METROPOLITAN WASHINGTON REGIONAL FAIR HOUSING PLAN

Montgomery County

November 2023

Metropolitan Washington
Council of Governments

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This subsection is part of the regional plan, which is available on COG's website.

ABOUT COG
The Metropolitan Washington Council of Governments (COG) is an independent, nonprofit association that brings area leaders together to address major regional issues in the District of Columbia, suburban Maryland, and Northern Virginia. COG's membership is comprised of 300 elected officials from 24 local governments, the Maryland and Virginia state legislatures, and U.S. Congress.

PARTICIPATING LOCAL GOVERNMENTS
This fair housing plan was prepared in collaboration with eight COG member governments: City of Alexandria, VA; Arlington County, VA: District of Columbia; Fairfax County, VA; City of Gaithersburg, MD; Montgomery County, MD; Loudoun County, VA; and Prince William County; VA.

Key government staff for this collaboration included: City of Alexandria: Kim Cadena and Melodie Seau; Arlington County: Joel Franklin, Jennifer Daniels, and Rolda Nedd: District of Columbia: Lesley Edmond; Fairfax County: Linda Hoffman, Vin Rogers, Amanda Schlener, Kenneth Saunders, and Margot Squires; Loudoun County: Brian Reagan, Eileen Barnhard, Rebekah King, and Christine Hillock; City of Gaithersburg: David Cristeal; Montgomery County: Katherine Canales, Cathy Mahmud, and Frank Demarais; Prince William County: Joan Duckett.

COMMUNITY ADVISORY COMMITTEE
Regionally-focused organizations which work with residents directly impacted by fair housing choice provided guidance to the local governments. The organizations included: Action in the Community Through Service (ACTS); CASA; Catholic Charities Archdiocese of Washington and Catholic Charities of Arlington; ENDependence Center of Northern Virginia; Equal Rights Center; Friendship Place; Greater Washington Urban League; House of Ruth; Legal Services of Northern Virginia; NAACP Chapters of Arlington County, Fairfax County, Montgomery County, and Prince William County; Offender Aid Restoration; Pathways Homes; and Washington Legal Clinic for the Homeless.

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I. Executive Summary

The executive summary is published as a separate document and can be found on the same web page as this document at www.mwcog.org/fairhousingplan. Hard copies are available upon request.

II. Community Participation

Meaningful community engagement is important to the development of the regional Analysis of Impediments to Fair Housing Choice (Regional Fair Housing Plan) for the metropolitan Washington region and the eight jurisdictions participating in the plan: the District of Columbia; Montgomery County and the City of Gaithersburg in Maryland; and the City of Alexandria, Arlington County, Fairfax County, Loudoun County, and Prince William County in Virginia.

Although there is no current US Department of Housing and Urban Development (HUD) rule or guidance on community engagement, the project team took cues from the 2015 Affirmatively Furthering Fair Housing rule, which defines community engagement as: "a solicitation of views and recommendations from members of the community and other interested parties, a consideration of the views and recommendations received, and a process for incorporating such views and recommendations into decisions and outcomes" (24 CFR § 5.152). The team took seriously its role in ensuring that community voices inform the plan. These voices helped confirm data findings, identify gaps in information, and reshape biases or viewpoints.

The Regional Fair Housing Plan is an important step that should inform each grantee's Consolidated Plan, which defines how communities will use HUD grant funds, specifically Community Development Block Grant, HOME Investment Partnerships, and Emergency Solutions Grant. In principle, the Fair Housing Act of 1968, which calls for all federal programs to "affirmatively further fair housing," should prioritize limited HUD funding and resources for protected classes—the individuals, groups, and communities most impacted by past discriminatory practices that have affected resources and land patterns to this day. Enshrined in the Fair Housing Act, these protected classes are race, color, sex, national origin, religion, familial status, and disability.

The project team leaned on its experience in community engagement. The team has conducted over 20 analyses of impediments from across the country in a variety of geographies, including large cities, urban counties, and suburban jurisdictions—such as Kansas City, Los Angeles County, Prince George's County, and Orange County (California). The team was advised by Jarrod Elwell of Enterprise Community Partners, assigned by HUD to provide best practices and guidance to the Metropolitan Washington Council of Governments (COG) and the regional effort.

An important anchor for the work was the regional coordination of community engagement led by Hilary Chapman, housing program manager at the Metropolitan Washington COG. She coordinated meetings with the Regional AI Project Team and the Regional Fair Housing Community Advisory Committee as well as internally with COG communications staff. The project team also coordinated with the Regional AI Project Team, which included senior staff and housing directors from every jurisdiction. Additionally, the Regional Fair Housing Community Advisory Committee was composed of a wide variety of community organizations representing HUD defined protected classes, such as civil rights groups, disability advocates, housing for seniors, immigrant groups, and service organizations from throughout the region.

The project team met monthly, and the Community Advisory Committee met every other month. This is in addition to countless meetings the team and committee members had with staff from each jurisdiction or leaders from various organizations.

Although the COVID-19 pandemic limited the number of public meetings, they were held in government facilities that were accessible and met the requirements of the Americans with Disabilities Act. The project team also tried to ensure that websites and virtual meetings met Section 508 requirements and to use descriptive language when making presentations. In addition, Spanish interpreters were provided for those with limited English proficiency. Every meeting offered services for the visually and hearing impaired, as well as interpretation in various languages through the multilingual services contracted by various jurisdictions.

As mentioned, one of the challenges to community engagement was the COVID-19 pandemic. A handful of in-person meetings and presentations were conducted in fall 2021 during a lull in the pandemic. For the most part, however, the meetings were held virtually using the Zoom platform. The project team experimented with different days of the week and times of day to encourage as much participation as possible. The team also grappled with "Zoom fatigue," a real phenomenon and challenge because participants were spending so much time on work calls as well as connecting with family, friends, and social groups, especially during the height of the pandemic. The team worked closely with expert facilitators who were able to adapt community engagement techniques for a virtual audience by adjusting presentations and using short videos, recorded testimonials, and breakout groups to allow as much audience participation as possible.

To guide the work, the project team developed a Regional Community Engagement Plan in May 2021 for review and comment by COG and participating jurisdictions. This plan outlined how the team would seek information from community stakeholders to inform the Regional Fair Housing Plan. The Community Engagement Plan included the following elements: outreach events and marketing, a social media communication strategy, a regionwide survey, interviews, local jurisdiction focus groups and meetings, protected class focus groups, and a public comment period. The following sections provide more detailed information on the various elements of the plan as well as findings from the survey, focus groups, and community meetings.

Outreach Events

The first step in community engagement was to inform as many stakeholders as possible that the Regional Fair Housing Plan process has begun. This involved outreach to local organizations, fair housing agencies, civil rights organizations, and service organizations that work with protected classes. In addition, the project team worked with each jurisdiction to conduct an awareness campaign inside their local government to ensure that all related agencies were aware of the Regional Fair Housing Plan. This included social service agencies, homeless services, planning and zoning, human relations, human rights as well as area advisory boards or other officially constituted advisory boards from each jurisdiction, such as regional services centers in Montgomery County or magisterial districts in Prince William County.

The team worked with each jurisdiction to prepare an outreach list and a Google calendar. Jurisdictional project leads worked closely with the team to obtain invitations to scheduled advisory board and other regularly scheduled meetings held by the county or city. The team began to informally call these meetings "familiarization tours," because most individuals or groups were not familiar with fair housing or a fair housing plan. Overall, the team found that it was helpful to present information on the Fair Housing Act, why the act was created, and how the planning would proceed. This way,

individuals were prepared to participate in future meetings or interviews and were more willing to share information about future meetings with other community members.

These familiarization tours were conducted primarily from April to June 2021, and the project team developed a list of more than 1,235 agencies, organizations, and individuals interested in engaging more deeply in the Regional Fair Housing Plan process. A list of all outreach meetings and events can be found in the appendix, "Outreach Events and Presentations."

Media Strategy

The project team coordinated with Housing Program Manager Hilary Chapman and COG communication staff as well as with each jurisdiction's COG project leads. Each jurisdiction, in turn, helped to coordinate and communicate with their public information office.

The team sent event announcements and flyers to interested individuals and organizations via Mailchimp, and a much larger outreach was done in coordination with COG communications staff and each jurisdiction's public information office or internal departmental mailing lists. Each jurisdiction had mailing lists that could reach thousands of citizens. Coordination was key to ensuring that messages were sent promptly, given that the team depended on the cooperation of each jurisdiction to reach as wide an audience as possible.

Each jurisdiction was responsible for following its internal requirements for posting public notices in newspapers of general circulation, on departmental websites, or to social media. This included posting messages or announcements in multiple languages, including Spanish, Amharic, Arabic, and other spoken languages in each jurisdiction. The team provided materials in Spanish and English for all flyers and major announcements.

The team worked with COG to create a social media toolkit that included sample tweets and Facebook posts encouraging participation in the Regional Fair Housing Plan and the regional survey. Members of COG's board and elected leaders from throughout the region also recorded a short "call to action" video encouraging participation in the process.[1] A copy of COG's social media toolkit can be found in the appendix, "Housing Equity and Race: Fair Housing in the DMV."

The project team also worked with COG's communications team to create an easy-to-find, centralized Regional Fair Housing Plan website at www.mwcog.org/fairhousing, which includes information about the draft Regional Fair Housing Plan, upcoming events, videos, and an infographic.

Regional Focus Groups

As part of the Regional Fair Housing Plan community engagement strategy, regionalism is an important theme. Because housing affordability, the need for units accessible for persons with disabilities, and discrimination in housing, among other issues, do not stop at jurisdictional lines, the community engagement plan included regional focus groups.

To that end, the project team engaged with residents from across the region to share barriers to affordable housing and talk about equity and discrimination in housing. The team partnered with Challenging Racism, a nonprofit organization headquartered in Arlington, Virginia, with a mission to "educate people about the prevalence and inequities of institutional and systemic racism, giving them the knowledge and tools to disrupt racism where they encounter it—in their family, work and community."[2]

Challenging Racism helped the project team design an interactive Zoom session that combined education and dialogues at the intersection of housing, transportation, education, environment, and race. To attract as diverse an audience as possible, the sessions were conducted on Thursday, July 14; Friday, July 22; and Sunday, July 31, 2021. Each session was two-and-a-half hours long and included educational sessions on redlining in the Washington region and some background on the federal government's role in housing inequality based on Richard Rothstein's book *The Color of Law*.[3] The format included presentations by storytellers from a variety of backgrounds and small group discussions. These sessions attracted more than 388 registrants.

Survey

From July 2021 to February 2022, the project team conducted a survey of residents from throughout the Washington region, targeting the eight jurisdictions that are part of the Regional Fair Housing Plan. The team used Alchemer, an online survey tool, to reach residents, advocates, and organizations. The survey was simplified by plain language experts provided by the government of the District of Columbia to achieve a more readable format for the general public, and thereby increasing the response rate. The survey was also translated into Spanish.

A soft launch of the survey was first included as part of the post-meeting materials of the Challenging Racism regional workshops. The team then worked with Metropolitan Washington COG and the eight jurisdictions to post the survey on COG's fair housing website and each jurisdiction's departmental website. The team also sent the survey with follow-up emails after each focus group meeting. Initial responses were low, given that participants were asked to complete a survey after a one-and-a-half hour meeting. A more concerted campaign was made in fall 2021 and spring 2022 using social media. The team developed a social media toolkit that included information and messages about the survey for each jurisdiction. The joint effort greatly improved the response rate, rapidly increasing the number of participants. All told, 2,825 surveys were collected from the eight jurisdictions.

The top findings from the survey include the following:

- Safe, affordable housing in an acceptable condition is difficult to find, according to 83.6 percent of respondents. The top three reasons were that the residents did not earn enough money (58.9 percent), the housing available was in bad condition or was unsafe (30.5 percent), and the respondent was not able to save for a security deposit or a down payment (29.9 percent). Other reasons were that the respondent had too much debt, mortgage interest or fees were too expensive, and the homebuying process was too confusing or complicated.
- About 13 percent of respondents reported that they personally had experienced discrimination. An additional 3.6 percent reported that not only had they experienced discrimination but also know someone else who had. An additional 9.2 percent reported that they personally had not experienced discrimination but know someone who had.
- The top three reasons for discrimination were income level, race and ethnicity, and source of income.
- Of the respondents who reported discrimination, 41.3 percent said the landlord or property manager was the perpetrator.
- Almost 75 percent of survey respondents did not report their discrimination complaints. The primary reasons were that they did not believe it would make a difference (39 percent) and that it was too much of a hassle (11 percent); but about 17 percent did not know how to report a case.

Survey participants shared the following characteristics:

- The jurisdictions with the most respondents were the District of Columbia (57.2 percent), Loudoun County (16.2 percent), and the City of Alexandria (8.2 percent).
- The participants primarily worked in the District of Columbia (59.3 percent), Loudoun County (12.4 percent), and Fairfax County (11.7 percent).
- About half of respondents (47.4 percent) lived in multifamily buildings, evenly split between small buildings (with fewer than 20 units) and larger buildings (with 20 or more units).
- Those who lived in single-family dwellings were 18.1 percent of respondents.
- Unhoused or unsheltered people were 4.2 percent of respondents.
- Of respondents, 18.7 percent paid a mortgage and 60.1 percent paid rent, with 33.4 percent paying rent to a private landlord.
- Of respondents, 58.7 percent identified as Black or African American, 26.1 percent as White, 6.4 percent as multiracial, and 8.8 as Hispanic or Latino.[4]

The survey was a useful tool for comparing housing barriers and potential goals and actions collected from focus groups and public meetings. But it also served as another form of outreach by collecting data from interested members of the public who did not have time to participate in public meetings. A complete summary of the survey results is available in the appendix, "Report for 2021–2022 Regional Fair Housing Survey."

Jurisdictional Focus Group and Public Meetings

In the fourth quarter of 2021, the project team conducted a focus group and a public meeting for each jurisdiction, reaching over 700 participants. The participating jurisdictions were the District of Columbia; Arlington, Fairfax, Loudoun, and Prince William Counties and the City of Alexandria in Virginia; and (in a joint meeting) Montgomery County and the City of Gaithersburg in Maryland. Meetings were scheduled from October to early December to accommodate each jurisdiction's existing schedule of events and previously scheduled public meetings.

Extensive consultation and outreach were conducted with each jurisdiction to develop a list of stakeholders for smaller focus groups of approximately 30 participants and for larger meetings that were open to the public. The project team sent individual invitations via Mailchimp with follow-up emails and phone calls. The team worked closely with jurisdictional liaisons to do outreach, develop the agenda, and create the presentations.

Each meeting included an overview of the fair housing process, preliminary data findings for each jurisdiction from the Urban Institute, short presentations on related housing studies by each jurisdiction, and a breakout for small group discussions. For the smaller focus groups, the team used Jamboard, a virtual whiteboard on Google that allows participants to share "sticky notes," to discuss barriers and solutions to housing. The small group discussions provided rich and valuable information that helped the team to better understand the barriers that renters, homeowners, and the unhoused face across the region.

The notes and Jamboards were analyzed by Lorraine Hopkins, Tayanna Teel, and Aaron Turner—a team of graduate students in the Masters of Public Administration and Policy program in the School of Public Affairs at American University. The students used NVivo, a word analysis software that helps social scientists look for patterns and commonalities. Their analysis helped to summarize all 14 meetings across the region.

The NVivo study found that the top ten barriers to fair housing in the region were as follows (in rank order):

1. lack of affordability
2. government failure (i.e., government's inability to address the issue)
3. racial discrimination
4. lack of housing stock
5. lack of ADA accessibility, including not enough housing for people with disabilities or seniors, discrimination against people with disabilities, and noncompliance with existing laws and regulations
6. difficulty navigating the system (e.g., program requirements, waiting lists, etc.)
7. subtle practices that support segregated housing and neighborhoods
8. bad landlords or property managers
9. lack of awareness of fair housing rights
10. planning and zoning regulations

The top ten solutions to the barriers identified include the following:

1. more programs and staff with cultural and language competency
2. creation of accessible housing for people with disabilities
3. creation of accessible housing grants
4. improved building code, zoning, and planning regulations
5. more navigation support (e.g., housing counseling)
6. better-trained real estate professionals
7. more rental assistance programs that are easier to navigate
8. materials in multiple languages, including plain language
9. programs for returning citizens (those formerly incarcerated)
10. stronger tenant rights

<u>Interviews</u>

After considering the findings from the jurisdictional focus groups and public meetings, the project team consulted with each jurisdiction's project lead to develop a list of 8 to 10 key people to interview in their jurisdiction. The team conducted 36 interviews in January, February, and early March 2022. In several cases, the interviews included a small group of elected or senior officials. Overall, the team interviewed approximately 50 individuals. The interviews provided the team with the opportunity to discuss recent housing needs studies and fair housing plans. For example, both the District of Columbia and Arlington County already have their own draft Analyses of Impediments to Fair Housing Choice.

The interviews included the following influential stakeholders and decisionmakers:

- fair housing and civil rights organizations, including each jurisdiction's civil rights, fair housing, or human relations agency, such as the NAACP
- private housing industry, such as developers, lenders, members of the National Association of Realtors, mortgage companies, real estate brokers, insurance companies, home inspectors, appraisers, management companies, and trade groups like the Northern Virginia Board of Realtors
- senior officials from offices and agencies of housing and community development, public housing authorities, and social services agencies
- planning directors and staff with oversight of land use and zoning
- elected government officials, such as city councilmembers or county commissioners

- nonprofit leaders, such as community-based organizations, community development corporations, housing counseling groups, legal services agencies, immigrant rights advocacy groups, and so on

In addition to these interviews, the team had dozens of informal conversations with area leaders in the civil rights, housing, and community development fields. For a full list of interviews, see the appendix, "Events and Interviews Master Tracker."

Protected Classes Focus Groups

Although the project team was pleased with the diversity of participants in the jurisdictional focus groups and public meetings, there were noted gaps in representatives of the protected classes. Despite outreach attempts, representatives of certain groups were not able to attend the meetings at the scheduled times because of conflicts or other demands. To remediate these gaps, the team analyzed for missing groups and consulted the jurisdictional liaisons and the Community Advisory Committee.

The team found that more information was needed from representatives of Spanish-speaking and immigrant communities, the LGBTQ+ community, seniors, and people with disabilities. Beginning in January 2022, targeted outreach was made to representative organizations to schedule a focus group at convenient days and times in March. More than 100 people attended five meetings, which included short presentations. The meetings were kept small to encourage conversation and exchange rather than adhere to a tightly scripted agenda.

Following are some top barriers and solutions to housing identified by each focus group:

Spanish-Speaking Community

- need for more Spanish-speaking housing counselors as well as local government staff
- multiple issues with housing conditions and code enforcement
- fear of reprisal is a major issue in reporting housing discrimination or substandard housing conditions
- need for more outreach and education on fair housing rights

Immigrant Communities

- not enough program information available in other languages, such as Arabic, Amharic, and Chinese
- lack of familiarity with local government housing programs
- many cases of source-of-income discrimination
- lack of affordability is the biggest obstacle for homeownership
- subtle forms of discrimination because of religion, national origin, and language that are hard to prove
- need for more fair housing testing

Seniors

- few options and programs for seniors to remain in place
- limited number of affordable rental housing choices for seniors
- need for more options for multigenerational dwellings

- need for more housing for seniors who also have disability
- need for more housing counseling for seniors, especially regarding foreclosure prevention and reverse mortgage fraud

People with Disabilities Community

- need for more landlords abiding by reasonable accommodation regulations
- low-income people with disabilities face limited choices because of credit, deposit, and other requirements
- not enough fair housing testing for people with disabilities
- need for access to affordable professionals who can make necessary modifications
- need for more universal design standards in all buildings

LGBTQ+ Community

- LGBTQ and trans youth face additional challenges because of limited programs and services, leading to higher incidences of homelessness
- need for more LGBTQ+ fair housing testing
- need for better coordination across jurisdictions for LGBTQ+ youth services; many jurisdictions are sending youth to Washington, D.C.
- greater need to address housing challenges for senior LGBTQ+ individuals

Public Comment

In January 2023, the draft plan was published on COG's and each jurisdiction's websites for a 60-day public comment period. Each jurisdiction was responsible for posting a message notifying the public about the draft plan. The project team prepared a flyer for each jurisdiction to circulate and sent a message to the team's internal mailing list. Public comments were collected through COG's fair housing project website (via email at fairhousing@mwcog.org) as well as each jurisdiction's general project mailbox, depending on the agency responsible for their jurisdiction's fair housing plan.

Conclusion

Community engagement requires more than one format or type of outreach and input; it needs multiple modes to reach different groups. People are challenged not just by work and family pressures but also by multiple public meetings and surveys, compounded by the COVID-19 pandemic. The project team understood that a survey may be the only input provided by some interested member of the public. Outreach requires careful planning, multiple channels, and reminders. But most important of all is the invitation from a colleague or a friend, which makes a great difference in whether someone attends a public meeting.

As the team has had time to reflect on outreach efforts, following are some takeaways from the Regional Fair Housing community engagement plan:

1. Include public engagement officers at the planning stages and throughout the effort. Their mailing lists and social media reach is much larger than what the project team could ever muster.
2. Find community engagement champions among stakeholder groups. This is key to getting more citizen voices involved. Community leaders have more credibility than the project team could ever have on the neighborhood or local level.

3. A multilingual effort is necessary, which requires more consistent investment and time from local government agencies throughout the process.
4. Funding outreach efforts by community-based organizations—such as Latino, immigrants, the disability community, seniors, and LGBTQ+ individuals—could result in better turnout for community-engagement efforts.
5. Getting eight local governments to agree on a multipronged approach takes a lot of compromise and effort; but the results are worthwhile.

The development of the Regional Fair Housing Plan was successful primarily because of the coordinated efforts of the Washington Council of Governments, jurisdictional liaisons, housing directors, the project team, and the many advisors, colleagues, and friends in housing and community development who kept moving forward.

Now that all the information is gathered and the draft plan has been reviewed and adopted by each jurisdiction, the next step is for senior and elected officials to implement the goals and recommendations, so that the plan is followed through with action rather than just words. Some progress will be rapid, building on the many existing efforts across the region, while others may be incremental and take more time. Ultimately, it will take a dedicated public to stay engaged and continued advocacy efforts by stakeholders to keep track of progress—not just for a year but for the next several years to come.

III. Assessment of Past Goals

Montgomery County
The County's 2015 Analysis of Impediments identified six main barriers to address. The 2015 analysis also identified goals to address each of the barriers. The barriers and their respective goals are as follows: lack of an adequate supply of affordable housing (Goals 1–10); lack of available, affordable, and accessible housing for residents with a disability or special needs (Goals 11–20); individual circumstances such as a criminal record, poor credit history, or past eviction that are barriers to obtaining housing, and limited English proficiency and understanding of the housing process (Goals 21–25); lack of general awareness concerning fair housing issues among residents and housing providers (Goals 26–33); and financial challenges faced by Common Ownership Communities (Goals 34–38).

1. **Continue efforts to increase the supply of affordable housing units to meet residential needs by financing the construction of new units and the preservation of existing units using low-cost financing from the Montgomery Housing Initiative fund and Low-Income Housing Tax Credits (LIHTC).**

The County continues to work toward accomplishing this goal. Ongoing methods of implementation include inclusion of affordable housing units in all developments of 20 units or more through the Moderately Priced Dwelling Unit (MPDU) program, preservation of existing affordable housing stock through aggressive code enforcement, increased attention to preserving affordable multifamily rental buildings, and priority given for HOME fund projects that serve the lowest income groups. For fiscal year 2021, $61.1 million has been allocated to the Montgomery Housing Initiative fund. No barriers to implementation have been identified.[5]

2. Increase incentives and requirements for developers of affordable residential units under the County's inclusionary zoning (MPDU) program using bonus density incentives and flexible development standards.

The County continues to work toward accomplishing this goal. According to the County's 2019 and 2020 *Consolidated Annual Performance and Evaluation Reports* (CAPERs), ongoing methods of implementation include regulatory and legal changes to strengthen the MPDU program and allow for more permits for accessory dwelling units (ADUs), updated zoning regulations to allow for more high-density and mixed-use development near public transit, and efforts by agencies like the Planning Department and the County Planning Board to make it easier for businesses to obtain permits and navigate the development. No barriers to implementation have been identified.

3. Continue to work closely with the Housing Opportunities Commission (HOC) and both for-profit and not-for-profit developers to leverage County resources and to identify alternative sources of financing to maximize the number of affordable units that can be created and preserved.

The County continues to work toward accomplishing this goal. Ongoing methods of implementation include transit-oriented development projects in partnership with for-profit developers in White Flint and Wheaton, real estate tax relief up to $30.2 million for dedicated affordable housing units, and investment in programs like the Affordable Housing Acquisition and Preservation Capital Improvements Program Project ($22 million invested in fiscal year 2022). No barriers to implementation have been identified.

4. Continue to exercise the County's right of first refusal (ROFR) to purchase units.

The County continues to exercise the ROFR to purchase units. According to documentation submitted to the Planning, Housing, and Economic Development committee in 2020, relatively few properties have been directly purchased through ROFR since the 2015 Analysis of Impediments. A lack of funds may have served as a barrier, but no comprehensive analysis of barriers to continued implementation has been conducted.

5. Continue to offer payment in lieu of taxes incentives.

The County continues to offer payment in lieu of taxes, as authorized by state and county codes. No barriers to continued implementation have been identified.

6. Continue to provide eviction prevention services.

The County continues to provide eviction prevention services. Ongoing methods of implementation include partnerships with local nonprofits to provide referrals and assistance on tenant rights, County executive policies and protections to provide more leniency for rental delinquencies during COVID-19, and enhanced coordination with social service agencies to identify needs and refer tenants. Although the COVID-19 pandemic destabilized housing for many renters, the County has worked with nonprofits and developers to continue to provide services. No other barriers to implementation have been identified.

7. Continue to provide rental assistance and help households to increase earned income by

   a. providing job training and addressing unemployment,
   b. increasing educational opportunities, and
   c. increasing financial literacy skills.

The County continues to provide rental assistance and programs for families at or below the poverty level. The HOC provides workforce training and educational opportunities through the HOC Academy, as well as case management services over a five- to seven-year period for heads of low-income households through the Family Self-Sufficiency Program. It is unclear if these programs were interrupted by the pandemic, but the County did not cite any barriers to operation in the 2020 CAPER.

8. **Promote use of and ensure compliance with Section 3 of the Housing and Urban Development (HUD) Act of 1968 that requires all grantees of HUD public housing and community development programs (and their contractors and subcontractors), using their HUD grant funds, to provide jobs and other economic opportunities to low-income persons—especially those in public housing—and to make contractors and fund recipients aware of these opportunities.**

The County continues to work toward accomplishing this goal. Although CAPERs from the last five years do not include information on Section 3 requirements, County websites indicate that the HOC complies with Section 3 requirements for all HUD-funded projects and submits annual reports to HUD as required to ensure compliance. No barriers to implementation have been identified.

9. **Implement strategies for preserving and increasing affordable housing in accordance with the County's General Plan, including colocating affordable housing with County facilities.**

The County works to identify and subsequently redevelop County-owned sites to include housing alongside other public facilities. During Program Year 2018, the Department of Housing and Community Affairs (DHCA) won a National Association of Counties Achievement Award for a new project aimed at locating affordable housing with public facilities on county land. No barriers to implementation have been identified.

10. **Actively monitor and coordinate fair housing legislation and policy initiatives to sustain progress already made and to address new fair housing issues as identified, especially regarding affordable housing.**

The County continues to work toward accomplishing this goal. The Planning Board and County Council actively work on zoning amendments, legal changes, and policy initiatives to address housing affordability (2019 CAPER). The County conducted a comprehensive rental housing study in 2017 to identify housing issues and now works toward implementing the associated recommendations. To sustain progress already made, the County monitors all activities funded by the federal Community Development Block Grant (CDBG), HOME, and Emergency Solutions Grants programs to ensure compliance with requirements. No barriers to implementation have been identified.

11. **Promote awareness related to visitability and accessibility of housing and reasonable accommodation.**

The County's Office of Human Rights enforces architectural accessibility compliance and partners with the DHCA and other agencies to provide workshops on fair housing laws. The County Interagency Fair Housing Coordinating Group (IFHCG) coordinates and monitors the activities of County departments, offices, and agencies to prevent housing discrimination; this group includes the Commission on People with Disabilities. The group's meetings are open to the public (including advocacy groups and real estate professionals). Though no barriers to implementation have been identified, the County's recent CAPERs do not specify whether specific effort is made to promote awareness of visitability and accessibility of housing and reasonable accommodations made in this context, or others.

12. Raise awareness of existing accessible housing options in the community among those with disabilities or those in need of accessible housing amenities through outreach by industry and advocacy groups in collaboration with public- and private-sector housing providers.

There is no indication of outreach efforts specifically to those with disabilities. The County's Continuum of Care (CoC) coordinates public and private services in a Housing First model that, among other things, provides services specific to aging and disabilities and centers individual choice. Montgomery County's Community Support Network (provides services that enable individuals to remain in their homes or in the least restrictive environment and provides general support, guidance, and assistance to clients with developmental disabilities and their families. No barriers to raising awareness have been identified, though the pandemic may have made outreach (especially accessible outreach) more challenging. It is unclear what efforts have been made to raise awareness.

13. Promote awareness among the public of the universal benefits of housing design features that enhance accessibility, as is being done through the Design for Life Montgomery program.

There is no indication of outreach efforts to promote awareness of the Design for Life Montgomery program or the benefits of accessible design. The last time Design for Life was mentioned in a County CAPER was program year 2017 (fiscal year 2018). While the Design for Life website is available as of June 2, 2022, and no barriers to raising awareness have been identified, there is no indication of outreach efforts to promote awareness of the program or the benefits of accessible design.

14. Promote professional and public awareness of the legal requirements of the Americans with Disabilities Act (ADA) as related to housing through training and outreach provided by both public and private entities.

The County's Office of Human Rights enforces architectural accessibility compliance and partners with DHCA and other agencies to provide workshops on fair housing laws. The IFHCG coordinates and monitors the activities of County departments, offices, and agencies to prevent housing discrimination; this group includes the Commission on People with Disabilities. The group's meetings are open to the public (including advocacy groups and real estate professionals). The County's recent CAPERs do not specify whether there is specific focus on accessibility requirements and the ADA, nor what (if any) outreach efforts are made to increase awareness and public participation in conversations or promote workshops on fair housing laws. No barriers to raising awareness have been identified.

15. Encourage job training and supportive employment for persons with disabilities to raise income levels.

The 2020 County CAPER acknowledges, "County residents with disabilities face challenges with finding appropriate housing, therefore Code Enforcement ensures that housing conditions for persons with disabilities are fit for their needs and not substandard." The DCHA manages 40 grants to programs serving low- to moderate-income residents—some of which include workforce development. The CoC also includes employment resources and services. The County's recent CAPERs do not specify if there are job training and supportive employment opportunities specifically for persons with disabilities, nor if the workforce development and employment resources are intentionally accessible to persons with disabilities. No specific barriers to implementing this goal have been identified, though it is unclear if specific efforts have been made to accomplish it.

16. Continue to advocate for Medicaid waivers and other supports that result in availability of appropriate, affordable housing in the community.

In fiscal year 2020, the CoC increased its number of permanent supportive housing units by 20 via participation in the state Medicaid Waiver Program in partnership with the Emergency Housing Vouchers. The County aims to open more permanent supportive housing and rapid rehousing slots. The HOC has designated housing for low-income elderly (age 62 or older) and disabled households. The waiting list for these units is open. It is unclear how actively the County has worked to advocate for these waivers and supports. No barriers to implementation of this goal have been identified.

17. Continue to provide and augment supportive services for individuals with physical, developmental, or mental disabilities using a coordinated, teaming approach to enhance service delivery and choice.

The County's CoC coordinates public and private services in a Housing First model that, among other things, provides services specific to the challenges faced by aging and disabled people and centers individual choice. The CoC continues to increase its capacity. Montgomery County's Community Support Network provides services that enable individuals to remain in their homes or in the least restrictive environment and provides general support, guidance, and assistance to clients with developmental disabilities and their families. No barriers to implementation of this goal have been identified.

18. Enhance collaboration among CoC partners to support interagency efforts so that persons experiencing or at risk of homelessness receive both the housing and the supportive services necessary to secure and remain in stable housing.

According to the 2020 Montgomery County CAPER, the CoC continues uses a coordinated entry system to assess the needs of persons experiencing homelessness. The coordinated entry system is accessible 24/7, as is the Homeless Information Line (240-907-2688). The Homeless Information Line helps the caller to access services, takes information about the homeless person's location, and connects them with outreach providers. Regional offices provide centralized access, and outreach providers work to engage unsheltered persons. As well as partnering with other local agencies and service providers, the CoC has increased its capacity, enabling greater outreach. All service providers can service people with limited English proficiency and maintain diverse staffs. The CoC advertises on the County's Department of Health and Human Services (DHHS) website and via the County's 311 phone line, as well as furnishing public libraries, public schools, and recreation centers with the Homeless Services Guide. The CoC has also developed a protocol to promote collaboration between local police and outreach providers. The CoC provides some emergency shelter and case management, also partnering with the DHHS, public schools, local hospitals, and the Emergency Assistance Coalition to identify those at risk and prevent homelessness. Additionally, DHHS runs the Rental Assistance Program and provides energy assistance to help low-income residents pay their utilities. No barriers to implementation of this goal have been identified.

19. Educate the public about the economic and social value of a wide range of housing choices for the community.

According to the 2020 County CAPER, "the Office of Human Rights has developed a multifaceted program to promote fair housing."[6] The program includes enforcement of discrimination claims, housing rental and sales discrimination testing, and compliance with architectural guidelines for the protection of people with disabilities, as well as educational and community outreach components. The Montgomery County Office of Human Rights facilitates a Human Rights Camp, which brings together racially, culturally, ethnically, and socioeconomically diverse students to learn about civil and human rights, including lessons on fair housing, fair employment, public accommodations, and more. It is unclear whether the County has worked specifically to inform the public of the economic and social

value of a wide range of housing choices. No barriers to implementation of this goal have been identified.

20. Provide information to increase public awareness of and understanding about special needs populations.

The County's IFHCG coordinates and monitors the activities of County departments, offices, and agencies to prevent housing discrimination; this group includes the Commission on People with Disabilities. The group's meetings are open to the public (including advocacy groups and real estate professionals). As a project by the Commission on People with Disabilities, the County maintains the Disability Network Directory, a virtual list or database of informational resources developed by other agencies or organizations that provide services or programs for the County. It is unclear if there is proactive information sharing related to this goal. No barriers to implementation of this goal have been identified.

21. Promote housing locator services and alternative leasing and screening arrangements.

The County's CoC program assists people experiencing homelessness with identifying alternative housing solutions beyond emergency shelter, including housing locator services and temporary financial assistance. County CAPERs from the last five years do not include specific information on alternative leasing and screening arrangements. No barriers to implementation of this goal have been identified.

