter, we have a limit of 28 people from the Fire Marshal. One man had to be turned away and he died. First he lost his hands and feet and then later he dieA lot of people live on disability income of about \$700 a month. They spend it all on rent at motels and it doesn't last through the month. Some pay about \$300 in advance for a week. They come here for their food and everything else. We have the old Kennedy Homeless Shelter 4 miles down the road, but it has a really bad smell and makes you get sick. You can't know what it is like until you go there. It takes 50 homeless men and women and another 25 during hypothermia season.

A lot of homeless people are sick. Some get physically sick because they live a hard life. Some are mentally ill and we can't make them do things to take care of themselves because the law won't allow it. We don't know how to help them except to bring them in for lunch and to be with other people.

We are doing our best at Rising Hope. We got a grant for a food pantry, but we don't have enough money and donations to meet all the needs here. Some of the other churches in the area also help people a lot with their own resources.

We always tell people to call the county help line, but they don't always get any help. The help line sends them back to us, but the county doesn't give us any money to help them.

So I came here to tell you that there are a lot of people out there with needs that are not being met and they need more help with food and shelter and health care both mental and physical. **I really think you should provide better shelter for homeless people on Rte 1 now and not wait for four more years for the new shelter to be built at Beacon Hill. The Kennedy shelter air conditioning keeps breaking down in the summer. You could either fix up the Kennedy shelter and get rid of the cesspool smell or temporarily fix up some of the empty buildings along Rte 1. People need a safe place to sleep. It would also be nice if you could figure a way to help the churches who help other people. We do a lot on our own, but things seem to be getting worse since the pandemic and we are having trouble keeping up with it.**

So thanks for listening. I cook a big lunch at Rising Hope every day. If you would like to come over for lunch and meet some of our guests, let me know. Last week we had taco salad, corn alfredo, and curried chicken.

11. Cyndi Jones

Good evening Chairman McKay and all the Fairfax County Supervisors.

My name is Cyndi Jones. I am a native Northern Virginian, having lived here in Northern Virginia my entire life of 68+years. I have seen an ever increasing gap between wages and the ability to pay for housing. When I grew up in the 50-60's there was little to no homelessness. As we got in the late 80's 90s and since Y2K rents have progressively skyrocketed and wages have not kept up. In fiscal year 2021, **60 percent of AMI for a family of four in Fairfax County was \$77,400. A family or single mother cannot make near that on minimum wage.**

I have been a part of trying to end homelessness for many, many years. I remember well when we started the Office to Prevent and End Homelessness in 2007 with a goal to end homelessness in 10 years. That would have been 2017. Six years past the goal, we are no closer to closing that gap, in fact I believe it is much worse.

My current employment is at Rising Hope Mission Church. We do our best to assist the homeless and those experiencing abject poverty in South County. I am the first voice on the phone, the answer to an email and the first face most people encounter at Rising Hope. Despite our efforts, we are often not able to help these people meet basic needs, such as housing, jobs, transportation, and medical/mental health care. There is not a day goes by that I do not have at least 2 requests for assistance for rent, utilities or other basic needs most of us take for granted. It breaks my heart every time I have to say I am sorry, I don't have an answer for you. Non-profits cannot do it all. Our money comes God through generous givers, but it doesn't begin to put a finger in the dike. Every week, we supplement 250-300 families with food. Every day, we provide lunch to those that otherwise probably would have nothing to eat. During the winter we allow 28 homeless men and women to find a warm place to lay their heads. On April 1, they walk out the door and are no better off than they were before.

How can we let this happen in one of the richest counties in the United States? What can we do, as your constituents, to help you in understanding that we are all a few paychecks away from being in the same predicament as many of the people I am advocating for. I implore you to find money to build affordable housing opportunities such as SROs and tiny houses that have been successful in other parts of the country.

Housing has been proven to increase dignity, reduce incarceration, decrease ER visits, and reduce crime. Sounds like a WIN-WIN to me.

Thank you for your time.

CLOSING

12. Therese Chaplin

Good evening supervisors. My name is **Therese Chaplin**. I am speaking as an individual, but I am a member of St. Martin's Episcopal Church and the NAACP Housing Committee. I live at 6027 Bitternut Drive in the Franconia District.

This is my first time testifying, and veterans advised me to share a personal story, that would pull on your heartstrings. Actually I have never had to worry about shelter. Or choosing between paying for rent or food or medicine. But the pandemic made me understand some things:

During the pandemic, I witnessed people desperate for the basic needs of food and shelter. I remember long lines of cars stretching way down Franconia Road, waiting to turn into Key Center, for free food. During the pandemic, I witnessed the brutal murder of George Floyd and was jolted to the awareness that this country has much more work to ensure justice for all.

My faith community began to really look at the issues in our country and in Fairfax County. We looked at housing, after affordable housing projects proposed in our own neighborhoods were getting pushback from other residents.

Why is housing out of reach for so many? Housing is life's essential building block, and as in so many other areas, people of color are disproportionately affected. And during the pandemic, I became a grandmother for the first time. I heard Chairman McKay, during this year's Housing Symposium, talk about his grandmother, and how you should listen to grandmothers.

