

# CITY OF ASHLAND

## Ashland Housing Commission

### Regular Meeting Agenda:

June 28<sup>th</sup>, 2007 5:30 – 7:30pm

Community Development Building  
51 Winburn Way

1. (5:30) **Approval of Minutes** (5 min)

2. (5:35) **Public Forum** (5 min)  
items not on the agenda

3. (5:40) **Reports and Updates**

#### Subcommittee Reports

Education (RVTV Show report)

Finance (HTF development)

Land Use (condo conversion ordinance progression)

#### Liaison reports

Council

Parks

Schools

Planning

Tripartite

4. (6:20) **2007-2008 Goal Setting**

5. (7:20) **Upcoming Events and Meetings**

**Regular Housing Commission Meeting - Community Development Building**

July 26<sup>th</sup> 2007, 5:30-7:30

**Fair Housing Training**

July 18<sup>th</sup>, 2007 – Medford Council Chambers

7. (7:30) **Adjournment**



**CITY OF  
ASHLAND**  
ASHLAND HOUSING COMMISSION  
MINUTES  
MAY 24, 2007

**CALL TO ORDER**

Chair Bill Street called the meeting to order at 6:40 p.m. at the Community Development and Engineering Services Building, 51 Winburn Way, Ashland, OR. Other Commissioners present were:

<b>Commissioners Present:</b>	<b>SOU Liaison:</b> Sunny Lindley, Absent	
Bill Street, Chair		
Richard Billin	<b>Council Liaison:</b> Alice Hardesty, Present	
Aaron Benjamin		
Regina Ayars	<b>Staff Present:</b>	
Carol Voisin	Brandon Goldman, Housing Specialist	
Liz Peck	Sue Yates, Executive Secretary	
Bill Smith		
<b>Absent Members:</b> Steve Hauck		

**APPROVAL OF MINUTES** – The minutes of the April 26, 2007 Housing Commission meeting were approved.

**PUBLIC FORUM** – No one came forward to speak.

**MULTI-FAMILY LANDS HOUSING INVENTORY**

The Housing Commission requested a housing inventory within multi-family zoning districts to determine a unit count. The work was begun by the SOU Planning Issues Class beginning in 2005 and was completed by this year’s class. The maps provided show multi-family units and commercial buildings. Goldman thanked Pat Acklin and her class for doing this work.

Pat Acklin introduced her students. The students explained the work they did. They provided maps and explained their methodology. They used the maps from the 2005 survey to identify and locate vacant parcels or parcels missing data and checked the accuracy of the 2005 data. Most of the data was accurate. They ground checked the data. They found a lot of apartments converted to condominiums as well as new condominium development. They thought it would be useful to have aerial photographs for the next survey to match up what is on the ground. They made the following suggestions: 1) Regulate the number of units reserved for rent within condominium conversions, and 2) Provide incentives for condo owners to provide rental units, and 3) Provide incentives for apartment owners to maintain as apartments instead of converting to condos.

It was suggested that this survey be updated every five to ten years and in advance of a buildable lands inventory.

**RENTAL NEEDS ANALYSIS**

**Steve Ferrarini, Ferrarini & Associates, Inc.** presented his report and findings. The findings are outlined in his memo dated May 5, 2007 and assess the current rental market in the city, forecast future rental housing needs, recommend public policy solutions to the city’s housing needs, and establish a methodology for updating the needs analysis on a regular basis in the future. The forecast suggests the type of units needed in Ashland is studios. There should be 74 new rental units being developed in the city annually. Two significant barriers: 1) It is much more financially attractive to build multi-family units and sell them rather than renting them, and 2) the City does not have enough buildable land to accommodate efficient multi-family development. There is going to be a pressure to increase rental rates.

The City of Ashland’s rent problems break down to these three items:

1. There is a production problem. (There is a need to build rental units and the rental units are not being built.)
2. There is an affordability problem. We need affordable units that do not exist. To solve the production problem, developers need to make more money on rent for development of rental units. However, if that happens, that can harm the affordability problem.
3. The City does not have enough vacant land to meet the need for rental units. Most of the inventory of vacant land is on very small parcels. A larger parcel can aid in development efficiencies (cost). Secondly, the most effective program for building affordable housing is the tax credit program. To use the program, the projects need to be about 25 to 30 units.

Consequently, Ferrarini suggested the City needs to do the following:

1. Create strong policies and follow-up with action and leadership.
2. Allow staff to develop the expertise in affordable housing.
3. Develop programs that make development of affordable housing more financially attractive.
4. Reduce SDC and permit fees.
5. Be proactive about directing state and federal funding.
6. Be proactive about dedicating staff time to grant writing and contacting the state about funding – what's available, acquiring funds and directing funds.
7. Increase the land supply.
8. Have current information so programs and policies can be revised accordingly.

Bill Smith said SOU is trying to identify vacant land. Smith said there is currently a waiting list for SOU housing.

Hartzell is concerned the survey is skewed because so many young people have cell phones and those are not listed number and therefore could not be contacted to be surveyed. Ferrarini said that is a problem and if they were included in the survey the rent burdened number would be greater.

Hardesty said the Commission has discussed the need for two and three bedroom units because that would draw in children, yet the population trends show that studios are the units we need. Ferrarini said he talked to about six property management companies and they indicated studios, one bedroom and three bedrooms are the most difficult for renters to find available. Three bedroom units are not as economically viable.

The final rental needs analysis report will be coming out on May 30, 2007.

*Voisin left the meeting at 6:45 p.m.*

### **CONDOMINIUM ORDINANCE UPDATE**

The City Council reviewed the proposed ordinance on April 17<sup>th</sup>. At that time, the Council instructed staff to continue the public hearing and bring back a revised ordinance. They asked staff to remove the development agreement section as well as addressing a goal of providing rental housing as primary and affordable housing additionally. There is a memo from Goldman dated April 24, 2007 in the packet covering those changes. An ad hoc committee was formed consisting of: the Land Use subcommittee of the Housing Commission (Bill Smith, Regina Ayars, Alice Hardesty and Bill Street) and two members of the Planning Commission (Michael Dawkins and Tom Dimitre). They looked at this briefly last week in terms of the options for conversions that would be allowed. Instead of having 75 percent ownership/25 percent affordable, staff has now come up with a set of sliding scales (the matrix is included in packet). The Planning Commission is scheduled to review this at their June 12<sup>th</sup>, 2007 regular Planning Commission meeting. It will go before the Council on June 19, 2007.

The Housing Commission reviewed the conversion table options and asked Goldman to bump up the number of market rentals and affordable rentals by capturing a lower cutoff point (number of units). Leave the numbers but change the percentages required to increase the number of affordable units. Goldman wants to present just one table to the Council. The Housing Commission endorsed the concept of the matrix and sliding scale, but asked Goldman to look at ways to increase the number of affordable rental units. Billin noted that his concern with using Option 3 might end up reducing the overall inventory of market rentals. Hardesty heartily endorsed the concept. Street suggested inviting a small focus group of apartment owners before it goes before the Planning Commission or the Council to see if there are any concerns that come up for them.

### **REPORTS AND UPDATES**

#### **SUBCOMMITTEE REPORTS**

**Education** – An RVTV show is scheduled for June 21<sup>st</sup> from 6 to 7 pm on Channel 9 to discuss employee housing. Guests will include: Carolyn Johnson, Ashland Community Hospital, Bill Smith, SOU, and Kyle Hopkins, Sky Research.

**Finance** – They looked at the Housing Commissions' response to the mission statement and at priority uses for the Housing Trust Fund.

**Land Use** – They discussed the condo conversion ordinance (noted above).

#### **Liaison Reports**

**Council** – Hardesty said it was suggested at a Council/Budget meeting that because the City's economic needs are so great that the proceeds from the sale of the Strawberry property might be better spent on something other than affordable housing, however, for the time being that idea has been dropped.