22. Work with landlords to encourage lessening of leasing restrictions.

According to the 2016 County CAPER, the CoC was working on additional strategies such as the cultivation of flexible landlords willing to accept tenants with low credit scores and criminal history; subsequent CAPERs do not include information on what progress was made. The County continues to work with landlords toward achieving fair housing goals, including through fair housing education and services for mediation between landlords and tenants, but the CAPERs do not specify whether these partnerships include efforts to encourage lessening of leasing restrictions. No barriers to implementation of this goal have been identified.

23. Encourage and promote financial literacy training, including credit repair counseling.

The County provides general adult education and referrals to financial literacy training through HOC programs such as the HOC Academy and the Family Self-Sufficiency program. The recent CAPERs do not include specific information on credit repair counseling. According to online resources posted by the HOC in 2019, the Family Self-Sufficiency Program provides credit repair assistance to HCV users. No barriers to implementation have been identified by the County.

24. Support classes in English for Speakers of Other Languages.

The County's CAPERs from the last five years do not provide information on the County's efforts toward achieving this goal. According to the HOC's website, HOC Academy provides referrals to English for Speakers of Other Languages training through partnerships with Montgomery College and community organizations. No barriers to implementation have been identified, but the COVID-19 pandemic may have interrupted in-person programming and class accessibility. No barriers to implementation of this goal have been identified.

25. **Promote awareness of housing rights and responsibilities in a culturally and linguistically appropriate manner.**

The County continues to work toward accomplishing this goal through public programs and outreach. These efforts include an annual human rights youth diversity camp hosted by the Office of Human Rights for fifth-graders to explore topics of fair housing and civil rights, monitoring of HOME-assisted projects to make sure that housing units are marketed to those minority groups least likely to apply for residence, and access to outreach providers as part of the CoC system for persons experiencing homelessness, all of which can serve persons with limited English proficiency. In compliance with federal requirements, the Office of Community Partnerships leads a countywide effort to make citizen participation processes for projects funded by CDBG, HOME, and Emergency Solutions Grants accessible to persons with limited English proficiency. No obstacles to implementation have been identified, although it is unclear whether outreach events like the annual youth diversity camp were interrupted by the pandemic.

26. **Provide ongoing training, outreach, and education to County residents.**

The County's Office of Human Rights partners with DHCA and other agencies to provide workshops on fair housing laws. According to the 2020 CAPER, the agency hosts at least one fair housing workshop each fiscal year for an audience of housing and real estate professionals, property managers, lenders, landlords, tenants, and the general public. DHCA provides training on the County's MPDU program for first-time homebuyers.

27. **Coordinate distribution of fair housing materials and sharing of information between public agencies and the private sector.**

Under the Office of Human Rights, the County's IFHCG coordinates and monitors the activities of County departments, offices, and agencies to prevent housing discrimination. Though this group is mostly made up of different public-sector groups, its meetings are open to the public (including advocacy groups and real estate professionals). It is unclear if there is more circulation of fair housing information. No barriers to implementation of this goal have been identified.

28. **Disseminate, regularly and repeatedly, outreach and education materials on fair housing to county residents, focusing on minority and protected groups in multiple languages as necessary, through various media—print, radio, TV—and through community events and social service agencies.**

The Montgomery County Office of Human Rights facilitates a Human Rights Camp that brings together racially, culturally, ethnically, and socioeconomically diverse students to learn about civil and human rights, including topics of fair housing, fair employment, public accommodations, and more. According to the 2020 CAPER, a fair housing poster contest is held during the camp, and the winning poster is displayed on transit buses throughout the county during Fair Housing Month (April). The Renters Have Rights campaign was launched in 2017, aiming to inform tenants of inspection requirements and expanded tenant advocacy. The campaign encouraged renters to contact DHCA to learn about their rights and landlord–tenant mediation. According to the County's 2019 CAPER, the campaign included ads on buses, bus shelters and County facilities, door hangers in apartment buildings, flyers, and social media. However, there is no mention of the campaign in the 2020 CAPER, and no recent information or activity related to the campaign is found online. It is unclear whether there are efforts to employ other media to distribute fair housing information. Also unclear is whether there is public information, education, outreach, or advertisement in languages other than English or focusing on marginalized communities. No barriers to implementation of this goal have been identified.

29. Mandate or encourage lending institutions, real estate agencies, and apartment managers to distribute fair housing materials (e.g., the Office of Human Rights "Your Guide to Fair Housing" brochures).

According to the County's 2020 CAPER, "all developers and property managers of HOME-assisted housing are required to adopt and implement an affirmative marketing and outreach plan for all properties with HOME assistance."[7] The County reviews housing developments' compliance, including a review of each development's marketing materials, to ensure that the appropriate Office of Fair Housing and Equal Opportunity logos and statements appear. The County also reviews the content and placement of marketing advertisements to ensure that developments are marketed to minority groups least likely to apply for residence. Though no barriers to implementation of this goal have been identified, it does not seem that lending institutions, real estate agencies, or apartment managers more generally are required to distribute fair housing materials.

30. Continue to collaborate with industry groups to provide training and general awareness-raising measures targeted to property managers, real estate agents, mortgage lenders, appraisers, builders, maintenance workers, insurance providers, and others in the industry on fair housing laws and racial disparities and lending patterns, focusing on how to provide equal housing opportunities and what constitutes discrimination.

The County's Office of Human Rights partners with DHCA and other agencies to provide workshops on fair housing laws. According to the 2020 CAPER, the agency hosts at least one fair housing workshop each fiscal year for an audience of housing and real estate professionals, property managers, lenders, landlords, tenants, and the general public. The thoroughness and depth of these workshops is unclear, and it is unclear how much effort is made to collaborate with or engage property managers, real estate agents, mortgage lenders, appraisers, builders, maintenance workers, insurance providers, and others. No barriers to implementation of this goal have been identified.

31. Work toward the continuation and expansion of the Montgomery County Public School curriculum to promote awareness of fair housing.

The Montgomery County Office of Human Rights facilitates a Human Rights Camp that brings together racially, culturally, ethnically, and socioeconomically diverse fifth-grade students to learn about civil and human rights, including topics of fair housing, fair employment, public accommodations, and more. According to the 2020 CAPER, a fair housing poster contest is held during the camp, and the winning poster is displayed on transit buses throughout the county during Fair Housing Month (April). The winning student artist receives a monetary award presented during an assembly at the artist's school. No barriers to implementation of this goal have been identified, but it is unclear whether fair housing topics have been integrated into the general curriculum.

32. Continue periodic special events to bolster the public's awareness of fair housing laws.

Though no barriers to implementation of this goal have been identified, it is unclear from the recent CAPERs what special events have occurred or occur regularly.

33. Educate consumers regarding potentially deceptive business practices by lenders.

No barriers to implementation of this goal have been identified. The County's recent CAPERs do not provide information on any efforts to educate consumers on deceptive business practices by lenders. Resources on discriminatory, predatory lending practices can be found on the County's website if one searches for them.

34. **Meet with HUD and Federal Housing Administration representatives to develop solutions so that properties can receive certification.**

No information about any efforts to meet this goal, or barriers to meeting it, is provided in the recent County CAPERs.

35. **Provide training for homeowner association boards and materials to assist property owners in recapitalizing their reserves.**

No information about any efforts to meet this goal, or barriers to meeting it, is provided in the recent County CAPERs. The Office of Common Ownership Communities provides trainings and workshops. The trainings are open to the public and members of common ownership communities. According to the description of the Community Governance Fundamentals training program, the multipart training "addresses ethics, roles and responsibilities of board members and homeowners, governing documents, financial management, meeting rules, and general administration."[8] It is unclear whether the trainings provide information specifically to assist property owners in recapitalizing their reserves.

36. **Work with private lenders to provide access to needed capital.**

No information about any efforts to meet this goal, or barriers to meeting it, is provided in the recent County CAPERs.

37. **Support the work of the Office of Common Ownership Communities.**

The recent County CAPERs do not list specific work or support of work of the Office of Common Ownership Communities. However, the County's Focused Neighborhood Assistance program has completed two construction projects focusing on common area improvements in the Kimberly Place Condominium community. Additionally, the County transferred 1.99 acres of land to Halpine View Apartments to complement a commitment to no net loss of affordable housing units in future redevelopment. No barriers to implementation of this goal have been identified.

38. **Study the issue to identify best practices and possibilities for regional collaboration.**

It is unclear if there have been efforts to identify best practices and possibilities for regional collaboration.

1.a. Discuss what progress has been made toward their achievement.

See the write-up below each goal.

1.b. Discuss how you have been successful in achieving past goals or how you have fallen short of achieving those goals (including potentially harmful unintended consequences).

See the write-up below each goal.

1.c. Discuss any additional policies, actions, or steps that you could take to achieve past goals or mitigate the problems you have experienced.

As discussed in the 2020 CAPER, the County has committed to the following performance improvement plan:

- Preserve existing affordable housing through aggressive code enforcement and effective use of Housing Acquisition and Rehabilitation dollars.
- Increase attention to preserving affordable multifamily rental buildings and developments.
- Establish goals for the addition of affordable housing to County stock, and closely monitor progress on achieving those goals.
- Continue an aggressive push of the closing cost assistance program managed by the HOC.
- Pursue prompt completion of development on County-owned parcels (e.g., 4010 Randolph Road).
- Promote mixed-use development (e.g., the promotion of housing development in nonresidential areas).
- Continue the focus on, and coordination of, housing for those with special needs—for instance, the homeless, persons with disabilities, and seniors.
- Promote the adaptive use of the County's existing housing stock to reduce demand for new housing: for example, assist seniors in adapting their homes to meet their needs.

IV. Fair Housing Analysis

A. Demographic Summary

This demographic summary provides an overview of data concerning race and ethnicity, sex, familial status, disability status, limited English proficiency (LEP), national origin, and age. The data included reflect the composition of the region.

B. Describe demographic patterns in the jurisdiction and region, and describe trends over time (since 1990).

Table 1: Demographics, Race and Ethnicity

	Non-Hispanic Black/African American		Non-Hispanic White		Hispanic/Latino		Non-Hispanic Asian, Native Hawaiian, or Other Pacific Islander		Non-Hispanic American Indian/Alaska Native		Total
	#	%	#	%	#	%	#	%	#	%	
Montgomery County	186,964	17.9	457,265	43.8	203,754	19.5	153,744	14.7	1,505	0.1	1,043,530
Region	1,535,282	24.8	2,819,732	45.5	976,666	15.8	622,938	10.1	12,753	0.2	6,196,585

Note: All percentages represent a share of the total population within the jurisdiction or region.
Data sources: Decennial Census, American Community Survey.

Montgomery County
Compared with the region, Montgomery County is proportionally more heavily Hispanic[9] and Asian or Pacific Islander and has a smaller Black population. The county's White population is proportionally similar to that of the region.

The region is 45.5 percent White, 24.8 percent Black, 15.8 percent Latino, about 10 percent Asian or Pacific Islander, and about 10 percent Native American. Comparatively, the US as a whole is about 60 percent White; 12 percent Black; 18 percent Latino; 6 percent Asian, Hawaiian, or Pacific Islander; and less than 1 percent Native American.

Table 2: Demographics, Disability Status and Type

	With a disability		With a hearing difficulty		With a vision difficulty		With a cognitive difficulty		With an ambulatory difficulty		With a self-care difficulty		With an independent living difficulty		Total civilian noninstitutionalized population
	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#
Montgomery County	83,602	8.1	23,157	2.2	14,638	1.4	31,116	3.2	38,991	4	17,033	1.8	32,278	4.1	103,4552
Region	530,902	8.7	137,130	2.2	96,668	1.6	191,985	3.4	259,195	4.5	10,1366	1.8	185,326	3.9	6,121,354

Note: All disability characteristics are based on the civilian noninstitutionalized population. All percentages represent a share of the total population within the jurisdiction or region.
Data source: 2015–2019 American Community Survey five-year estimates.

Montgomery County
In general, the percentage of the population with a disability is slightly lower in Montgomery County than in the region.

Region
About 9 percent of the region's population has a disability. The most common types of disability in the region are ambulatory, independent living, and cognitive disabilities.

Table 3: Demographics, Country of Origin for Non-Native-Born Residents

	#1 Country of Origin	#2 Country of Origin	#3 Country of Origin	#4 Country of Origin	#5 Country of Origin	#6 Country of Origin	#7 Country of Origin	#8 Country of Origin	#9 Country of Origin	#10 Country of Origin	Total Population
Montgomery County	El Salvador	China	India	Ethiopia	Korea	Peru	Vietnam	Philippines	Guatemala	Honduras	
	42,196	29,663	25,100	15,542	12,009	11,422	10,562	9,943	9,800	8,055	337,188
Region	El Salvador	India	China	Korea	Ethiopia	Guatemala	Vietnam	Philippines	Mexico	Honduras	
	194,468	103,755	75,287	59,430	53,699	51,108	48,953	48,806	47,427	41,226	1,412,074

Note: The 10 most often reported places of birth at the jurisdiction level may not be the same as at the region level, and are therefore labeled separately. China does not include Hong Kong and Taiwan.
Data source: 2015–2019 American Community Survey.

Montgomery County
Of non-US-born residents of Montgomery County, El Salvador is the most common country of origin, followed by China and India.

Region

Of non-US-born residents across the region, El Salvador is the most common country of origin, followed by India, China, Korea, and Ethiopia. About 200,000 residents of the region were born in El Salvador, about 100,000 were born in India, and about 75,000 were born in China. Between about 40,000 and 60,000 residents are from the other most common countries of origin.

Table 4: Demographics, Language Spoken at Home for Those Who Speak English "Less Than Very Well"

	#1 LEP Language	#2 LEP Language	#3 LEP Language	#4 LEP Language	#5 LEP Language	#6 LEP Language	#7 LEP Language	#8 LEP Language	#9 LEP Language	#10 LEP Language	Total Population
Montgomery County	Spanish	Chinese (incl. Mandarin, Cantonese)	Other Indo-European languages	Other and unspecified languages	Korean	French, Haitian, or Cajun	Other Asian or Pacific Islander languages	Vietnamese	Russian, Polish, or other Slavic languages	Tagalog (incl. Filipino)	Total population
	67,990	15,604	13,382	9,749	6,769	6,757	6,721	5,982	3,500	1,696	977,513
Region	Spanish	Other Indo-European languages	Chinese (incl. Mandarin, Cantonese)	Other and unspecified languages	Korean	Vietnamese	Other Asian or Pacific Islander languages	French, Haitian, or Cajun	Arabic	Tagalog (incl. Filipino)	Total population
	343,586	58,581	40,202	39,678	32,625	27,986	27,381	18,821	14,682	9,701	5,793,981

Note: The 10 most often reported languages at the jurisdiction level may not be the same as at the region level and are therefore labeled separately.
Data source: 2015–2019 American Community Survey.

Montgomery County

In Montgomery County, Spanish is the most prevalent spoken language for people with LEP. From 2010 to 2019, Montgomery County's population with LEP has grown by 21 percent.

Region

Across the whole region, Spanish is the most prevalently spoken language for people with LEP. The remainder of the top 10 LEP languages (or language groups) in the region are as follows, in order: other Indo-European languages; Chinese (including Mandarin and Cantonese); other and unspecified languages; Korean; Vietnamese; other Asian or Pacific Islander languages; French, Haitian, or Cajun; Arabic; and Tagalog (including Filipino).

Table 5: Demographics, Growth in LEP Population, Washington Region, 2010–2019

Jurisdiction	Percentage
Montgomery County	21%

Data source: 2006–2010 and 2015–2019 American Community Survey five-year estimates.

Table 6: Demographics, Sex

	Total Population	Male Population		Female Population	
		#	%	#	%
Montgomery County	1,043,530	504128	48.3	539,402	51.7
Region	6,196,585	3,028,975	48.9	3,167,610	51.1

Note: All percentages represent a share of the total population within the jurisdiction or region.
Data source: 2015–2019 American Community Survey five-year estimates.

Each of the jurisdictions and the region have about equal proportions of males to females.

Table 7: Demographics, Age

	Total Population	Population under 18 Years of Age		Population 18–64 Years of Age		Population 65 and Over	
		#	%	#	%	#	%
Montgomery County	1,043,530	243,582	23.3	6,43,123	61.6	156,825	15.0
Region	6,196,585	1,427,108	23.0	3,983,449	64.3	786,028	12.7

Note: All percentages represent a share of the total population within the jurisdiction or region.
Data source: 2015–2019 American Community Survey five-year estimates.

Montgomery County
Montgomery County has higher percentages of youth under age 18 and adults ages 65 or older and a slightly lower percentage of ages 18 to 64 than the region as a whole.

Region
The region as a whole has a slightly lower percentage of people 65 and older (12.7 percent) than the country (15.6 percent).[10]

Table 8: Demographics, Families with Children

	#	%
Montgomery County	129,952	35.0
Region	673,495	46.1

Note: All percentages represent a share of the total family households in the jurisdiction or region.
Data source: 2015–2019 American Community Survey five-year estimates.

Montgomery County
Montgomery County has a higher percentage of families with children than the region as a whole.

Region

About 46 percent of the region's family households are families with children. Family households are those with two or more people living together, at least one of whom is related to the head of household by marriage, birth, or adoption.

Table 9: Demographic Trends, Montgomery County

	1990		2000		2010		Current	
Race/Ethnicity	#	%	#	%	#	%	#	%
White, Non-Hispanic	520,621	72.4	488,985	60.0	450,229	49.7	457,265	43.8
Black, Non-Hispanic	85,853	11.9	129,565	15.9	162,278	17.9	186,964	17.9
Hispanic	52,229	7.3	89,880	11.0	150,440	16.6	203,754	19.5
Asian or Pacific Islander	57,212	8.0	97,805	12.0	136,503	15.1	153,744	14.7
Native American, Non-Hispanic	1,386	0.2	3,102	0.4	3,031	0.3	1,505	0.1
National Origin								
Foreign-Born	133,883	18.6	213,820	26.2	269,561	29.7	337,188	32.3
LEP								
Limited English Proficiency	56,226	7.8	95,342	11.7	122,897	13.6	139,940	14.3
Sex								
Male	346,395	48.2	389,289	47.8	434,753	48.0	504128	48.3
Female	372,114	51.8	425,967	52.3	471,822	52.0	539,402	51.7
Age								
Under 18	167,409	23.3	210,430	25.8	217,658	24.0	243582	23.3
18–64	476,406	66.3	511,980	62.8	575,906	63.5	6,43,123	61.6
≥65	74,693	10.4	92,846	11.4	113,011	12.5	156,825	15.0

Family Type								
Families with Children	91,028	47.7	71,991	50.8	110,348	48.2	129,952	35.0

Note: All percentages represent a share of the total population within the jurisdiction, except family type, which is out of total family households.
Data sources: Decennial Census, American Community Survey.

The racial and ethnic demographics of Montgomery County have shifted since 1990. Most notably, the Hispanic population has grown significantly, and the percentage of the population that is White has decreased. The Asian or Pacific Islander and Black populations in the county have also grown. The percentage of foreign-born residents has also grown significantly.

Table 10: Demographic Trends, Region

	1990		2000		2010		Current	
Race/Ethnicity	#	%	#	%	#	%	#	%
White, Non-Hispanic	2,671,370	64.1	2,696,495	55.6	2,762,787	49	2,819,732	45.5
Black, Non-Hispanic	1,053,952	25.3	1,306,715	26.9	1,486,865	26	1,535,282	24.8
Hispanic	227,064	5.5	430,297	8.9	775,416	14	976,666	15.8
Asian or Pacific Islander, Non-Hispanic	198,835	4.8	364,525	7.5	580,476	10	622,938	10.1
Native American, Non-Hispanic	9,894	0.2	21,648	0.5	25,389	0	12,753	0.2
National Origin								
Foreign-Born	489,041	11.7	830,998	17.1	1,140,681	20	1,412,074	22.8
LEP								
Limited English Proficiency	228,633	5.5	409,098	8.4	519,697	9	624,410	10.8
Sex								
Male	2,030,838	48.7	2,357,615	48.6	2,750,340	49	3,028,975	48.9

Female	2,138,525	51.3	2,492,433	51.4	2,899,200	51	3,167,610	51.1
Age								
Under 18	985,397	23.6	1,254,069	25.9	1,348,790	24	1,427,108	23.0
18–64	2,823,736	67.7	3,160,017	65.2	3,733,524	66	3,983,449	64.3
65+	360,230	8.6	435,962	9.0	567,226	10	786,028	12.7
Family Type								
Families with Children	510,562	48.8	388,450	49.7	657,872	48	673,495	46.1

Note: All percentages represent a share of the total population within the region, except family type, which is out of total family households.
Data sources: Decennial Census, American Community Survey.

The racial and ethnic demographics of the region have shifted since 1990. Most notably, the Hispanic and Asian or Pacific Islander populations have grown significantly, and the percentage of the population that is White has decreased. Specifically, the proportion of the population that is Hispanic has more than doubled. The percentage of foreign-born residents has also about doubled since 1990. The percentage of families with children grew from 1990 to 2000 but dipped slightly from 2000 to 2010. From 2010 until the 2019 five-year American Community Survey (ACS), the percentage of families with children dipped slightly below the 1990 percentage.

B. General Issues

i. Segregation/Integration

1.a. Describe and compare segregation levels in the jurisdiction and region. Identify the racial/ethnic groups that experience the highest levels of segregation.

1.b Explain how these segregation levels have changed over time (since 1990).

Dissimilarity Index Value (0–100)	Level of Segregation
0–40	Low
41–54	Moderate
55–100	High

The Dissimilarity Index measures the percentage of a certain group's population that would have to move to a different census tract in order to be evenly distributed within a city or metropolitan area in relation to another group. The higher the Dissimilarity Index, the higher the extent of the segregation.

Table 11: Dissimilarity Index Values by Race and Ethnicity

Montgomery County	1990	2000	2010	Current
Non-White/White	30.35	34.96	36.49	40.62

Black/White	41.40	44.08	45.66	49.64
Hispanic/White	32.96	41.36	45.17	47.88
Asian or Pacific Islander/White	26.28	29.51	30.42	35.08
Region	**1990**	**2000**	**2010**	**Current**
Non-White/White	52.16	49.33	46.78	50.34
Black/White	64.99	62.69	60.80	64.06
Hispanic/White	41.91	47.62	48.36	50.75
Asian or Pacific Islander/White	34.97	37.79	37.46	42.08

Data source: HUD tables based on 2011–2015 American Community Survey data.

Montgomery County
Overall, Montgomery County experiences moderate levels of segregation between Black/White and Hispanic/White populations. Montgomery County also experiences low levels of segregation between Asian or Pacific Islander/White populations. The Dissimilarity Index values for Black/White, Hispanic/White, and Asian or Pacific Islander/White populations are all lower in Montgomery County than in the region as whole. The Dissimilarity Index values across all racial and ethnic categories have increased since 1990.

Region
Overall, the region experiences high levels of segregation between Black and White populations. The region also experiences moderate levels of segregation between Hispanic and White and between Asian or Pacific Islander and White populations. The Dissimilarity Index values across all racial and ethnic categories have increased since 2010.

1.c. Identify areas in the jurisdiction and region with relatively high segregation and integration by race/ethnicity, national origin, or LEP group, and indicate the predominant groups living in each area.

1.d. Consider and describe the location of owner- and renter-occupied housing in the jurisdiction and region, including whether such housing is located in segregated or integrated areas, and describe trends over time.

Map 1: Race/Ethnicity, Montgomery County, Maryland

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Name: Map 1 - Race/Ethnicity

Description: Current race/ethnicity dot density map for Jurisdiction and Region with R/ECAPs

Jurisdiction: Montgomery County (CDBG, HOME, ESG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006
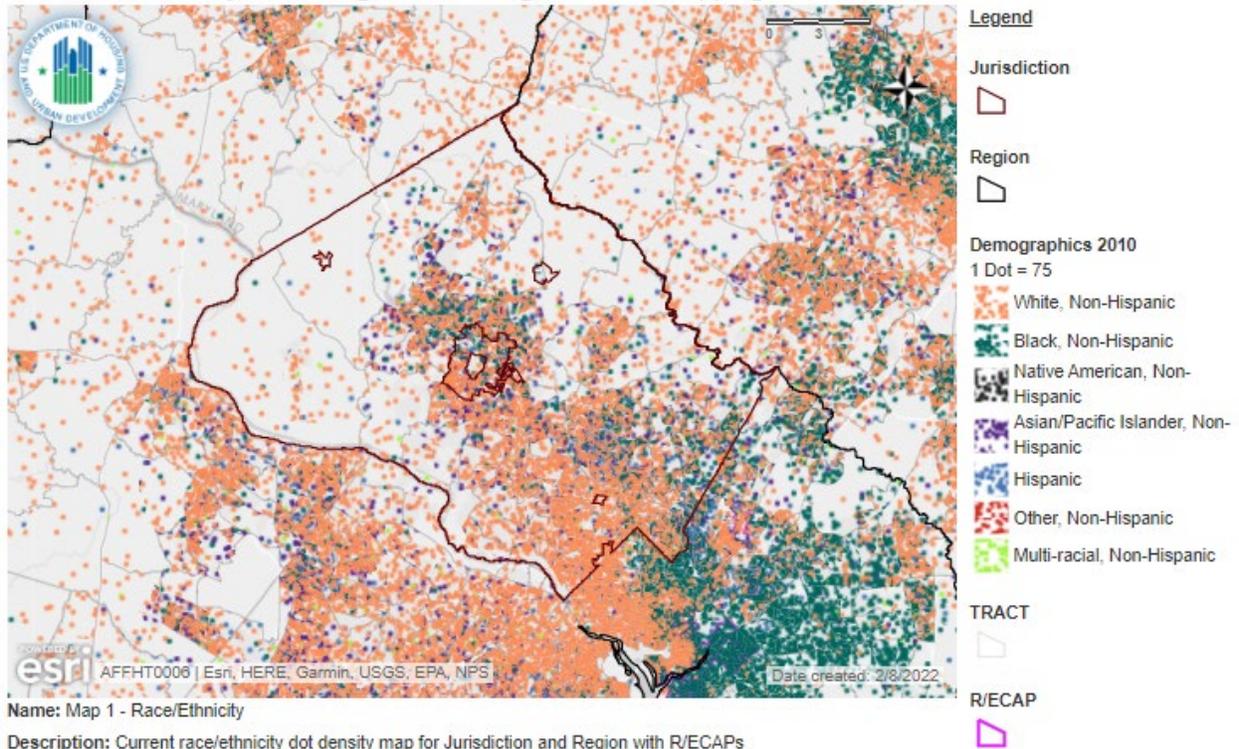
In Montgomery County, a majority of the residents are White, followed by Hispanic and Black. Hispanic and Black residents are proportionally overrepresented in the eastern part of the county that is closest to the District. There is also a large cluster of Asian or Pacific Islander residents near Gaithersburg, Maryland. The White population is more evenly dispersed throughout the county; however, the southern portion of the county is predominantly White, so that White residents make up a larger share of the population there than in the county overall.

Map 2: Race/Ethnicity, Region
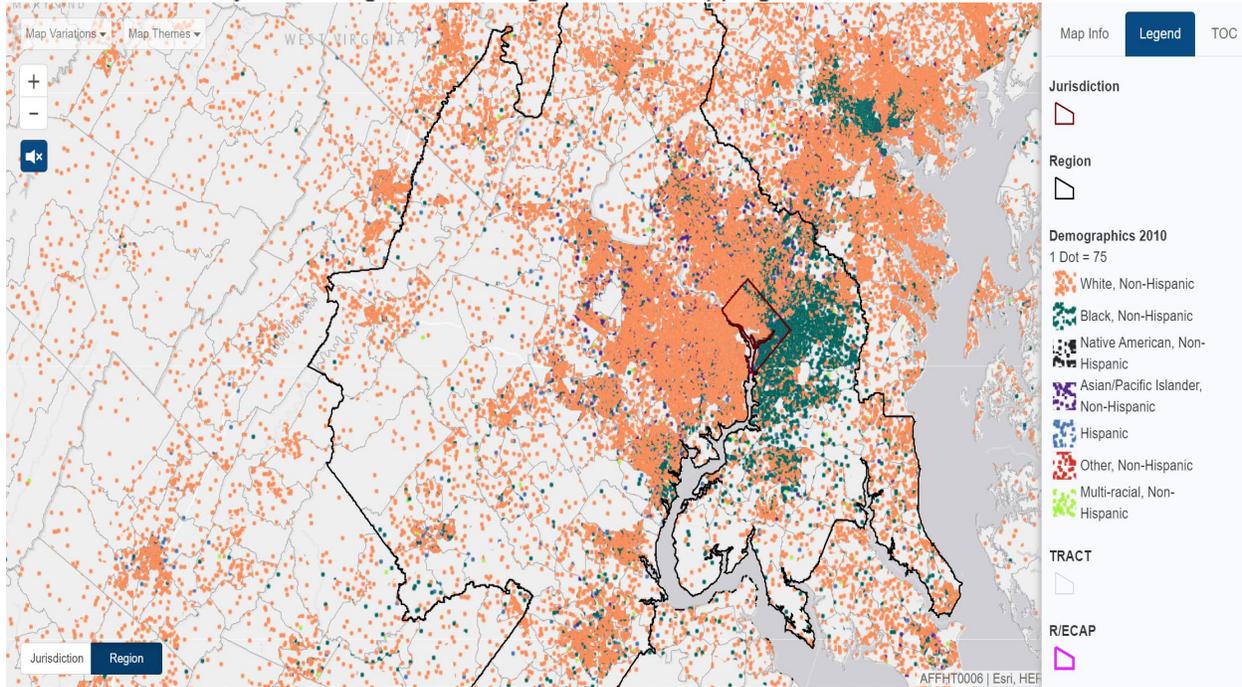
HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Name: Map 1 - Race/Ethnicity

Description: Current race/ethnicity dot density map for Jurisdiction and Region with R/ECAPs

Jurisdiction: District Of Columbia (CDBG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

Regionally, a majority of the residents are White; the second-most-populous group is Black. The eastern portion of the region has the most diversity among racial and ethnic groups. The western portion of the region is predominantly White. The racially or ethnically concentrated areas of poverty (R/ECAPs) are also predominantly seen in the eastern portion of the region.

Map 3: National Origin, Montgomery County, Maryland

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Legend

Jurisdiction

Region

National Origin [Jurisdiction] (Top 5 most populous)
1 Dot = 75 People

El Salvador
Other_South_America
India
China excl. Taiwan
Eastern Africa

TRACT
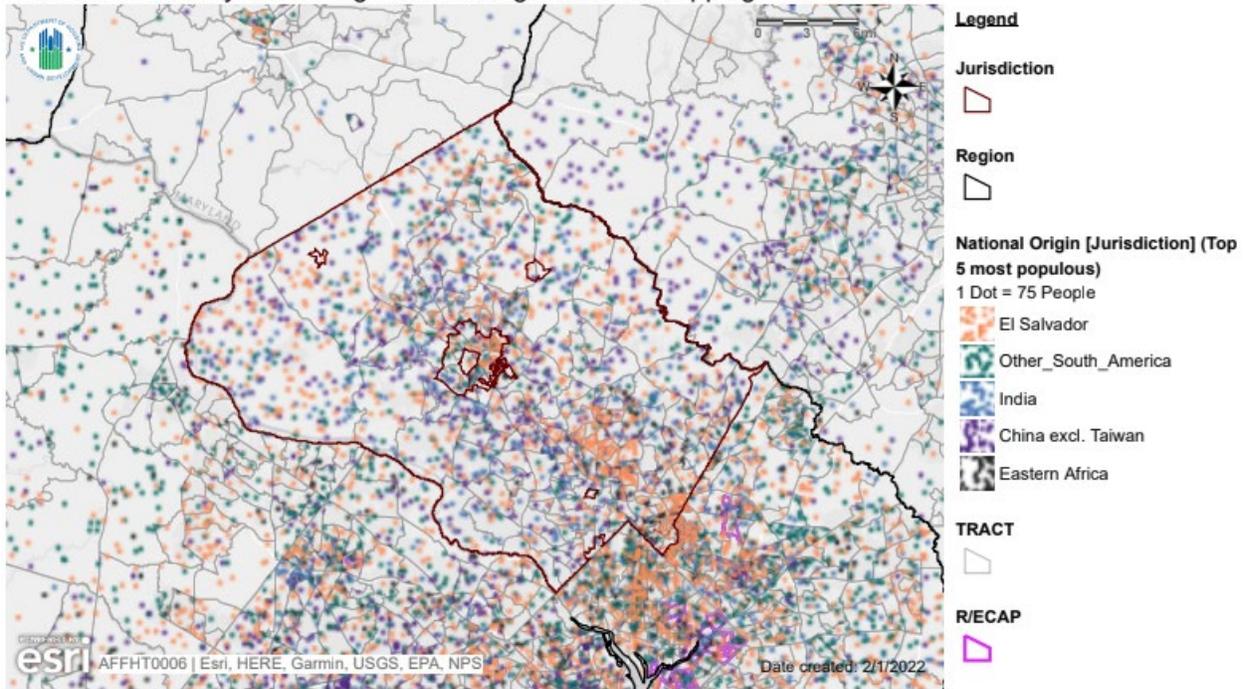
R/ECAP

Name: Map 3 - National Origin
Description: Current national origin (5 most populous) dot density map for Jurisdiction and Region with R/ECAPs
Jurisdiction: Montgomery County (CDBG, HOME, ESG)
Region: Washington-Arlington-Alexandria, DC-VA-MD-WV
HUD-Provided Data Version: AFFHT0006

In Montgomery County, non-native-born residents are most commonly from El Salvador. The next most common country of origin is China, followed by India. Non-native-born residents are dispersed throughout Montgomery County, but the largest cluster of these residents lives in the southeastern portion of the county closest to the District.

Map 4: National Origin, Region

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Legend

Jurisdiction

Region

National Origin [Region] (Top 5 most populous)
1 Dot = 75 People
- El Salvador
- Other South America
- Other Central America
- India
- Western Africa

TRACT

R/ECAP

Name: Map 3 - National Origin

Description: Current national origin (5 most populous) dot density map for Jurisdiction and Region with R/ECAPs

Jurisdiction: District Of Columbia (CDBG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

Regionally, the most common nationality of non-native-born residents is Salvadoran. The second-most-common nationality is Indian, followed by Chinese. Non-native-born residents are most prevalent in the eastern portion of the region. Comparatively, few non-native-born residents live in the western portion of the region.