And so, I will repeat the asks from Mary Paden's opening remarks:

1. Put \$60M in the FY24 budget for both building and preserving affordable housing,
2. Use \$30M of this for a strike fund to preserve Affordable Homes, both stick-built and manufactured.
3. Create a new position in the Dept of Housing and Community Development focused on mobile home parks and create a comp plan amendment to address the pressing issues.
4. Enable lower-income minority residents to own a home so that they can build intergenerational wealth.
5. Mandate a Right to Counsel in eviction court and fund legal aid attorney positions to meet the need. Add funds for rent and food relief as needed since we have not returned to a pre-pandemic economy.

6. Reexamine the plan and funding for summer heat relief for the homeless.
7. Fund repairs to the AC and the stinking cesspool at the Kennedy homeless shelter, or find alternate quarters while we wait for its replacement.
8. Hire staff to provide mental health services, police interventions, food, and most importantly permanent shelter to our least fortunate neighbors.

We who are fortunate have a moral responsibility to ensure all have equitable access to housing, especially to those still suffering the effects of systemic housing discrimination.

We have a responsibility to our pandemic heroes –health care and grocery store workers, first responders, teachers, all those who provided for the rest of us -- for them to be able to live in Fairfax County where they work.

We have a responsibility to make sure our vulnerable population -- our seniors, and those living with disabilities, and the homeless – have homes and be able to thrive.

We have a responsibility to leave a legacy of a fully realized ONE FAIRFAX, where everyone has access to safe and affordable housing.

Please hear this grandmother. Thank you.

April 18, 2023

Fair Housing Committee Report to AHAC EXCOM

Mary Paden, Chair, Fair Housing Committee

After three meetings, the AHAC Fair Housing Committee would like to offer an initial report to AHAC Excomm. We will later make recommendations for the BOS on ways to proceed with Fair Housing goals and actions under a new rule forthcoming from HUD.

Note that Fairfax County recognizes 14 protected classes related to Fair Housing.¹

We reviewed the [Metropolitan DC Council of Governments \(COG\) proposal](#) for seven fair housing goals in the Metro DC area. We also reviewed the [Draft Affirmatively Furthering Fair Housing Rule](#) from HUD.

Eight COG jurisdictions, including Fairfax County, met for many months to agree on seven common goals to further fair housing. These goals go beyond the conventional scope of fair housing of educating, testing, and enforcing fair housing laws. They include development of affordable housing, zoning changes to encourage affordable housing, home ownership programs, making more housing accessible to disabled residents, and locating public transit near affordable housing. The goals and suggested strategies to attain them are listed in annex A.

In Fairfax County, attaining these goals would involve action in four administrative departments: the Office of Human Rights and Equity Programs (OHREP), the Department of Housing and Community Development (HCD), the Department of Planning and Development (DPD), and the Department of Transportation (FCDOT).

Jurisdictions were asked to supplement the broad COG goals and strategies with measurable actions to attain the goals. These actions were intended to eventually become reporting mechanisms that were previously developed by consultants under pre-2015 fair housing rules with progress reported to HUD annually. Seven of the jurisdictions submitted at least some actions before the public review period that ended March 31, but Fairfax County submitted only a few items. For the local-only actions formulated by NoVa jurisdictions, refer to the [Regional Fair Housing Matrix](#) compiled by Northern Virginia Alliance for Affordable housing.

Demographics and segregation data and mapping in the draft COG report was based on the strict 2015 Obama administration HUD rule, which was discarded by President Trump. While the COG Fair Housing draft was on public review in March, HUD released a draft Affirmatively Furthering Fair Housing Rule for public review (though April 24), which relaxed some of the research requirements that smaller jurisdictions found burdensome and proposed a process of how to link the research with fair housing goals, strategies, and actions. See annex B for an example of the process.

The time table for when the new HUD rule will take effect is not yet clear. At the time designated, Fairfax county will submit an *Equity Report* to HUD that will replace the *2017 Impediments to Fair Housing*

¹ Code of Fairfax County, 11.1-3-1(b). It is the policy of the County of Fairfax to provide for fair housing throughout the County, to all its citizens, regardless of race, color, religion, national origin, sex, elderliness, familial status, marital status, sexual orientation, gender identity, status as a veteran, source of funds, or disability.

report and then begin using the new report as the basis for its annual progress reports to HUD. Jurisdictions that do not comply are given consultations with HUD with possible loss of HUD funding for noncompliance. The proposed rule requires program participants to incorporate the fair housing goals from their Equity Plans into their consolidated plan, annual action plan, or Public Housing Authority Plan.

Public Comments

Fairfax County publicized the comment period for the COG report to the general public through its usual channels. OHREP, in cooperations with Neighborhood and Community Services, held two public meetings in minority areas: Gerry Hyland Government Center on Richmond Highway and the James Lee Community Center in Annandale, with 33 total participants giving valuable comments.

Fair Housing Committee Discussion

After reviewing the COG report, committee discussion focused on three areas: 1) the lack of actions proposed by Fairfax County in relation to its neighboring jurisdictions, 2) the lack of an overarching administrative mechanism that spans the four departments where actions are required to meet the COG goals, and 3) recommendations to AHAC ExCom and thus to the BOS . At this point, we can share some of our thinking.