**Schools** – Street said he thought the Board of Directors would be meeting the afternoon of May 25<sup>th</sup> in a study session to discuss affordable housing.

**Planning** – At their meeting on May 8<sup>th</sup>, they discussed the Economic Opportunities Analysis data. They talked about goals, the relationship between transportation and affordable housing, planning and public process, sustainability and the environment and housing. They also talked about land supply and possible expansion of the Urban Growth Boundary as a component that should be seriously considered. They discussed mixed use, higher density, and careful consideration of condos as well as the use of public lands. They said the Croman site and the Railroad property should be dedicated to industrial use. The City received a grant to work on a master plan for the Croman site.

**Parks** – no report

**Tripartite** – They did not meet in May. The next meeting will be June 20<sup>th</sup>.

**Pre-App Review Board** – no report

Goldman announced there was a Fair Housing presentation last night. It was web cast throughout the state.

#### **UPCOMING EVENTS**

The August Housing Commission meeting was changed from the 23<sup>rd</sup> of August to the 30<sup>th</sup> of August at 5:30 p.m. Hardesty will be absent.

May 31<sup>st</sup>, 5:30 p.m. - RVCDC Groundbreaking at Siskiyou near Park Street

June 21<sup>st</sup>, 6 to 7:00 p.m. (Channel 9) Housing and Employers RVTV Show

Next Housing Commission Meeting – Community Development and Engineering Services Building, June 28<sup>th</sup>, 2007, 5:30 – 7:30 p.m.

**ADJOURNMENT:** The meeting was adjourned at 7:40 p.m.

*Respectfully submitted by,  
Sue Yates, Executive Secretary*

# Housing Commission Memo

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**TO:** Housing Commission  
**Title:** Housing Priorities for Council Goal Setting  
**Date:** June 28, 2007  
**Submitted By:** Brandon Goldman, Housing Program Specialist

The City Council will be holding their annual Goal Setting session in July of 2007. It has been requested that various boards and commissions of the City provide their highest priority goals to the Council for their consideration.

The designation of a goal as a Council Goal for the coming year ensures that there is Council interest in examining any proposed actions to address the goal. The Housing Commission in selecting its priorities should distinguish between long range goals and short term goals (one year or less). The selection of annual goals should be expressed in a few concise statements that represent either a change in current policy or a major work activity that will consume a significant amount of staff time and involve the Council at the Policy Level.

This is the sole meeting for the year for the Housing Commission to discuss future goals and still give the Council adequate time to consider them. Attached are the goals outlined in the Affordable Housing Action Plan as well as goals identified by the Housing Commission in 2006 that are independent of the Action Plan. These previously identified goals may be helpful in allowing the Housing Commission to build off of the work of prior efforts in this regard.

## **Resource Availability**

In evaluation of what can be accomplished in the coming year there are two primary constraints to consider in developing annual goals. Time and money are the two limitations that restrict how ambitious the Commission can be in establishing Goals for a given year.

## **Funding Availability**

In terms of direct funding availability for Commission business the Commission has an annual budget allocation of \$750 that can be applied to various uses. In years past these funds have been used for food and beverages at Commission Study Sessions and public meetings, printing costs, DVD production costs, and postage for mailings associated with education and outreach.

In the coming year it is also estimated that \$1.2 Million dollars will be made available through the sale of the Strawberry Lane properties to be applied to an affordable housing proposal to be determined. Additionally, approximately \$125,000 of the proceeds of the sale of the first Strawberry lot have been applied toward the acquisition of 14,000sq.ft. of property as part of a parks acquisition of a 1.3 acre parcel behind the Ashlander Apartments. The development of this property with up to 5 homes should be undertaken in the coming year.



In years past the Council had budgeted specific allocations for the development of studies in support of housing including the Rental Needs Analysis, the Housing Needs Analysis , and the Housing Action Plan.

### **Time Availability.**

The task of creating affordable housing on behalf of the City is primarily undertaken by the Housing Commission and the City Housing Program Specialist. Currently the Housing Program Specialists time is allocated with approximately:

- 10% being used to respond to citizen, developer, media, and affordable housing developer inquiries
- 10% being used in contract development, resale restriction covenants, deed restrictions, income verification and monitoring of affordable housing developments.
- 20% in direct support of the Housing Commission and its subcommittees including education and outreach, finance, and land use
- 20% in research and development of ordinances, resolutions (annexation, zone changes) related to affordable housing
- 5% of his time is spent coordinating with local and regional organizations
- 35% of his time is dedicated to administration of the Community Development Block Grant (CDBG) Program. The CDBG program administration time has been reduced to the minimum and can not be reduced further.

The attached table of 2006 Goals considered by the Housing Commission shows that a number of these goals, and specific Action Plan Strategies, have been completed over the last year. Additionally the CDBG Consolidated Plan Goals are attached for consideration in developing the 2007-2008 recommended goals to forward to the City Council.

Given the scope of goals forwarded in 2006 it is evident that not all of these goals can be accomplished or initiated in a single year. For this reason refining the priority of goals may better establish a realistic work plan for the coming year.

### **Housing Trust Fund**

One priority goal is the development of a Housing Trust Fund. This undertaking has been initiated and the Housing Finance Committee has made significant progress in recent months toward establishing a proposed mission, list of eligible uses, defining eligible applicants, and have begun examining both prioritization of uses of a trust fund, as well as establishing an application process. The development of the platform will likely take a considerable amount of Commissioner and Staff time to develop and refine a framework for the Housing Trust fund. The City Council in 2006 noted the development of a Housing Trust fund as a Council goal and therefore Staff would recommend that this activity be prioritized by the Housing Commission. Legal Department and Finance Department assistance would be imperative to establish the legal and financial frameworks for administration of the trust. and as such ultimately Council direction will be necessary to ensure that this goal can be implemented.

### **Land Use Regulations**

The Housing Commission has recommended a number of Land Use Code modifications to address the preservation and development of affordable housing. Although the results of such activities are not immediately apparent in terms of number of units developed in the short term,



Staff recognizes that such efforts have a lasting impact on the development of the community and can be highly successful in the creation or retention of affordable housing. Currently there remain two distinct ordinance provisions that have been considered by the Housing Commission that have yet to be adopted.

1) The ordinance regulating the conversion of apartments into for purchase housing was a significant effort in 2006-2007 and is currently under review by the City Council and as such is expected to be resolved in the near term.

2) The development of regulatory controls pertaining to affordable housing required through zone changes and annexations is an ongoing activity that should be considered in establishing the goals for 2007-2008. Staff anticipates the review and approval of the Annexation ordinance modifications will continue well into 2007-2008 and constitutes a high priority for the coming year.

In 2005-2006 the Housing Commission discussed an ordinance amendment the multifamily zoning districts that would have restricted the development of for-purchase housing in these zones. This activity is in direct response to goal 3B of the Affordable Housing Action Plan. This undertaking essentially stalled due to the passage of Measure 37 and the implications associated with restricting permitted uses and the potential for claims against the City were it determined that such regulation diminished a properties value. In recent discussions regarding the Condominium ordinance the question of whether the City can limit the development of for purchase housing in multifamily zones for new construction has again been raised. It may be of value in 2007-2008, upon completion of the annexation ordinance amendment process, to again examine this prior goal.

### **Housing Development**

2007-2008 will be another busy year in terms of affordable housing development within the City of Ashland. RVCDC will begin their six unit development on Siskiyou and Park St. and they are actively looking for their next project site, ACCESS Inc will proceed with their application for funds to develop 10 affordable studios on Lithia Way. Ashland Community Land Trust and Habitat for Humanity will complete the two units they have started on Garfield, and will begin two more on Bridge Street. As noted previously the portion of Parks property recently acquired is available for workforce housing development and as such the City will need to identify a community development partner to undertake that project. Lastly the availability of Strawberry Lane proceeds necessitates an ongoing effort to identify, acquire, and develop property to meet our Housing Goals.