Map 5: Limited English Proficiency, Montgomery County, Maryland

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Legend

Jurisdiction

Region

Limited English Proficiency [Jurisdiction] (Top 5 most populous)
1 Dot = 75 People
- Spanish
- Other Indo-European Language
- Other & Unspecified Language
- Chinese
- French

TRACT

R/ECAP

Name: Map 4 - LEP

Description: LEP persons (5 most commonly used languages) for Jurisdiction and Region with R/ECAPs

Jurisdiction: Montgomery County (CDBG, HOME, ESG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006
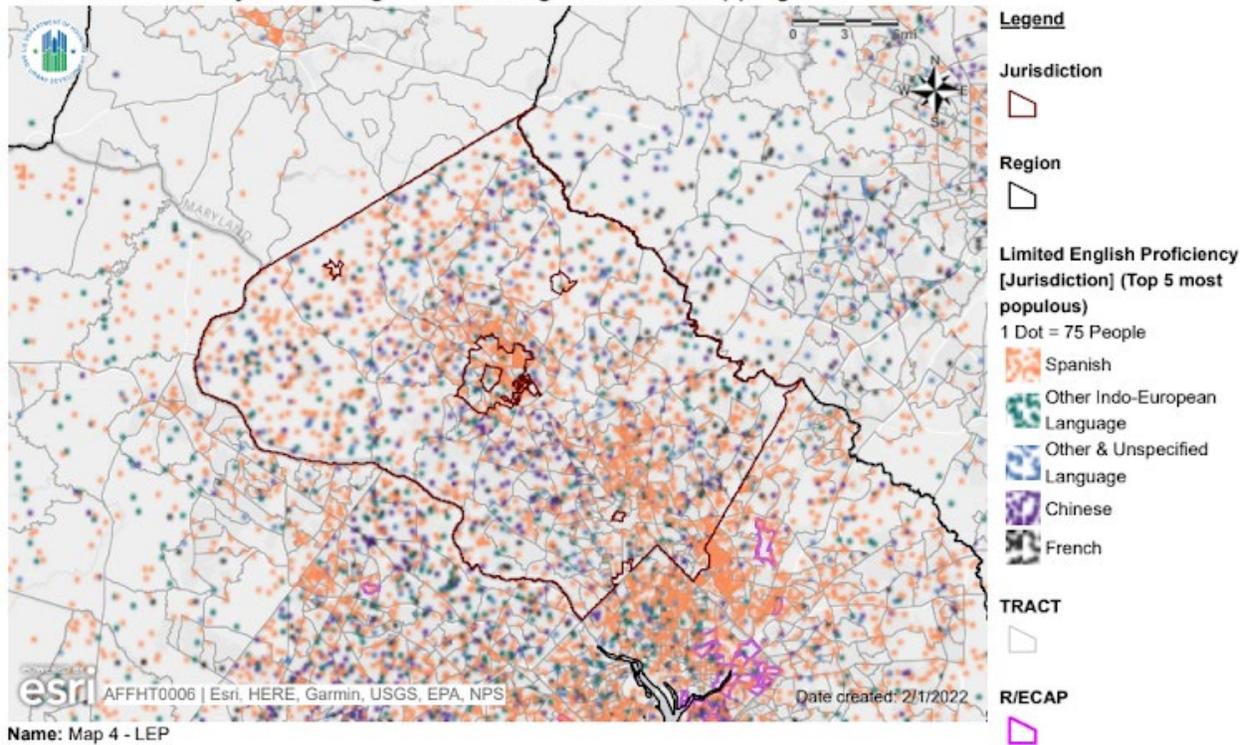
In Montgomery County, 14 percent of the population speaks with LEP. The foreign languages most often spoken by those with LEP are Spanish, Chinese (including Mandarin and Cantonese), other Indo-European languages, and other and unspecified languages. There are large clusters of Spanish residents with LEP near Gaithersburg and in the eastern portion of the county. There are also large clusters of Chinese residents with LEP directly southeast of Gaithersburg.

Map 6: Limited English Proficiency, Region
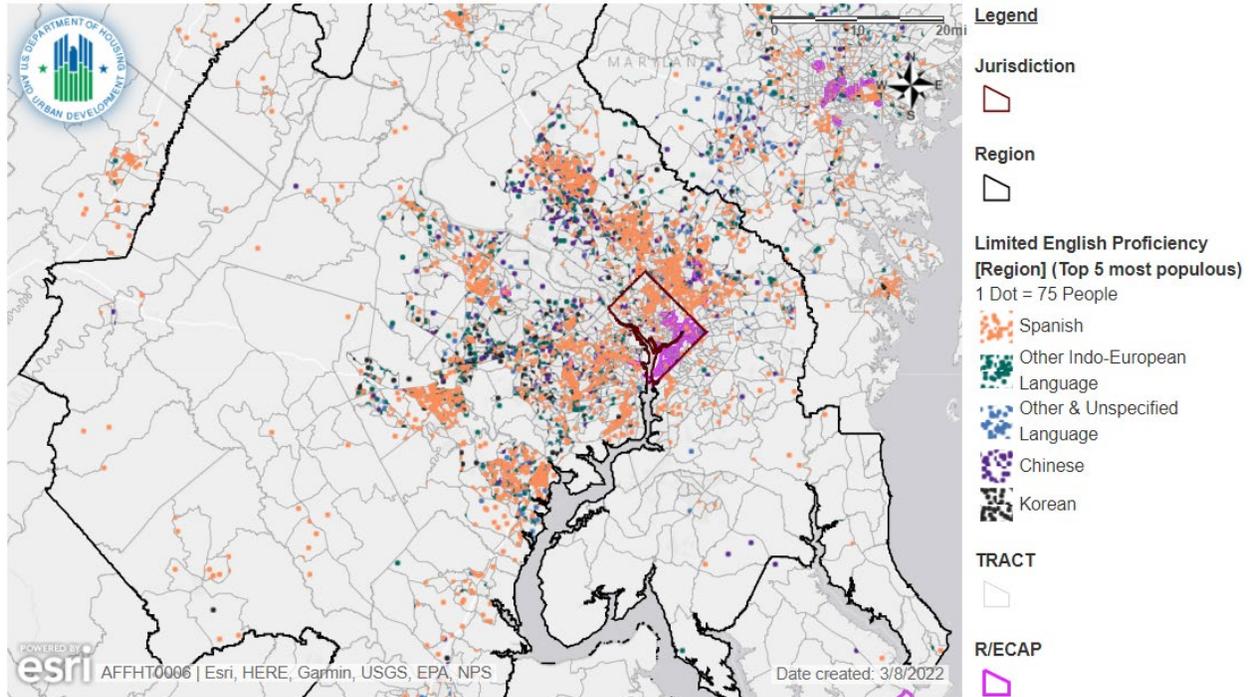
HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Name: Map 4 - LEP

Description: LEP persons (5 most commonly used languages) for Jurisdiction and Region with R/ECAPs

Jurisdiction: District Of Columbia (CDBG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

Regionally, 10.8 percent of the population has limited proficiency in English. The top languages spoken by those with LEP are Spanish, other Indo-European languages, and Chinese. The majority of LEP residents reside in the eastern portion of the region, with few in the western portion of the region.

Map 7: Percentage of Renter-Occupied Households, Montgomery County, Maryland

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Legend

Jurisdiction

Region

TRACT

R/ECAP

Percent Households who are Renters
- < 18.21 %
- 18.21 % - 35.02 %
- 35.02 % - 53.5 %
- 53.5 % - 74.05 %
- 74.05 % - 100.0 %

Percent Households who are Renters: Data not Available

AFFHT0006 | Esri, HERE, Garmin, USGS, EPA, NPS   Date created: 2/1/2022
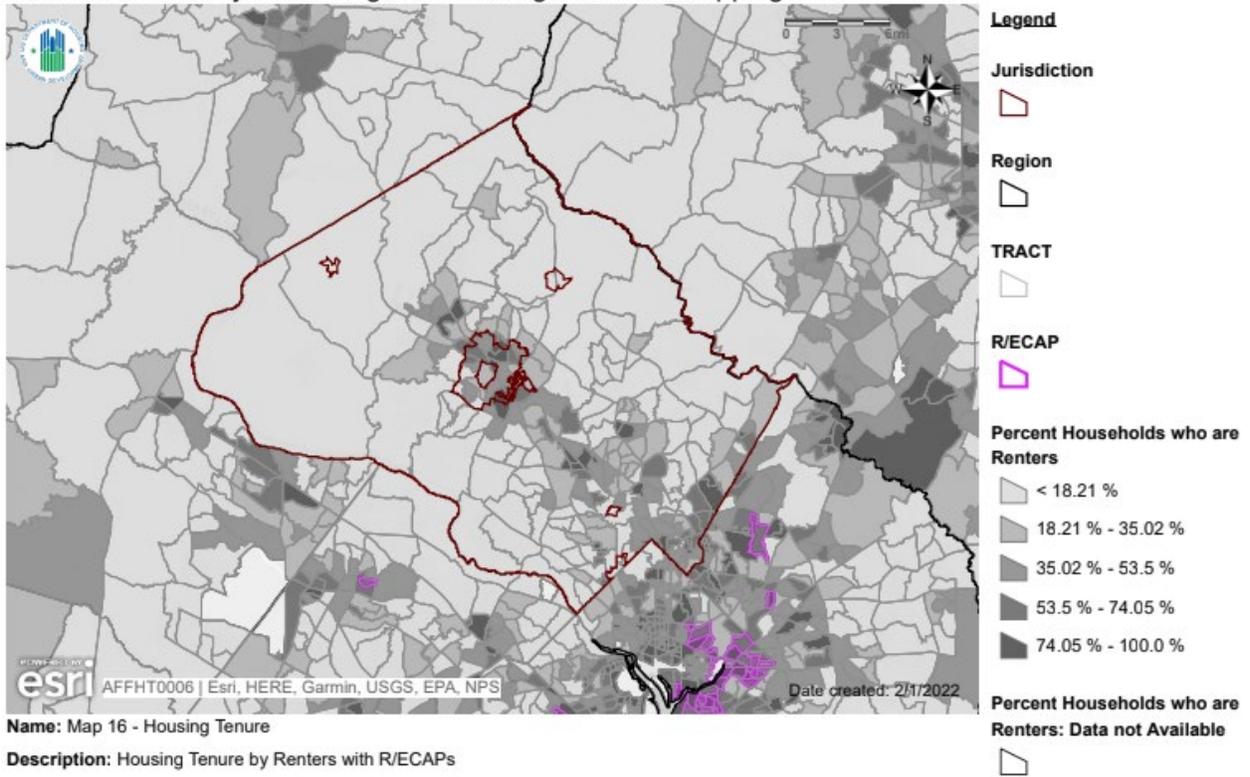
Name: Map 16 - Housing Tenure

Description: Housing Tenure by Renters with R/ECAPs

Jurisdiction: Montgomery County (CDBG, HOME, ESG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

In Montgomery County, the location of renters largely correlates with patterns of racial and ethnic segregation mentioned previously. There are higher percentages of renters near the more urban areas of the county than in the rest of the county. Significantly, there are high percentages of renter-occupied households near Gaithersburg and, more broadly, in the eastern portion of the county closer to the District.

Map 8: Percentage of Renter-Occupied Households, Region

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool
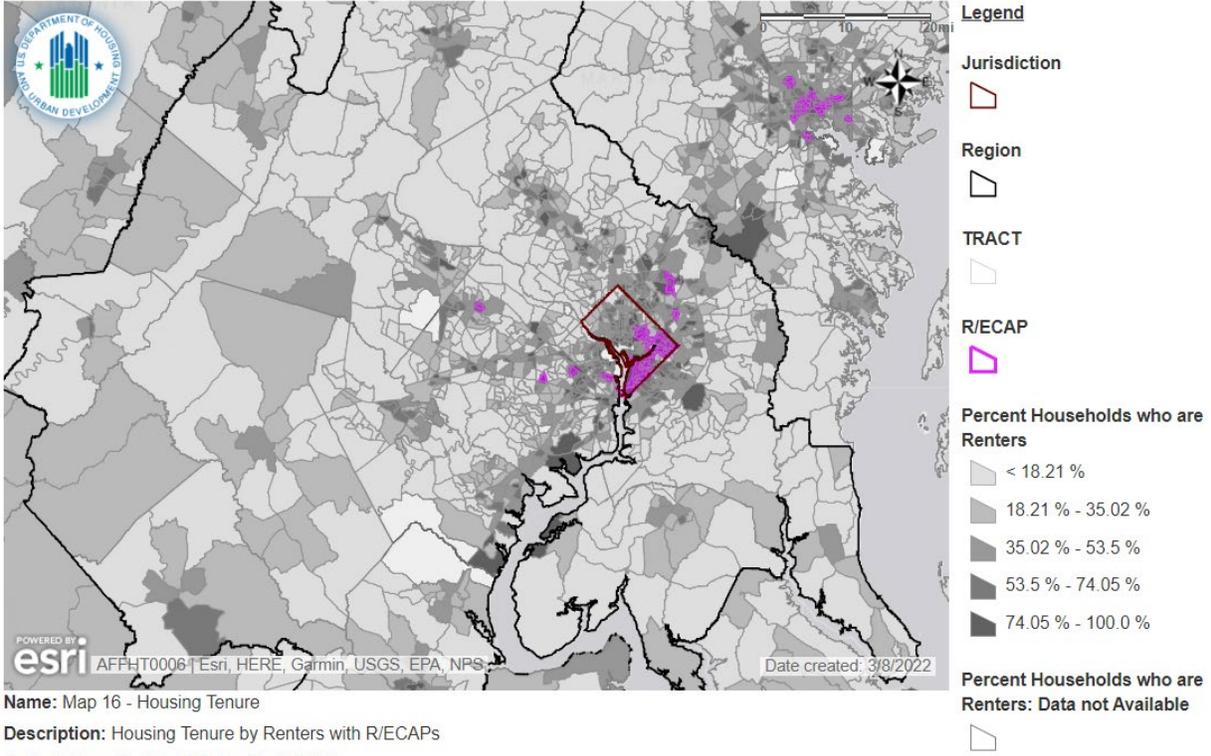
Name: Map 16 - Housing Tenure
Description: Housing Tenure by Renters with R/ECAPs
Jurisdiction: District Of Columbia (CDBG)
Region: Washington-Arlington-Alexandria, DC-VA-MD-WV
HUD-Provided Data Version: AFFHT0006

Regionally, the location of renters largely correlates with aforementioned patterns of racial and ethnic segregation. The percentage of renter-occupied households increases near the more urban areas of the region, a spatial pattern that also often correlates with the areas with a larger percentage of minority residents.

1.e. Discuss how patterns of segregation have changed over time (since 1990).

Map 9: Racial Demographics in 1990, Montgomery County, Maryland
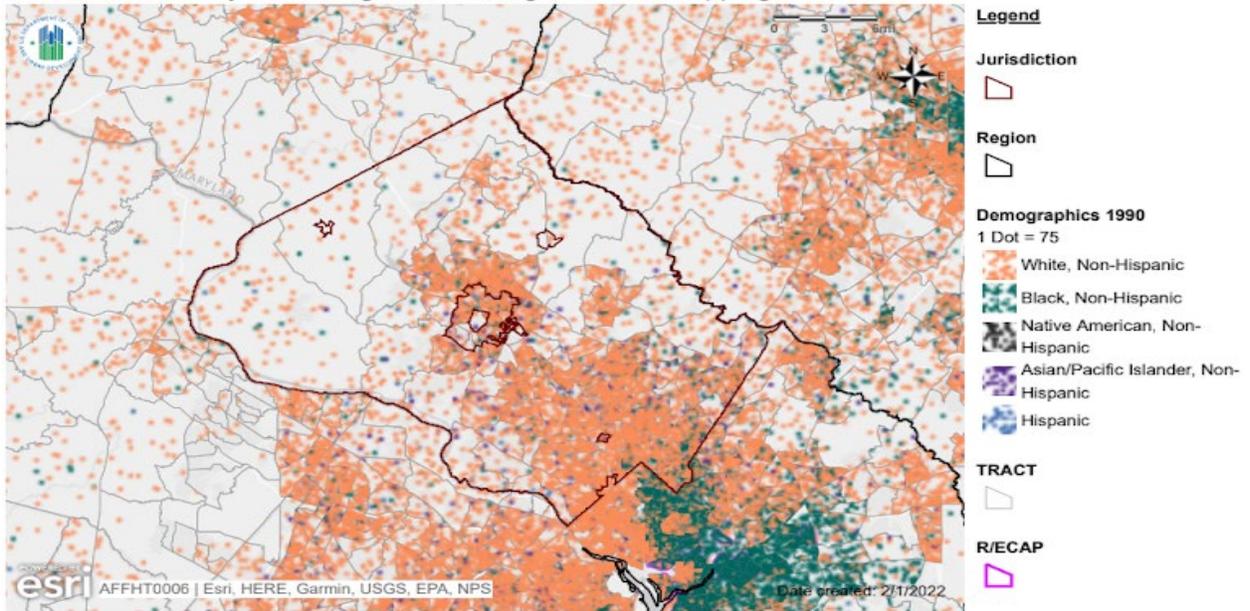
Name: Map 2 - Race/Ethnicity Trends
Description: Past race/ethnicity dot density map for Jurisdiction and Region with R/ECAPs
Jurisdiction: Montgomery County (CDBG, HOME, ESG)
Region: Washington-Arlington-Alexandria, DC-VA-MD-WV
HUD-Provided Data Version: AFFHT0006

Map 10: Racial Demographics in 2000 Montgomery County, Maryland
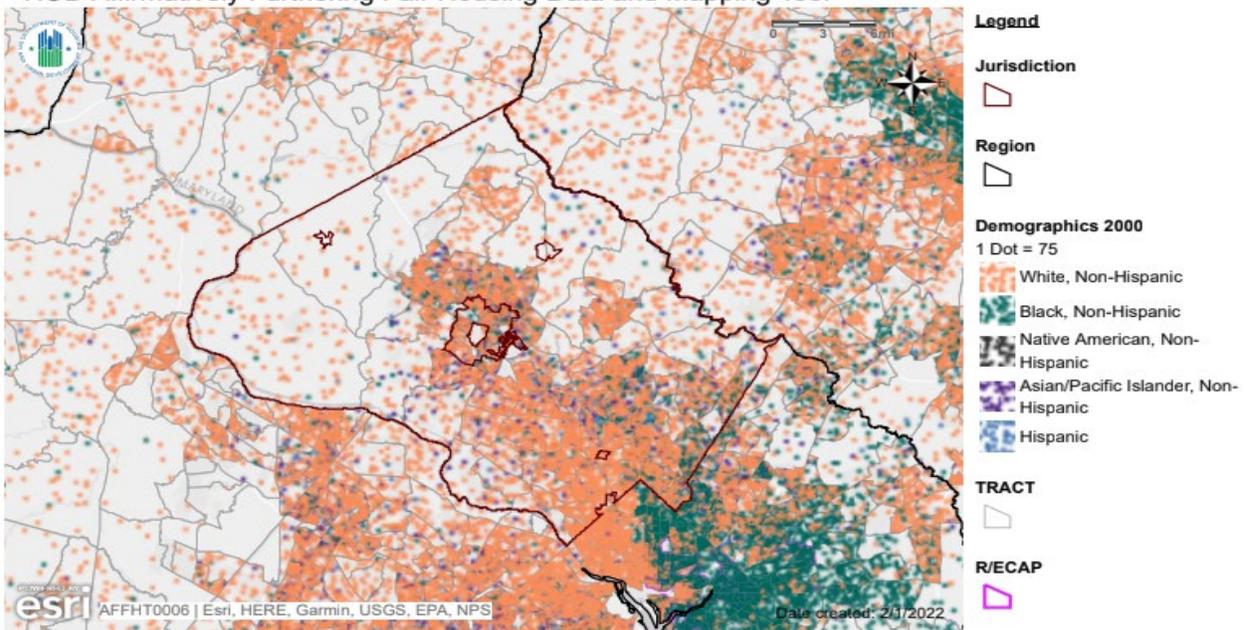
Name: Map 2 - Race/Ethnicity Trends
Description: Past race/ethnicity dot density map for Jurisdiction and Region with R/ECAPs
Jurisdiction: Montgomery County (CDBG, HOME, ESG)
Region: Washington-Arlington-Alexandria, DC-VA-MD-WV
HUD-Provided Data Version: AFFHT0006

Map 11: Racial Demographics in 2010, Montgomery County, Maryland

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Name: Map 2 - Race/Ethnicity Trends

Description: Past race/ethnicity dot density map for Jurisdiction and Region with R/ECAPs

Jurisdiction: Montgomery County (CDBG, HOME, ESG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006
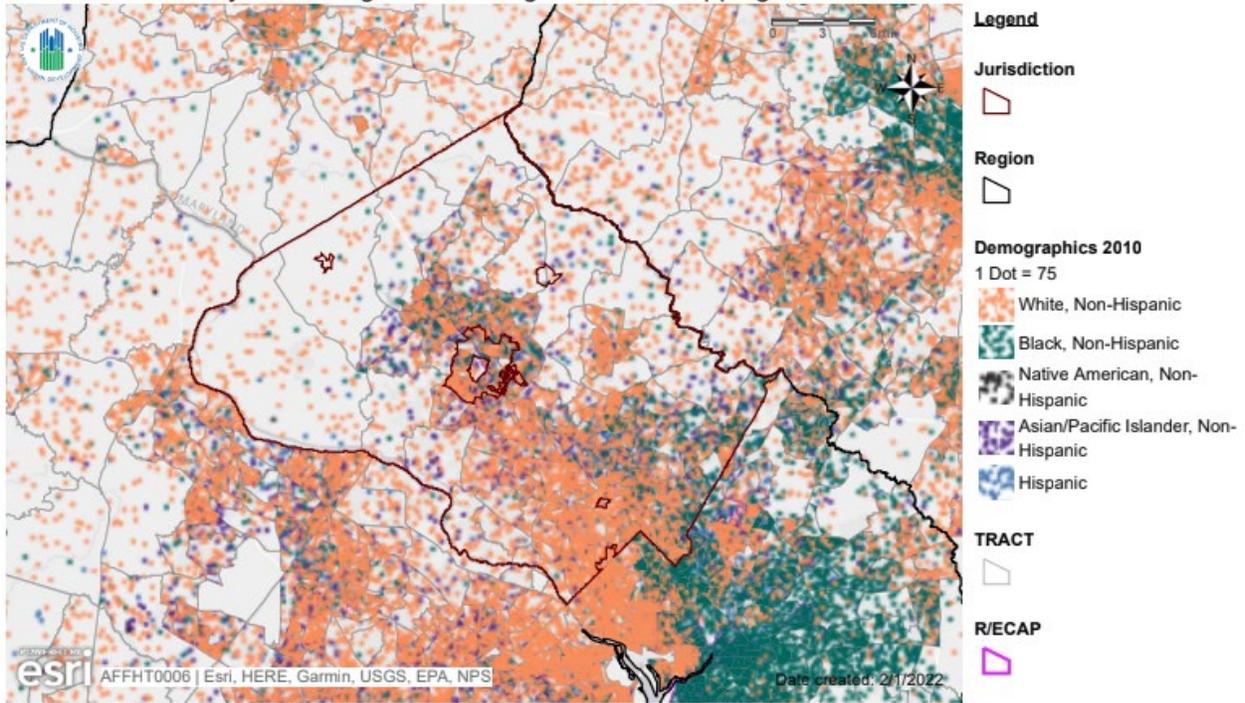
Montgomery County

Segregation in Montgomery County has increased since 1990. Since then, Dissimilarity Index values across all racial and ethnic minorities have increased (Table 11). In 1990, the Dissimilarity Index values all corresponded with low levels of segregation except for Black/White, which was in the moderate range. The current Dissimilarity Index values all correspond with medium levels of segregation except for Asian or Pacific Islander/White, which is still in the low range.

Map 12: Racial Demographics in 1990, Region

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool
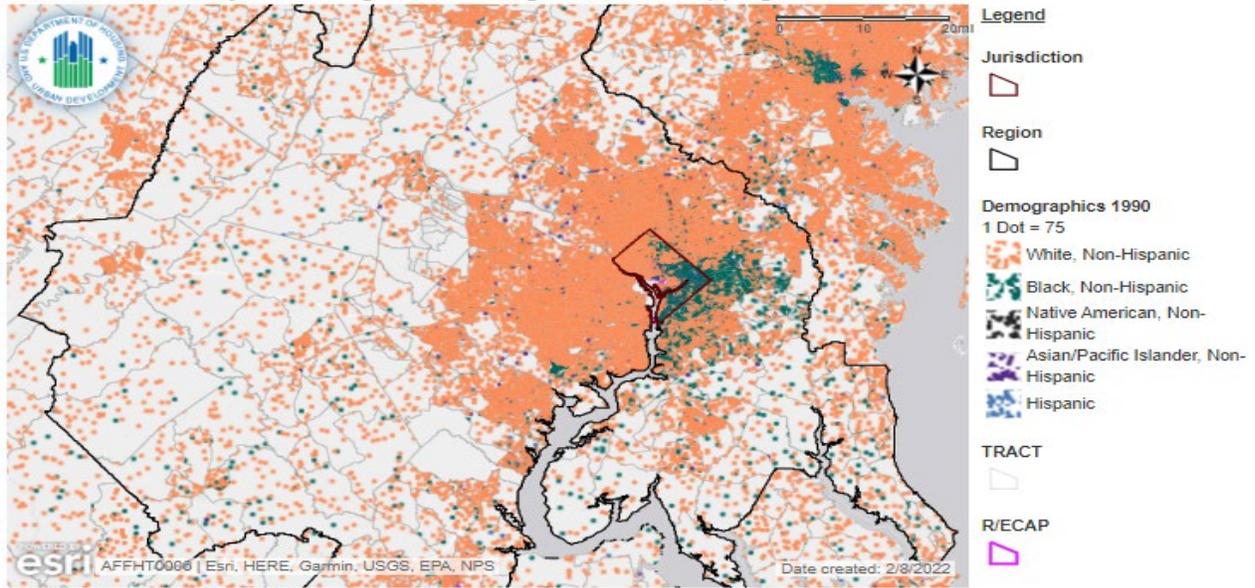
Name: Map 2 - Race/Ethnicity Trends
Description: Past race/ethnicity dot density map for Jurisdiction and Region with R/ECAPs
Jurisdiction: District Of Columbia (CDBG)
Region: Washington-Arlington-Alexandria, DC-VA-MD-WV
HUD-Provided Data Version: AFFHT0006

Map 13: Racial Demographics in 2000, Region

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool
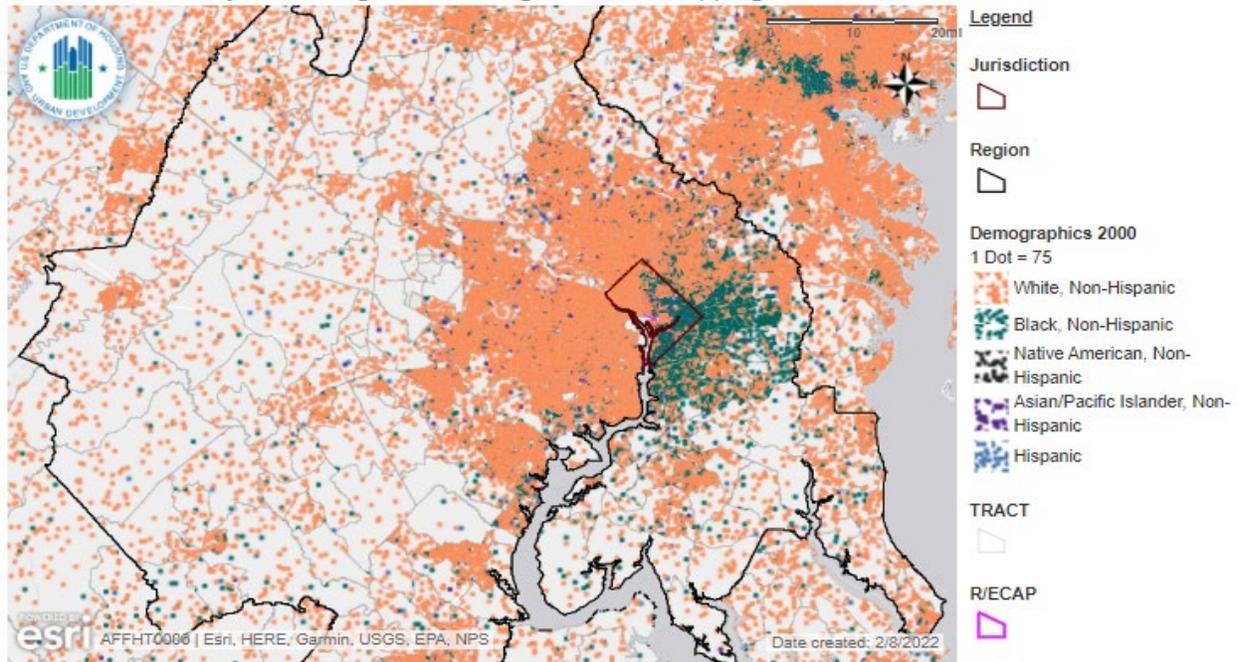
Name: Map 2 - Race/Ethnicity Trends
Description: Past race/ethnicity dot density map for Jurisdiction and Region with R/ECAPs
Jurisdiction: District Of Columbia (CDBG)
Region: Washington-Arlington-Alexandria, DC-VA-MD-WV
HUD-Provided Data Version: AFFHT0006

**Map 14: Racial Demographics in 2010, Region**
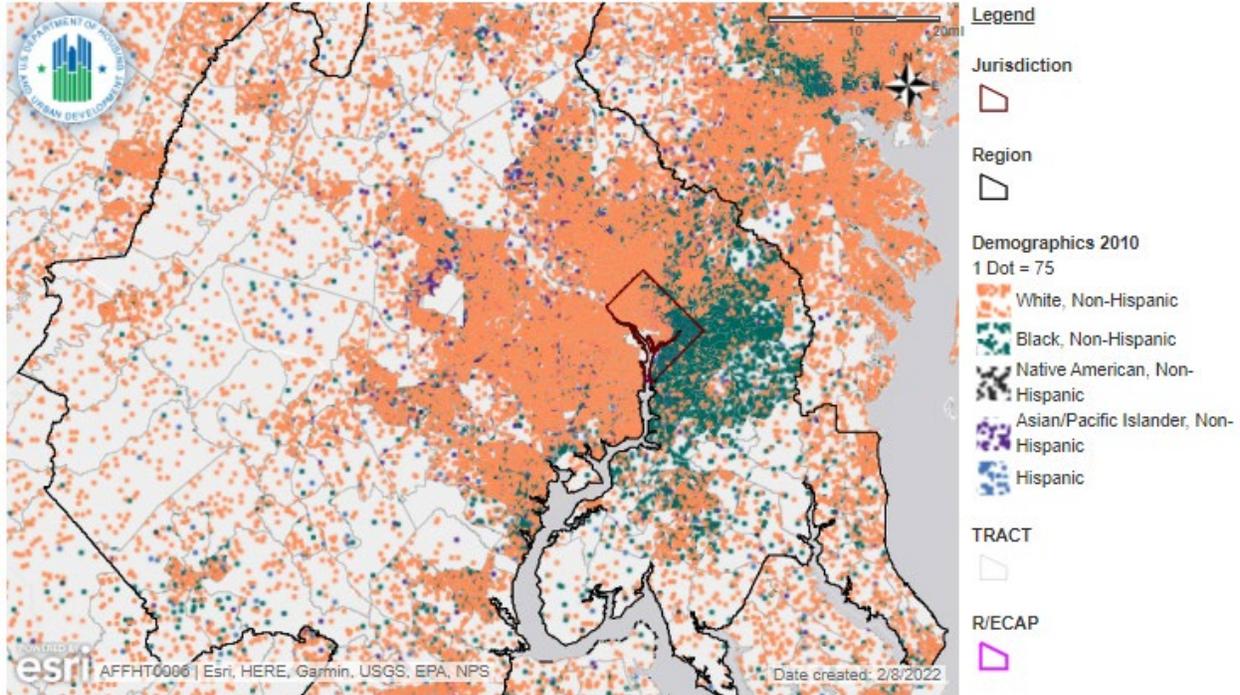
Name: Map 2 - Race/Ethnicity Trends
Description: Past race/ethnicity dot density map for Jurisdiction and Region with R/ECAPs
Jurisdiction: District Of Columbia (CDBG)
Region: Washington-Arlington-Alexandria, DC-VA-MD-WV
HUD-Provided Data Version: AFFHT0006

Region

Regionally, segregation is on the rise. Dissimilarity Index values for Non-White/White and Black/White are nearly identical to the 1990 values. These values dipped slightly in 2010 and then rose again between 2010 and the present. Since 1990, the Dissimilarity Index values have increased for Hispanic/White and Asian or Pacific Islander/White. The Dissimilarity Index values for Non-White/White, Hispanic/White, and Asian or Pacific Islander/White all correspond to moderate levels of segregation. The Dissimilarity Index value for Black/White corresponds to a high level of segregation.

Exposure Index values, measuring a single group's exposure to all other groups, have decreased since 1990 for all other ethnic groups in relation to White residents. Exposure Index values of minority groups in relation to other minority groups have increased since 1990. These values, taken together with the Dissimilarity Index values, indicate that while minority populations are becoming more segregated from White populations, minorities are becoming less isolated with respect to other minorities.

ii. Racially or Ethnically Concentrated Areas of Poverty

R/ECAPs are geographic areas with significant concentrations of poverty and populations of people of color. HUD defines R/ECAPs based on census tracts. In terms of racial or ethnic concentration, R/ECAPs are areas with a non-White population of 50 percent or more. With regard to poverty, R/ECAPs are census tracts in which either 40 percent or more of individuals live at or below the poverty line or the poverty rate is three times the average for the metropolitan area, whichever threshold is

lower. In the Washington, D.C., region, which has a significantly lower rate of poverty than the nation as a whole, the latter of these two thresholds is used.

Where one lives has a substantial effect on mental and physical health, education, exposure to crime, and economic opportunity. Urban areas that are more residentially segregated by race and income tend to have less upward economic mobility than other areas. Research has found that racial inequality is thus amplified by residential segregation. Concentrated poverty is associated with higher crime rates and worse health outcomes. However, these areas may offer some opportunities as well. Individuals may actively choose to settle in a neighborhood containing a R/ECAP because it is close to a job center. Ethnic enclaves may help immigrants build a sense of community and adapt to life in the United States. The businesses, social networks, and institutions in ethnic enclaves may help immigrants preserve their cultural identities while providing services that allow them to establish themselves in their new homes. Identifying R/ECAPs facilitates an understanding of entrenched patterns of segregation and poverty.

Some tables and maps in this section are sourced from the HUD tool, which used 2011–2015 five-year ACS data. These tables and maps are accessible to all, and anyone can use them to numerically and spatially analyze jurisdictions or communities of interest. Other tables and maps the Urban Institute created are based on 2015–2019 five-year ACS data. Some of the maps, therefore, identify different census tracts as R/ECAPs and reflect slightly different demographic data.

1.a. Identify any R/ECAPs or groupings of R/ECAP tracts within the jurisdiction and region.