Fairfax County Actions

Fairfax county must develop fair housing actions that have measurable outcomes at some point as they will be required by HUD under the new AFFH rule. Since Fairfax has committed time and money to the COG process and it would be easier to follow through with the goals and strategies framework, plus Fairfax County specific actions. The actions should be measurable and achievable and actually move us in the direction of the goals. Options for developing actions include:

1. Developing a process to create actions in line with the goals and strategies in the COG report.
2. Hiring a consultant to develop Fairfax-specific actions under the COG framework.

In either case, we feel that public comment should be allowed on the proposed actions before they are finalized. Comments should at the very least be made by AHAC and interested fair housing organizations representing protected classes, as well as developers.

Overarching Administrative Framework

Currently, OHREP has responsibility for reporting to HUD with input from HCD. Our concern was not with the reporting function, but rather the need for someone to have overall responsibility for the direction and coordination of the fair housing work of the four departments and for the outcomes of their efforts. I have discussed this issue with Chief Equity Officer Karla Bruce, OHREP Director Ken Saunders, and HCD Director Tom Fleetwood. Ms. Bruce has indicated that she may be able to coordinate efforts through departmental equity plans, but more discussion is needed.

Board Action

After the Metropolitan Washington Fair Housing Plan is revised following the public comment period, which ended March 31, it will be sent to the Board of Supervisors for approval. At that time, we would like to send the AHAC ExCom a recommendation to the board regarding approval as well as development of Fairfax County actions, management of the action plan, and a process for public comment.

Annex A

METROPOLITAN WASHINGTON REGIONAL FAIR HOUSING PLAN – DRAFT Executive Summary

Prepared by the Lawyers' Committee for Civil Rights Under Law, the Urban Institute, and Ochoa Urban Collaborative in partnership with COG member governments, January 2023

By working together on these strategies, we can meet our goals to:

- Reduce housing discrimination
- Reverse patterns of racial segregation
- Improve access to opportunity for all current and future residents of the metropolitan Washington region

The goals and strategies

1. Increase the supply of affordable housing for families earning at or below 60% of the Area Median Income (AMI) for the region – especially where there hasn't been any.

There are several ways to achieve this goal:

- Explore policies and programs that increase the supply of housing for low- and moderate-income households. They include housing bonds, real estate transfer taxes and mandatory inclusionary housing where it is permitted.
- Create new rental housing for those with people earning at or below 60% of AMI -- instead of 80%. Build units for those earning at 50% of AMI or below to address the chronic housing shortage for low- and very low-income families.
- Provide low-interest loans to homeowners who want to build affordable ADUs (Accessible Dwelling Units) on their property. (Example: an apartment over a garage).

2. Change zoning and land use policies to expand access to fair housing. Increase the development, geographic distribution, and supply of affordable housing.

Zoning for single-family homes in the region makes it hard to develop affordable housing. To change this, local leaders can:

- Revise zoning regulations to allow as-of-right Accessory Dwelling Units

- Increase inclusionary zoning incentives for more affordable housing units to be created in a new mixed income building or increase fees for developers to pay for someone else to build affordable housing in a different location sometime in the future
- Adopt zoning changes to make it easier to develop affordable housing
- Include a fair housing equity analysis when reviewing significant rezoning proposals and specific plans

3. Implement policies to preserve affordable housing and prevent displacement of residents. Keep the same number of existing affordable rental units in our region.

We've lost affordable housing during the past decade. One of our priorities must be to have a net zero change. In other words, we need to offset the loss by building new or preserving existing units. To do this, we must:

- Track and support existing affordable housing
- Establish a loan fund to help tenants, nonprofit groups, and local governments buy apartments and manufactured home parks that are for sale

4. Increase the number of homeowners in the region and reduce the unequal treatment and discriminatory practices that keep members of protected classes from buying a home.

We can increase opportunities for low- and moderate-income buyers to buy homes:

- Through cooperative homeownership models and community land trusts
- By allowing and encouraging higher density, smaller/accessory dwelling units and duplexes
- By setting aside some subsidized homes in new housing developments

We also can help current homeowners who are racial and ethnic minorities, people with disabilities, and seniors with:

- Programs and products that pay for home repair, rehabilitation, and renovation
- Programs that provide energy efficient improvements to lower utility costs
- Counseling and legal referrals to help them avoid foreclosure

Unfair homebuyer practices make the wealth gap between White households and those of color worse. We must take steps to:

- Reduce appraisal bias – valuing property based on who owns it

- Increase fair housing testing to identify discrimination
- Monitor lenders and real estate entities to ensure equal treatment of applicants

5. Protect the housing rights of individuals who are part of protected groups. For example, people of color, those with disabilities and seniors.