## HOUSING COMMISSION 2006 GOALS

Housing Action Plan Goals	Housing Commission 06' Goals (Items not identified in the Action Plan)
<b>Goal 1-Funding</b>	<b>Land Acquisition</b>
A. Facilitate the Process of applying for funds by Non-Profits (ongoing)	Vacant / Developable
B. Form Housing Trust Fund <b>[underway, mission, eligible uses, applicants and priorities under consideration]</b>	Existing -Developed (including Vulnerable Properties)
C. Develop long term Funding Sources	<b>Vulnerable Properties</b>
D. Convene Employers group to develop employer assistance approaches	Ordinance Development to protect vulnerable properties <b>[condo-conversion ordinance, tenant rights, under consideration]</b> - Manufactured Dwelling Parks, Condo Conversions, HUD properties
<b>Goal 2 -Reduce Development and Operating Costs</b>	<b>Land Use</b>
A1. SDC Deferral <b>[complete 2006]</b>	Modify Big Box Ordinance to promote affordable Housing
A2. Limit SDC waiver total	Establish Higher Density Multifamily zoning type
B1. Reduce Planning, Utility fees <b>[comm-dev and engineering fees waived -res. 2006-13]</b>	Increase Density Bonus for Affordable Housing
B2. Determine annual limit of fees waived	Conditionally allow ARUs in MFR zones or as permitted in SFR
<b>Goal 3 -Land Use</b>	<b>Program Development and Review</b>
A1. Identify Land for rezoning	Reduce Parking Requirements for affordable housing near transit
A2. Identify target (city owned) site for vertical housing <b>[identified - downtown parking lots]</b>	Review Rental Assistance Program
A3. Feasibility of UGB amendment	Review Down Payment Program
B. Restrict Single Family in Multifamily zones <b>[condo-converion only partially addresses this goal]</b>	Improve monitoring of units regulated under the Ashland Affordable Housing Program
C.1 ARUs as permitted use in Single Family zones	Document lessons from Lithia lot RFP, evaluation, and negotiation <b>[Lithia proposal ongoing]</b>
C.2 Reduce maximum lot size coverage requirements.	<b>Planning Review Process</b>
D.Allow or Require a percentage of small lots in new subdivisions.	Current Projects <b>[requested of Council 2006 - permitted to review pre-applications]</b>
<b>Goal 4 -Preserve and Create Affordable Housing</b>	(long range) Code review and amendments <b>[condo-conversions, annexation ordinance changes in review process]</b>
A. Work with non-profits <b>[ongoing]</b>	<b>Inventories and Research</b>
B. Require long term affordability for fee waivers (IE 30 years) - <b>[complete - res 2006-13]</b>	Buildable Lands Inventory <b>[completed 2007]</b>
<b>Goal 5 -Develop organizational Capacity</b>	Multifamily unit counts <b>[completed 2007]</b>
A Create Housing Coordinator Position <b>[complete]</b>	Rental Needs Assessment <b>[completed 2007]</b>
<b>Goal 6 Build Understanding and Support</b>	<b>Education and Outreach</b>
A. Public information program (Education ongoing)	Employer Assisted Housing Workshop <b>[completed 12-2005]</b>
	Tax Credit Workshop (or other topic) <b>[conducted in Medford 2006]</b>
	Development of Presentation and informational materials, brochures, powerpoints, visuals) <b>[ongoing]</b>
	Present to various groups, boards and commissions, Realtors, landlords, fraternal orgs, chamber etc)
	Establish liasons to regional housing groups including Medford Housing Commission, JCHousing Coalition, SO Housing Resource Center

The wording bracketed in **[BOLD TEXT]** has been added for review at the June 28th, 2007 Housing Commission Meeting. It is not anticipated that all goals can be addressed in any given year, but rather the goals were identified as either long or short term by the C0mmission in the past.



# Housing Commission Priorities

12-19-05

The following Priorities were identified by the Housing Commission Subcommittees in an effort to rank which goals were seen as the highest priorities in the short term. Although typically the goals are established by the Affordable Housing Action Plan, the full commission and subcommittees also added specific goals they deemed necessary to support affordable housing preservation or creation

## **Land Use Subcommittee**

In evaluating the various land use related goals the Land Use Subcommittee separated the goals into low and high priority, and long and short term designations. In some cases the subcommittee identified a "Medium" Priority".

The *High Priority Short Term* goals were further ranked by each member and averaged to the following ranking.

### **High Priority Short Term**

- 1) Land Acquisition
- 1) Restrict Single Family in Multifamily Zones
- 3) Rental Needs Assessment
- 4) Ordinance or Resolution Development to protect vulnerable (existing) affordable housing developments
- 5) Recommend ways to improve regulation and monitoring of affordable units in program
- 6) Document Lessons learned from Lithia Parking Lot RFP and Proposal evaluations.
- 7) Unit Acquisition – Existing Properties

### **High Priority Long Term**

Identify land for rezoning  
Feasibility of a UGB amendment  
Allow or require a percentage of small lots in new subdivisions

### **Medium Priority Long term**

Modify the big box ordinance to promote affordable housing  
Establish a higher density multifamily zoning type. (Increased Densities)

### **Low Priority Short Term**

Increase Density Bonus Opportunities for affordable housing development

### **Low Priority Long Term**

Reduce maximum lot size coverage  
ARU's as a permitted use in single family zones  
Conditionally allow ARUs on small lots in multifamily zones  
Reduce Parking requirements for affordable housing projects located within a designated transit corridor.

Lastly the goal : *Identify target (City owned) site for vertical housing* was seen as fitting in none of the above categories as "identification" is essentially complete, but it should remain a visible goal to promote the potential development of such properties with affordable housing

## **Finance Subcommittee**

In evaluating the finance related Action Plan Goals the Finance Subcommittee categorized the items into the following areas:

### **High Priority Short Term**

Modification of the SDC Deferral Program  
    Inclusion of Engineering and Community Development Fees in waiver  
    Limitation of annual SDC deferral amount  
Evaluate Section 108 Program to derive funding for an affordable housing project

### **High Priority Long Term**

Establish a Housing Trust Fund  
Establish long term funding stream



**Low Priority Short Term**

Planning and Utility Fees annual limitation on waivers

**Low Priority Long Term**

None

**Education Committee**

Specific Action Plan Goal (6a) relating to Education is an ongoing endeavor, or are specifically in support of other goals (ie Land Use or Finance related). However the Education Committee did identify some campaign strategies that would be employed to address the public education goal:

**Ongoing**

Campaign:

Letters to the editor

Articles

Development of a presentation (power-point) and informative materials.

Development of visuals on affordable housing

Speaking engagements and presentations

-Chamber of Commerce

- Realtor groups

- Rental Owner associations

- Fraternal Organizations

- etc.

Public Television (city talk or a show on "Workforce housing works for Ashland")

Establish an exchange liaisons with Medford Housing Commission and other regional housing groups - Southern Oregon Housing Resource Center, Jackson County Housing Coalition.



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## 2005-2009 CDBG Consolidated Plan Goals

### Housing Goals

Goal 1: To increase the supply of affordable rental housing for extremely low-, low- and moderate-income families. Where possible, give funding priority to those projects that will provide benefits to residents with the lowest incomes.

- 1.1 Encourage the acquisition and construction of affordable rental housing (B).
- 1.2 Support the acquisition and development of affordable rental housing units through a sustainable program, which retains the units as affordable in perpetuity, such as a land trust (A\*).
- 1.3 Support providers of public housing (C).