Map 15: R/ECAPs in Jurisdiction with Race/Ethnicity, Region

Name: Map 1 - Race/Ethnicity
**Description:** Current race/ethnicity dot density map for Jurisdiction and Region with R/ECAPs
Jurisdiction: District Of Columbia (CDBG)
Region: Washington-Arlington-Alexandria, DC-VA-MD-WV
HUD-Provided Data Version: AFFHT0006
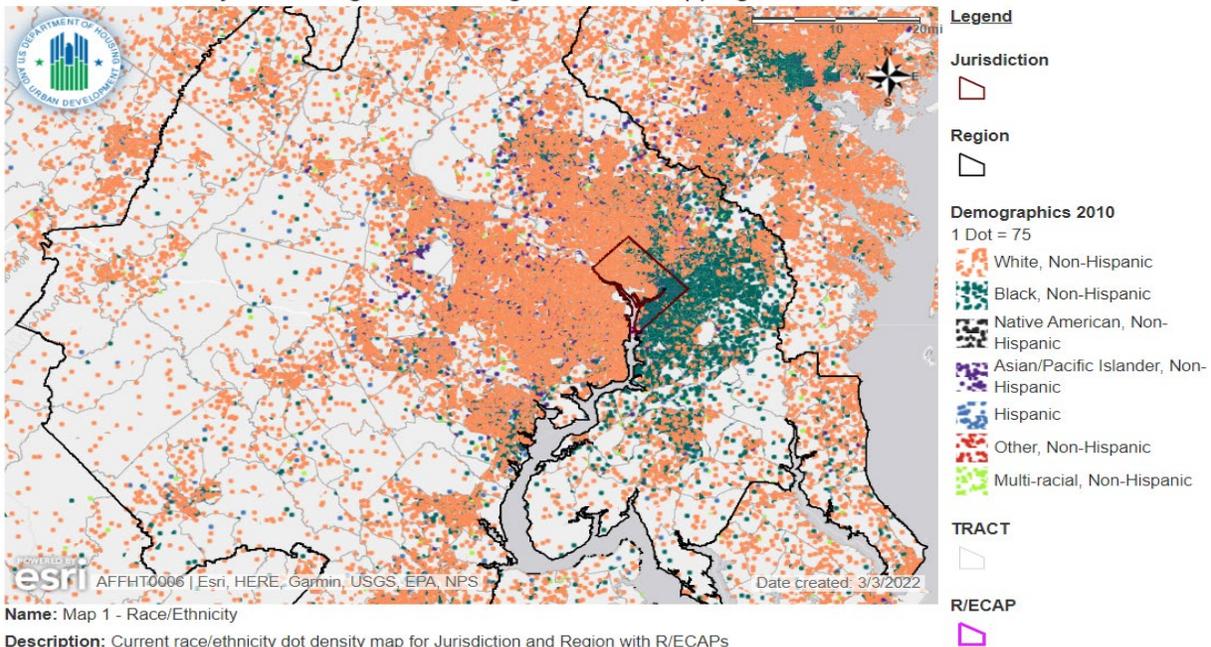
According to the most recent HUD data, there are no R/ECAPs within Montgomery County, so the county is excluded from this analysis.

Within the region, most R/ECAPs are within the District and in primarily Black areas. Historically, federal housing policies bolstered White flight from cities like the District, creating segregated suburbs.[11] Even with the lower poverty rate threshold for R/ECAP status in effect, the relative economic prosperity of the region results in some racially and ethnically diverse areas with low-income populations—in eastern Montgomery County, southeastern Fairfax County, and eastern Prince William County—not being classified as R/ECAPs.

Map 16: R/ECAPs in Jurisdiction with National Origin, Region
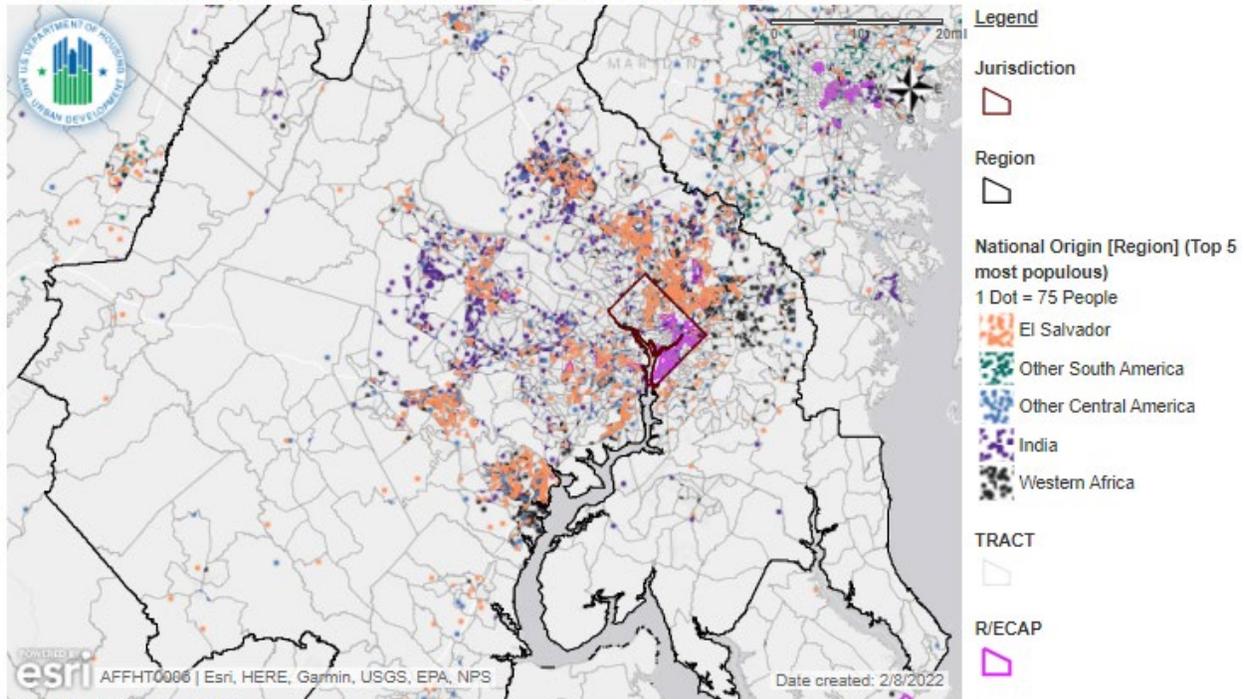
Name: Map 3 - National Origin

Description: Current national origin (5 most populous) dot density map for Jurisdiction and Region with R/ECAPs

Jurisdiction: District Of Columbia (CDBG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

Across the region, Salvadorans and other Central Americans are the most prevalent foreign-born residents to live in R/ECAPs. Within R/ECAPs, Salvadorans make up just under 3.0 percent and other Central Americans make up 2.5 percent of residents.[12]

Poverty Rates by Census Tract in Montgomery County, Maryland

R/ECAPs Highlighted in Yellow

Less than 5% 10% - 15% 20% - 25% ■ 30% or greater
5% - 10%   15% - 20% ■ 25% - 30% No data
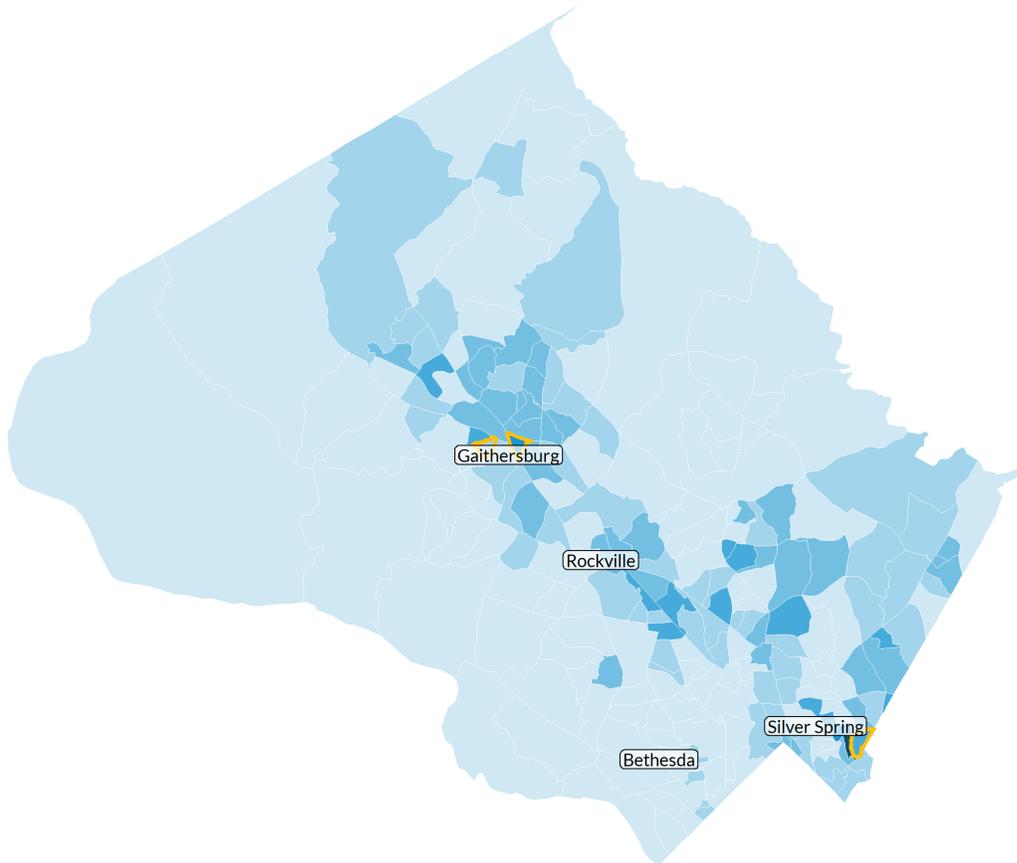
Source: 2015–2019 American Community Survey five-year estimates.

Montgomery County has one R/ECAP, near Silver Spring just to the west of Langley Park, with a large Hispanic population. HUD identified this area as a R/ECAP in 2010.

1.b. Describe and identify the predominant protected classes residing in R/ECAPs in the jurisdiction and region. How do the demographics of the R/ECAPs compare with the demographics of the jurisdiction and region?

Montgomery County is excluded from this table because HUD's latest data show there are no R/ECAPS.

Table 12: R/ECAP Demographics, Region

R/ECAP Race/Ethnicity	#	%
Total Population in R/ECAPs	150,440	100.00%
White, Non-Hispanic	8,904	5.92%
Black, Non-Hispanic	119,872	79.68%
Hispanic	16,312	10.84%
Asian or Pacific Islander, Non-Hispanic	2,646	1.76%
Native American, Non-Hispanic	325	0.22%
Other, Non-Hispanic	225	0.15%
R/ECAP Family Type		
Total Families in R/ECAPs	32,565	100.00%
Families with Children	17,062	52.39%

Data source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, data version AFFHT0006.

Table 13: R/ECAP Demographics, Country of Origin for Non-Native-Born Residents, Region

	Country of Origin	#	%
#1	El Salvador	4,484	2.98%
#2	Other Central America	3,757	2.50%
#3	Other South America	1,314	0.87%
#4	Mexico	1,219	0.81%
#5	Eastern Africa	1,020	0.68%
#6	Western Africa	899	0.60%
#7	Other Caribbean	809	0.54%
#8	Other South Central Asia	722	0.48%
#9	China (excl. Taiwan)	496	0.33%
#10	India	484	0.32%

Data source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, data version AFFHT0006.

Region
In the region, 80 percent of residents of R/ECAPs are Black and 11 percent are Hispanic. Over half of families living in R/ECAPs in the region are families with children. Over 5 percent of R/ECAP residents in the region are originally from El Salvador and other Central American countries. Black individuals

are most disproportionately residents of R/ECAPs as they make up one-quarter of the population of the whole region but 80 percent of the population of R/ECAPs in the region. The demographics of R/ECAPs in the region are heavily driven by the demographics of R/ECAPs in the District, which is home to a large majority of the region's R/ECAPs. Suburban R/ECAPs tend to be more heavily Hispanic than those in the District.

1.c. Describe how R/ECAPs have changed over time in the jurisdiction and region (since 1990).

Map 18: R/ECAPs and Racial Demographics in 1990, Region
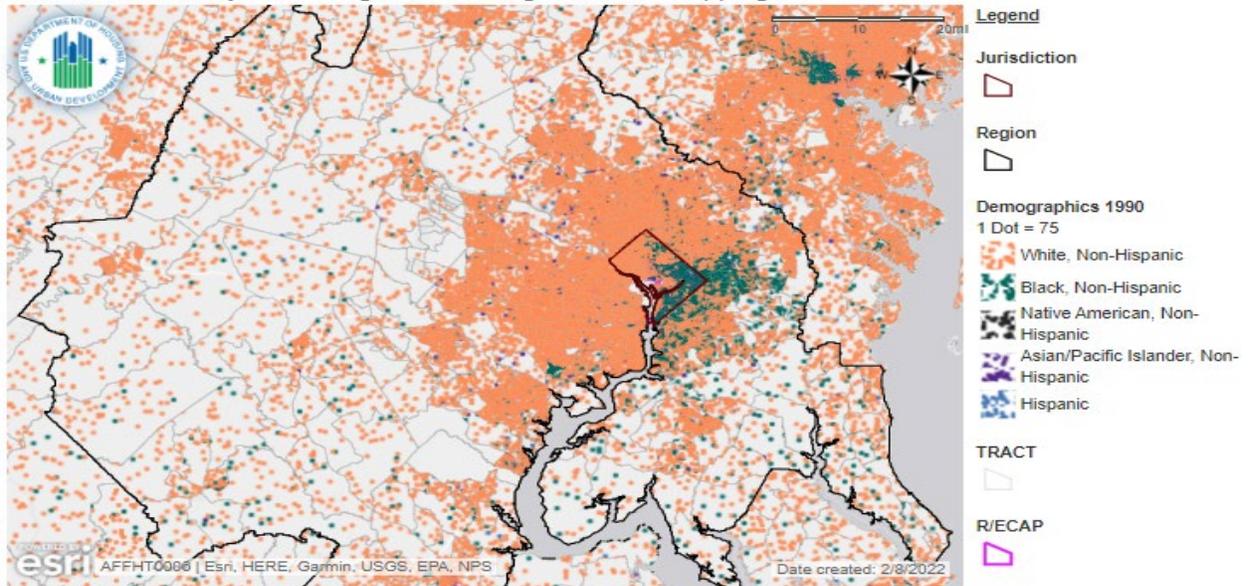
Name: Map 2 - Race/Ethnicity Trends
Description: Past race/ethnicity dot density map for Jurisdiction and Region with R/ECAPs
Jurisdiction: District Of Columbia (CDBG)
Region: Washington-Arlington-Alexandria, DC-VA-MD-WV
HUD-Provided Data Version: AFFHT0006

In 1990, the region's R/ECAPs were located primarily in the District and were predominantly located in majority Black neighborhoods.

Map 19: R/ECAPs and Racial Demographics in 2000, Region
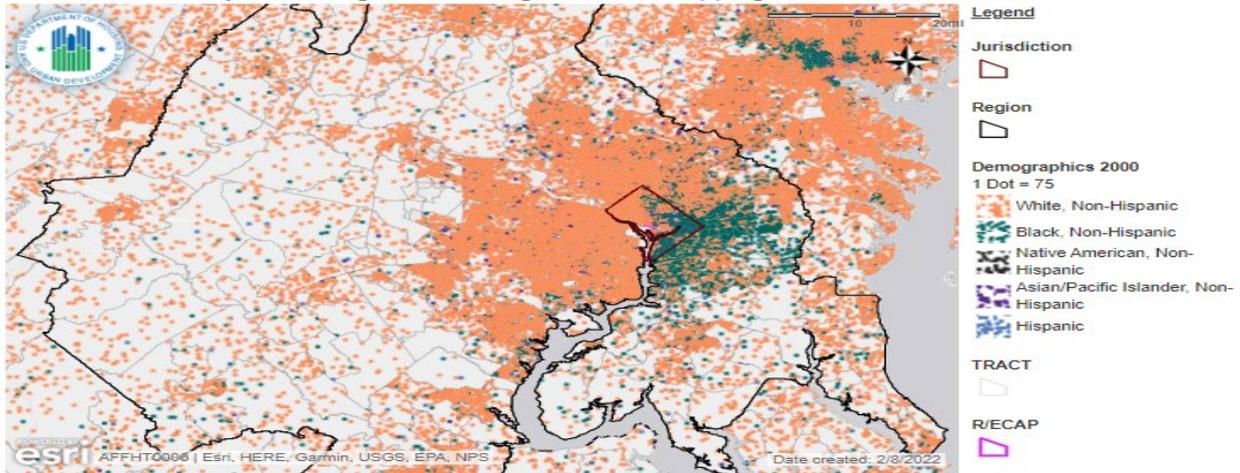
Name: Map 2 - Race/Ethnicity Trends
Description: Past race/ethnicity dot density map for Jurisdiction and Region with R/ECAPs
Jurisdiction: District Of Columbia (CDBG)
Region: Washington-Arlington-Alexandria, DC-VA-MD-WV
HUD-Provided Data Version: AFFHT0006

In 2000, most of the R/ECAPs in the region were in predominantly Black neighborhoods in the southeast and northeast areas of D.C.

Map 20: R/ECAPs and Racial Demographics in 2010, Region
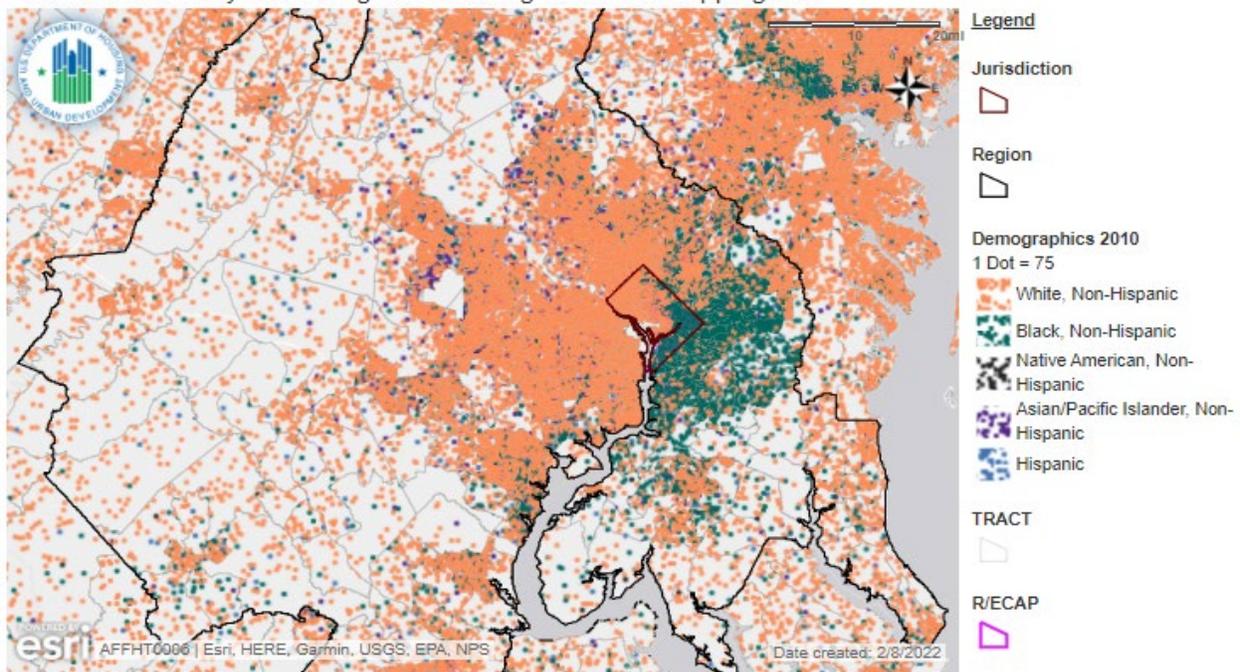
Name: Map 2 - Race/Ethnicity Trends
Description: Past race/ethnicity dot density map for Jurisdiction and Region with R/ECAPs
Jurisdiction: District Of Columbia (CDBG)
Region: Washington-Arlington-Alexandria, DC-VA-MD-WV
HUD-Provided Data Version: AFFHT0006

In 2010, most of the R/ECAPs in the region were in the southeast and northeast areas of D.C.

iii. Disparities in Access to Opportunity

a. Disparities in Access to Opportunity—Education

i. Describe any disparities in access to proficient schools in the jurisdiction and region.

Table 14: School Proficiency Index for Washington-Arlington-Alexandria, DC-VA-MD-WV Metropolitan Statistical Area

	Montgomery County	Region
Total Population		
White, Non-Hispanic	74.86	60.67
Black, Non-Hispanic	57.09	38.14
Hispanic	58.13	43.36
Asian or Pacific Islander, Non-Hispanic	69.81	58.09
Native American, Non-Hispanic	63.92	48.69
Population below Federal Poverty Line		
White, Non-Hispanic	69.83	54.12
Black, Non-Hispanic	55.19	34.15
Hispanic	52.82	39.28
Asian or Pacific Islander, Non-Hispanic	64.82	53.01
Native American, Non-Hispanic	73.48	40.50

Data source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, data version AFFHT0006.

Map 21: Race/Ethnicity and School Proficiency, Montgomery County, Maryland

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Legend

Jurisdiction

Region

Demographics 2010
1 Dot = 75
- White, Non-Hispanic
- Black, Non-Hispanic
- Native American, Non-Hispanic
- Asian/Pacific Islander, Non-Hispanic
- Hispanic
- Other, Non-Hispanic
- Multi-racial, Non-Hispanic

TRACT

R/ECAP

School Proficiency Index
- 0 - 10
- 10.1 - 20
- 20.1 - 30
- 30.1 - 40
- 40.1 - 50
- 50.1 - 60
- 60.1 - 70
- 70.1 - 80
- 80.1 - 90
- 90.1 - 100

School Proficiency Index: Data not Available

Name: Map 7 - Demographics and School Proficiency

Description: School Proficiency Index for Jurisdiction and Region with race/ethnicity, national origin, family status, and R/ECAPs

Jurisdiction: Montgomery County (CDBG, HOME, ESG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

Map 22: National Origin and School Proficiency, Montgomery County, Maryland

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Legend

Jurisdiction

Region

National Origin [Jurisdiction] (Top 5 most populous)
1 Dot = 75 People
- El Salvador
- Other_South_America
- India
- China excl. Taiwan
- Eastern Africa

TRACT

R/ECAP

School Proficiency Index
- 0 - 10
- 10.1 - 20
- 20.1 - 30
- 30.1 - 40
- 40.1 - 50
- 50.1 - 60
- 60.1 - 70
- 70.1 - 80
- 80.1 - 90
- 90.1 - 100

School Proficiency Index: Data not Available

Name: Map 7 - Demographics and School Proficiency

Description: School Proficiency Index for Jurisdiction and Region with race/ethnicity, national origin, family status, and R/ECAPs

Jurisdiction: Montgomery County (CDBG, HOME, ESG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV
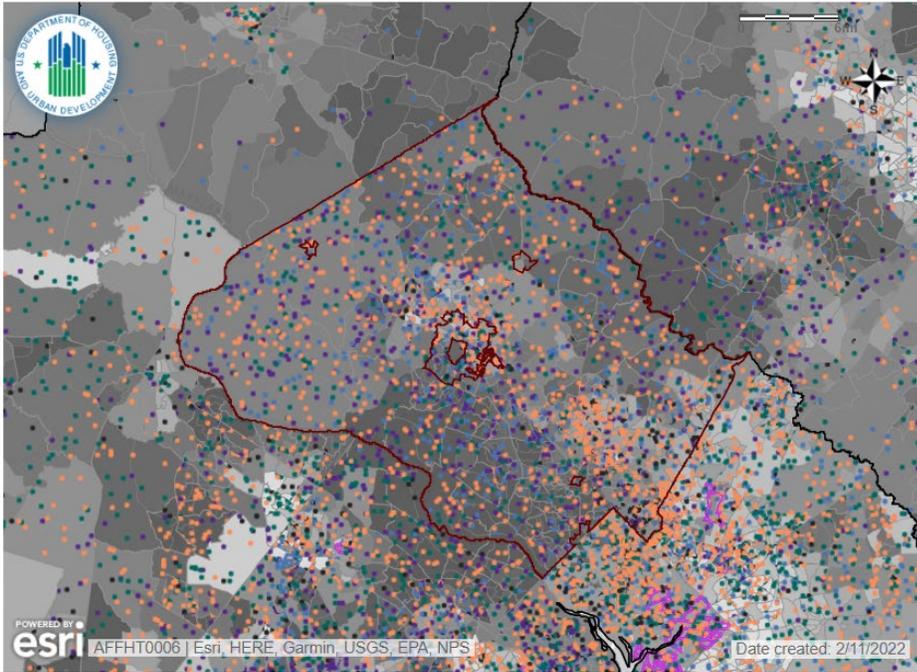
HUD-Provided Data Version: AFFHT0006

Map 23: Familial Status and School Proficiency, Montgomery County, Maryland

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Legend

Jurisdiction

Region

% of Households that are Families with Children
- 0% - 20%
- 20.1% - 40%
- 40.1% - 60%
- 60.1% - 80%
- 80.1% - 100%

TRACT

R/ECAP

School Proficiency Index
- 0 - 10
- 10.1 - 20
- 20.1 - 30
- 30.1 - 40
- 40.1 - 50
- 50.1 - 60
- 60.1 - 70
- 70.1 - 80
- 80.1 - 90
- 90.1 - 100

School Proficiency Index: Data not Available

Name: Map 7 - Demographics and School Proficiency
Description: School Proficiency Index for Jurisdiction and Region with race/ethnicity, national origin, family status, and R/ECAPs
Jurisdiction: Montgomery County (CDBG, HOME, ESG)
Region: Washington-Arlington-Alexandria, DC-VA-MD-WV
HUD-Provided Data Version: AFFHT0006

Montgomery County

Montgomery County has relatively better access to proficient schools compared with the rest of the region, though rates nonetheless vary substantially by race and ethnicity. White residents consistently have the most access to proficient schools, though this access diminishes slightly for White residents living below the poverty line. Asians also have high access to proficient schools, though once again this is less true for Asians living below the poverty line. Native American residents have less access to proficient schools, though still substantially more than the region's Native American residents as a whole. Counterintuitively, access to schools among Native American residents living below the poverty line is substantially higher than it is for the total Native American population in Montgomery County. Black and Hispanic residents consistently have the least access to proficient schools, especially Hispanic residents living below the poverty line. But the lowest Proficiency Index scores in Montgomery are still higher than those of most racial and ethnic groups elsewhere in the region.

Map 24: Race/Ethnicity and School Proficiency, Region

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Legend

Jurisdiction

Region

Demographics 2010
1 Dot = 75
- White, Non-Hispanic
- Black, Non-Hispanic
- Native American, Non-Hispanic
- Asian/Pacific Islander, Non-Hispanic
- Hispanic
- Other, Non-Hispanic
- Multi-racial, Non-Hispanic

TRACT

R/ECAP

School Proficiency Index
- 0 - 10
- 10.1 - 20
- 20.1 - 30
- 30.1 - 40
- 40.1 - 50
- 50.1 - 60
- 60.1 - 70
- 70.1 - 80
- 80.1 - 90
- 90.1 - 100

School Proficiency Index: Data not Available

AFFHT0006 | Esri, HERE, Garmin, USGS, EPA, NPS   Date created: 2/11/2022

Name: Map 7 - Demographics and School Proficiency

Description: School Proficiency Index for Jurisdiction and Region with race/ethnicity, national origin, family status, and R/ECAPs

Jurisdiction: District Of Columbia (CDBG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

Map 25: National Origin and School Proficiency, Region

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Legend

Jurisdiction

Region

National Origin [Region] (Top 5 most populous)
1 Dot = 75 People
- El Salvador
- Other South America
- Other Central America
- India
- Western Africa

TRACT

R/ECAP

School Proficiency Index
- 0 - 10
- 10.1 - 20
- 20.1 - 30
- 30.1 - 40
- 40.1 - 50
- 50.1 - 60
- 60.1 - 70
- 70.1 - 80
- 80.1 - 90
- 90.1 - 100

School Proficiency Index: Data not Available

AFFHT0006 | Esri, HERE, Garmin, USGS, EPA, NPS

Date created: 2/11/2022

Name: Map 7 - Demographics and School Proficiency

Description: School Proficiency Index for Jurisdiction and Region with race/ethnicity, national origin, family status, and R/ECAPs

Jurisdiction: District Of Columbia (CDBG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

Map 26: Familial Status and School Proficiency, Region

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Legend

Jurisdiction

Region

% of Households that are Families with Children
- 0% - 20%
- 20.1% - 40%
- 40.1% - 60%
- 60.1% - 80%
- 80.1% - 100%

TRACT

R/ECAP

School Proficiency Index
- 0 - 10
- 10.1 - 20
- 20.1 - 30
- 30.1 - 40
- 40.1 - 50
- 50.1 - 60
- 60.1 - 70
- 70.1 - 80
- 80.1 - 90
- 90.1 - 100

School Proficiency Index: Data not Available

Name: Map 7 - Demographics and School Proficiency

Description: School Proficiency Index for Jurisdiction and Region with race/ethnicity, national origin, family status, and R/ECAPs

Jurisdiction: District Of Columbia (CDBG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

In general, White residents across the region have the most access to proficient schools, followed by Asian residents. This is true to a slightly lesser extent for exclusively the population below the poverty line. Native American residents across the region have a moderate level of access to proficient schools, though it decreases for Native Americans living under the poverty line. Black and Hispanic residents throughout the region have the least access to proficient schools, especially those living below the poverty line.

ii. Describe how the disparities in access to proficient schools relate to residential living patterns in the jurisdiction and region.

Montgomery County
Access to proficient schools in Montgomery County correlates with residential living patterns. The county is most densely populated in the southeastern corner; areas surrounding Gaithersburg.

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Rockville, Chevy Chase, and Bethesda are disproportionately White and Asian and have more access to proficient schools. Areas to the east, such as Wheaton and Colesville, are home to a greater number of Black and Hispanic residents, particularly Salvadoran and Eastern African immigrants, and have less access to proficient schools. This is also true of areas just northwest of Gaithersburg, such as Germantown and Montgomery Village.

Region
Disparities in access to proficient education correlate with residential living patterns in the region. Suburban areas have much more access to proficient schools, particularly in Loudoun, Fairfax, and Montgomery Counties. These areas are disproportionately White, and to a lesser extent, Asian or Pacific Islander. In contrast, urban areas with low levels of access to proficient schools are consistently home to larger numbers of Black and Hispanic residents. This includes the District of Columbia and the urban portions of Alexandria and Arlington. But even within these urban areas, where people of color are a majority of the population, access to proficient schools is heavily correlated with race and ethnicity.

iii. Informed by community participation, any consultation with other relevant government agencies, and the participant's own local data and local knowledge, discuss programs, policies, or funding mechanisms that affect disparities in access to proficient schools.

Montgomery County
Montgomery County Schools have implemented an Equity Initiatives Unit that works to "advance racial justice and cultural proficiency by interrupting systems of bias (implicit and explicit), oppression, and inequity in our policies, practices and procedure." The County has also conducted a Boundary Analysis to better identify segregation in schools and is in the process of conducting a more thorough analysis of this.

b. Disparities in Access to Opportunity—Employment

Access to employment at a livable wage is an integral component of broader access to opportunity. Where one lives can affect one's access to employment opportunities and their quality. Access can be affected by proximity of residential areas to places with high concentrations (or low concentrations) of jobs as well as barriers to residents of particular neighborhoods, even when they are close by. The analysis in this section is based on a review of two data indicators for each jurisdiction: the Labor Market Engagement Index and the Jobs Proximity Index. The Labor Market Engagement Index measures, by census tract in a jurisdiction, the level of engagement residents within that tract have in the labor force. Values range from 0 to 100. The higher the score, the higher the rates of employment in that particular area. The Jobs Proximity Index measures, by census tract, the accessibility of employment opportunities to that tract's residents. Values range from 0 to 100. The higher the score, the more access residents from that area have to employment opportunities.

i. Describe any disparities in access to jobs and labor markets by protected class groups in the jurisdiction and region.

Table 15: Labor Market Engagement and Jobs Proximity Indexes

Labor Market Engagement Index	Montgomery County	Region
Total Population		
White, Non-Hispanic	90.80	82.91

Black, Non-Hispanic	81.86	62.67
Hispanic	79.26	74.49
Asian or Pacific Islander, Non-Hispanic	88.02	86.47
Native American, Non-Hispanic	84.35	72.84
Population below Federal Poverty Line		
White, Non-Hispanic	87.71	76.55
Black, Non-Hispanic	80.52	51.91
Hispanic	72.53	69.89
Asian or Pacific Islander, Non-Hispanic	81.69	83.78
Native American, Non-Hispanic	91.08	75.77
Jobs Proximity Index	Montgomery County	Region
Total Population		
White, Non-Hispanic	54.90	48.26
Black, Non-Hispanic	39.92	42.42
Hispanic	41.46	46.50
Asian or Pacific Islander, Non-Hispanic	50.61	53.37
Native American, Non-Hispanic	45.61	44.20
Population below Federal Poverty Line		
White, Non-Hispanic	53.68	50.51
Black, Non-Hispanic	41.07	50.96
Hispanic	38.42	46.40
Asian or Pacific Islander, Non-Hispanic	53.63	58.27
Native American, Non-Hispanic	66.71	55.30

Data source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, data version AFFHT0006.