Evictions and rent increases force these residents to leave their homes. This happens most often to Black and Hispanic residents and people with disabilities. The pandemic has made things worse for renters and certain racial and ethnic groups. To help these residents keep their housing, we can:

- Expand local funding for housing vouchers. Make them valid across the region.
- Increase the scale and scope of housing mobility programs
- Reduce barriers to rental units by encouraging landlords to reduce, eliminate, or offset application fees for voucher holders
- Follow HUD's guidelines for criminal background checks in tenant screening
- Pilot a Right to Counsel Program. Tenants would get legal representation for disputes with their landlords.
- Increase support for fair housing outreach, education, training, testing and enforcement

6. Increase community integration and reduce housing barriers for people with disabilities.

Existing federal funding is not enough to create the housing needed by people with disabilities so more can live independently in our communities. The region can:

- Use other funding sources to increase the supply of permanent housing. They include affordable housing bonds, affordable housing trust funds, commercial linkage fees and real estate transfer taxes.
- Adopt design standards that require accessible units in new multifamily developments that receive public funds. 10% of all units must be accessible to people with mobility disabilities and at least 4% for those with hearing and/or vision disabilities.
- Provide more support and resources for rental assistance programs for people with disabilities
- Conduct fair housing testing to investigate barriers identified by case managers who assist persons with disabilities
- Provide education on applying the Fair Housing Act's reasonable accommodation duty in the context of criminal history screening
- Improve tracking and mapping of the location of affordable, accessible units. Include how accessible surrounding streets and sidewalks are.

7. Make public transit easier to access and afford for members of protected classes.

High housing costs in the region have forced many low- and moderate-income residents to move further away from their jobs and reliable public transportation. This includes members of protected classes. To address this, the region can:

- Identify resources to expand free or reduced-fare bus and other transportation to low-income households
- Study best practices and make recommendations to improve, expand and coordinate bus routes across borders in the region so these residents can access jobs in other areas

Metropolitan Washington Regional Fair Housing Plan, Draft, January 2023, pp 19-22

Annex B

HUD's Draft Affirmatively Furthering Fair Housing Plan states:

“Each program participant shall prepare an Equity Plan for the purpose of developing fair housing **goals, strategies, and meaningful actions** that are designed and can be reasonably expected to **overcome identified fair housing issues** in each fair housing goal category and advance equity based on protected characteristics in its geographic area of analysis with respect to its programs, services, and activities, including funding and siting decisions.” (p.174)

ISSUES are the problems identified through extensive data analysis

GOALS are the major changes needed to further fair housing

STRATEGIES are ways to accomplish the goals

ACTIONS are discrete policies or programs with measurable outcomes that are in line with the strategies and will help accomplish the goals.

EXAMPLE

Research/Data: 70 percent of white families own homes whereas only 43 percent of Black families own homes.

Issue: Since homeownership is a major way to build intergenerational wealth, minority families need more access to homeownership opportunities.

COG Goal: Increase the number of homeowners in the region and reduce inequities and discriminatory practices that limit homeownership opportunities by members of protected classes.

COG Strategy 1: Ensure that affordable housing set-asides in new housing developments include subsidized home ownership opportunities in addition to subsidized rental opportunities.

FAIRFAX Action 1: Revise the County's for-sale Workforce Dwelling Unit (WDU) Policy by lowering the current AMI category from 120% AMI to 80% AMI thus making the homes affordable to people at lower incomes. This is similar to the action taken last year on WDU rental units. Doing this however, will probably result in production of fewer total for-sale units. Based on the number of projected affordable housing projects for the next year, this action will produce about XX affordable for-sale units affordable to families making 80% AMI or less. Over the next five years, it could produce XXX such homes.

Community Listening Session

Draft Metropolitan Regional Fair Housing Plan

- #1** What resources are needed to ensure that residents can obtain housing that meets their needs, i.e., accessibility, family size, housing for older persons?

¿Qué recursos se necesitan para garantizar que los residentes puedan obtener una vivienda que satisfaga sus necesidades, es decir, características de accesibilidad para discapacitados, tamaño de la familia, vivienda para personas mayores?

- #2** What strategies should be considered to improve housing affordability and availability?

¿Qué estrategias deben considerarse para mejorar la asequibilidad y disponibilidad de las unidades habitacionales?

- #3** What practices (or policies) do you think would be effective to address housing disparity in historically underrepresented, underserved, and marginalized communities?

¿Qué prácticas (políticas) cree usted que serían eficaces para abordar la disparidad en materia de acceso a unidades de vivienda en comunidades históricamente poco representadas, desatendidas y marginadas?

FAIRFAX COUNTY COMMUNITY LISTENING SESSION ON FAIR HOUSING PLAN

*SESIÓN DE AUDIENCIA COMUNITARIA DEL CONDADO DE
FAIRFAX SOBRE EL PLAN DE ACCESO JUSTO A LA VIVIENDA*

Kenneth Saunders

Director, Office of Human Rights & Equity Programs

Fairfax County

*(Director, Oficina de Derechos Humanos y Programas de Equidad
Condado de Fairfax)*

Hilary Chapman

COG Housing Program Manager

(Directora del Programa de Vivienda del COG)

Diane Glauber

Director, Fair Housing & Community Development Project

Lawyers' Committee for Civil Rights Under Law

*(Directora del Proyecto de Acceso justo a la vivienda y Desarrollo comunitario
Comité de Abogados por los Derechos Civiles)*



METROPOLITAN WASHINGTON REGIONAL FAIR HOUSING PLAN

PLAN REGIONAL DE ACCESO JUSTO A LA VIVIENDA DE LA ZONA METROPOLITANA DE WASHINGTON

A planning process for local governments and public housing agencies to take **meaningful actions** to overcome historic patterns of segregation, promote fair housing choice, and foster inclusive communities that are free from discrimination.