\* The provision of rental housing best serves the community when such units are secured as affordable in perpetuity or for very long periods (60 years). For this reason the City will prioritize CDBG funds to those projects that retain affordability for the longest period. Support of the Land Trust model, and of Housing Authority projects, encourages long term affordability and thus maximizes the value of public subsidies.

Goal 2: To increase the homeownership opportunities for extremely low-, low- and moderate-income households. Where possible, give funding priority to those projects that will provide benefits to residents with the lowest incomes.

- 2.1 Encourage the acquisition and construction of affordable housing by private developers (B).
  - 2.2 Support acquisition and development of affordable ownership housing units through a sustainable program, which retains the units as affordable in perpetuity, such as a land trust (A\*).
  - 2.3 Support home ownership through down payment and home ownership assistance (B).
- The provision of ownership housing best serves the community when such units are secured as affordable in perpetuity or for very long periods (60 years). For this reason the City will prioritize CDBG funds to those projects that retain affordability for the longest period. Support of the Land Trust model encourages long term affordability and thus maximizes the value of public subsidies. Although the equity limitations effectively reduce the wealth creation opportunities for owners, the units remain available to subsequent generations of occupants.
  - Given the high cost of housing in Ashland considerable subsidy would be necessary to provide ownership opportunities to households earning less than 30%AMI. In order to utilize funds most efficiently to provide for the greatest number of households the City anticipates the majority of new affordable ownership units will be targeted to households earning between 60% and 80%AMI. This is reflected in TABLE 2A on page 78.

Goal 3: To maintain the existing affordable housing supply. Where possible, give funding priority to those projects that will provide benefits to residents with the lowest incomes. Also, give funding priority to those programs which retain the units as affordable in perpetuity, or recapture the rehabilitation costs for further use in Ashland.

- 3.1 Retain existing affordable housing, rental and ownership, by supporting rehabilitation programs, which recapture the rehabilitation costs for further use in Ashland (B).
- 3.2 Retain existing affordable housing, rental and ownership, by supporting rehabilitation programs using a sustainable program, which retains the units as affordable in perpetuity (B).

Ashland's overall housing stock is in good condition. The oldest units, typically needing the greatest repair, are within highly desirable neighborhoods and have high market values. For this reason such units have been rehabilitated in large part without public subsidy.

*Performance Outcome for Housing Goals (1-3):*

- Lower-income households are able to obtain or remain in decent, affordable housing.

*Performance Measures for Housing Goals (1-3):*

- Number of lower-income households with improved housing.



- Number of new for-purchase housing units affordable to, and occupied by, lower-income households.
- Number of new rental housing units affordable to, and occupied by, lower-income households.
- Number of low-income homebuyers that have purchased a home following homebuyer assistance classes including number of minority and female heads of households.
- Number of existing housing units that have been retained as affordable through deed restrictions recorded on the property.
- Number of housing units and occupied by lower-income households that have been rehabilitated

## Homeless Goals

Goal 4: Support services for homelessness prevention and transition. Where possible, give funding priority to services that are part of a comprehensive approach that improves the living conditions of clients. Safety net services, or services that meet basic needs shall only be funded with CDBG dollars if it can be demonstrated that clients receiving those benefits are part of a program that will eventually help them obtain self-sufficiency.

- 4.1 Provide assistance to non-profit organizations that assist the homeless and those at risk of homelessness, provide transition assistance to the homeless, and help prevent homelessness (A).
- 1.2 Strengthen the capacity of the Jackson County Continuum of Care to plan activities reducing homelessness in the community. (B)
- 1.3 Support activities that expand service-enriched housing for the homeless and other special needs populations, including increased shelter, transitional and permanent supportive housing resources (B).

Goal 5: Encourage the development of emergency and transitional housing for homeless families with children and/or individuals.

- 5.1 Coordinate with local providers of homeless services to determine the number and type of units needed in Ashland. Work with service providers to define homeless housing project plans and financial needs (B).

### *Performance Outcome for homeless goals (4&5):*

- Improved conditions and assistance for homeless individuals and families to enable them to be self sufficient.

### *Performance Measures for homeless goals (4&5):*

- Number of homeless, or households at risk of homelessness, that have received services designed to improve health, safety, and counseling.
- Number of homeless families or individuals that have been stabilized through emergency or transitional housing
- Number of homeless, or households at risk of homelessness, that have obtained permanent housing
- Increased capacity of the Jackson County Continuum of Care homeless task force to address homelessness on a regional level.

## Special Populations

Goal 6: To support housing and supportive services for people with special needs. People with special needs include the elderly, the frail elderly, persons with developmental disabilities, persons with physical disabilities, persons with severe mental illness, persons with alcohol or other drug dependencies and persons with HIV/AIDS or related illnesses.

- 6.1 Encourage development of transitional and supportive housing for extremely low- and low-income special needs populations (B).
- 6.2 Provide assistance to non-profit organizations that provide support services for extremely low- and low-income special needs populations (B).

### *Performance Outcome for special needs Population goal (6):*

- Improved conditions and assistance for special needs population to enable them to be self sustaining.

### *Performance Measures for Special population goals:*



- Number of individuals with special needs that have received services designed to improve health, safety, general welfare, and self reliance.
- Number of group homes or other supportive housing developed for the elderly, individuals with special needs.

### **Community Development Goals**

Goal 7: To provide safe and convenient access to alternative transportation routes in extremely low-, low- and moderate-income neighborhoods.

- 7.1 Replace hazardous sidewalks in extremely low-, low- and moderate-income neighborhoods (C).
- 7.2 Construct new sidewalks on existing streets in extremely low-, low- and moderate-income neighborhoods (B).
- 7.3 Install wheel-chair ramps in existing sidewalks (B).

Goal 8: To make city facilities easier and safer to use for people with disabilities.

- 8.1 Make accessibility improvements to city-owned facilities (B).

*Performance Outcome for Community Development goals (6):*

- Low income neighborhoods that have improved pedestrian and wheelchair access and city facilities that are easier and safer to use for people with disabilities

*Performance Measures for Community Development goals (7&8):*

- Linear feet of sidewalk completed in qualified low-income Census Block Groups
- Number of households benefiting from new or enhanced city sidewalks.
- Number of wheelchair ramps installed in existing sidewalks
- Number of individuals with physical or developmental disabilities provided access to new or repaired public facilities

### Fair Housing

#### **Goal 9: To affirmatively further fair housing.**

- 9.1 Establish a local means for citizens to get specific information about fair housing, and report fair housing violations. Review current fair housing violation process, improve as needed. (B)
- 9.2 Develop and provide brochures and advertisements on how to file fair housing complaints (B).
- 9.3 Continue to support the activities of the Fair Housing Council of Oregon (B).

*Performance Outcome for Fair Housing goals (6):*

- Improved public access to information about housing discrimination and fair housing rights and responsibilities

*Performance Measures for Community Development goals (7&8):*

- Number of existing or potential multifamily property owners provided with landlord responsibility materials relating to the Fair Housing Act.
- Number of educational opportunities provided to the Citizenry including seminars, television broadcasts and informational items within City publications sent as direct mail to all households in Ashland.
- Number of individuals assisted in reporting fair housing violations.

### **Lead Based Paint**

Goal 10: Assure activities assisted by the City are conducted in compliance with state and federal laws that apply to lead-based paint hazards, and the information distributed about lead-based paint is in compliance with current state and federal laws.

- 10.1 Review practices used to evaluate and abate lead-based paint hazards in housing projects assisted with CDBG funds through the City (A).
- 10.2 Keep updated on state and federal laws that relate to lead-based paint (A).



*Performance Measures for Lead Based Paint goal (10):*

- Number of households assisted whose properties have had Lead Based Paint abated.