Map 27: Demographics and Jobs Proximity (Race/Ethnicity), Montgomery County, Maryland

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Name: Map 8 - Demographics and Job Proximity

Description: Jobs Proximity Index for Jurisdiction and Region with race/ethnicity, national origin, family status and R/ECAPs

Jurisdiction: Montgomery County (CDBG, HOME, ESG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

Legend

Jurisdiction

Region

Demographics 2010
1 Dot = 75
White, Non-Hispanic
Black, Non-Hispanic
Native American, Non-Hispanic
Asian/Pacific Islander, Non-Hispanic
Hispanic
Other, Non-Hispanic
Multi-racial, Non-Hispanic

TRACT

R/ECAP

Jobs Proximity Index
0 - 10
10.1 - 20
20.1 - 30
30.1 - 40
40.1 - 50
50.1 - 60
60.1 - 70
70.1 - 80
80.1 - 90
90.1 - 100

Jobs Proximity Index: Data not Available

Map 28: Demographics and Jobs Proximity (National Origin), Montgomery County, Maryland

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Legend

Jurisdiction

Region

National Origin [Jurisdiction] (Top 5 most populous)
1 Dot = 75 People

- El Salvador
- Other_South_America
- India
- China excl. Taiwan
- Eastern Africa

TRACT

R/ECAP

Jobs Proximity Index

- 0 - 10
- 10.1 - 20
- 20.1 - 30
- 30.1 - 40
- 40.1 - 50
- 50.1 - 60
- 60.1 - 70
- 70.1 - 80
- 80.1 - 90
- 90.1 - 100

Jobs Proximity Index: Data not Available

AFFHT0006 | Esri, HERE, Garmin, USGS, EPA, NPS   Date created: 2/1/2022

Name: Map 8 - Demographics and Job Proximity

Description: Jobs Proximity Index for Jurisdiction and Region with race/ethnicity, national origin, family status and R/ECAPs

Jurisdiction: Montgomery County (CDBG, HOME, ESG)

**Region:** Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

Map 29: Demographics and Jobs Proximity (Familial Status), Montgomery County, Maryland

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Legend

Jurisdiction

Region

% of Households that are Families with Children

- 0% - 20%
- 20.1% - 40%
- 40.1% - 60%
- 60.1% - 80%
- 80.1% - 100%

TRACT

R/ECAP

Jobs Proximity Index

- 0 - 10
- 10.1 - 20
- 20.1 - 30
- 30.1 - 40
- 40.1 - 50
- 50.1 - 60
- 60.1 - 70
- 70.1 - 80
- 80.1 - 90
- 90.1 - 100

Jobs Proximity Index: Data not Available

Name: Map 8 - Demographics and Job Proximity

Description: Jobs Proximity Index for Jurisdiction and Region with race/ethnicity, national origin, family status and R/ECAPs

Jurisdiction: Montgomery County (CDBG, HOME, ESG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

Map 30: Demographics and Labor Market (Race/Ethnicity), Montgomery County, Maryland

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Name: Map 9 - Demographics and Labor Market

Description: Labor Engagement Index with race/ethnicity, national origin, family status and R/ECAPs

Jurisdiction: Montgomery County (CDBG, HOME, ESG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

Legend

Jurisdiction

Region

Demographics 2010
1 Dot = 75
White, Non-Hispanic
Black, Non-Hispanic
Native American, Non-Hispanic
Asian/Pacific Islander, Non-Hispanic
Hispanic
Other, Non-Hispanic
Multi-racial, Non-Hispanic

TRACT

R/ECAP

Labor Market Index
0 - 10
10.1 - 20
20.1 - 30
30.1 - 40
40.1 - 50
50.1 - 60
60.1 - 70
70.1 - 80
80.1 - 90
90.1 - 100

Labor Market Index: Data not Available

Map 31: Demographics and Labor Market (National Origin), Montgomery County, Maryland

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Legend

Jurisdiction

Region

National Origin [Jurisdiction] (Top 5 most populous)
1 Dot = 75 People
- El Salvador
- Other_South_America
- India
- China excl. Taiwan
- Eastern Africa

TRACT

R/ECAP

Labor Market Index
- 0 - 10
- 10.1 - 20
- 20.1 - 30
- 30.1 - 40
- 40.1 - 50
- 50.1 - 60
- 60.1 - 70
- 70.1 - 80
- 80.1 - 90
- 90.1 - 100

Labor Market Index: Data not Available

AFFHT0006 | Esri, HERE, Garmin, USGS, EPA, NPS

Date created: 2/1/2022

Name: Map 9 - Demographics and Labor Market
Description: Labor Engagement Index with race/ethnicity, national origin, family status and R/ECAPs
Jurisdiction: Montgomery County (CDBG, HOME, ESG)
Region: Washington-Arlington-Alexandria, DC-VA-MD-WV
HUD-Provided Data Version: AFFHT0006

Map 32: Demographics and Labor Market (Familial Status), Montgomery County, Maryland

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Legend

Jurisdiction

Region

% of Households that are Families with Children
- 0% - 20%
- 20.1% - 40%
- 40.1% - 60%
- 60.1% - 80%
- 80.1% - 100%

TRACT

R/ECAP

Labor Market Index
- 0 - 10
- 10.1 - 20
- 20.1 - 30
- 30.1 - 40
- 40.1 - 50
- 50.1 - 60
- 60.1 - 70
- 70.1 - 80
- 80.1 - 90
- 90.1 - 100

Labor Market Index: Data not Available

Name: Map 9 - Demographics and Labor Market

Description: Labor Engagement Index with race/ethnicity, national origin, family status and R/ECAPs

Jurisdiction: Montgomery County (CDBG, HOME, ESG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006
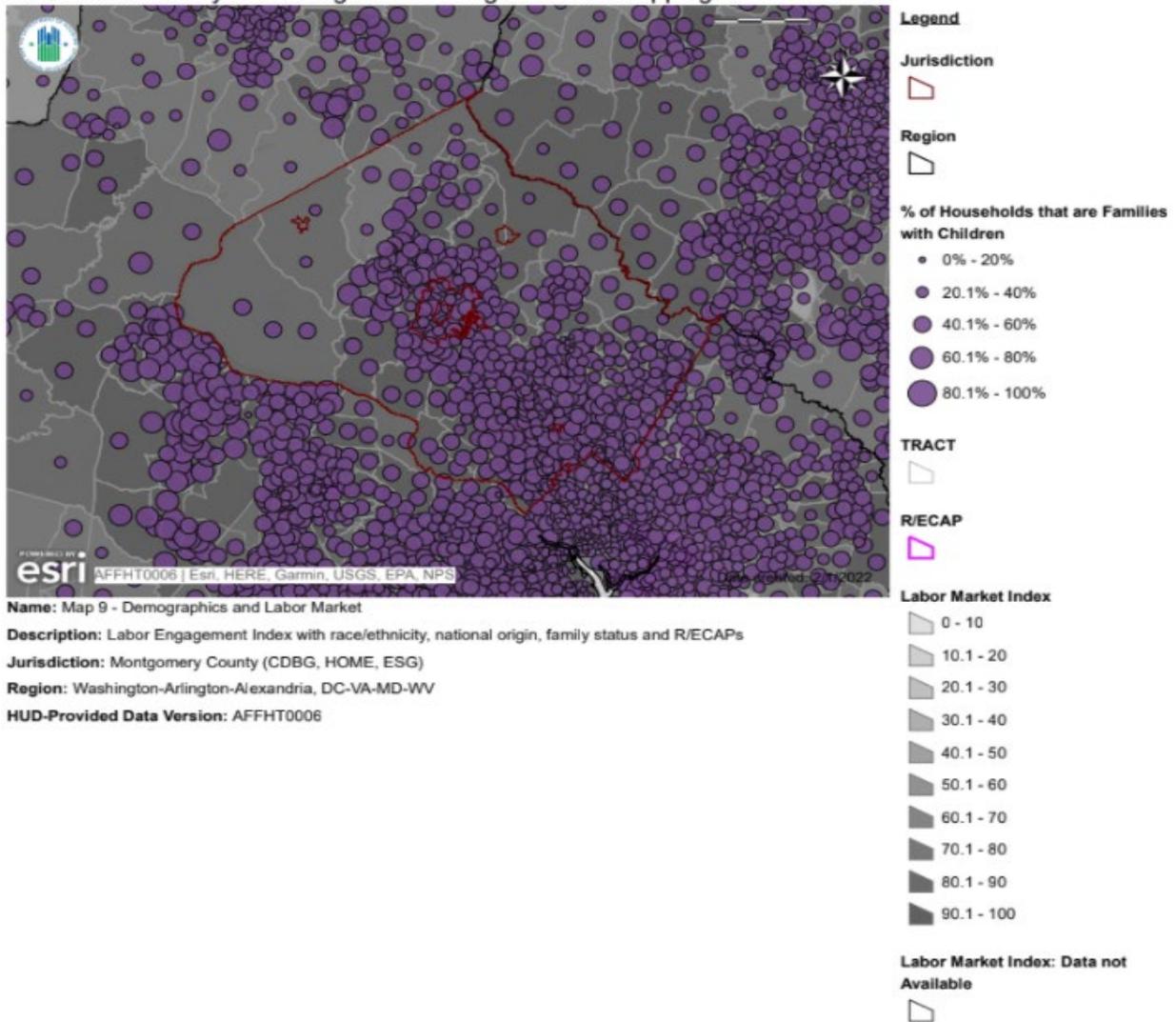
Montgomery County

Montgomery County has significant racial disparities in job market engagement ranging from 91 to 79 points. This disparity is most pronounced between White and Hispanic residents, with White residents having a Labor Market Engagement Index value 12 points higher than Hispanic residents. The disparities in index values between other residents of color and White residents are smaller but still noteworthy, particularly for Black and Native American residents. The disparities for populations below the poverty line closely correspond to the disparities for the overall groups. One deviation from this similarity is that, unlike the general population of Asians, those below the poverty line have a much lower job market engagement value than White residents—a value more akin to the value for Black residents who live below the poverty line.

Montgomery County has moderate to low Jobs Proximity Index values. Based on racial groupings, disparities emerge between White, Black, and Hispanic residents following a pattern similar to that discussed above. The most significant disparity here is between White and Black residents, with an index value difference of nearly 15 points. But when economic status is factored in, other residents of color have the greatest disparity in jobs proximity values compared with White residents. Here,

59

Hispanic residents below the poverty line have the lowest index value for jobs proximity, 38, while Black residents' value is slightly higher, 41.

Map 33: Demographics and Jobs Proximity (Race/Ethnicity), Region
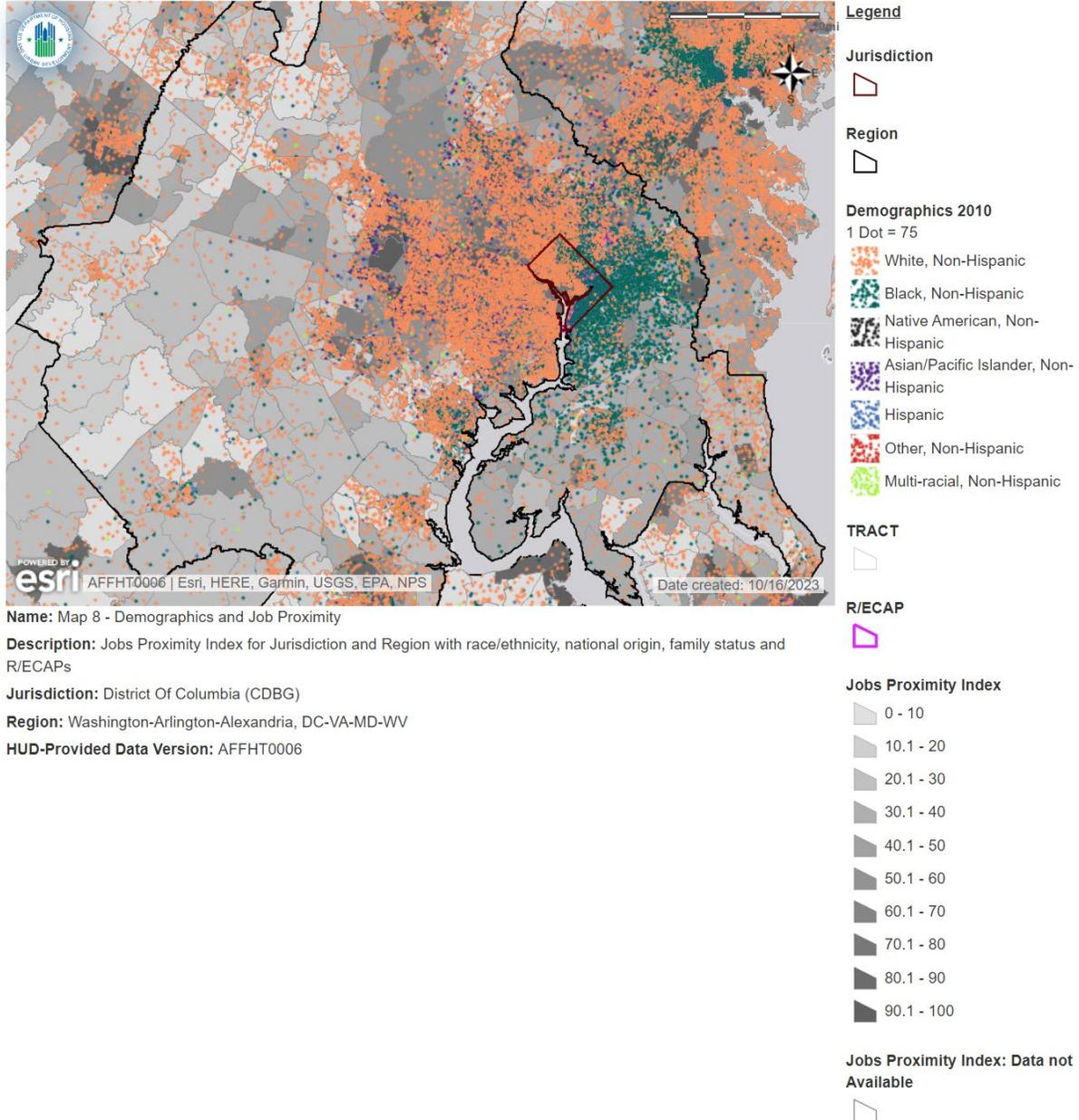
HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Name: Map 8 - Demographics and Job Proximity

Description: Jobs Proximity Index for Jurisdiction and Region with race/ethnicity, national origin, family status and R/ECAPs

Jurisdiction: District Of Columbia (CDBG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

Map 34: Demographics and Jobs Proximity (National Origin), Region

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Legend

Jurisdiction

Region

National Origin [Region] (Top 5 most populous)
1 Dot = 75 People
- El Salvador
- Other South America
- Other Central America
- India
- Western Africa

TRACT

R/ECAP

Jobs Proximity Index
- 0 - 10
- 10.1 - 20
- 20.1 - 30
- 30.1 - 40
- 40.1 - 50
- 50.1 - 60
- 60.1 - 70
- 70.1 - 80
- 80.1 - 90
- 90.1 - 100

Jobs Proximity Index: Data not Available
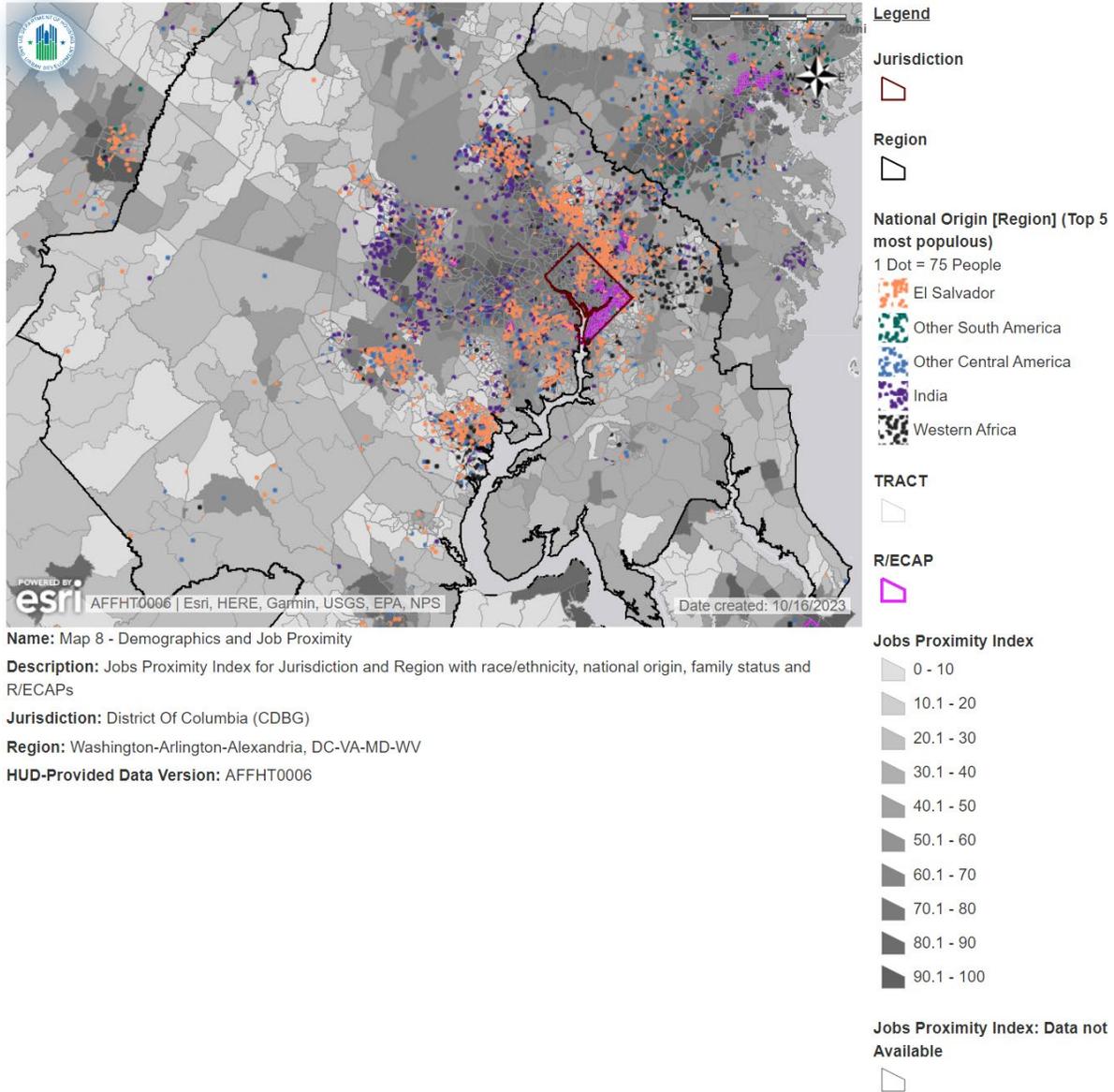
Name: Map 8 - Demographics and Job Proximity

Description: Jobs Proximity Index for Jurisdiction and Region with race/ethnicity, national origin, family status and R/ECAPs

Jurisdiction: District Of Columbia (CDBG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

Map 35: Demographics and Jobs Proximity (Familial Status), Region

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Name: Map 8 - Demographics and Job Proximity

Description: Jobs Proximity Index for Jurisdiction and Region with race/ethnicity, national origin, family status and R/ECAPs

Jurisdiction: District Of Columbia (CDBG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

Legend

Jurisdiction

Region

% of Households that are Families with Children
- 0% - 20%
- 20.1% - 40%
- 40.1% - 60%
- 60.1% - 80%
- 80.1% - 100%

TRACT

R/ECAP

Jobs Proximity Index
- 0 - 10
- 10.1 - 20
- 20.1 - 30
- 30.1 - 40
- 40.1 - 50
- 50.1 - 60
- 60.1 - 70
- 70.1 - 80
- 80.1 - 90
- 90.1 - 100

Jobs Proximity Index: Data not Available

Map 36: Demographics and Labor Market (Race/Ethnicity), Region

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Legend

Jurisdiction

Region

Demographics 2010
1 Dot = 75
- White, Non-Hispanic
- Black, Non-Hispanic
- Native American, Non-Hispanic
- Asian/Pacific Islander, Non-Hispanic
- Hispanic
- Other, Non-Hispanic
- Multi-racial, Non-Hispanic

TRACT

R/ECAP

Labor Market Index
- 0 - 10
- 10.1 - 20
- 20.1 - 30
- 30.1 - 40
- 40.1 - 50
- 50.1 - 60
- 60.1 - 70
- 70.1 - 80
- 80.1 - 90
- 90.1 - 100

Labor Market Index: Data not Available

AFFHT0006 | Esri, HERE, Garmin, USGS, EPA, NPS   Date created: 4/3/2022

Name: Map 9 - Demographics and Labor Market
Description: Labor Engagement Index with race/ethnicity, national origin, family status and R/ECAPs
Jurisdiction: District Of Columbia (CDBG)
Region: Washington-Arlington-Alexandria, DC-VA-MD-WV
HUD-Provided Data Version: AFFHT0006

Map 37: Demographics and Labor Market (National Origin), Region

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Name: Map 9 - Demographics and Labor Market

Description: Labor Engagement Index with race/ethnicity, national origin, family status and R/ECAPs

Jurisdiction: District Of Columbia (CDBG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

Map 38: Demographics and Labor Market (Familial Status), Region

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Legend

Jurisdiction

Region

% of Households that are Families with Children
- 0% - 20%
- 20.1% - 40%
- 40.1% - 60%
- 60.1% - 80%
- 80.1% - 100%

TRACT

R/ECAP

Labor Market Index
- 0 - 10
- 10.1 - 20
- 20.1 - 30
- 30.1 - 40
- 40.1 - 50
- 50.1 - 60
- 60.1 - 70
- 70.1 - 80
- 80.1 - 90
- 90.1 - 100

Labor Market Index: Data not Available

Date created: 4/3/2022

Name: Map 9 - Demographics and Labor Market

Description: Labor Engagement Index with race/ethnicity, national origin, family status and R/ECAPs

Jurisdiction: District Of Columbia (CDBG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

Region
The region as a whole has fairly high job engagement values across all racial groups, however, clear racial disparities in job engagement are present. This pattern is consistent with the jurisdictional trends in the area. Regionally, the Labor Market Engagement Index values are much higher for Asian and White residents than for Black, Hispanic, and Native American residents. When economic status is considered, there is some slight variation in these disparities. Labor engagement values continue to be comparatively lower for Black and Hispanic residents, while they are higher for White, Asian, and Native American residents. When the Labor Market Engagement Index value for Asian residents is compared with the value for Black residents, the disparity is stark—a difference of more than 20 points. This regional value difference is much more pronounced than the differences in index values within the smaller jurisdictions.

Jobs proximity values for the region are moderate but veer toward the lower end of the index range. The index values tend to be higher for residents who live in the District or in counties adjacent than for those farther away. In part, this can be attributed to the geographic distance of jurisdictions from the hub of labor activity. Additionally, there are more transportation options toward the center of D.C. than in the outer regions of the area. Jobs proximity values for residents with incomes below the poverty line change little and, in some instances, the values increase for certain racial and ethnic groups.

ii. *For the protected class groups for which HUD has provided data, describe how disparities in access to employment relate to residential living patterns in the jurisdiction and region.*

Montgomery County
There is a fairly even distribution of high labor market engagement throughout the area. Residents tend to reside in the central part of the county, which has the highest labor market engagement values. Within this central part, there are some racial divisions. White residents are more likely to live in two of the tracts with the highest labor market engagement values, while between these two tracts is a predominantly Hispanic population with a slightly lower labor market engagement value.

Irrespective of race and ethnicity, residents tend to live near high jobs proximity areas, although the specific tracts for Black and Hispanic residents have lower labor market engagement values. Immigrant communities also tend to cluster around this central corridor with higher labor market engagement values. Both Indian and Chinese residents live in a fairly dispersed pattern throughout the corridor, but Hispanic residents are less equally dispersed, with a large share of residents living in the southeast part of the county. This area has lower labor market engagement values than the tracts surrounding it.

Jobs proximity rankings are unevenly distributed in the county. Areas on the eastern side have lower jobs proximity values, while the central and western areas have higher jobs proximity values. Many residents from all racial and ethnic groups live near the central corridor, but White residents tend to reside on the west side of the corridor, where jobs proximity values are higher than in the east. Larger percentages of Black and Hispanic residents reside on the eastern side, but Asian residents tend to reside in the northwest. Both of these areas have significantly lower jobs proximity values than the areas where White residents predominate. Salvadorans predominantly live in the southeast section of the area, where the tracts have lower jobs proximity values. Indians also live in the southeast section but in a portion of the area with slightly higher values. Some Salvadoran and Indian residents live in the northern part of the central corridor, but they, too, reside in tracts with lower jobs proximity values.

Region
Job engagement is higher in the jurisdictions that border the District as well as the more outlying jurisdictions. In contrast, the District has lower Labor Market Engagement Index values. The trend for

jobs proximity data is the inverse. As previously noted, because D.C. has the most extensive transportation system, jobs proximity values are higher simply because commuter times are shorter for those living closer to D.C. There is also a small pocket in Prince William County on the southern border, near a major military installation, with higher proximity values than the rest of the region. The residential patterns do not show a correlation between jobs proximity values and race. In the D.C. area and its borders, White residents live primarily in the north and on the western side, and a larger proportion of Black residents reside in Southeast D.C. and adjoining Prince George's County, but the jobs proximity values are roughly the same.

iii. *Informed by community participation, any consultation with other relevant government agencies, and the participant's own local data and local knowledge, discuss programs, policies, or funding mechanisms that affect disparities in access to employment.*

In comparison with other counties in Maryland, Montgomery County has a fairly strong employment climate with an unemployment rate of 3.9 percent, but racial disparities in unemployment rates exist here.[13] The unemployment rates for White, Asian, and Native American residents are fairly similar, with the White population having the lowest unemployment rate, 3.3 percent.[14] By contrast, the unemployment rate for the Black population is 7.4 percent—significantly larger than for other racial groups. The Hispanic population also has a higher unemployment rate (5.3 percent) than White, Asian (3.5 percent), and Native American groups (3.6 percent).

Sector category data in Montgomery County show that racial disparities in job opportunities are present. In the county, 57.2 percent of the population work in the management category, with 16.1 percent working in service, 14.7 percent in sales and office, 6.4 percent in natural resources, and 5.7 percent in production.[15] While 67 percent of White employees work in management, only 47.6 percent of Black employees do. The Asian population has a slightly lower percentage of workers in the management category than White residents do, 65.1 percent. Only 25.1 percent of Hispanic employees work in management—the lowest percentage of workers in this category of any racial group. By contrast, only 10.8 percent of White employees work in service, compared with 21.6 percent of Black employees and 30.8 percent of Hispanic employees. The same disparity holds for the production category, with 11.5 percent of Black employees but only 4.2 percent of White employees engaged in this occupation.

These disparities in occupation translate to inequities in wages and benefits, producing and reinforcing social and economic disparities between White, Black, and Hispanic households in the county. Although the median household income for the entire population is $110,389, the median income for White households is $135,635, while for Black households the median income is $68,489—roughly half that of White households.[16] Asian households also have disproportionately higher median incomes than Black households. However, the median income of Hispanic households is closer to that of Black households, about $75,547.

Montgomery County has also passed "ban the box" legislation that is more restrictive than Maryland's law passed in 2014. Under the County's law, an employer may not ask for criminal record–related information until after extending a conditional offer to the employee, and certain records cannot be examined, including first convictions for trespass, misdemeanor convictions from three or more years prior, arrest records that did not result in a conviction, or expunged matters (Montgomery County Code, Chp.27 § 27-72(b-c)). Hiring and promotion decisions cannot be made with consideration of an employee's or candidate's arrest or conviction record (Montgomery County Code, Chp.27 § 27-72(d)). Similarly, the County also restricts the use of criminal record information for housing application purposes (Montgomery County Code, Chp.27 § 27-15(A)). Together, these provisions will ensure that residents with criminal records, who tend to disproportionately be people of color, can overcome some

degree of prejudice to access employment and housing opportunities. In passing these two laws, County Executive Marc Elrich echoed this same sentiment, noting that "marginalized populations face societal and economic barriers that make it difficult to access employment and housing, and these laws will help combat discrimination and create a fair application process."[17]

In Montgomery County, the Maryland Department of Labor partners with local nonprofits and other state agencies to provide job training and employment placement supports to residents. Montgomery County has the WorkSource Montgomery American Job Center, which helps job seekers identify jobs and training opportunities.[18] The County also has several programs that target youth, veterans, immigrants, incarcerated individuals, and individuals with visual impairments to prepare and support their entry into the workforce through job training, apprenticeships, second language education, and employer partnerships.[19]

c. Disparities in Access to Opportunity—Transportation

i. Describe any disparities in access to transportation related in the jurisdiction and region.

The Low Transportation Cost Index and Transit Trips Index are used to measure access to transportation within a location. The Low Transportation Cost Index measures access to low-cost transportation services, and the Transit Trips Index measures how often residents take transit trips. Scores range from 0 to 100. A higher score correlates to better transportation access.

Table 16: Transit Trips and Low Transportation Cost Indexes

Transit Trips Index	Montgomery County	Region
Total Population		
White, Non-Hispanic	74.10	64.69
Black, Non-Hispanic	76.59	72.81
Hispanic	76.76	74.25
Asian or Pacific Islander, Non-Hispanic	73.81	73.66
Native American, Non-Hispanic	74.85	65.28
Population below Federal Poverty Line		
White, Non-Hispanic	76.77	64.97
Black, Non-Hispanic	77.88	80.43
Hispanic	79.16	77.28
Asian or Pacific Islander, Non-Hispanic	77.61	77.63
Native American, Non-Hispanic	82.16	75.29

Low Transportation Cost Index	Montgomery County	Region
Total Population		
White, Non-Hispanic	88.90	87.43
Black, Non-Hispanic	91.51	91.18
Hispanic	91.26	91.47
Asian or Pacific Islander, Non-Hispanic	89.34	89.94
Native American, Non-Hispanic	90.22	88.87
Population below Federal Poverty Line		
White, Non-Hispanic	91.16	88.80
Black, Non-Hispanic	92.66	94.08
Hispanic	92.81	92.91
Asian or Pacific Islander, Non-Hispanic	92.44	89.94
Native American, Non-Hispanic	94.41	88.87

Data source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, data version AFFHT0006.

Map 39: Demographics and Transit Trips (Race/Ethnicity), Montgomery County, Maryland

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Legend

Jurisdiction

Region

Demographics 2010
1 Dot = 75
- White, Non-Hispanic
- Black, Non-Hispanic
- Native American, Non-Hispanic
- Asian/Pacific Islander, Non-Hispanic
- Hispanic
- Other, Non-Hispanic
- Multi-racial, Non-Hispanic

TRACT

R/ECAP

Transit Trips Index
- 0 - 10
- 10.1 - 20
- 20.1 - 30
- 30.1 - 40
- 40.1 - 50
- 50.1 - 60
- 60.1 - 70
- 70.1 - 80
- 80.1 - 90
- 90.1 - 100

Transit Trips Index: Data not Available

AFFHT0006 | Esri, HERE, Garmin, USGS, EPA, NPS

Date created: 2/15/2022

Name: Map 10 - Demographics and Transit Trips

Description: Transit Trips Index for Jurisdiction and Region with race/ethnicity, national origin, family status and R/ECAPs

Jurisdiction: Montgomery County (CDBG, HOME, ESG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Legend

Jurisdiction

Region

National Origin [Jurisdiction] (Top 5 most populous)
1 Dot = 75 People
El Salvador
Other_South_America
India
China excl. Taiwan
Eastern Africa

TRACT

R/ECAP

Transit Trips Index
0 - 10
10.1 - 20
20.1 - 30
30.1 - 40
40.1 - 50
50.1 - 60
60.1 - 70
70.1 - 80
80.1 - 90
90.1 - 100

Transit Trips Index: Data not Available

Name: Map 10 - Demographics and Transit Trips

Description: Transit Trips Index for Jurisdiction and Region with race/ethnicity, national origin, family status and R/ECAPs

Jurisdiction: Montgomery County (CDBG, HOME, ESG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

AFFHT0006 | Esri, HERE, Garmin, USGS, EPA, NPS   Date created: 2/1/2022

Map 41: Demographics and Transit Trips (Familial Status), Montgomery County, Maryland

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Legend

Jurisdiction

Region

% of Households that are Families with Children
- 0% - 20%
- 20.1% - 40%
- 40.1% - 60%
- 60.1% - 80%
- 80.1% - 100%

TRACT

R/ECAP

Transit Trips Index
- 0 - 10
- 10.1 - 20
- 20.1 - 30
- 30.1 - 40
- 40.1 - 50
- 50.1 - 60
- 60.1 - 70
- 70.1 - 80
- 80.1 - 90
- 90.1 - 100

Transit Trips Index: Data not Available

Name: Map 10 - Demographics and Transit Trips

Description: Transit Trips Index for Jurisdiction and Region with race/ethnicity, national origin, family status and R/ECAPs

Jurisdiction: Montgomery County (CDBG, HOME, ESG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

Map 42: Demographics and Low Transportation Cost (Race/Ethnicity), Montgomery County, Maryland

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Name: Map 11 - Demographics and Low Transportation Cost

Description: Low Transportation Cost Index with race/ethnicity, national origin, family status and R/ECAPs

Jurisdiction: Montgomery County (CDBG, HOME, ESG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

Legend

Jurisdiction

Region

Demographics 2010
1 Dot = 75

White, Non-Hispanic

Black, Non-Hispanic

Native American, Non-Hispanic

Asian/Pacific Islander, Non-Hispanic

Hispanic

Other, Non-Hispanic

Multi-racial, Non-Hispanic

TRACT

R/ECAP

Low Transportation Cost Index

0 - 10

10.1 - 20

20.1 - 30

30.1 - 40

40.1 - 50

50.1 - 60

60.1 - 70

70.1 - 80

80.1 - 90

90.1 - 100

Low Transportation Cost Index: Data not Available

Map 43: Demographics and Low Transportation Cost (National Origin), Montgomery County, Maryland

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Legend

Jurisdiction

Region

National Origin [Jurisdiction] (Top 5 most populous)
1 Dot = 75 People
- El Salvador
- Other_South_America
- India
- China excl. Taiwan
- Eastern Africa

TRACT

R/ECAP

Low Transportation Cost Index
- 0 - 10
- 10.1 - 20
- 20.1 - 30
- 30.1 - 40
- 40.1 - 50
- 50.1 - 60
- 60.1 - 70
- 70.1 - 80
- 80.1 - 90
- 90.1 - 100

Low Transportation Cost Index: Data not Available

Name: Map 11 - Demographics and Low Transportation Cost
Description: Low Transportation Cost with race/ethnicity, national origin, family status and R/ECAPs
Jurisdiction: Montgomery County (CDBG, HOME, ESG)
Region: Washington-Arlington-Alexandria, DC-VA-MD-WV
HUD-Provided Data Version: AFFHT0006

Map 44: Demographics and Low Transportation Cost (Familial Status), Montgomery County, Maryland

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Name: Map 11 - Demographics and Low Transportation Cost
Description: Low Transportation Cost Index with race/ethnicity, national origin, family status and R/ECAPs
Jurisdiction: Montgomery County (CDBG, HOME, ESG)
Region: Washington-Arlington-Alexandria, DC-VA-MD-WV
HUD-Provided Data Version: AFFHT0006

Legend

Jurisdiction

Region

% of Households that are Families with Children
- 0% - 20%
- 20.1% - 40%
- 40.1% - 60%
- 60.1% - 80%
- 80.1% - 100%

TRACT

R/ECAP

Low Transportation Cost Index
- 0 - 10
- 10.1 - 20
- 20.1 - 30
- 30.1 - 40
- 40.1 - 50
- 50.1 - 60
- 60.1 - 70
- 70.1 - 80
- 80.1 - 90
- 90.1 - 100

Low Transportation Cost Index: Data not Available

Montgomery County
There are no meaningful disparities in access to transportation by race in Montgomery. For the total population, transit trip values range from 74.10 to 76.76, while low-cost transportation scores range from 88.90 to 91.51. These scores are slightly higher for those below the poverty line, but the ranges among racial groups remain relatively consistent.

Region
The District has the highest values of the Transit Trips and Low Transportation Cost Indexes, followed by the closer in suburbs of Alexandria and Arlington. Index values continue to decline farther from the center of the region, with Gaithersburg, Fairfax County, and Montgomery County having the next highest values, and Loudoun County and Prince William County the lowest.