Proceso de planificación que servirá para que los gobiernos locales y las agencias de vivienda pública tomen **medidas significativas** para superar los patrones históricos de segregación, promover la elección justa de vivienda y fomentar comunidades inclusivas, libres de discriminación.



Why Fair Housing & Housing Equity Matters

Por qué son importantes el acceso justo a la vivienda y la equidad en materia de vivienda

Fair Housing Choice Connects You to:

- High performing schools
- Diverse communities
- Job centers and employment opportunities
- Transportation options/resources
- Safe and healthy neighborhoods

Una elección con acceso justo a la vivienda le permite disfrutar de:

- Escuelas de alto desempeño
- Comunidades heterogéneas
- Participación en actividades de capacitación y de empleo
- Opciones/recursos de transporte
- Vecindarios seguros y saludables

Project Team Members

Miembros del equipo del proyecto



Metropolitan Washington
Council of Governments



Metropolitan Washington
Council of Governments

Community Engagement Input

Compromiso y participación de la comunidad

Top Solutions from Focus Groups:

- More Spanish-speaking housing counselors
- More program information in languages besides English
- Expanding options for seniors to age in place
- Better compliance by landlords with reasonable accommodations

Principales soluciones de los grupos de sondeo:

- Más asesores de vivienda hispanohablantes
- Más información sobre el programa en otros idiomas, además del inglés
- Más opciones para que los mayores envejecan viviendo en su propia casa
- Mejor cumplimiento de las exigencias de adaptaciones razonables por parte de los propietarios

Segregation & Access to Opportunity

Segregación y acceso a oportunidades

**Increasing segregation
since 1990**

Aumento de la segregación desde 1990



**Significant disparities in
access to opportunity by race
& ethnicity**

*Disparidades significativas en el acceso a
oportunidades, por raza y etnia*



Draft Regional Goals & Strategies

Borrador de metas y estrategias regionales

7 Regional Goals and Strategies.

Data-driven from a multi-year planning process.

Regional goals are shared and implemented as local goals. Some jurisdictions have additional goals specific only to their communities.

Quality, not Quantity. Limited goals, implemented effectively, were selected to have the greatest possible impact in improving fair housing choice in metropolitan Washington.

7 Metas y estrategias regionales.

Basado en datos procedentes de un proceso de planificación realizado durante varios años.

Las metas regionales se comunican y se aplican como metas locales. Algunas jurisdicciones tienen metas adicionales específicas que se aplican solo a sus comunidades.

Calidad, no cantidad. Se seleccionó un número limitado de metas que, aplicadas eficazmente, tendrán el mayor impacto posible en la mejora de la capacidad para elegir con equidad una vivienda en el área metropolitana de Washington.

DRAFT REGIONAL GOALS & FAIRFAX COUNTY STRATEGIES

PROYECTO DE METAS REGIONALES Y
ESTRATEGIAS DEL CONDADO DE FAIRFAX

DRAFT REGIONAL & FAIRFAX CO. GOAL #1

PROYECTO DE METAS REGIONALES Y DEL COND. DE FAIRFAX META #1

1. Increase the Supply of Housing that is Affordable to Families with Incomes at 60% Area Median Income or below in the Region, Particularly in Areas that Have Historically Lacked Such Housing.

ADDITIONAL FAIRFAX COUNTY PROPOSED GOAL:

Revise the County's For-Sale Workforce Dwelling Unit (WDU) Policy by lowering the current Area Median Income categories and/or percentages applicable to the program to facilitate more homeownership opportunities and consider creating a separate policy for WDUs in high-rise condominiums outside of Tysons.

1. Aumentar la oferta de viviendas asequibles para familias con ingresos iguales o inferiores al 60% de la mediana de los ingresos de la región, especialmente en aquellas zonas que históricamente han carecido de este tipo de viviendas.

META ADICIONAL PROPUESTA PARA EL CONDADO DE FAIRFAX:

Modificar la Política de Unidades de Vivienda para Trabajadores (WDU) en Venta del Condado reduciendo las actuales categorías y/o porcentajes de la Mediana de Ingresos del Área aplicables al programa para facilitar más oportunidades de adquisición de vivienda y considerar la creación de una política separada para las WDU en condominios de gran altura fuera de Tysons.



DRAFT REGIONAL GOALS #2

BORRADOR DE METAS REGIONALES #2

2. Reform Zoning and Land Use Policies to Expand Access to Fair Housing Choice by Increasing the Development, Geographic Distribution, and Supply of Affordable Housing

ADDITIONAL FAIRFAX COUNTY PROPOSED GOAL:

Facilitate delivery of Affordable Housing by encouraging co-location with other County Facilities on County-owned sites, through partnerships with faith-based organizations and by encouraging private development on undeveloped/ underutilized commercial land. This is anticipated to be achieved both in County-administered development and via public-private partnerships

2. Reformar las políticas de zonificación y uso de los terrenos de modo que se fortalezca el derecho a elegir equitativamente una vivienda aumentando el número de desarrollos urbanos, la distribución geográfica y la oferta de viviendas asequibles.