**Anti-Poverty**

Goal 11: To reduce the number of people living in poverty in the City of Ashland.

Goal 12: Promote and support activities in the community that improve or provide access to economic opportunities for extremely low- and low-income residents of Ashland.

- 12.1 Support organizations that provide job training and access to employment for extremely low- and low-income persons, homeless persons and persons with special needs (B).
- 12.2 Support programs that assist individuals living at or below the poverty level in building financial assets. (B)
- 12.3 Support affordable and flexible childcare services for extremely low-, low- and moderate-income Ashland residents.(C)

(Performance Outcomes and Measures Addressed under Housing Goals and Homeless Goals).

**Barriers to Affordable Housing**

Goal 13: Remain aware of the barriers to affordable housing in Ashland, and where it is within the City's ability, take steps to overcome such barriers.

- 13.1 Consider the potential impacts on housing affordability prior to enacting changes to requirements for residential development in the Ashland Land Use Ordinance (A).
- 13.2 Continue to reduce barriers to affordability forwarding Ashland Land Use Ordinance amendments to the City Council for consideration that promote the development or retention of affordable and workforce housing. (A)

*Performance Outcome for Barriers to Affordable Housing Goal(13):*

- Creation of affordable housing units through incentives and regulatory requirements within the Ashland Land Use Ordinance

*Performance Measures for Barriers to Affordable Housing Goal(13):*

- New city procedures and policies to streamline the development process for affordable housing.
- New ordinances or ordinance amendments to encourage the creation of affordable housing through density bonus provisions
- Adoption of resolutions or ordinance amendments that require units to be affordable based on a range of income levels.

**Institutional Structure and Coordination**

Goal 14: To provide institutional structure and intergovernmental cooperation.

- 14.1 Continue to provide staff support to the City of Ashland Housing Commission (A).
- 14.2 Continue to work with the City of Medford, Jackson County and other jurisdictions to work on Housing affordability, Fair Housing, and homelessness on a regional, as well as local, basis. (A)
- 14.3 Continue participation in the Jackson County Continuum of Care Consortium and the Jackson County Housing Coalition.(A)

*Performance Measures for Institutional Coordination Goal(14):*

- Intergovernmental agreement(s) to work with City of Medford, Jackson County and other jurisdictions to work on Housing affordability in a coordinated manner.
- Continuance of the Ashland Housing Commission and the Jackson County Housing Coalition.
- Coordinated regional approach to address low-income housing and service needs on a regional basis



# Housing Tips and Trends

From the **Fair Housing Council of Oregon**



Your Source for Fair Housing News & Information

If you need this document in an alternate format or a different language, please contact us by the means most convenient to you.

**CLICK**  
E-mail: [information@fhco.org](mailto:information@fhco.org)



**CALL**  
Call: 503-223-8197  
Toll Free: 1-800-424-324 (TTY)



**WRITE**  
Fair Housing Council Of Oregon  
1020 SW Taylor St., Suite 700  
Portland, OR 97205-2512



## Fair Housing and Advertising

Fair Housing laws prohibit housing providers (agents and brokers, owners / sellers, lenders, landlords and property managers, etc.) and the media from stating, printing, or publishing any preference, limitation or discrimination based on a protected class. Federal and state protected classes include: race, color, national origin, religion, gender, familial status, disability, marital status, and source of income. Local jurisdictions often add additional protected classes such as gender identify, sexual orientation, and age.

### Advertising Dos & Don'ts:

- Direct discrimination such as "no children" or "Christians only" should be strictly avoided.
- If you use images and pictures in your advertising, be careful that they depict the community's breadth of diversity in ability, gender, race, etc. In other words,

marketing pictures that show only white adults with no visible disability may be perceived as illegal discrimination (despite whether or not that was the intent) as if the words, "able-bodied white adults only" were used.

- Focus your words on the property, not who lives there or whom you (or the seller, or the neighbors...) think should live there.
- Words that describe the dwelling are permissible unless it conveys actual restrictions as to who can live there. For example, "bachelor apartment" is fine, so long as you don't limit access only to non-married males. Similarly, "view" and "within walking distance" and "walk-in-closet" are all fine.
- When advertising a designated senior community\*, the words independent and active should not be used unless it is clear

there is no intent to exclude those with a disability. Use caution with phrases such as "choice location," "executive home," "exclusive community," etc. If phrases such as these are used (or perceived to be used) as code words to hide the intent to discriminate based on protected class, there could be a fair housing issue.

### Suggestions

- Use the fair housing logo available at the HUD website.
- If the unit is accessible or has other features of benefit to those with any number of disabilities, promote those amenities.

\*There are only two types of senior housing (55+ and 62+) legally allowed to exclude families with children. The law is very clear and specific about this exception, including qualifying ratio.

## Working With Clients Who Speak Limited English

According to 2005 statistics, 10% of Oregon's population is "foreign born" and 25% of them self-identify as not speaking English well. Thirteen percent indicate they do not speak English at all. Many landlords contact the FHCO to find out what their responsibilities are when it comes to working with clients who speak little or no English. (We usually refer to this population as LEP clients...short for "limited English proficiency "clients.) Unless the housing you own or manage is subsidized with federal funding, you currently do not have a requirement to provide translation (written) or interpretation (spoken) services for your LEP clients. However, HUD has recently published a four factor analysis, which applies to federally funded housing. This analysis is a good business tool to apply to your private market management

practice to ensure your clients understand their lease requirements and your expectations. HUD's Four Factor Analysis:

1. 1000 or more individuals in a language group = translate vital documents
2. More than 5% of your clients (and more than 50 individuals ) in a language group = translate vital documents
3. More than 5% of your clients (but , less than 50 individuals ) in a language group = have a written notice in the language that interpretation services can be made available.
4. Less than 5% of clients and less than 1,000 individuals in a language group = no need for written translation of materials. More information on serving the LEP population is available at [www.LEP.Gov](http://www.LEP.Gov).

Early Summer / 2007



Learn about your **FAIR HOUSING** rights and responsibilities: **SEE BACK PAGE FOR DETAILS**

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**GOT  
QUESTIONS?  
WE'VE GOT  
ANSWERS!**



**CALL THE  
Fair Housing  
Council of Oregon  
Hotline:  
1-800-424-3247**

**NEED HOUSING?**

**ADVERTISE  
AVAILABLE  
HOUSING**

ON

HousingConnections.org

SEE BOX

THIS PAGE



## Housing Providers, Special Services for You:

Did you know that we submit dozens of articles annually to a variety of publications? If your company or organization is looking for relevant and timely content for your publication, we would be pleased to provide regular submissions free of charge.

**Have you heard reviews for our classes on fair housing law?** We regularly conduct training classes throughout Oregon and SW Washington and are routinely asked to speak on the following topics:

- Fair Housing (FH) Basics
- FH for Maintenance Personnel
- FH and Real Estate Sales
- FH for Local Governments
- FH and Advertising
- Breaking the Language Barrier and Affirmative Marketing
- Focus on Disability, Accessibility, Reasonable Accommodations and Modifications

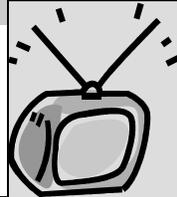
### Who should call the Hotline?

The Fair Housing Hotline (800/424-3247)—is for anyone with a Fair housing question. You can also email us at [information@fhco.org](mailto:information@fhco.org).

### Housing News

Keep up with fair housing trends and case law. Sign up for FREE housing news from the Fair Housing Council!