Map 45: Demographics and Transit Trips (Race/Ethnicity), Region
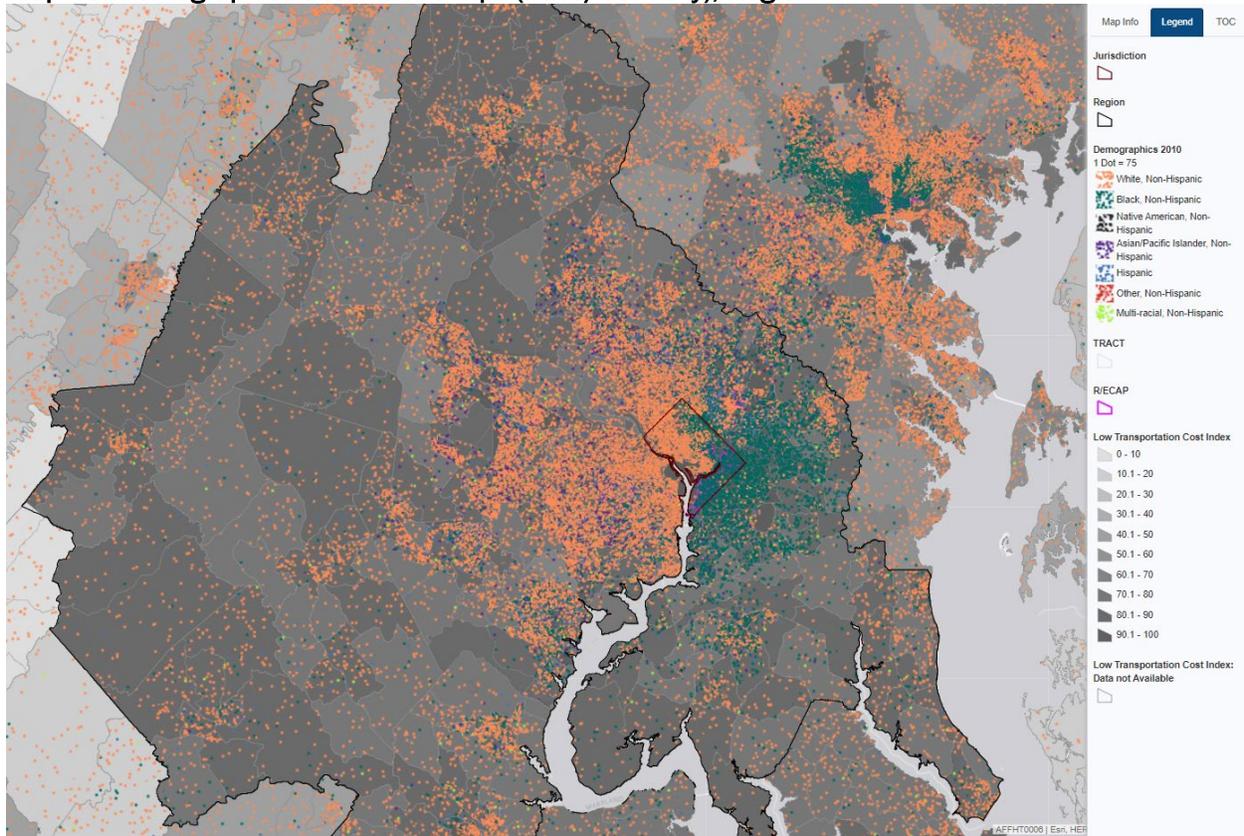
Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, data version AFFHT0006.

Map 46: Demographics and Transit Trips (National Origin), Region
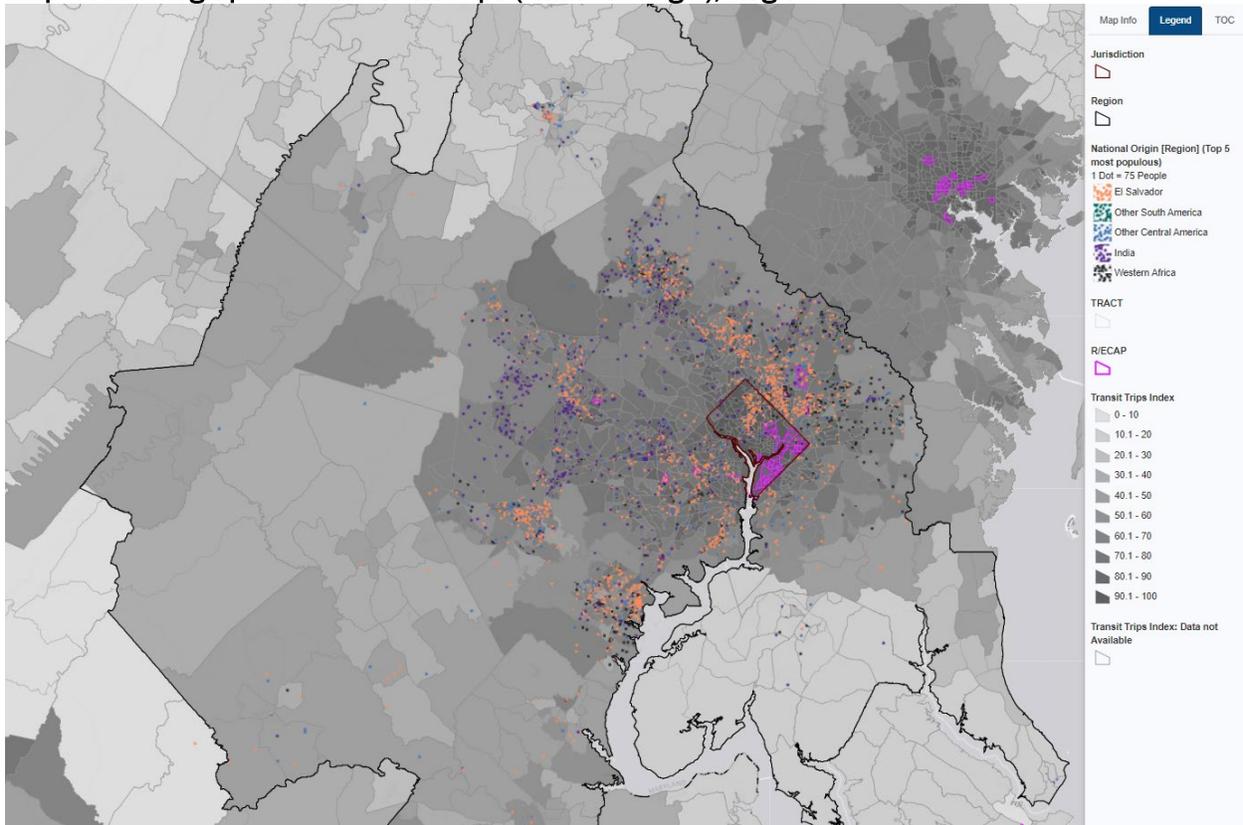
Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, data version AFFHT0006.

Map 47: Demographics and Transit Trips (Familial Status), Region

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Legend

Jurisdiction

Region

% of Households that are Families with Children
- 0% - 20%
- 20.1% - 40%
- 40.1% - 60%
- 60.1% - 80%
- 80.1% - 100%

TRACT

R/ECAP

Transit Trips Index
- 0 - 10
- 10.1 - 20
- 20.1 - 30
- 30.1 - 40
- 40.1 - 50
- 50.1 - 60
- 60.1 - 70
- 70.1 - 80
- 80.1 - 90
- 90.1 - 100

Transit Trips Index: Data not Available

Name: Map 10 - Demographics and Transit Trips

Description: Transit Trips Index for Jurisdiction and Region with race/ethnicity, national origin, family status and R/ECAPs

Jurisdiction: District Of Columbia (CDBG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

Map 48: Demographics and Low Transportation Cost (Race/Ethnicity), Region
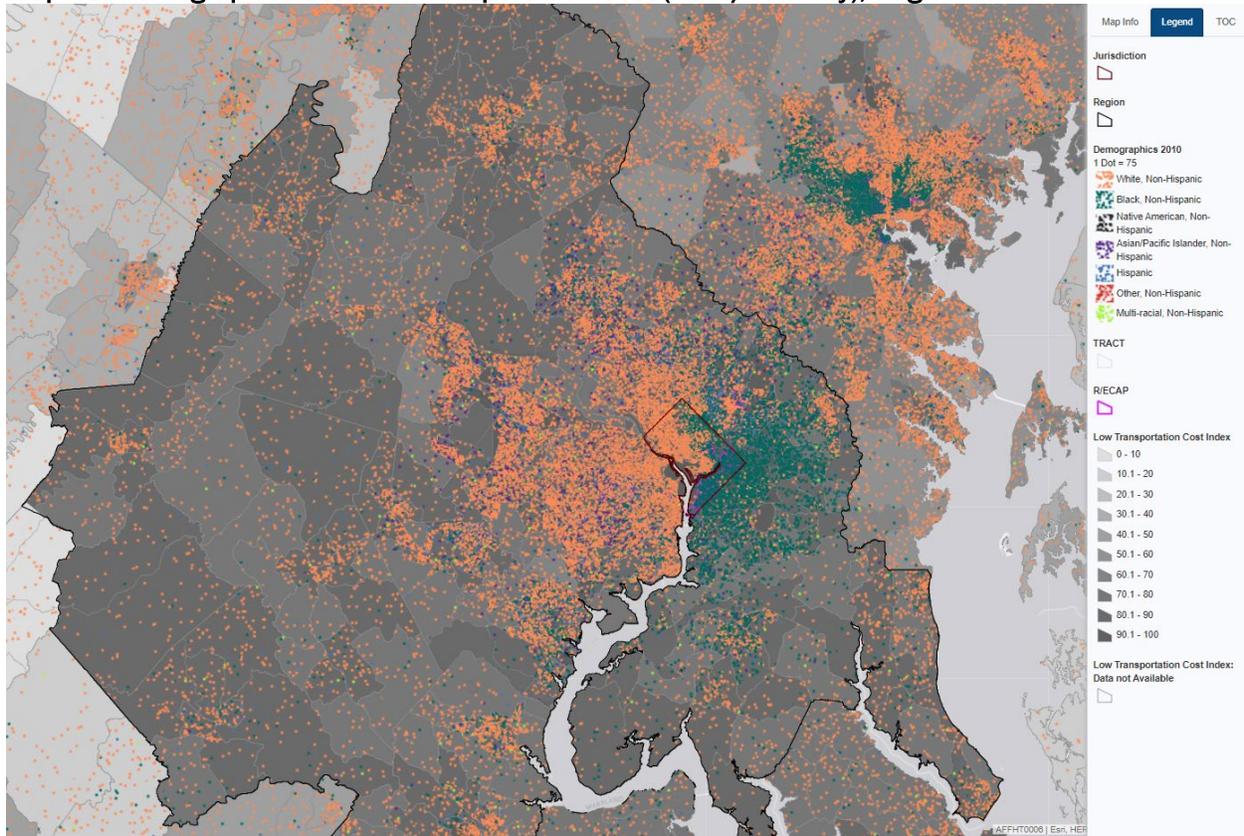
Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, data version AFFHT0006.

Map 49: Demographics and Low Transportation Cost (National Origin), Region
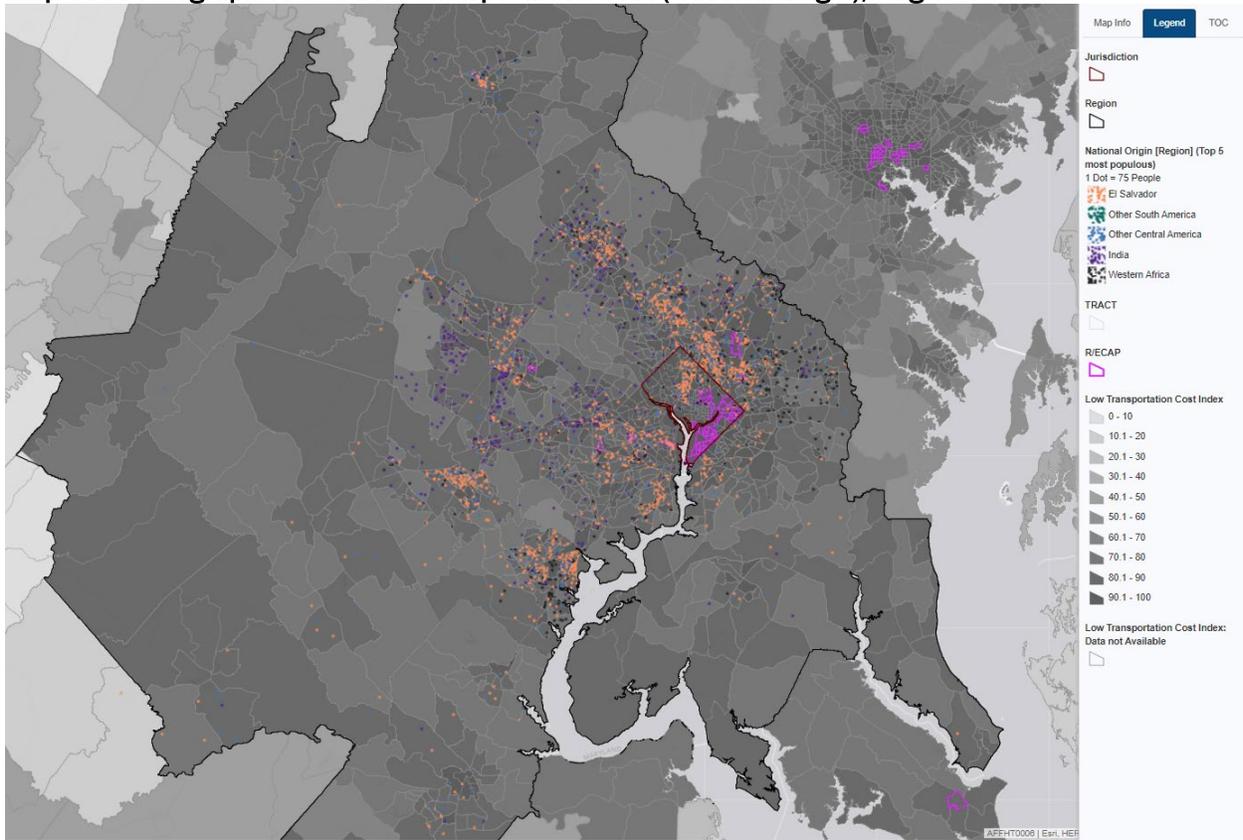

Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, data version AFFHT0006.

Map 50: Demographics and Low Transportation Cost (Familial Status), Region

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Name: Map 11 - Demographics and Low Transportation Cost
Description: Low Transportation Cost Index with race/ethnicity, national origin, family status and R/ECAPs
Jurisdiction: District Of Columbia (CDBG)
Region: Washington-Arlington-Alexandria, DC-VA-MD-WV
HUD-Provided Data Version: AFFHT0006

Legend

Jurisdiction

Region

% of Households that are Families with Children
- 0% - 20%
- 20.1% - 40%
- 40.1% - 60%
- 60.1% - 80%
- 80.1% - 100%

TRACT

R/ECAP

Low Transportation Cost Index
- 0 - 10
- 10.1 - 20
- 20.1 - 30
- 30.1 - 40
- 40.1 - 50
- 50.1 - 60
- 60.1 - 70
- 70.1 - 80
- 80.1 - 90
- 90.1 - 100

Low Transportation Cost Index: Data not Available

Region

Throughout the region, access to low-cost transportation is relatively high compared with the rest of the country. To the extent that there are disparities based on race and ethnicity, the lowest Transit Trips Index values are for White residents, at a regional level of 64.69 for the total population, compared with Black residents at 72.81, Hispanic residents at 74.25, Asian or Pacific Islander residents at 73.66, and Native American residents at 65.28. This distribution is even more pronounced for individuals living below the poverty line, with the value for White residents at 64.97, Black residents at 80.43, Hispanic residents at 77.28, Asian or Pacific Islander residents at 77.63, and Native American residents at 75.29.

The Low Transportation Cost Index follows a similar, though less pronounced, distribution with values ranging from 87.43 to 91.47 for each group in the population. Once again, values are lowest for White residents and highest for Hispanic residents, followed closely by Black residents at 91.18, Asian or

Pacific Islander residents at 89.94, and Native American residents at 88.87. For those living below the poverty line, Low Transportation Cost Index values range from 88.80 to 94.08, with the worst transportation values for White residents living below the poverty line, and the highest for Black residents. The second-highest value is for Hispanic residents, at 92.91, followed closely by Asian or Pacific Islander residents at 92.60 and Native American residents at 92.25.

These statistics, however, are slightly misleading in that they do not control for the population density and are skewed by the lack of public transit in suburban areas that are disproportionately White. It remains true that a higher percentage of Black and Hispanic residents rely on public transit, such that these numbers do not fully reflect existing inequities in transportation.

ii. *For the protected class groups HUD has provided data, describe how disparities in access to transportation related to residential living patterns in the jurisdiction and region.*

Montgomery County
Transit trip values are highest in the southeastern corner of the county, which is both closest to the District and more densely populated, and in the area surrounding Gaithersburg. These scores decrease to the west, which is less densely populated. Damascus has the lowest transit trip value in the county. There is less variation in low transportation cost values throughout the county, such that there are no meaningful patterns to discern.

Region
To the extent that there are disparities in access to transportation, they do correlate with residential living patterns. White residents are more likely to live in more suburban areas farther from D.C. that have less access to transportation. Indeed, the lack of public transit in these areas may explain why they are disproportionately White, as Black and Hispanic residents are more likely to rely on public transit. In contrast, areas of the region that are home to more Black and Hispanic residents, like D.C. proper, have greater access to transportation.

iii. *Informed by community participation, any consultation with other relevant government agencies, and the participant's own local data and local knowledge, discuss programs, policies, or funding mechanisms that affect disparities in access to transportation.*

Montgomery County
Montgomery County has taken several steps to reduce racial inequity in access to public transit. As published on its website, the County has taken the following actions to improve racial equity in transit:
● conducting studies, such as the Ride On Reimagined Study, a comprehensive assessment of the County's existing and planned transit system, with an explicit goal of improving racial equity
● the Bus Priority Project which includes multiple advancements for bus operations such as dedicated bus lanes, bus signal priority, and enhanced bus stops
● a fare equity study to determine which fare structure best promotes equity
● budgeting to advance two rapid transit bus lines in Equity Emphasis Areas, including routes on Veirs Mill Road and the central section of MD 355
● designing and constructing the first two routes of the Great Seneca Transit Network, with hubs at the Shady Grove Metrorail station, the Universities at Shady Grove, and Adventist HealthCare Shady Grove Medical Center, providing a vital, direct link to jobs, education, and health care
● the Call-n-Ride program for low-income older adults and individuals with disabilities, offering subsidized taxi trips to help transport participants to medical or personal appointments and for essential delivery services.
● additional low-income alternative travel programs, including free Capital Bikeshare for those who meet income eligibility and reduced fees for electronic scooters

d. Disparities in Access to Opportunity—Access to Low-Poverty Neighborhoods

i. Describe any disparities in access to low-poverty neighborhoods in the jurisdiction and region.

Disparities in access to low-poverty neighborhoods is measured by the Low Poverty Index. The Low Poverty Index is a HUD calculation using both family poverty rates and public assistance receipt in the form of cash welfare (such as Temporary Assistance for Needy Families). This is calculated at the census tract level. The higher the score, the less exposure to poverty in the neighborhood.

Some tables and maps in this section are sourced from the HUD tool, which used 2011–2015 five-year ACS data. These tables and maps are accessible to all, and anyone can use them to numerically and spatially analyze jurisdictions or communities of interest. Other tables and maps the Urban Institute created are based on 2015–2019 five-Year ACS estimated data. Some of the maps, therefore, identify different census tracts as R/ECAPs and reflect slightly different demographic data.

Table 17: Low Poverty Index

	Montgomery County	Region
Total Population		
White, Non-Hispanic	83.87	79.93
Black, Non-Hispanic	70.66	61.71
Hispanic	69.28	65.57
Asian or Pacific Islander, Non-Hispanic	79.37	78.68
Native American, Non-Hispanic	74.87	70.77
Population below Federal Poverty Line		
White, Non-Hispanic	75.88	71.36
Black, Non-Hispanic	67.20	45.68
Hispanic	58.84	56.92
Asian or Pacific Islander, Non-Hispanic	67.20	68.99
Native American, Non-Hispanic	82.18	64.66

Data source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, data version AFFHT0006.

Map 51: Demographics and Low-Poverty Neighborhoods (Race/Ethnicity), Montgomery County, Maryland

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Legend

Jurisdiction

Region

Demographics 2010
1 Dot = 75

White, Non-Hispanic

Black, Non-Hispanic

Native American, Non-Hispanic

Asian/Pacific Islander, Non-Hispanic

Hispanic

Other, Non-Hispanic

Multi-racial, Non-Hispanic

TRACT

R/ECAP

Low Poverty Index

0 - 10

10.1 - 20

20.1 - 30

30.1 - 40

40.1 - 50

50.1 - 60

60.1 - 70

70.1 - 80

80.1 - 90

90.1 - 100

Low Poverty Index: Data not Available

AFFHT0006 | Esri, HERE, Garmin, USGS, EPA, NPS

Date created: 2/15/2022

Name: Map 12 - Demographics and Poverty

Description: Low Poverty Index with race/ethnicity, national origin, family status and R/ECAPs

Jurisdiction: Montgomery County (CDBG, HOME, ESG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

Map 52: Demographics and Low Poverty Neighborhoods (National Origin), Montgomery County, Maryland

Map 53: Demographics and Low Poverty Neighborhoods (Familial Status), Montgomery County, Maryland

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Legend

Jurisdiction

Region

% of Households that are Families with Children
- 0% - 20%
- 20.1% - 40%
- 40.1% - 60%
- 60.1% - 80%
- 80.1% - 100%

TRACT

R/ECAP

Low Poverty Index
- 0 - 10
- 10.1 - 20
- 20.1 - 30
- 30.1 - 40
- 40.1 - 50
- 50.1 - 60
- 60.1 - 70
- 70.1 - 80
- 80.1 - 90
- 90.1 - 100

Low Poverty Index: Data not Available

Name: Map 12 - Demographics and Poverty

Description: Low Poverty Index with race/ethnicity, national origin, family status and R/ECAPs

Jurisdiction: Montgomery County (CDBG, HOME, ESG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

Poverty Rates by Census Tract in Montgomery County, Maryland

COG Equity Emphasis Area Highlighted in Magenta
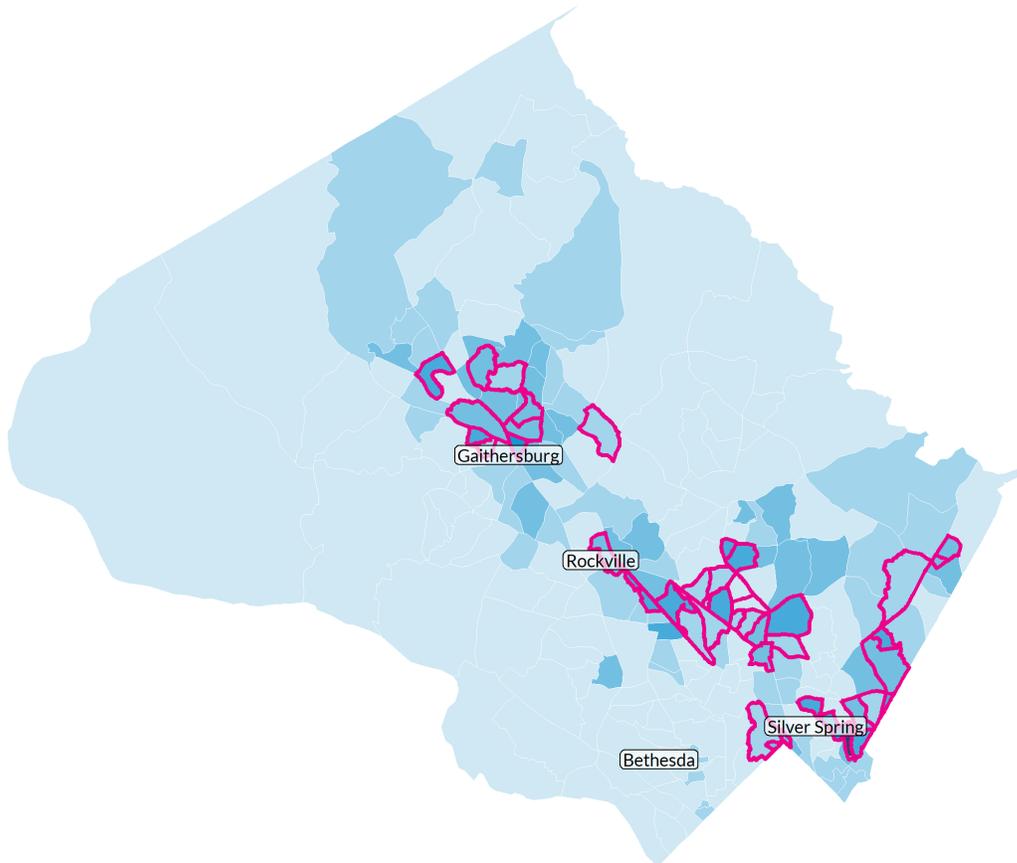
Less than 5%   10% - 15%   20% - 25%   30% or greater
5% - 10%   15% - 20%   25% - 30%   No data

Source: 2015–2019 American Community Survey five-year estimates.

Montgomery County

There are disparities in access to low-poverty neighborhoods based on race and ethnicity in Montgomery County. White residents have the highest level of access to low-poverty neighborhoods, with this access still at high levels for White residents living below the poverty line. Asian residents have the second-best access, though access drops significantly for Asians living below the poverty line. In general, Native Americans have high levels of access to low-poverty neighborhoods. Moreover, access for Native Americans residents living below the poverty line is actually higher than it is for the general population. Access for Black and Hispanic residents is lowest. For Black residents, access is similar whether looking at the total population or only those living below the poverty line. For Hispanic residents living below the poverty line, however, rates drop significantly.

Map 55: Demographics and Low-Poverty Neighborhoods (Race/Ethnicity), Region
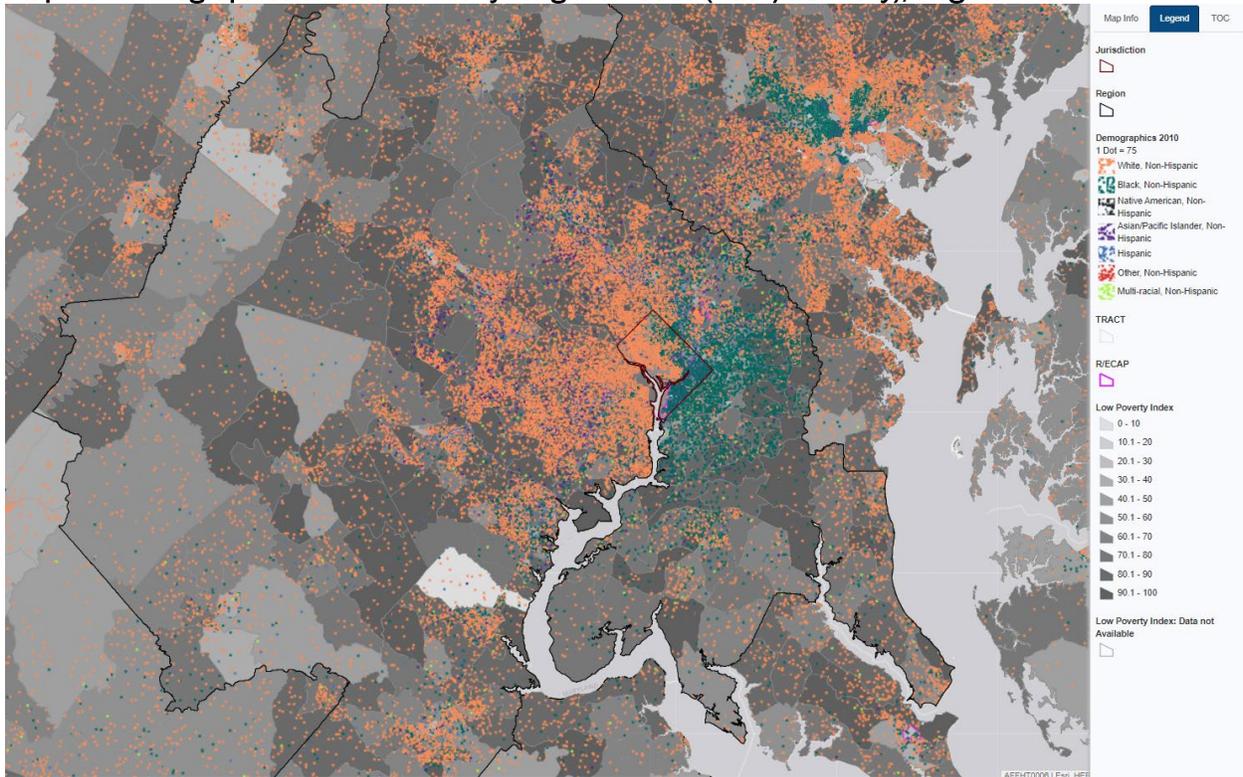
Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, data version AFFHT0006.

Map 56: Demographics and Low-Poverty Neighborhoods (National Origin), Region
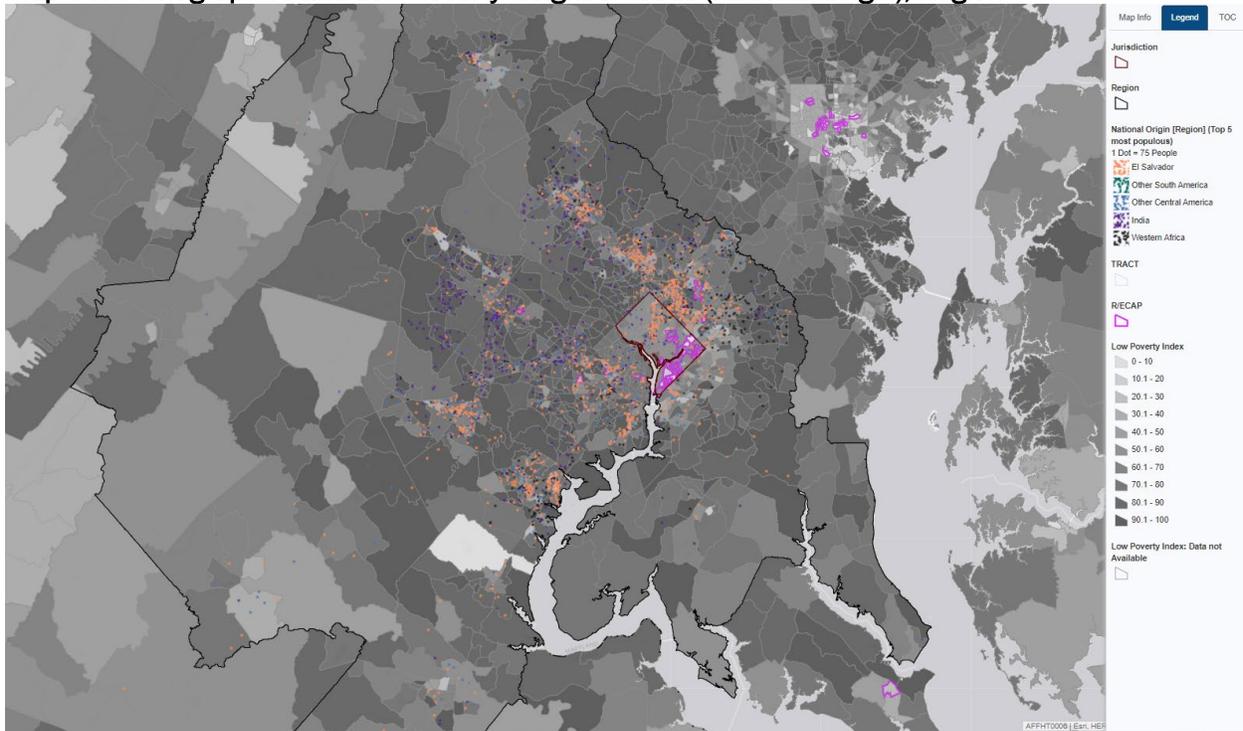
Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, data version AFFHT0006.

Map 57: Demographics and Low-Poverty Neighborhoods (Familial Status), Region
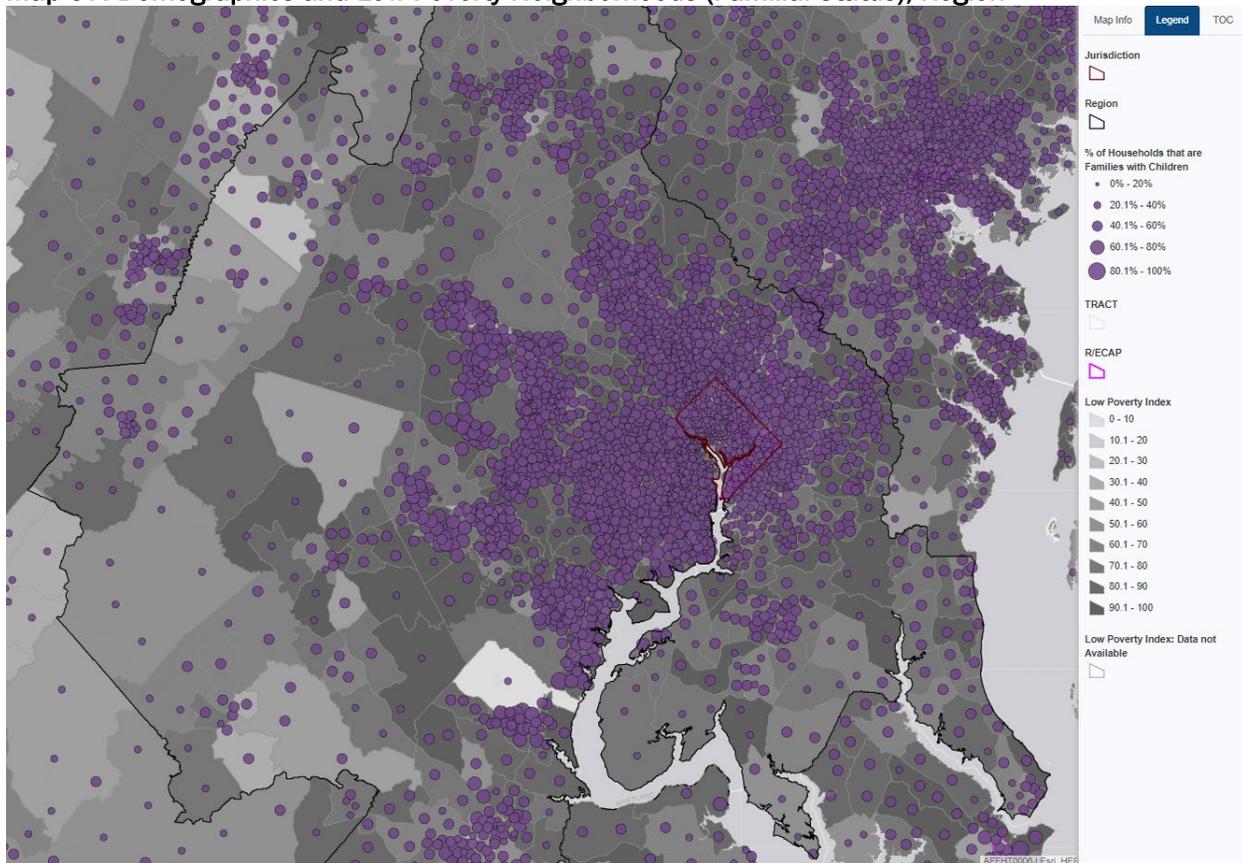
Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, data version AFFHT0006.