META ADICIONAL PROPUESTA PARA EL CONDADO DE FAIRFAX:

Facilitar la entrega de viviendas asequibles fomentando la ubicación conjunta con otras Instalaciones del Condado en terrenos propiedad del Condado, a través de asociaciones con organizaciones religiosas y fomentando el desarrollo privado en terrenos comerciales no desarrollados/subutilizados. Se prevé que esto se logre tanto en el desarrollo urbano administrado por el Condado como a través de asociaciones público-privadas.



DRAFT REGIONAL GOALS #3

BORRADOR DE METAS REGIONALES #3

3. Implement Preservation Policies Designed to Preserve Affordable Housing and Prevent Displacement with a Goal of No Net Loss of Existing Affordable Rental Units

ADDITIONAL FAIRFAX COUNTY PROPOSED GOAL:

Adopt amendments to the Fairfax County Comprehensive Plan that provide for tools and incentives for the preservation of both existing “market affordable” multifamily units and manufactured housing communities.

3. Aplicar políticas de preservación diseñadas para mantener la asequibilidad de las viviendas y evitar el desplazamiento con el objetivo de que no haya pérdida neta de las unidades de alquiler asequible ya existentes.

META ADICIONAL PROPUESTA PARA EL CONDADO DE FAIRFAX:

Adoptar enmiendas al Plan Integral del Condado de Fairfax que proporcionen herramientas e incentivos para la preservación tanto de las unidades multifamiliares que ya son asequibles a precio de mercado, como de las comunidades de viviendas prefabricadas.



DRAFT REGIONAL GOALS #4

BORRADOR DE METAS REGIONALES #4

4. Increase the Number of Homeowners in the Region and Reduce Inequities and Discriminatory Practices that Limit Homeownership Opportunities by Members of Protected Classes

ADDITIONAL FAIRFAX COUNTY PROPOSED GOAL:

Increase awareness of existing and upcoming affordable homeownership and rental opportunities in communities of color and other vulnerable communities.

4. Aumentar el número de propietarios de viviendas en la región y reducir las desigualdades y las prácticas discriminatorias que limitan las oportunidades de ser propietario de una vivienda a los miembros de las clases protegidas.

META ADICIONAL PROPUESTA PARA EL CONDADO DE FAIRFAX:

Aumentar la visibilidad de las oportunidades existentes y futuras para la compra y alquiler de viviendas asequibles en comunidades de personas de color y otras comunidades vulnerables.



DRAFT REGIONAL GOALS #5

BORRADOR DE METAS REGIONALES #5

5. Protect the Housing Rights of Individuals with Protected Characteristics

ADDITIONAL FAIRFAX COUNTY PROPOSED GOAL:

Adopt tiered payment standards to align with market rents in order to increase access to higher opportunity areas for voucher holders.

Increase community awareness of Fair Housing rights by developing and providing new Fair Housing training and outreach activities.

Enforce the Fairfax County Human Rights Ordinance through testing initiated complaints that identify areas of concern.

Increase the accessibility of fair housing services for individuals with disabilities and for whom English is not their first language.

5. Proteger el derecho a la vivienda de las personas con características protegidas

META ADICIONAL PROPUESTA PARA EL CONDADO DE FAIRFAX:

Adoptar normas de pago por niveles para alinearlas con los alquileres del mercado a fin de aumentar el acceso de los titulares de vales a las zonas con mayores oportunidades.

Aumentar la sensibilización de las comunidades en relación con su derecho a un acceso equitativo a la vivienda mediante el diseño y la ejecución de nuevas actividades de capacitación y divulgación en materia de acceso equitativo a la vivienda.

Hacer cumplir la Ordenanza de Derechos Humanos del Condado de Fairfax poniendo a prueba a los proveedores de vivienda que hayan sido objeto de quejas en las que se identifiquen áreas preocupantes.

Aumentar la accesibilidad de los servicios de acceso justo a la vivienda para las personas con discapacidad y para quienes el inglés no sea su lengua materna.



DRAFT REGIONAL GOALS #6

BORRADOR DE METAS REGIONALES #6

**6. Increase
Community
Integration and
Reduce Housing
Barriers for Persons
with Disabilities**



**6. Aumentar la
integración de las
comunidades y
reducir los
obstáculos de las
personas con
discapacidad para
obtener vivienda**

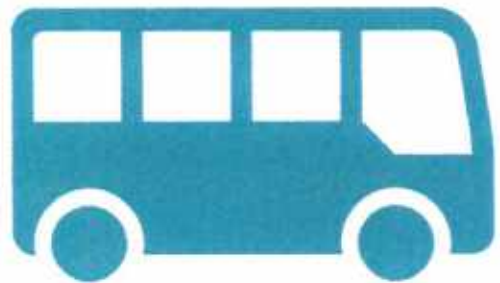


DRAFT REGIONAL GOALS #7

BORRADOR DE METAS REGIONALES #7

7. Expand Access and Affordability of Public Transportation for Members of Protected Classes

7. Ampliar el acceso y la asequibilidad del transporte público para los miembros de las clases protegidas



MAJOR AREAS OF FOCUS

PRINCIPALES ÁREAS DE INTERÉS

1. ACCESS: What resources are needed to ensure that residents can obtain housing that meets their needs, i.e., accessibility, family size, housing for older persons?
2. AFFORDABILITY: What strategies should be considered to improve housing affordability and availability?
3. DUAL-HOUSING MARKET: What practices (policies) do you think would be effective to address housing disparity in historically underrepresented, underserved, and marginalized communities?