Contact us with the following:  
**name / company** (required)  
**email address** (preferred)  
**postal address** (secondary)



Learn about converting your rentals to non-smoking housing. Watch the "Benefits of Smoke Free Housing" television program, airing in the Portland metro area: Friday 6/8/07 at 7:00 pm and Sunday 6/17/07 at 7:30 pm on channel 23, Sunday 6/10/07 at 5:30 pm on channel 11, Sunday 6/15/07 at 7:30 pm on channel 22, and Sunday 6/24/07 at 8:00 pm on channel 30.

### HousingConnections.org

Do you or someone you know have **sales or rental property** in the Portland-Vancouver market?

If so, you should know about HousingConnections.org—the region's best local housing resource. Post: apartment units, single-family homes, shared housing, special needs housing, accessible housing...

To post completely free of charge visit [HousingConnections.org](http://HousingConnections.org) today!

Not online? No problem!

Call: 503-823-8562

## Fair Housing Event Sponsors

This year's Fair Housing Month activities, including this informative Tips & Trends mailer and upcoming training sessions were made possible with the generous support of the following sponsors.

### Major Sponsors:

- The City of Eugene
- The City of Portland Bureau of Housing & Community Development
- The U.S. Dept. of Housing and Urban Development
- The Portland Metropolitan Assn. of Realtors®
- Oregon Housing & Community Services Dept.
- Oregon Economic & Community Development Dept.
- The City of Ashland
- The City of Medford

### Contributing Sponsors:

- The City of Corvallis
- The Oregon Rental Housing Assn. / The Rental Housing Assn. of Greater Portland
- The Regional Multiple Listing Service

The work that provided the basis for this publication was supported by funding through a grant with the US Department of Housing and Urban Development. The substance and findings of the work are dedicated to the public. The authors are solely responsible for the accuracy of the statements and the interpretations contained in this publication. Such interpretations do not necessarily reflect the views of the Federal Government.

## Inclusive Rental Practices and Affirmative Marketing

Fair housing laws are intended to create a climate in which individuals, who are otherwise qualified for a housing transaction, can obtain the housing of their choice. Sometimes, the manner or location in which a landlord or other housing provider places advertising or offers services or housing may seem to exclude some groups. For example, suggesting that housing may not be safe for small children would be seen as deterring families with children from renting. Similarly, you might be perceived as discriminating against people from other countries if you advertised that only people who speak English were encouraged to apply to rent your available housing. (The fair housing laws protect everyone, regardless of their citizenship or immigration status.)

Affirmative marketing is a term used to mean that you are proactively seeking out people from all races and ethnic backgrounds, families as well as singles, and people with disabilities as well as those without disabilities to make them aware of your available housing. In short, affirmatively marketing your rentals or services

demonstrates that you desire to increase the diversity of your client pool and are actively seeking out those folks who may be least likely to find out about your services through the ordinary means.

Affirmative marketing may include advertising rentals in ethnic or neighborhood newspapers as well as in the mainstream classified ads. It might also include translating your rental flyers and distributing them in ethnic grocery stores or posting rental housing notices at community organizations serving individuals with disabilities or families.

If your rental units have some accessible features, include that information in your advertising. Some people with disabilities may not need housing that is fully wheelchair accessible, they may need something with limited stairs, or lots of natural light, or a place where they can garden for therapeutic reasons, or many, many other options. Accessibility isn't a one-size fits all term. The features that make your housing units unique may be exactly the features that someone has been looking for to fit their disability-related needs.

In addition to advertising to affirmatively expand your pool of potential clients, having rules, policies and rental practices that are inclusive is also an important element of fair housing. For example, rules that are targeted specifically to children (e.g. kids can't be outside the apartment after dark) have been determined to be discriminatory. Also, a rule that stated one could not use specific ingredients in cooking (we have seen some that do not allow residents to cook with curry, or certain other spices) may have a discriminatory impact on some ethnic groups more so than others. When crafting rental policies, rules, screening criteria, etc., it is important to remember that anything you state which appears to discourage someone based upon the bases protected by the fair housing laws, could potentially result in a fair housing complaint against you. Landlord trade associations frequently sell forms which have already been reviewed to help you avoid discriminatory language.

## Discrimination Complaints In Oregon & SW Washington

The Fair Housing Council of Oregon received over 3,000 Fair housing inquiries in 2006; nearly 400 were determined to be bona fide allegations of illegal housing discrimination. The National Fair Housing Alliance estimates that less than 1% of all violations are reported. In Oregon, 1 in 10 believe their Fair housing rights have been violated.

**Approximately 25% of the complaints received in Oregon and SW Washington involve families with children.** It is illegal for housing providers to discriminate against households with a child under 18 (including an expecting parent); nor can they steer families to certain units or

impose rules aimed specially at children.

**Over 30% of the complaints FHCO receives deal with disability.** This is a broad and complex area of the law that is confusing to many. You should know that housing consumers with a mental or physical disability have the right to request a "reasonable accommodation" (a change to rules, policies, or procedures) or "reasonable modification" (physical change to the housing structure) in order to fully access, use, and enjoy their housing. There are few instances in which a housing provider can legally refuse a reasonable request. In the private market, the costs for such changes typically

fall on the housing consumer. Providers have the right to verification of the need, and to assure that any changes are made to code, with any needed permits, and in a professional fashion.

**You should also know that assistance / therapy / companion animals who assist those with disabilities should never be considered pets.** While consumers are responsible for the care of their animals, as well as any damage that may occur, housing providers may never charge a pet fee or decline a disability-assistance animal on the basis of a 'no pets' policy.

### Serving Oregon & SW Washington



**Did you know?** We have translated our core informational handouts into seven different languages.



**Did you know?** You can view educational videos on our website in Spanish, Russian, Arabic, and English.



**Did you know?** We even offer to translate materials into Braille and provide sign language or other assistance for attendees of fair housing classes, as needed.



## Accessibility: Design & Construction Standards

Design and construction (D&C) accessibility standards for multi-family housing built after March 13, 1991 are set forth by the federal Fair Housing Act.\*

There are seven essential components including:

- accessible entrances on an accessible route
- accessible public and common use areas
- usable doors
- accessible routes into and through units
- accessible environmental controls
- reinforcement for grab bars
- usable kitchens and bathrooms

A discussion of each of these seven D&C compo-

nents can be found at [FHCO.org/accessw.htm](http://FHCO.org/accessw.htm).

Further information can be gleaned from [FairHousingFirst.org](http://FairHousingFirst.org).

Everyone involved in the design and construction of a multifamily properties—designers, architects, builders, construction companies, etc.—is liable for full compliance.

If you would like more information about D&C requirements, or assistance in performing a self-audit, please contact us at 1-800-424-3247.

\*Multi-story townhouses are exempted.

## Environmental Hazards:

**Lead Hazards**—Do you know that dwellings built before 1978 are likely to be contaminated with lead-based paint. Once consumed, ingested, or inhaled, lead is never eliminated from the body. If you rent or buy a pre-1978 home, you are required by federal law to receive a lead disclosure notice and free booklet. Learn to live 'Lead Safe' and get answers to your questions; call the Oregon State Lead Line at 503/988-4000.

**Mold Hazards**—Did you know that mold can be toxic? Molds produce allergens, irritants, and in some cases, potentially toxic substances. Symptoms may range from mild irritation to severe asthma at-

tacks. While it's impractical to eliminate all mold; you can control indoor growth and moisture. If you buy or rent property in Washington you are required to be given a disclosure notice. Get answers to your questions; call the Washington State Dept. of Health at 888/586-9427.

**Smoke-free Housing**—Did you know that smoke-free housing is a growing trend? A 2006 study conducted by Campbell DeLong Resources, Inc. found that 80% of renters in the Portland-Vancouver market do not allow smoking in their homes. 75% prefer housing where smoking is forbidden and 42% avoid housing where others smoke; compared to only 11% who look for a

lack of smoking policies.