Region

The regional trend for racial disparities follows a pattern similar to the jurisdictional trends. As is the case for all jurisdictions, White residents are more likely than other groups to reside in areas with low-poverty neighborhoods. While the index value for White residents is 80, the values for Hispanic and Black residents are much lower: 65 and 61. The regional trend most closely aligns with the District of Columbia and Fairfax County because in these jurisdictions, Black residents face higher incidences of restricted access to low-poverty neighborhoods than any other group. In the majority of jurisdictions, Hispanic residents have the least access to low-poverty neighborhoods. As displayed throughout the individual jurisdictions, poverty levels also have a significant negative impact on index values for all groups, but the comparative index value losses by racial group do show a racial and ethnic disparity in reduced access as well.

ii. For the protected class groups for which HUD has provided data, describe how disparities in access to low-poverty neighborhoods relate to residential living patterns in the jurisdiction and region.

Montgomery County

Access to low-poverty neighborhoods in Montgomery County correlates with residential living patterns. Access to low-poverty neighborhoods is highest in the southwestern part of the county, with access being highest in areas like Potomac, Bethesda, and Chevy Chase, which are predominantly White and Asian. In contrast, there are small clusters of census tracts where low-poverty rates drop below 50, just northwest and southeast of Gaithersburg; most of these are home to a large number of Black and Hispanic residents. These include the tracts surrounding North Gate Local Park and Strathmore Local

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Park in Aspen Hill and a few census tracts in North Bethesda. These tracts are interspersed among tracts with fairly high levels of access.

<u>Region</u>
In general, disparities in access to low-poverty neighborhoods correlate with residential living patterns in the region. Access to low-poverty neighborhoods is much higher in suburban areas, particularly in Loudoun, Fairfax, and Montgomery Counties. These areas are disproportionately White, and to a lesser extent, Asian or Pacific Islander. In contrast, urban areas with low levels of access to low-poverty neighborhoods are consistently home to larger numbers of Black and Hispanic residents. This includes the District of Columbia and the urban portions of Alexandria and Arlington. But even within these urban areas, where people of color are a majority of the population, access to low-poverty neighborhoods is heavily correlated with race and ethnicity.

iii. *Informed by community participation, any consultation with other relevant government agencies, and the participant's own local data and local knowledge, discuss programs, policies, or funding mechanisms that affect disparities in access to low-poverty neighborhoods*

Map 58: Median Rental Rates, Region

Median Gross Rent by Census Tract in Washington Region
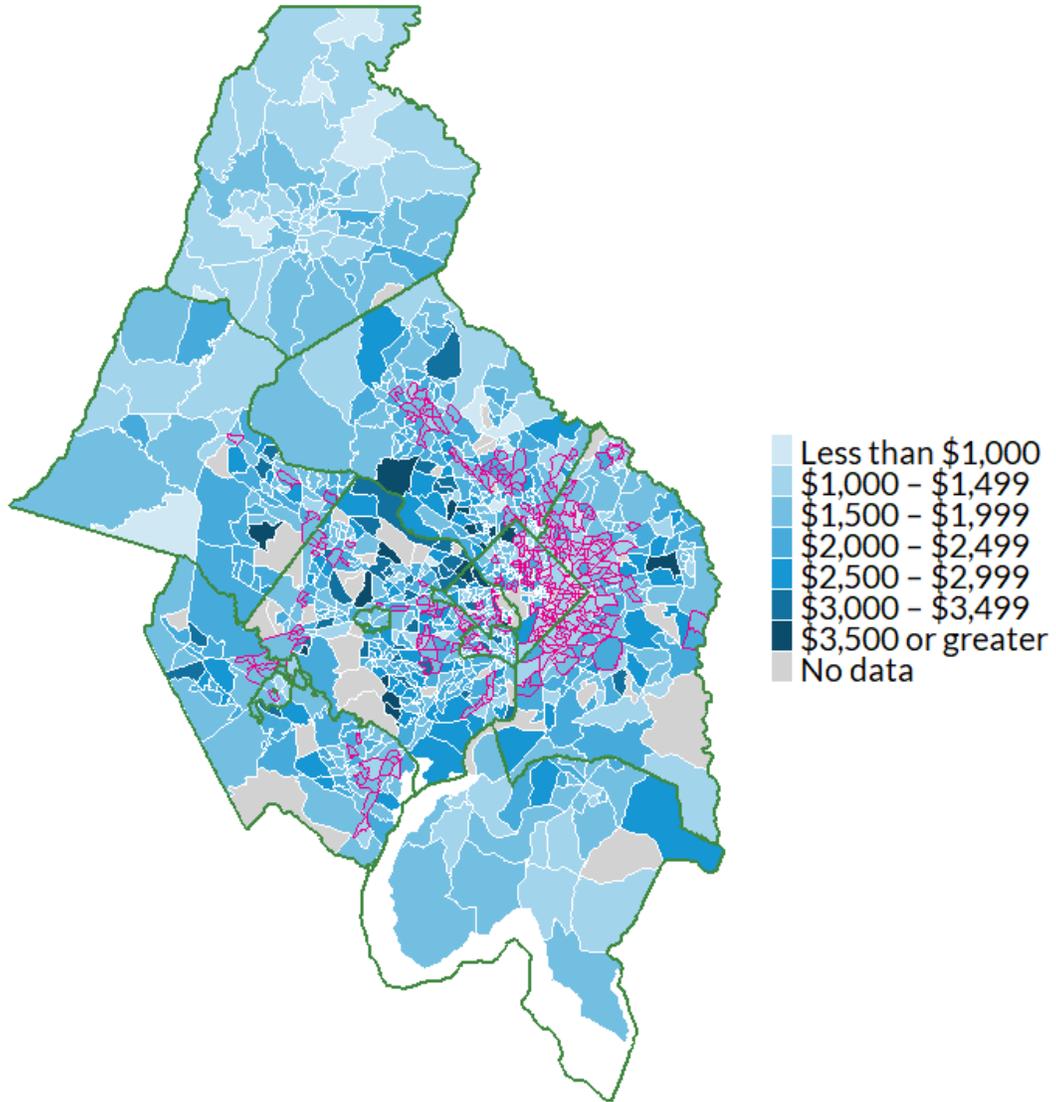
COG Equity Emphasis Area Highlighted in Magenta

Less than $1,000
$1,000 – $1,499
$1,500 – $1,999
$2,000 – $2,499
$2,500 – $2,999
$3,000 – $3,499
$3,500 or greater
No data

Source: 2015–2019 American Community Survey five-year estimates.

Poverty Rates by Census Tract in Washington Region

COG Equity Emphasis Area Highlighted in Magenta

Less than 5%
5% - 10%
10% - 15%
15% - 20%
20% - 25%
25% - 30%
30% or greater
No data
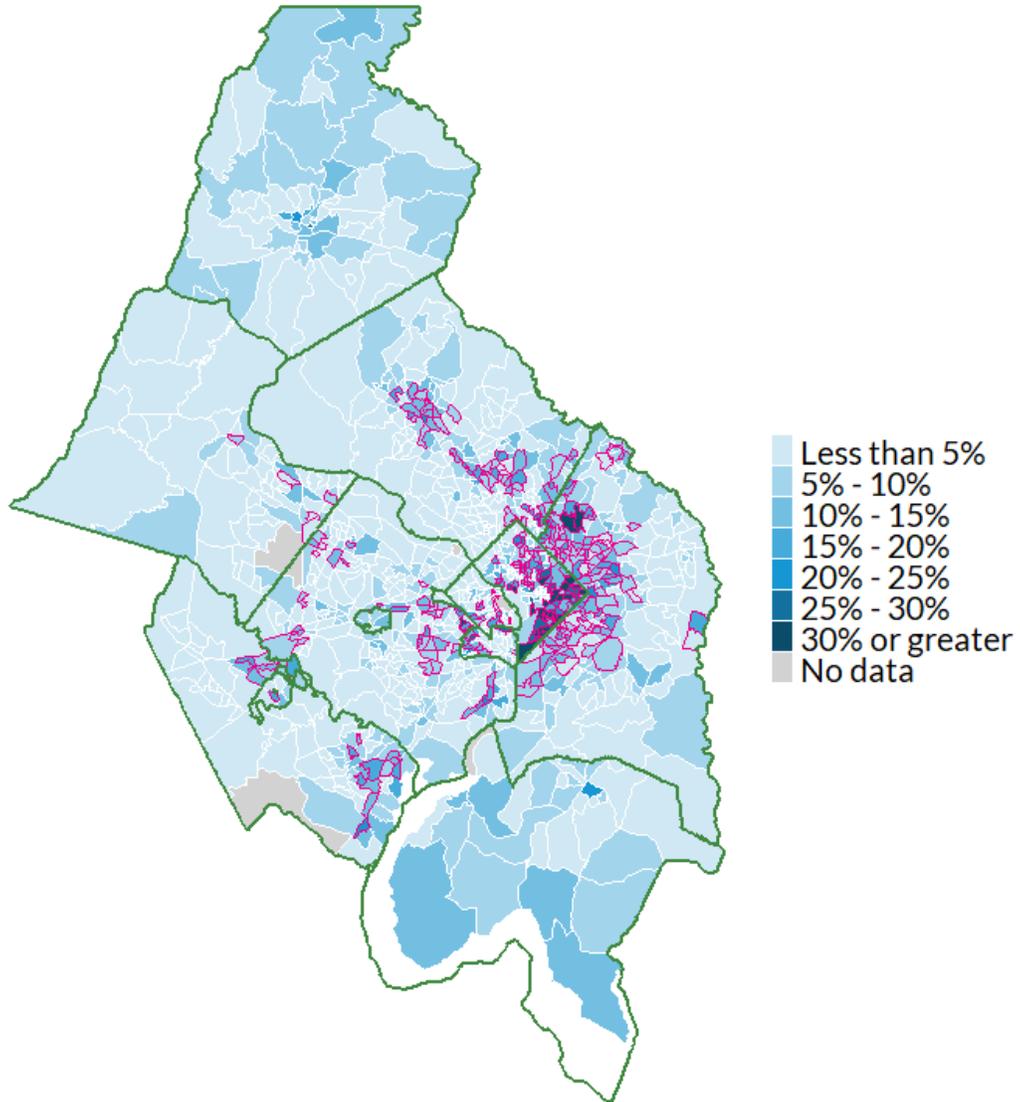
Source: 2015–2019 American Community Survey five-year estimates.

Median Monthly Housing Cost by Census Tract in Washington Region

COG Equity Emphasis Area Highlighted in Magenta

Legend:
- Less than $799
- $800 – $1,299
- $1,300 – $1,799
- $1,800 – $2,499
- $2,500 – $3,499
- $3,500 or greater
- No data
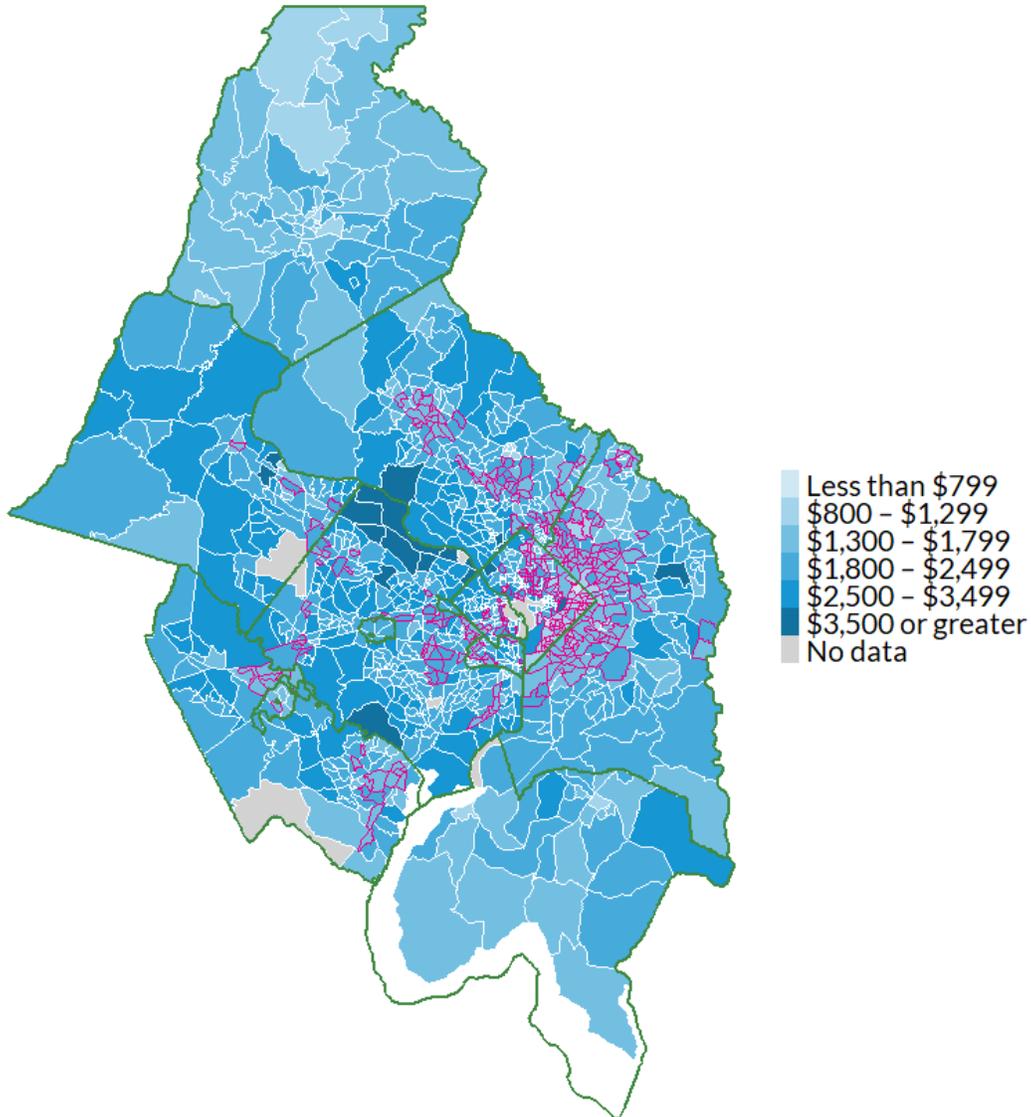
Source: 2015–2019 American Community Survey five-year estimates.

Region

Policies that affect access to low- poverty neighborhoods are mostly addressed in the Contributing Factors section, particularly the section Impediments to Mobility (see Table 38). Other contributing factors also explain disparities in access to low-poverty neighborhoods, such as (1) lack of investment in specific neighborhoods, (2) lack of resources for fair housing agencies and organizations, (3) lack of affordable, accessible housing in a range of unit sizes, (4) practices and decisions for publicly supported housing, (5) occupancy codes and restrictions, (6) land use and zoning laws, (7) location

and type of affordable housing, and (8) lack of community revitalization strategies. Ultimately, all of the contributing factors either directly or indirectly impact access to low-poverty housing.

One policy with a large impact on access to low-poverty neighborhoods is inclusionary zoning, which jurisdictions in the region have implemented, though with varying levels of stringency. In 2020, Virginia passed legislation that encouraged localities to more aggressively implement inclusive zoning. The District of Columbia has focused on upzoning the Rock Creek West area. Another policy that has notable impacts on access to low-poverty neighborhoods throughout the region is the improvement of the payment standards used to determine housing assistance payments, which Montgomery County, D.C., and Prince William County have all implemented.

e. Disparities in Access to Opportunity—Access to Environmentally Healthy Neighborhoods

i. *Describe any disparities in access to environmentally healthy neighborhoods in the jurisdiction and region.*

The HUD Environmental Health Index measures exposure to harmful airborne toxins. The index is based on standardized Environmental Protection Agency estimates of carcinogenic, respiratory, and neurological hazards. The index does not consider other environmental issues, such as water quality or soil contamination, meaning it is a limited measure of overall environmental health. However, it can still provide useful insight into environmental conditions in jurisdictions. Index values range from 0 to 100, with higher values indicating better conditions and less exposure to environmental hazards that can harm human health. Generally, urban areas tend to have lower air quality, as these areas have more emissions sources and therefore more exposure to hazards.

Table 18: Environmental Health Index

	Montgomery County	Region
Total Population		
White, Non-Hispanic	51.77	44.24
Black, Non-Hispanic	47.98	35.39
Hispanic	47.92	36.59
Asian or Pacific Islander, Non-Hispanic	50.21	38.50
Native American, Non-Hispanic	49.53	42.19
Population below Federal Poverty Line		
White, Non-Hispanic	50.55	42.92
Black, Non-Hispanic	47.76	29.66
Hispanic	48.10	34.45
Asian or Pacific Islander, Non-Hispanic	47.70	34.19

Native American, Non-Hispanic	59.71	35.99

Data source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, data version AFFHT0006.

Map 61: Demographics and Environmental Health (Race/Ethnicity), Montgomery County, Maryland

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Name: Map 13 - Demographics and Environmental Health
Description: Environmental Health Index with race/ethnicity, national origin, family status and R/ECAPs
Jurisdiction: Montgomery County (CDBG, HOME, ESG)
Region: Washington-Arlington-Alexandria, DC-VA-MD-WV
HUD-Provided Data Version: AFFHT0006

Legend

Jurisdiction

Region

Demographics 2010
1 Dot = 75
White, Non-Hispanic
Black, Non-Hispanic
Native American, Non-Hispanic
Asian/Pacific Islander, Non-Hispanic
Hispanic
Other, Non-Hispanic
Multi-racial, Non-Hispanic

TRACT

R/ECAP

Environmental Health Index
0 - 10
10.1 - 20
20.1 - 30
30.1 - 40
40.1 - 50
50.1 - 60
60.1 - 70
70.1 - 80
80.1 - 90
90.1 - 100

Environmental Health Index: Data not Available

Map 62: Demographics and Environmental Health (National Origin), Montgomery County, Maryland

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Legend

Jurisdiction

Region

National Origin [Jurisdiction] (Top 5 most populous)
1 Dot = 75 People
- El Salvador
- Other_South_America
- India
- China excl. Taiwan
- Eastern Africa

TRACT

R/ECAP

Environmental Health Index
- 0 - 10
- 10.1 - 20
- 20.1 - 30
- 30.1 - 40
- 40.1 - 50
- 50.1 - 60
- 60.1 - 70
- 70.1 - 80
- 80.1 - 90
- 90.1 - 100

Environmental Health Index: Data not Available

Name: Map 13 - Demographics and Environmental Health

Description: Environmental Health Index with race/ethnicity, national origin, family status and R/ECAPs

Jurisdiction: Montgomery County (CDBG, HOME, ESG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

Map 63: Demographics and Environmental Health (Familial Status), Montgomery County, Maryland

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Name: Map 13 - Demographics and Environmental Health
Description: Environmental Health Index with race/ethnicity, national origin, family status and R/ECAPs
Jurisdiction: Montgomery County (CDBG, HOME, ESG)
Region: Washington-Arlington-Alexandria, DC-VA-MD-WV
HUD-Provided Data Version: AFFHT0006

Legend

Jurisdiction

Region

% of Households that are Families with Children
- 0% - 20%
- 20.1% - 40%
- 40.1% - 60%
- 60.1% - 80%
- 80.1% - 100%

TRACT

R/ECAP

Environmental Health Index
- 0 - 10
- 10.1 - 20
- 20.1 - 30
- 30.1 - 40
- 40.1 - 50
- 50.1 - 60
- 60.1 - 70
- 70.1 - 80
- 80.1 - 90
- 90.1 - 100

Environmental Health Index: Data not Available

Montgomery County

Montgomery County residents have better access to environmentally healthy neighborhoods than the region overall. Environmental Health scores for total population by race range from 47.92 for Hispanic residents to 51.77 for White residents. For those living below the poverty line, Native American residents have the highest score, 59.71, and Asian or Pacific Islander residents have the lowest, 47.70. Native American residents below the poverty level in Montgomery County fare significantly better on this index as compared with other racial, ethnic, and economic groups.

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Map 64: Demographics and Environmental Health (Race/Ethnicity), Region
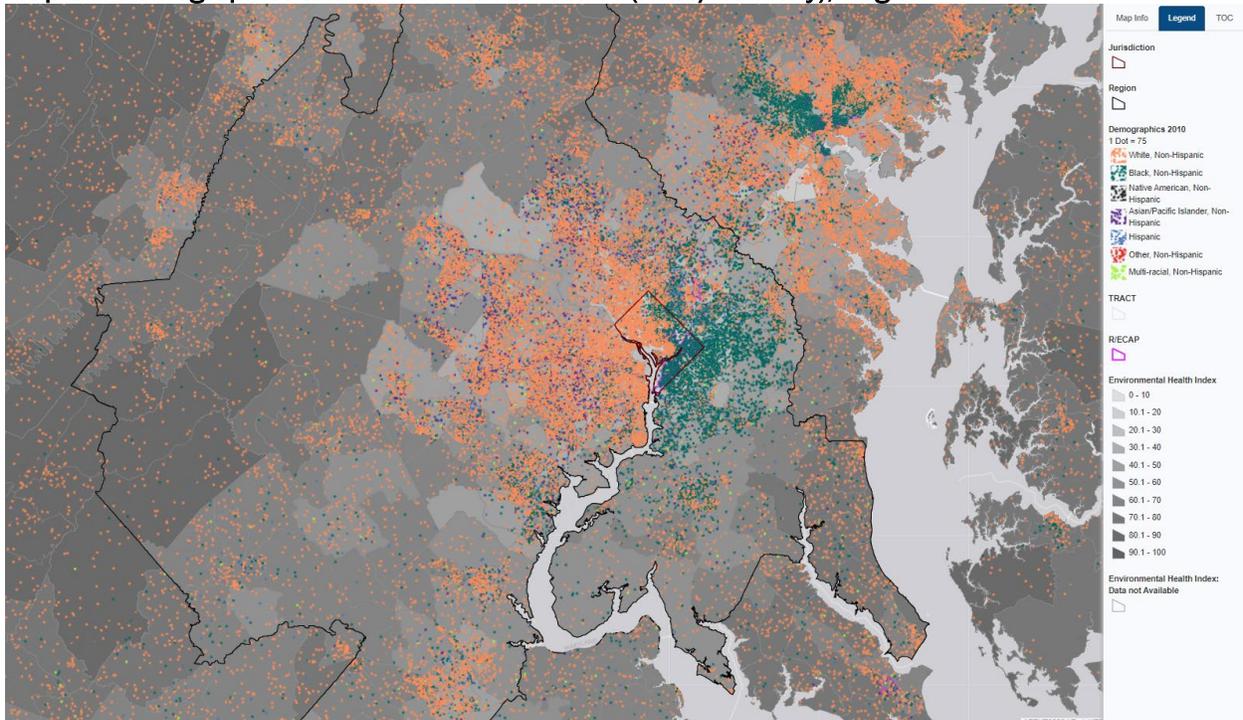
Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, data version AFFHT0006.

Map 65: Demographics and Environmental Health (National Origin), Region
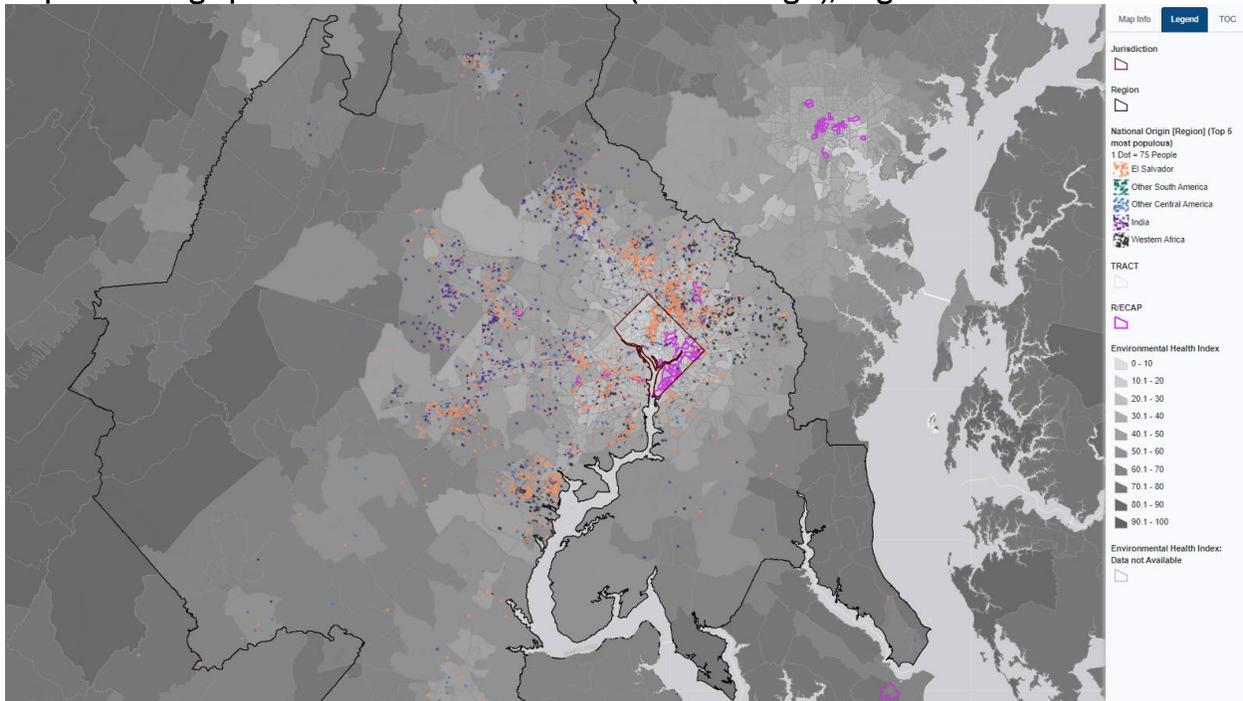
Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, data version AFFHT0006.

Map 66: Demographics and Environmental Health (Familial Status), Region

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Legend

Jurisdiction

Region

% of Households that are Families with Children
- 0% - 20%
- 20.1% - 40%
- 40.1% - 60%
- 60.1% - 80%
- 80.1% - 100%

TRACT

R/ECAP

Environmental Health Index
- 0 - 10
- 10.1 - 20
- 20.1 - 30
- 30.1 - 40
- 40.1 - 50
- 50.1 - 60
- 60.1 - 70
- 70.1 - 80
- 80.1 - 90
- 90.1 - 100

Environmental Health Index: Data not Available

Name: Map 13 - Demographics and Environmental Health
Description: Environmental Health Index with race/ethnicity, national origin, family status and R/ECAPs
Jurisdiction: District Of Columbia (CDBG)
Region: Washington-Arlington-Alexandria, DC-VA-MD-WV
HUD-Provided Data Version: AFFHT0006

Region

Racial differences in the Environmental Health Index are more pronounced at the regional level, with values of 44.24 for White residents versus 35.39 for Black residents, 36.59 for Hispanic residents, 38.50 for Asian or Pacific Islander residents, and 42.19 for Native American residents. Regionally, residents living below the poverty line experience similar environmental health conditions, with index values of 42.92 for White residents, 29.66 for Black residents, 34.45 for Hispanic residents, 34.19 for Asian or Pacific Islander residents, and 35.99 for Native American residents.

For all populations, the index values have improved dramatically since 2019. This may be because the COVID-19 pandemic reduced the number of commuters.

ii. For the protected class groups for which HUD has provided data, describe how disparities in access to environmentally healthy neighborhoods relate to residential living patterns in the jurisdiction and region.

As explained above, disparities in Environmental Health Index values are most pronounced at the regional level. The more suburban and rural areas of Loudoun and Prince William Counties—also disproportionately White—have the most access to environmentally healthy neighborhoods. Washington, D.C., followed closely by Arlington and Alexandria, have much larger populations of non-White residents and have the least access to environmentally healthy neighborhoods. Regional values, incorporating suburban and rural areas, are about three times as high as those in urban areas.

Montgomery County
In Montgomery County, access to environmentally healthy neighborhoods is lowest in the southeastern part of the county, which is nearest to the District of Columbia. This area is more heavily Black and Hispanic than the county as a whole. This is also home to some of the highest populations of Hispanic residents and Salvadoran residents. Conversely, the region with the highest Environmental Health Index value—the northwesternmost corner, Damascus—is disproportionately White.

Region
Overall, Environmental Health Index values are significantly higher in suburban and rural areas, like Loudoun, Prince William, Fairfax, and Montgomery Counties, which are disproportionately White and, to a lesser extent, Asian or Pacific Islander. More urban areas, specifically D.C. proper, have much higher percentages of Black and Hispanic residents and less access to environmentally healthy neighborhoods. Within these urban areas, however, it does not appear that index values are correlated with race.

iii. Informed by community participation, any consultation with other relevant government agencies, and the participant's own local data and local knowledge, discuss programs, policies, or funding mechanisms that affect disparities in access to environmentally healthy neighborhoods.

Montgomery County
Montgomery County's Climate Action Plan has explicitly centered racial equity and social justice, focusing on how various vulnerability factors make certain groups susceptible to detrimental impacts of climate change. To do so, Montgomery County created the Public Engagement Working Group, which sought to ensure various groups were represented in drafting the Climate Action Plan. Among other things, this group recommended that funding should be allocated to programs engaging communities on climate work. The County has also hosted workshops on environmental justice. Some of the measures geared toward enhancing equity focused on increasing public transit in areas that are heavily congested and home to vulnerable communities. From a process standpoint, Montgomery County has gone to great lengths to address racial disparities related to the environment. It remains to be seen whether these efforts are reflected in the outcome of its Climate Action Plan.

Region
Although the Environmental Health Index does not reflect significant disparities in access to environmentally healthy neighborhoods within the District of Columbia, several significant environmental problems within the city affect vulnerable populations. The region has consistently ranked in the 10 worst cities in terms of air pollution. According to the 2022 American Lung Association State of the Air report, the District of Columbia received an "F" grade for high ozone (smog) days.[20]

The Anacostia and Potomac Rivers are also severely polluted. A goal of achieving a swimmable and fishable Anacostia River has been set for the year 2025.[21] However, some residents of Ward 8

(Anacostia) have expressed concerns that as the river is targeted for cleanup, housing prices will rise and gentrification pressures will push out low-income communities of color.[22]

f. Disparities in Access to Opportunity—Patterns in Disparities in Access to Opportunity

i. *Describe any disparities in access to opportunity in the jurisdiction and the region, including any overarching patterns of access or exposure to adverse community factors. Include how these patterns compare with patterns of segregation, integration, and R/ECAPs.*

Throughout the metropolitan Washington region, there are marked disparities in access to opportunity based on race and ethnicity. For almost all indexes, regional values are lower for Black and Hispanic residents than for White residents and to a lesser extent, Asian residents. Native American residents often fall somewhere between these groups, with some exceptions. And these disparities are only exacerbated for the population living below the poverty line.

Black residents throughout the region have the lowest levels of access to education, jobs, low-poverty neighborhoods, and environmentally healthy neighborhoods. With few exceptions, this is only worse for Black residents living below the poverty line. The notable exception is transit, for which Black residents have the highest levels of access. But this, of course, is a function of needing transit to reach school and work, as Black residents are less likely to live in low-poverty or environmentally healthy neighborhoods that are farther from the District and tend to be inhabited by those with cars. This general pattern, though to a slightly lesser extent, applies to Hispanic residents throughout the region as well.

White residents, and to a lesser extent, Asian residents, consistently scored the highest on all metrics. White residents had the most access to proficient schools, low-poverty neighborhoods, and environmentally healthy neighborhoods. In job-related indexes, White residents closely followed Asian residents in levels of access to jobs and the labor market. For schools and low-poverty neighborhoods, Asians had second-best access and third-best access to environmentally friendly neighborhoods. Asian residents had the highest job index–related values but in other metrics were consistently second to White residents.

The level of access for each racial group, from most to least, to each opportunity indicator is as follows:
- Schools: White, Asian, Native American, Hispanic, Black (same below poverty line)
- Labor market: Asian, White, Native American, Hispanic, Black (same below poverty line)
- Jobs proximity: Asian, White, Hispanic, Native American, Black (below poverty line, Hispanic and White drop to lowest)
- Transit trips: Hispanic, Asian, Black, Native American, White (same below poverty line, except Black moves to highest)
- Transit costs: roughly the same for all
- Low-poverty neighborhoods: White, Asian, Native American, Hispanic, Black (same below poverty line)
- Environmentally friendly neighborhoods: White, Native American, Asian, Hispanic, Black

ii. *Based on these opportunity indicators, identify areas that experience (1) high levels of access and (2) low levels of access across multiple indicators.*

To answer this question, it is helpful to separate opportunity indicators into two groups, the first containing indexes correlating positively with urban areas, and the second those correlating with suburban areas. The first group includes both transportation indexes and the Jobs Proximity Index. It

also includes labor markets, though to a slightly lesser extent. Even within these urban jurisdictions, however, job-related metrics are still lower for Black and Hispanic residents. As explained, the high levels of access to transportation are a function of necessity, not convenience. On these measures, the District of Columbia typically scores the highest and Loudoun County the lowest.

The second group includes indexes on which suburban counties fare well, like access to proficient schools, environmentally healthy neighborhoods, and low-poverty neighborhoods. Here, suburban counties like Loudoun, and to a lesser extent, Montgomery and Fairfax, have high index values. Loudoun County has lower values for the indexes that correlate to more urban environments. Conversely, District residents, particularly Black residents, consistently have the least access to proficient schools, environmentally healthy neighborhoods, and low-poverty neighborhoods.

iv. Disproportionate Housing Needs

1.a. Which groups (by race/ethnicity and familial status) experience higher rates of housing cost burden, overcrowding, or substandard housing compared with other groups? Which groups also experience higher rates of severe housing burdens compared with other groups?

Across the metropolitan Washington region, many residents face high rates of housing problems, severe housing problems, and severe housing cost burden. The four HUD-designated housing problems include (1) lack of complete kitchen facilities, (2) lack of complete plumbing facilities, (3) overcrowding, and (4) housing cost burden.[23] Households are considered to have a housing problem if they experience at least one of the above. This analysis also considers what HUD designates as severe housing problems, which include lacking a kitchen or plumbing, housing more than one person per room, or experiencing severe cost burden, defined as housing cost of greater than 50 percent of household income.