1. ACCESO: ¿Qué recursos se necesitan para garantizar que los residentes puedan obtener una vivienda que satisfaga sus necesidades, es decir, características de accesibilidad para discapacitados, tamaño de la familia, vivienda para personas mayores?
2. ASEQUIBILIDAD: ¿Qué estrategias deben considerarse para mejorar la asequibilidad y disponibilidad de las unidades habitacionales?
3. MERCADO DUAL DE VIVIENDAS: ¿Qué prácticas (políticas) cree usted que serían eficaces para abordar la disparidad en materia de acceso a unidades de vivienda en comunidades históricamente poco representadas, desatendidas y marginadas?



Next Steps

READ THE PLAN:

https://www.mwcog.org/assets/1/6/Fairfax_County_Clean_web.pdf

PUBLIC COMMENT PERIOD OPEN: January 31 – March 31, 2023

- Type comments or submit a PDF file at the online comment form:
<https://www.mwcog.org/community/planning-areas/housing-and-homelessness/regional-fair-housing-plan-comment-form/>
- Email at Fairhousing@mwkog.org
- Voicemail at 202-962-3794 or TDD at 202-962-3213
- Mail to COG, 777 N. Capitol Street, NE, Suite 300, Washington, DC 20002, Attn: Fair Housing

QUESTIONS:

- Email: fairhousing@mwkog.org or
- Phone: 202-962-3794 or TDD: 202-962-3213
- Mail: MWCOCG, 777 N. Capitol St, Washington, D.C. 20002, Attn: Fair Housing

Please help spread the word! www.mwcog.org/fairhousing

Próximos pasos

LEA EL PLAN:

https://www.mwcog.org/assets/1/6/Fairfax_County_Clean_web.pdf

EL PERÍODO DE COMENTARIOS DEL PÚBLICO ESTARÁ ABIERTO ENTRE LAS SIGUIENTES FECHAS: 31 de enero - 31 de marzo de 2023

- Escriba sus comentarios o envíe un archivo PDF en el formulario de comentarios en línea: <https://www.mwcog.org/community/planning-areas/housing-and-homelessness/regional-fair-housing-plan-comment-form/>
- Correo electrónico: Fairhousing@mwkog.org
- Buzón de voz: 202-962-3794 o TDD al 202-962-3213
- Escriba un correo postal al COG, 777 N. Capitol Street, NE, Suite 300, Washington, DC 20002, a la atención de: Fair Housing

¿PREGUNTAS?

- Correo electrónico: fairhousing@mwkog.org o
- Teléfono: 202-962-3794 o TDD: 202-962-3213
- Correo convencional: MWCOCG, 777 N. Capitol St, Washington, D.C. 20002, a la atención de: Fair Housing



COG CONTACT INFORMATION

INFORMACIÓN DE CONTACTO EN EL COG

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Project

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Hilary Chapman

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Diane Glauber

Directora, Proyecto de Acceso Justo
a la Vivienda y Desarrollo

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Comité de Abogados por los
Derechos Civiles

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Hilary Chapman

Directora del Programa de Vivienda
del COG

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mwkog.org

777 North Capitol Street NE, Suite 300

Washington, DC 20002



Metropolitan Washington
Council of Governments

FAIRFAX COUNTY INFORMATION

INFORMACIÓN DEL CONDADO DE FAIRFAX

If you have questions about the Fairfax County Goals, please contact the applicable agency directly.

For Fair Housing & Testing:
Office of Human Rights and Equity Programs
703-324-2953 | TTY 711

For Transportation:
Department of Transportation
703-877-5600 | TTY 711

For Planning & Zoning:
Department of Planning & Development
703-324-1380 | TTY 711

For Affordable Housing:
Department of Housing and Community Development
703-246-5000 | TTY 711

Si tiene alguna pregunta sobre las metas del Condado de Fairfax, por favor, comuníquese directamente con la agencia correspondiente.

Para información sobre acceso justo a la vivienda y comprobación de si los ofertantes de vivienda cumplen la legislación correspondiente:
Office of Human Rights and Equity Programs
703-324-2953 o TTY 711

Servicios de transporte:
Department of Transportation
703-877-5600 o TTY 711.

Para planificación y zonificación:
Department of Planning & Development
703-324-1380 o TTY 711.

Para vivienda asequible:
Department of Housing and Community Development
703-246-5000 o TTY 711.