You should know that being a smoker is not a protected class under fair housing laws, so smoke-free housing policies are legal. In fact, Oregon and Washington State laws already require commons areas in housing complexes to be smoke-free. For more information and answers to your questions, contact the American Lung Association at 503-924-4094, Jayme Rabenberg at FHCO (503-453-0926), Multnomah County Health Dept. (503-988-4163), Clark County (360-397-8000 x7378) or find more information at [smoke-freeoregon/housing.com](http://smoke-freeoregon/housing.com).

### 'Close Enough' may Result In a Fair Housing Lawsuit

*Anyone with a multi-family housing site (four or more units) first occupied after March 1991 should read this article. You may be in jeopardy of being named in a fair housing complaint.*

No one should know better than architects, planners, and builders how essential accurate measurements are to a safe, attractive, and successful building project. Nowhere is this more true than in following fair housing design and construction (D&C) standards.

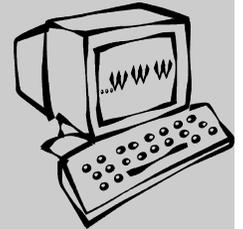
- Do the running slopes on your property's access routes fall outside of the 1:12 - 1:20 range?
- Are access routes at least 36" wide?
- Do you have steps, high thresholds, or knobs (vs. lever-style handles) on front entrances of units and common areas?
- Have you placed outlets and other controls at least 15" above the floor?
- Have you allowed a 30x48" clear space in front of bathroom sinks?

We recommend that you refer to the HUD Fair Housing Design Act Manual at [www.HUD.gov](http://www.HUD.gov).

Compare the standards in the manual with the specs at your site. You can also contact us for resources to determine minimum standards to successfully retrofit existing inventory and to avoid problems in the future!

GOT QUESTIONS?  
WE'VE GOT ANSWERS!

VISIT  
[www.FHCO.org](http://www.FHCO.org)  
Today!



## Ready to Rent

Do you or someone you know have rental properties in the Portland-Vancouver market?

If so, you should know about the region's renter education program called *Ready to Rent*.

The program is designed to assist applicants in addressing past issues and creating a realistic housing plan and household budget.

High standards are set for graduation; for those that do, there are financial incentives for landlords who accept *Ready to Rent* graduates.

For more information:  
**Clackamas County**  
503/650-5647  
**Clark County**  
360/906-9117  
**Multnomah County**  
503/802-8494  
**Washington County**  
503/640-3263



Your Source for  
Fair Housing  
News & Information

**TRAINING REGISTRATION  
CONTACTS:**

Email:  
FHCO\_registration@yahoo.com

Fax: 503-223-3396

Mail: Fair Housing Council  
of Oregon  
1020 SW Taylor St.  
Suite 700  
Portland, OR 97205

Questions about registration?  
Phone 800-424-3247 from  
anywhere in Oregon

PRE-REGISTRATION  
MUST BE RECEIVED BY:  
8:00 a.m. on Tuesday,  
July 17, 2007

Webcast Date:  
Wednesday 7/18/07

Time: 2:30-5:00 p.m. PDT

You will receive more  
details with your  
registration confirmation

Please be sure to add  
FHCO\_registration@yahoo.com  
to your approved e-mail spam  
filter list

# Register Now for the Free Training Session!

PLEASE PHOTOCOPY THIS REGISTRATION FORM AND SUBMIT A SEPARATE FORM FOR EACH REGISTRANT

**Step  
1**

## TO REGISTER BY E-MAIL...FHCO\_registration@yahoo.com

name: \_\_\_\_\_ phone #: \_\_\_\_\_

company / agency (if applicable): \_\_\_\_\_

city, county: \_\_\_\_\_

**Please  
complete  
step #2  
also**

## TO REGISTER BY FAX... 503-223-3396 (fax)

name: \_\_\_\_\_ phone #: \_\_\_\_\_

agency (if applicable): \_\_\_\_\_

city, county: \_\_\_\_\_

**Please  
complete  
step #2  
also**

## TO REGISTER BY U.S. MAIL send to... Fair Housing Council of Oregon 1020 SW Taylor St., Suite 700, Portland 97205

name: \_\_\_\_\_ phone #: \_\_\_\_\_

agency (if applicable): \_\_\_\_\_

city, county: \_\_\_\_\_

**Please  
complete  
step #2  
also**

**Step  
2**

## REGISTRATION CONFIRMATION WILL BE MADE BY E-MAIL WHEREVER POSSIBLE

BE SURE TO ADD FHCO\_REGISTRATION@YAHOO.COM TO YOUR APPROVED SPAM FILTER LIST

E-mail address: \_\_\_\_\_

If you do not have an e-mail address, provide a fax or phone number so we can  
contact you with the details you will need to log in.

\_\_\_\_\_  fax  phone

**NOTE!**

## PRE-REGISTRATION MUST BE RECEIVED BY: Tues., July 17th, 2007 at 8:00 a.m. PDT

NOTE: Please sure to add FHCO\_registration@yahoo.com' to your approved email spam  
filter list

NOTE: Upon receipt of your registration, we will reply to confirm and include all of the  
details you will need in order to join us online. You will need access to a com-  
puter with a high speed internet connection on 7/18 at 2:30 in order to view and  
participate in this free training.

## History of Discrimination in Oregon

In any attempt to educate ourselves about civil rights in housing—fair housing—it is important that we remind ourselves of the pain suffered by those who were denied those rights. Courageous people faced the forces of prejudice, persevered and built an important place in Oregon's history.

Native Americans have lived in the Pacific NW for ten thousand years. Estimates of the population before European settlement in the 1800s may have been over 120,000. Disease, war, and forcible displacement had a severe impact on Native American communities, reducing the population to approximately 5,000 by 1900. Forced to live on reservations by the U.S. government, most native people were systematically denied the basic freedom of a choice about where to live.

Chinese immigrants moved to the Oregon Territory to work in mining communities, fish canneries and

on the railroads. When statehood was declared in 1859, Oregon's constitution prohibited anyone of Chinese ancestry from owning land or holding a mining claim. In 1882, the Chinese Exclusion Act banned Chinese immigration to the U.S. Restrictive covenants in deeds for residential property were commonplace and resident Chinese-Americans were excluded from living in certain neighborhoods.

The immigration of Japanese people to Oregon increased with the passage of the Chinese Exclusion Act. Early in the twentieth century, Japanese immigrants settled into Portland to work in the traditional service industries. Many also farmed east Multnomah County and the Hood River Valley. Competition with European-American farmers provided the impetus for bills in the Oregon Legislature in 1917, 1919, 1921, and 1923 prohibiting Japanese land ownership. Japanese-Americans also faced racist restrictive covenants that excluded home

seekers from purchasing in certain areas.

African-Americans were deterred from living in Oregon by racial exclusion laws passed between 1849-1854 stating that it was "unlawful for any Negro or mulatto to come in or reside" in Oregon. Although slavery was banned, Oregon's first constitution passed in 1857 denied African-Americans the opportunity to live here.

This shameful legacy of race hatred and separation continued into the twentieth century. Oregon's first Fair housing law, passed in 1959, began an era of civil rights protections for minorities. The federal Fair Housing Act of 1968 provided even stronger protections. Racist restrictions in covenants remain but enforcement of them or any other discriminatory act is illegal. Civil rights protections in housing are still evolving and much work remains to be done!

## Commonly Asked Questions about Service Animals in Housing

One issue many with disabilities face is requesting a reasonable accommodation (change to a rule or policy) for a service animal.

For fair housing purposes, the terms "assistance animal," "therapy animal," "service animal," and "companion animal" are interchangeable.