Virginia General Assembly 2023

Update on New Legislation

April 21, 2023

AHAC Executive Committee & Legislative Meeting

General Overview

- The Virginia General Assembly (GA) meets every year - session starts in January and ends in February/March.
- HCD is asked to review bills introduced by both legislative chambers during the session. The agency reviews only bills related to housing.
- Bills are assigned from the Fairfax County Government Relations Office. This office relies on HCD expertise to determine whether the county should support or oppose legislation.
- Other agencies are also asked to review bills related to their subject-matter expertise.



General Overview

- At the end of the session, agencies receive a list of all legislation that will be enacted into law. HCD is expected to:
 - Understand and implement new laws, most of which are effective July 1st.
 - Update the Board of Supervisors regarding laws which impart new local authority.



New
Legislation
Impacting
HCD

- HCD reviewed 58 bills during the FY 2023 GA Session.
- In general, this was a lower amount than in previous years.
- Most bills will be effective on July 1, 2023.



New Legislation Related to Landlord and Tenant Issues

Security Deposits (SB 891)

Increases from 15 to 30 days the additional time period that a landlord has to provide a tenant with an itemization of damages to the premises and the cost of repair when such damages exceed the amount of the tenant's security deposit and require the services of a third-party contractor.

Uninhabitable Dwelling Unit (HB 1635)

Provides that a tenant may terminate a rental agreement and receive a full refund of all deposits and rent paid to the landlord if, at the beginning of the tenancy, a condition exists that constitutes a fire hazard or serious threat to the life, health, or safety of tenants.



New
Legislation
Related to
Landlord and
Tenant Issues

Terms and Conditions of Rental Agreements (HB 1702)

Requires a landlord who owns more than four rental dwelling units or more than a 10 percent interest in more than four rental dwelling units to provide written notice to the tenant of any increase in rent during the subsequent rental agreement term no less than 60 days prior to the end of the current rental agreement term.

Statement of Tenant Rights and Responsibilities (HB 1735)

Provides that if a tenant fails or otherwise refuses to sign the form developed by the Virginia Department of Housing and Community Development acknowledging that the tenant has received the statement of tenant rights and responsibilities from the landlord, the landlord shall record the date on which he provided the form to the tenant and the fact that the tenant failed to sign such form.



New Legislation Related to Landlord and Tenant Issues

Termination of Multiple Month-to-Month Tenancies by Landlord (HB 2441)

Requires any owner of multifamily premises that fails to renew the greater of either 20 or more month-to-month tenancies or 50 percent of the month-to-month tenancies within a consecutive 30-day period to serve written notice to tenants at least 60 days prior to allowing such tenancy to expire.

The bill exempts a landlord from the 60 days' notice requirement where a tenant has failed to pay rent in accordance with the rental agreement.



New
Legislation
Related to Fair
Housing

Use of Assistance Animal in a Dwelling; Penalties (HB 1725)

Prohibits individuals from providing fraudulent supporting documentation to evince the existence of a disability or disability-related need for a person requesting a reasonable accommodation with respect to the use of an assistance animal in a dwelling.

New Legislation
Related to the
Virginia
Department of
Housing and
Community
Development

**Report to the Virginia Department of Housing and
Community Development (HB 2494)**

Requires any locality with a population greater than 3,500 to submit an annual report to the Virginia Department of Housing and Community Development summarizing the adoption or amendment of any local policies, ordinances, or processes affecting the development and construction of housing during the preceding fiscal year.

**Virginia Department of Housing and Community
Development; Powers and Duties of Director (SB 839)**

Provides the Director of the Virginia Department of Housing and Community Development the responsibility to conduct a comprehensive statewide housing needs assessment at least every five years, to develop a statewide housing plan and update such plan at least every five years, and to provide annual updates to the General Assembly regarding meeting the goals of such plan.

New Legislation
Related to
Community
Development
and
Preservation

Community Development and Housing Projects (HB 1805)

Adds community development projects related to the production and preservation of housing, including for persons and families of low and moderate income, to those projects that the Virginia Resources Authority may finance. The bill directs the Virginia Department of Housing and Community Development to assist the Authority with determining which local governments are to receive grants from the Authority for such projects.

New
Legislation
Related to
Community
Development
Financing

Virginia Community Development Financial Institutions Fund and Program (SB 1320)

Establishes the Virginia Community Development Financial Institutions Program. The Program shall provide grants and loans to community development financial institutions and other similar entities for the purpose of providing financing to small businesses, housing development and rehabilitation projects, and community revitalization real estate projects in the Commonwealth.



New Legislation Related to Tax Credits

Livable Home Tax Credit (HB 2099)

Increases from \$1 million to \$2 million, beginning in fiscal year 2024, the aggregate cap of tax credits allowed by the Livable Home Tax Credit in a fiscal year. The bill increases the amount of credits allocated by the Virginia Department of Housing and Community Development to the purchase or construction of new residences as well as the retrofitting and renovation of existing residences. The bill also increases the maximum amount of livable home tax credits an individual may claim.



Conclusion

For more specific information on any bill, visit the Virginia Legislative Information System at <https://lis.virginia.gov/>

Information on the Fairfax County Legislative program can be found at: <https://www.fairfaxcounty.gov/legislation/>