### Examples of Service Animals:

- Seeing-Eye or Hearing Dog
- An animal used to pull wheelchairs or carry and pick up things for persons with mobility impairments.
- An animal used to assist persons with mobility impairments to balance
- Seizure Animals which alert persons to an on-coming seizure
- An animal that provides emotional support for those with depression or other emotional disorders

### What is a Service Animal?

Service animals provide assistance to an individual with functions or tasks that the individual with a disability cannot perform for him or herself. You should know that there is no formal certification or training requirement for an assistance animal.

### What a Service Animal isn't

A service animal is not a pet and should never be treated as one. That means, if there is a "no pets" policy, a service animal should likely be accommodated. If pets are allowed subject to a fee and / or deposit, such costs may not be applied to assistance animals.

Those requesting an accommodation may need to verify that it is necessary, related to their

disability, and essential to fully access and enjoy their home. Verification may come in the form of a letter from a doctor, therapist, counselor, social worker, etc. Contact us at the Fair Housing Council for assistance in preparing a request for accommodation.

You should also know that strong privacy rights surround disability under fair housing law. There is a limit to what a housing provider is allowed to ask about someone's disability. If you have questions, please call us at 503-223-8197 or 800-424-3247 (TTY)

For info. on service animals in businesses visit:

[www.usdoj.gov/crt/ada/qasrvc.htm](http://www.usdoj.gov/crt/ada/qasrvc.htm)



### It Is Illegal...

...for housing providers (owners, sellers, landlords, lenders, or those working for them) to:

- Refuse to rent, sell, or finance
- Refuse to give information about available housing
- Discourage application or bidding
- Lie about availability
- Apply different rules, privileges, standards, or qualifications
- Steer to certain housing
- Make discriminatory statements (written or oral)
- Harass, intimidate, threaten, or coerce
- Refuse to let one with a disability make necessary modifications / accommodations

...when such action is based on one's protected class.

Protected classes include: race, color, national origin, religion, gender, familial status, disability, marital status, source of income, etc.

**If you questions about fair housing, contact us at 800-424-3247.**

## Did You Know

Individuals who are in recovery from alcohol abuse and / or illegal drug abuse are considered to have a disability under fair housing laws.

### Did you know?

An individual with a disability may ask a housing provider to overlook some past bad references (rental, criminal, credit, etc.) if the past behavior is now corrected and if the original problem was created due to an untreated disability such as a mental health disorder (which is now properly diagnosed or treated) or an addictive disorder for which the person is now in recovery?

### Did you know?

The reasonable accommodation process was designed to help individuals with disabilities overcome barriers to obtaining and/or keeping their housing?

### Questions?

Contact us at 800-424-3247!

## Recent Litigation, Settlements & Complaints Against Architects, Developers, Insurance Companies, and Landlords

**The Fair Housing Council of Oregon and a client with a disability have recently settled a reasonable accommodation case in Milton-Freewater.**

A manufactured home park resident who was blind, requested that her landlord allow her to install a lock on her gate to prevent other residents from using her backyard as a shortcut through the park. Because of her blindness, she was not able to look out and see who was in her yard and this caused her to fear for her safety. The landlord refused to allow her to install the lock, even after she offered to provide him with a key. Then he retaliated against her when she filed a fair housing complaint. The Fair Housing Council of Oregon and attorney Dennis Steinman assisted the client in filing and settling a fair housing case against the landlord. You can read more details of the HUD complaint and charge at: <http://www.hud.gov/offices/fheo/enforcement/greenacre-advisory.doc>.

**Dept. of Justice settles a design and construction (D&C) case with property's architects, builders, developers, and engineers. Settlement includes retrofits and \$320,000 accessibility fund.**

The parties involved in the Design and Construction (D&C) of several Memphis, Tennessee apartment complexes have agreed to make retrofits to ground floor units and common areas of the apartment communities in order to make the properties accessible to individuals with disabilities as required by the Fair Housing D&C Standards. Additionally, they will place \$320,000 into a fund to help individuals living

in Shelby County make accessibility improvements to their individual homes. The fund will be administered by the Memphis Center for Independent Living. See the full article at [fairhousing.com/advocate](http://fairhousing.com/advocate).

**The Fair Housing Council of Oregon and two clients recently settled a Race/Color discrimination suit against a Portland landlord for \$36,500.**



The Dept. of Justice recently settled a case brought against a Portland apartment owner. The Fair Housing Council of Oregon as well as their clients, an interracial couple, were represented by attorney Peter Fels.

The suit was brought by the parties after HUD issued a charge in the case of HUD V. Ballis. HUD charged that the landlord had refused to rent to the couple because the man was Black. FHCO performed fair housing testing to obtain supporting evidence for the clients' complaint. See the full article with details of the charge at [hud.gov/news/release.cfm?content=pr05-171.cfm](http://hud.gov/news/release.cfm?content=pr05-171.cfm).

**A \$2million settlement against a national insurance company was reached by the Fair Housing Council of Ore-**

**gon, the Fair Housing Center of Washington, and several adult care home operators.**

A federal class action lawsuit alleged that Western World Insurance Co. cancelled insurance policies of adult care home providers whose clients were people with mental disabilities. A fund has been established for providers who were part of the class of impacted individuals but may have been unaware of the lawsuit. Read more informa-

tion about this settlement at [fairhousing.com/advocate](http://fairhousing.com/advocate).



**DID YOU KNOW?**  
The Americans with Disabilities Act regulates the accessibility of commercial buildings. It also addresses the requirement of real estate sales offices, model homes or apartments, and apartment leasing offices to be accessible.  
[www.ada.gov](http://www.ada.gov)



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**Your Source for  
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**TRAINING REGISTRATION CONTACTS:**

Email: [FHCO\\_registration@yahoo.com](mailto:FHCO_registration@yahoo.com)

Fax: 503-223-3396

Mail: Fair Housing Council  
of Oregon  
1020 SW Taylor St.  
Suite 700  
Portland, OR 97205

Questions about registration?  
Phone 800-424-3247 from  
anywhere in Oregon

**LEARN ABOUT FAIR HOUSING  
LAWS BY WATCHING THIS  
TRAINING ON A COMPUTER!**

**Cost: FREE**

**Date: Wednesday,  
July 18, 2007**

**Time: 2:30-5:00 pm**

**Once registered, we will  
provide details for viewing**

**To Register:** Submit your completed registration form (page 5 of this document) to..... [FHCO\\_registration@yahoo.com](mailto:FHCO_registration@yahoo.com) by 8:00 a.m. on 7/17/07. We will reply with all of the details you will need in order to join us!

**WHO SHOULD  
PARTICIPATE?**

- Professional Property Mgrs
- Landlords
- Owner-Managers
- Real Estate Investors
- On-site Mgrs
- Maintenance Staff

**FREE Webcast Training  
for Housing Providers**

Here at the Fair Housing Council of Oregon, we promote and support everyone's right to housing without the threat of illegal discrimination.

By promoting equal opportunity housing choice we build stronger, more stable communities and ensure that everyone has an equal chance to succeed.

The Fair Housing Council of Oregon is proud to announce a series of classes across the state.

On 7/18/07 housing consumers and agencies / advocates who serve housing consumers will be able to watch a fair housing training from their computer desktop. This event will be webcast live through the generous support of the cities of Ashland and Medford.

This event will allow online viewers to participate with Q&A for the trainers. Log on from 2:30-5:00 p.m. PDT and join us!

Not available on that day? No problem! This webcast workshop will be posted to [FHCO.org](http://FHCO.org) for future viewing, or available on DVD if you don't have access to a computer.

The Fair Housing Council of Oregon is a private, non-profit agency serving all of Oregon and SW Washington.

We take a proactive approach to educating both housing providers and housing consumers. We have scheduled a variety of statewide training sessions, this year, to reinforce our commitment to you.

Upcoming training sessions will address the rights and responsibilities of housing providers, property managers and landlords, and real estate sales brokers.

We hope you will join us!