Table 19: Demographics of Households with Disproportionate Housing Needs, Montgomery County

Households Experiencing Any of the Four Housing Problems	Households with Problems #	Total Households #	Households with Problems %
Race/Ethnicity			
White, Non-Hispanic	45,343	185,332	24.47%
Black, Non-Hispanic	26,653	58,592	45.49%
Hispanic	23,081	44,505	51.86%
Asian or Pacific Islander, Non-Hispanic	15,909	45,250	35.16%
Native American, Non-Hispanic	102	598	17.06%
Other, Non-Hispanic	3,173	7,824	40.55%
Total	114,269	342,174	33.39%
Household Type and Size			
Family, <5 people	55,475	201,840	27.48%

Family, ≥5 people	15,908	36,701	43.34%
Nonfamily	42,913	103,666	41.40%
Households Experiencing Any of the Severe Housing Problems	Households with Severe Problems #	Total Households #	Households with Severe Problems %
Race/Ethnicity			
White, Non-Hispanic	20,626	185,332	11.13%
Black, Non-Hispanic	14,200	58,592	24.24%
Hispanic	12,965	44,505	29.13%
Asian or Pacific Islander, Non-Hispanic	8,180	45,250	18.08%
Native American, Non-Hispanic	8	598	1.34%
Other, Non-Hispanic	1,242	7,824	15.87%
Total	57,244	342,174	16.73%

Data source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, data version AFFHT0006.

Hispanic and Black households have the most disproportionate share of housing problems in Montgomery County. More than half of Hispanic households and over 45 percent of Black households experience housing problems. Similarly, Asian households have a higher share of housing problems than do White households. Households with five or more members and households with nonfamily residents have a disproportionately higher rate of housing problems than small-family households, with 43 percent and 41 percent, respectively, experiencing these problems. Racial and ethnic disparities are present in the rates of households experiencing severe housing problems, too. Hispanic households are the most likely to have severe housing problems, with 29 percent of households impacted. Black households also live in housing with higher rates of severe housing problems, with 24 percent of households impacted, while only 11 percent of White households have severe housing problems.

Table 20: Demographics of Households with Severe Housing Cost Burden, Montgomery County

Race/Ethnicity	Households with Severe Cost Burden #	Total Households #	Households with Severe Cost Burden %
White, Non-Hispanic	19,062	185,332	10.29%
Black, Non-Hispanic	11,892	58,592	20.30%
Hispanic	9,268	44,505	20.82%

Asian or Pacific Islander, Non-Hispanic	6,433	45,250	14.22%
Native American, Non-Hispanic	4	598	0.67%
Other, Non-Hispanic	1,109	7,824	14.17%
Total	47,768	342,174	13.96%
Household Type and Size			
Family, <5 people	22,160	201,840	10.98%
Family, ≥5 people	4,390	36,701	11.96%
Nonfamily	21,230	103,666	20.48%

Data source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, data version AFFHT0006.

In Montgomery County, more than 20 percent of Hispanic and Black households face severe housing cost burden. In contrast, roughly 10 percent of White residents have severe housing cost burden. This disparity is not as significant for Asians. Nonfamily households are twice as likely to be severely cost-burdened as family households.

Table 21: Demographics of Households with Disproportionate Housing Needs, Region

Households Experiencing Any of the Four Housing Problems	Households with Problems #	Total Households #	Households with Problems %
Race/Ethnicity			
White, Non-Hispanic	290,379	1,146,249	25.33%
Black, Non-Hispanic	228,930	547,575	41.81%
Hispanic	116,643	229,029	50.93%
Asian or Pacific Islander, Non-Hispanic	63,849	184,508	34.61%
Native American, Non-Hispanic	1,912	4,987	38.34%
Other, Non-Hispanic	18,138	48,608	37.31%
Total	719,855	2,160,990	33.31%
Household Type and Size			
Family, <5 people	331,440	1,195,683	27.72%
Family, 5+ people	95,644	230,517	41.49%
Nonfamily	292,760	734,793	39.84%

Households Experiencing Any of the Four Severe Housing Problems	Households with Severe Problems #	Total Households #	Households with Severe Problems %
Race/Ethnicity			
White, Non-Hispanic	125,471	1,146,249	10.95%
Black, Non-Hispanic	116,013	547,575	21.19%
Hispanic	68,070	229,029	29.72%
Asian or Pacific Islander, Non-Hispanic	33,791	184,508	18.31%
Native American, Non-Hispanic	1,040	4,987	20.85%
Other, Non-Hispanic	8,829	48,608	18.16%
Total	353,250	2,160,990	16.35%

Data source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, data version AFFHT0006.

Table 22: Demographics of Households with Severe Housing Cost Burden, Region

Race/Ethnicity	Households with Severe Cost Burden #	Total Households #	Households with Severe Cost Burden %
White, Non-Hispanic	112,920	1,146,249	9.85%
Black, Non-Hispanic	100,254	547,575	18.31%
Hispanic	45,579	229,029	19.90%
Asian or Pacific Islander, Non-Hispanic	25,257	184,508	13.69%
Native American, Non-Hispanic	809	4,987	16.22%
Other, Non-Hispanic	7,588	48,608	15.61%
Total	292,407	2,160,990	13.53%
Household Type and Size			
Family, <5 people	130,274	1,195,683	10.90%
Family, 5+ people	25,636	230,517	11.12%
Nonfamily	136,547	734,793	18.58%

Data source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, data version AFFHT0006.

The metropolitan Washington region includes slightly more than 2 million households. One-third of these households have housing problems. When evaluated by race and familial status, housing needs are disproportionately borne by households of color, particularly Hispanic and Black households, as well as nonfamily households and families with five or more members. As is the case in every regional jurisdiction except for Fairfax County, Hispanic households have the most disproportionate rate of housing problems compared with White households. Black households also face similar disparities throughout the region. The highest rate of Hispanic households with housing problems is in Gaithersburg, where more than 60 percent have housing problems. Another group vulnerable to housing problems are families with five or more members. This disparity is most pronounced in Alexandria, where over 63 percent of these households have housing problems.

Regionally, while one-quarter of White households have housing problems, at least one out of every three households of color have them. Among some racial and ethnic groups, the proportion of households experiencing housing problems is even more pronounced: for example, 51 percent of Hispanic households and 42 percent of Black households have housing problems. Asian, Native American, and other groups also have higher rates of housing problems than White households. Approximately 40 percent of nonfamily households and households with five or more members also face housing problems.

This trend is the same for households facing severe housing problems. Hispanic households are almost three times more likely to have severe housing problems than White households, and Black households and Native American households are more than twice as likely to have severe housing problems.

There is also a pattern of racially imbalanced housing cost burdens on the regional level that parallels the jurisdictional trends. In most jurisdictions, Hispanic households have the highest rates of cost burden, although in the District of Columbia and Loudoun County, Native Americans shoulder the highest cost burden while making up a small share of the population. White households have the lowest cost burden, with fewer than 10 percent burdened. The jurisdiction with highest rate of severe cost burdens for residents is the District of Columbia. Fairfax and Montgomery Counties also have high rates of households burdened with severe housing costs. Nonfamily households are also disproportionately impacted by housing cost burden, while small-family households have lower rates of housing cost burden.

Overcrowding

Table 23: Percentage of Overcrowded Households by Race and Ethnicity

	Non-Hispanic White Households		Black Households		Native American Households		Asian or Pacific Islander Households		Hispanic Households	
	#	%	#	%	#	%	#	%	#	%
Montgomery County	938	0.46	2,005	3.32	49	4.45	1,581	3.56	4,300	10.11
Region	7,385	0.66	13,321	2.49	273	3.60	7,094	4.26	22,597	11.37

Data source: 2008–2012 American Community Survey.

<u>Montgomery County</u>
The racial and ethnic disparities in overcrowding mirror trends in other jurisdictions as well as regional ones. Hispanic households have the highest rate of overcrowding, with at least 10 percent of households in this condition. The disparity between White and Hispanic households is particularly glaring, with Hispanic households significantly more likely to live in overcrowded conditions than White households.

<u>Region</u>
Regionally, regardless of race and ethnicity, households have fairly low rates of overcrowding. Still, a disparity exists in the proportion of White households that are overcrowded compared with other groups. This is particularly true for Hispanic households, which have disproportionate rates of overcrowding in every jurisdiction. At least 11 percent of Hispanic households live in overcrowded housing, more than 10 percentage points higher than White households. The issue of overcrowding is most pronounced in D.C., where at least 15 percent of Hispanic households live in overcrowded housing.

Table 24: Substandard Conditions by Housing Tenure

Jurisdiction	Owner-Occupied One Condition	Owner-Occupied Two Conditions	Owner-Occupied Three Conditions	Owner-Occupied Four Conditions	Owner-Occupied No Conditions	Total
Montgomery County	54,950	763	58	0	186,861	242,632
Region	254,458	5,207	333	7	865,348	1,125,353
Jurisdiction	Renter-Occupied One Condition	Renter-Occupied Two Conditions	Renter-Occupied Three Conditions	Renter-Occupied Four Conditions	Renter-Occupied No Conditions	Total
Montgomery County	59,426	5,231	216	0	63,445	128,318
Region	312,493	26,163	746	70	378,231	717,703
Jurisdiction	One Condition	Two Conditions	Three Conditions	Four Conditions	No Conditions	Total
Montgomery County	114,376	5,994	274	0	250,306	370,950
Region	566,951	31,370	1,079	77	1,243,579	1,843,056

Data source: 2015–2019 American Community Survey five-year estimates.

In the region, renters are more likely to experience substandard conditions than owners. Of the more than 1 million owner-occupied households, over three-quarters experience no substandard conditions and fewer than 1 percent have two, three, or four substandard conditions. Slightly more than half of

all renter households have no substandard conditions, and almost 4 percent have two, three, or four substandard conditions. Renter-occupied households in Alexandria and Arlington and Loudoun Counties are least likely to experience substandard housing conditions.

All jurisdictions have a similarly low rate of substandard housing conditions for owner-occupied households, ranging from the lowest in Arlington and Loudoun Counties at under one-fifth to the highest in Gaithersburg and Prince William County, where approximately one-quarter of owner-occupied households have one or more substandard conditions.

Among renter-occupied households, almost half have one or more substandard housing conditions in Gaithersburg, Montgomery County, and Prince William County. Renter-occupied households in Alexandria, Arlington, and Loudoun Counties are least likely to experience substandard housing conditions.

1.b. Which areas in the jurisdiction and the region experience the greatest housing burdens? Which of these areas align with segregated areas, integrated areas, or R/ECAPs and what are the predominant race/ethnicity or national origin groups in such areas?

Map 67: Households with Any of the Four Housing Problems (Race/Ethnicity), Montgomery County, Maryland

Name: Map 6 - Housing Problems

Description: Households experiencing one or more housing burdens in Jurisdiction and Region with R/ECAPs and race/ethnicity dot density

Jurisdiction: Montgomery County (CDBG, HOME, ESG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

Map 68: Households with Any of the Four Housing Problems (National Origin), Montgomery County, Maryland

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Legend

Jurisdiction

Region

National Origin [Jurisdiction] (Top 5 most populous)
1 Dot = 75 People
- El Salvador
- Other_South_America
- India
- China excl. Taiwan
- Eastern Africa

TRACT

R/ECAP

Percent Households with Burden
- < 23.5 %
- 23.5 % - 31.25 %
- 31.25 % - 39.63 %
- 39.63 % - 50.16 %
- 50.16 % - 100.0 %

Percent Households with Burden: Data not Available

Name: Map 6 - Housing Problems
Description: Households experiencing one or more housing burdens in Jurisdiction and Region with R/ECAPs and national origin dot density
Jurisdiction: Montgomery County (CDBG, HOME, ESG)
Region: Washington-Arlington-Alexandria, DC-VA-MD-WV
HUD-Provided Data Version: AFFHT0006

Montgomery County has an uneven spatial distribution of households having housing problems, with more households having problems toward the center and southern portions of the county. In the center of the county there is an elevated percentage of households with problems, although these households are racially diverse. In the southeastern part of the county, there is also a high percentage of households with problems, but these groups are segregated by race. At the southeastern border, there is a large, mostly segregated cluster of Black households with housing problems adjacent to a larger cluster of White households with housing problems. Montgomery County has a large share of immigrant households living in areas where many households have housing problems. Chinese, other South Americans, and Salvadorans predominate. While for the most part these households are dispersed throughout the county, Salvadorans are more likely to reside in the central and southeast portion of the county.

Map 69: Households with Any of the Four Housing Problems (Race/Ethnicity), Region
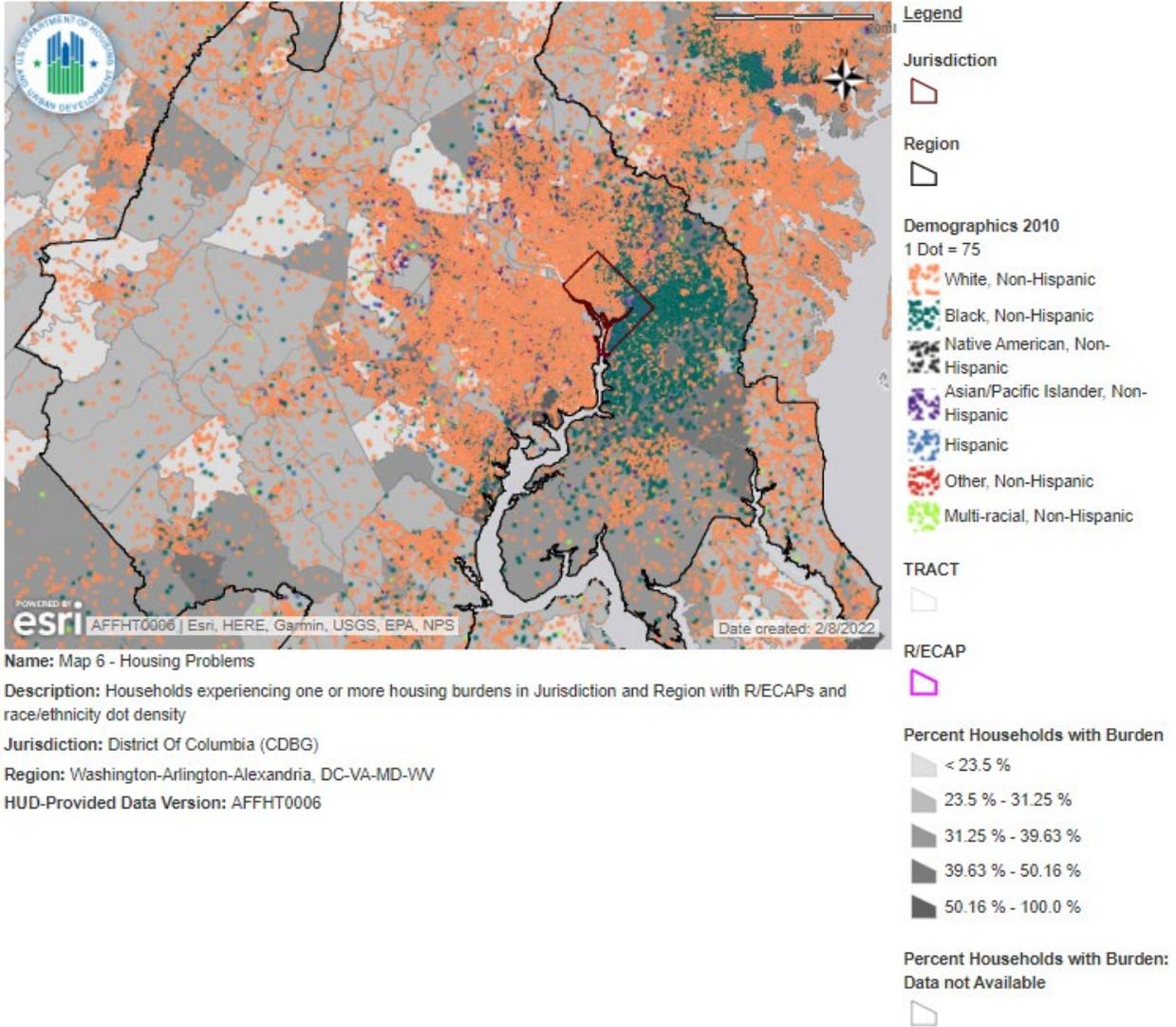
HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Legend

Jurisdiction

Region

Demographics 2010
1 Dot = 75

White, Non-Hispanic

Black, Non-Hispanic

Native American, Non-Hispanic

Asian/Pacific Islander, Non-Hispanic

Hispanic

Other, Non-Hispanic

Multi-racial, Non-Hispanic

TRACT

R/ECAP

Percent Households with Burden

< 23.5 %

23.5 % - 31.25 %

31.25 % - 39.63 %

39.63 % - 50.16 %

50.16 % - 100.0 %

Percent Households with Burden:
Data not Available

Name: Map 6 - Housing Problems

Description: Households experiencing one or more housing burdens in Jurisdiction and Region with R/ECAPs and race/ethnicity dot density

Jurisdiction: District Of Columbia (CDBG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

Map 70: Households with Any of the Four Housing Problems (National Origin), Region

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Name: Map 6 - Housing Problems

Description: Households experiencing one or more housing burdens in Jurisdiction and Region with R/ECAPs and national origin dot density

Jurisdiction: District Of Columbia (CDBG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006
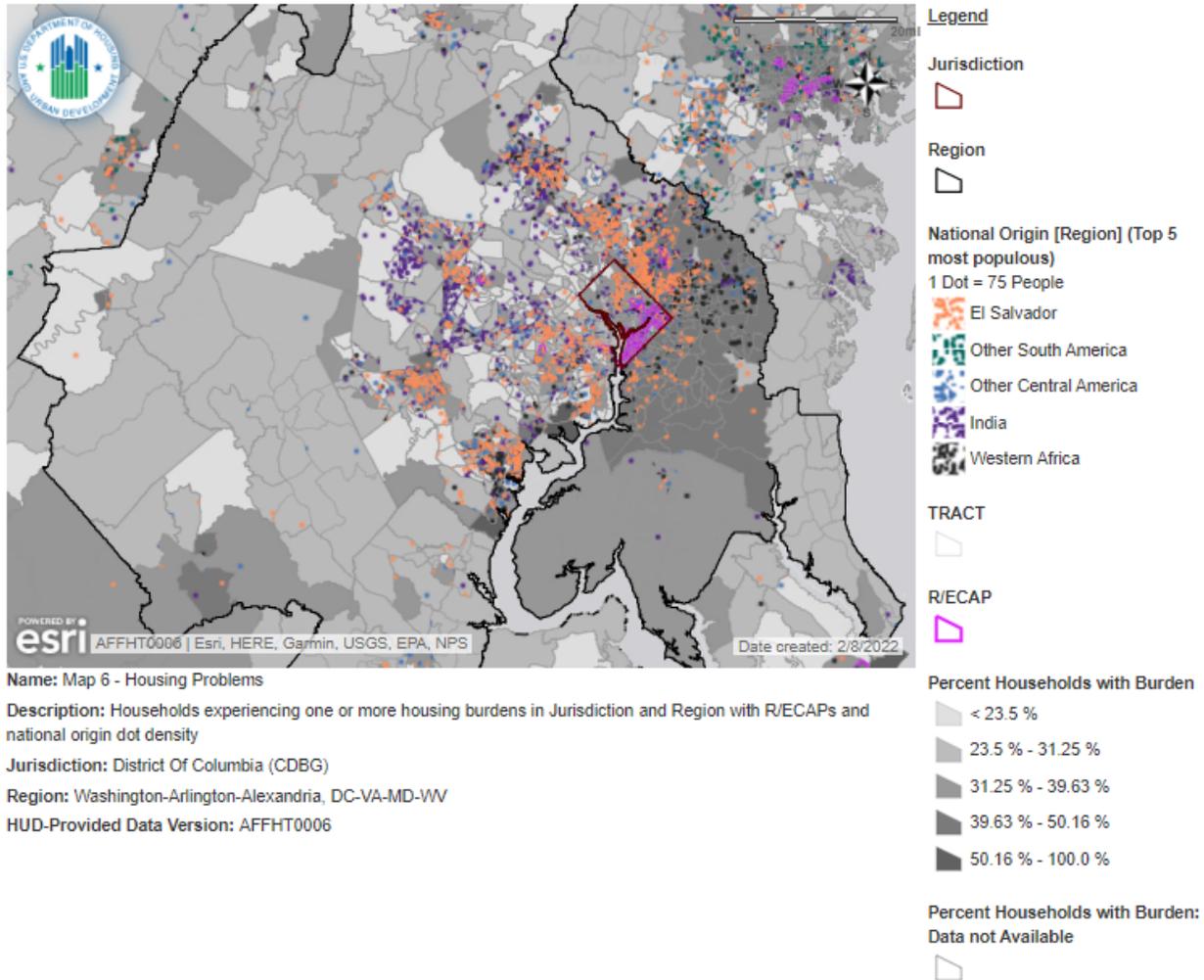
There is a regional split in the racial distribution of housing problems that reflects the region's overall demographics. Households with housing problems tend to be concentrated in the east and southeast portions of the region, which are overwhelmingly Black. Toward the center of the region, the number of households with problems becomes increasingly concentrated. This uneven distribution may in part be explained by these more centralized jurisdictions' higher populations and older housing stock. This regional pattern closely resembles the jurisdictional patterns because, for the most part, the distribution of households with housing problems is concentrated in certain parts of the area rather than forming an evenly distributed pattern. While White households in all jurisdictions except the District of Columbia form the plurality racial or ethnic group and constitute 53 percent of the total regional population, households of color are disproportionately represented when their relative population size is accounted for. National origin groups, most commonly Indians and Salvadorans, tend to be distributed toward the eastern half of the region. The high proportion of Salvadoran households closely follows the patterns for each jurisdiction, but Indian households appears to be most prevalent in Loudoun County.

1.c. Compare the needs of families with children for housing units with two and three or more bedrooms with the available existing housing stock in each category of publicly supported housing for the jurisdiction and region.

Table 25: Publicly Supported Housing by Program Category: Units by Number of Bedrooms and Number of Children

Montgomery County	Households in 0–1 Bedroom Units		Households in 2 Bedroom Units		Households in ≥3 Bedroom Units		Households with Children	
Housing Type	#	%	#	%	#	%	#	%
Public Housing	89	49.17	17	9.39	72	39.78	69	38.12
Project-Based Section 8	1,760	58.07	860	28.27%	332	10.95%	680	22.43%
Other Multifamily	231	76.24%	0	0.00%	0	0.00%	NA	NA
HCV Program	2,446	33.86%	2,469	34.19%	2,307	31.94%	2,990	41.40%

Data source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, data version AFFHT0006.

Montgomery County

In Montgomery County, most families with children who live in assisted housing live in units with HCVs, although some live in project-based Section 8 developments and a limited number live in public housing. There are 231 other Multifamily units, but none for families with children.

Region

There are not enough publicly supported housing units in the region, resulting in a lack of sufficient affordable housing, particularly for families. In most jurisdictions, HCVs offer the most adequate publicly supported housing for families in need. In contrast, project-based Section 8 units do not offer much—or sometimes any—housing opportunity for families, and it is likely that many developments are restricted to seniors. There is a clear need for more affordable housing units for families, instead of HCVs alone.

1.d. Describe the differences in rates of renter and owner-occupied housing by race/ethnicity in the jurisdiction and the region.

Table 26: Housing Tenure by Race

			Montgomery County	Region
White, Non-Hispanic	Owner- Occupied	#	156,402	820,608
		%	76.7	73.3
	Renter-Occupied	#	47,630	299,248

			23.3	26.7
Hispanic	Owner- Occupied	#	24,155	99,296
		%	56.8	50.0
	Renter-Occupied	#	18,382	99,442
		%	43.2	50.0
Black	Owner- Occupied	#	26,965	277,586
		%	44.6	51.8
	Renter-Occupied	#	33,506	257,980
		%	55.4	48.2
Native American	Owner- Occupied	#	673	4,269
		%	61.2	56.3
	Renter-Occupied	#	427	3,311
		%	38.8	43.7
Asian or Pacific Islander	Owner- Occupied	#	32,242	112,704
		%	72.5	67.7
	Renter-Occupied	#	12,205	53,821
		%	27.5	32.3

Data source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, data version AFFHT0006.

Table 27: Population Growth by Housing Type

Jurisdiction	Owner-occupied	Renter-Occupied
Montgomery County	−1%	18%

Data source: 2006–2010 and 2015–2019 American Community Survey five-year estimates.

Montgomery County
In Montgomery County, there is disparity between the rates of homeownership for Black households and for other households. While 44.6 percent of Black households live in owner-occupied units, half or more of the households in other racial groups are owner-occupied. Hispanics have the second-lowest rate of homeownership with 56.8 percent of households, but this is still 12 percentage points higher than the rate for Black households. White households have the highest homeownership rate at 76.7 percent.

Region
Throughout the region, at least 50 percent of all households, irrespective of race, live in owner-occupied housing. White residents have the highest rate of owner-occupied households at 73 percent, and Asian or Pacific Islander residents have the second highest at 68 percent. Although in several counties Hispanic households have higher rates of home ownership than Black households, in the region as a whole, they have the lowest rate of homeownership. As is the general trend on a jurisdiction-by-jurisdiction basis, White households have much higher rates of homeownership than households of color, particularly Hispanic and Black households.

Additional Information

2.a. Beyond the HUD-provided data, provide additional relevant information, if any, about disproportionate housing needs in the jurisdiction and the region affecting groups with other protected characteristics.

Spatial Distribution and Availability of Affordable Housing

Affordable rental housing is defined as a unit renting at or less than 30 percent of household income for a household with income at 50 percent of area median income (AMI).

Map 71: Location of Affordable Rental Housing, Montgomery County, Maryland

Name: Map 17 - Location of Affordable Rental Housing (% Rental Units Affordable to 50% AMI)

Description: Map of percent of rental units affordable, defined as units renting at or less than 30% of household income for a household with income at 50% of AMI.

Jurisdiction: Montgomery County (CDBG, HOME, ESG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006
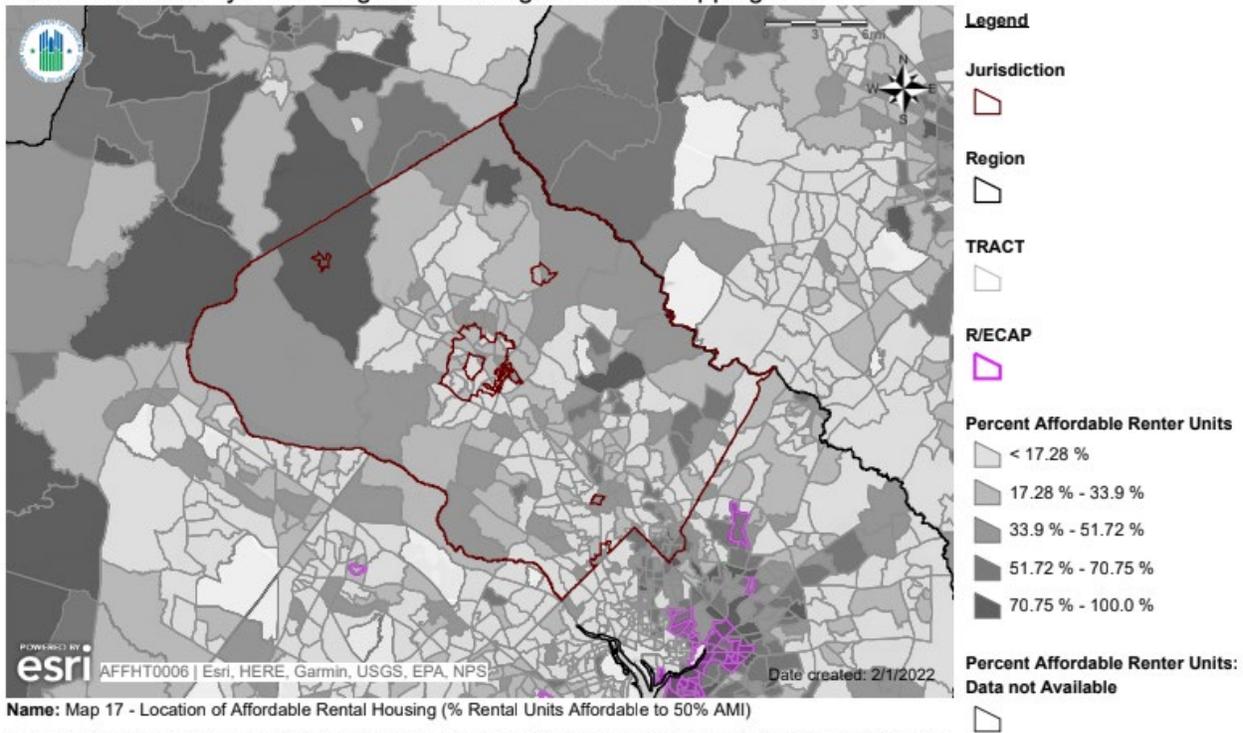
Affordable housing tends to be located on the periphery of the jurisdiction rather than in the center. Because the center of the county is denser than the periphery, this uneven pattern suggests that high housing costs are a barrier to entry into the central area.

Map 72: Location of Affordable Rental Housing, Region
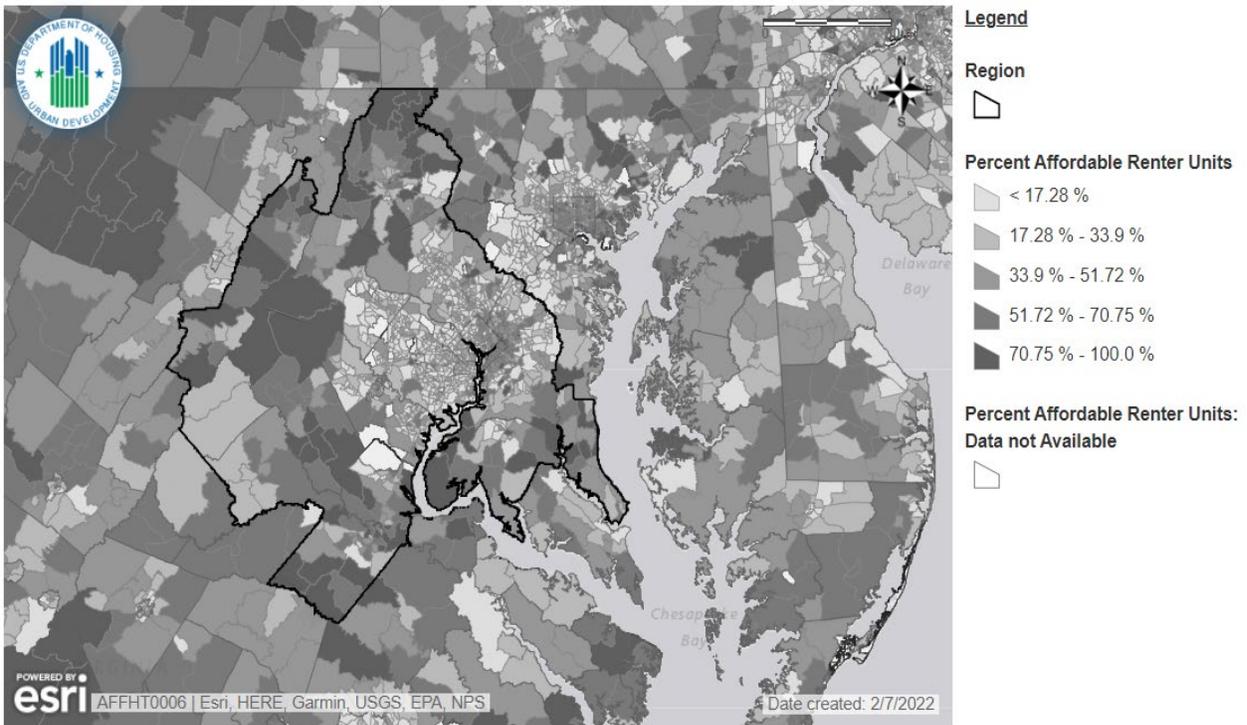
Name: Map 17 - Location of Affordable Rental Housing (% Rental Units Affordable to 50% AMI)

Description: Map of percent of rental units affordable, defined as units renting at or less than 30% of household income for a household with income at 50% of AMI.

Jurisdiction: District Of Columbia (CDBG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

The region's rental housing stock that is affordable to low-income households—regardless of subsidy status—is concentrated on the edges of the metropolitan area. Some affordable rental units exist in the center of some jurisdictions, although the centers of the District of Columbia and Fairfax and Montgomery Counties have a greater concentration of households with housing cost burdens. Affordable housing in this central area tends to be concentrated in R/ECAP areas. Otherwise, the largest supply of affordable housing is on the periphery.

B. Publicly Supported Housing Analysis

Some tables and maps in this section are sourced from the HUD tool, which used 2011–2015 five-year ACS data. These tables and maps are accessible to all, and anyone can use them to numerically and spatially analyze jurisdictions or communities of interest. Other tables and maps the Urban Institute created are based on 2015–2019 five-year ACS estimated data. Some of the maps, therefore, identify different census tracts as R/ECAPs and reflect slightly different demographic data.

1. Publicly supported housing demographics

Table 28: Publicly Supported Housing Units by Program Category, Montgomery County, Maryland

Montgomery County	#	%
Total Housing Units	350,611	100.00%
Public Housing	214	0.06%
Project-Based Section 8	3,247	0.93%
Other Multifamily	306	0.09%
HCV Program	7,339	2.09%

Data source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, data version AFFHT0006.

Montgomery County
In Montgomery County, there are public housing units, project-based Section 8 units, other Multifamily housing units, and HCV users. Overall, 3.17 percent of households reside in units assisted with federal tenant-based or project-based subsidies. HCVs are the most prominent source of publicly supported housing units in Montgomery County, followed by project-based Section 8 housing.

Region
Across the jurisdictions, approximately 4 percent of households reside in units assisted with federal tenant-based or project-based subsidies. In every jurisdiction, HCVs are the most prominent source of publicly supported housing, followed by project-based Section 8 housing. A majority of the jurisdictions have no public housing units at all. It is clear from these data that while progress is being made, more publicly supported housing is still needed in the region.

1.a. Are certain racial/ethnic groups more likely to be residing in one program category of publicly supported housing than other program categories (public housing, project-based Section 8, other multifamily assisted developments, and HCV) in the jurisdiction?

Table 29: Publicly Supported Housing Demographics

Montgomery County	White		Black		Hispanic		Asian or Pacific Islander	
Housing Type	#	%	#	%	#	%	#	%
Public Housing	25	14.04%	85	47.75%	38	21.35%	29	16.29%
Project-Based Section 8	784	26.56%	1,250	42.34%	353	11.96%	562	19.04%
Other Multifamily	65	28.14%	39	16.88%	15	6.49%	111	48.05%
HCV Program	1,212	16.78%	4,771	66.06%	845	11.70%	364	5.05%

	White		Black		Hispanic		Asian or Pacific Islander	
Total Households	185,332	54.16%	58,592	17.12%	44,505	13.01%	45,250	13.22%
0–30% AMI	13,703	35.86%	10,461	27.38%	7,278	19.05%	5,620	14.71%
0–50% AMI	26,132	35.29%	19,914	26.90%	15,993	21.60%	9,801	13.24%
0–80% AMI	35,573	36.09%	25,527	25.90%	21,587	21.90%	12,851	13.04%
Region	White		Black		Hispanic		Asian or Pacific Islander	
Housing Type	#	%	#	%	#	%	#	%
Public Housing	503	6.71%	6,532	87.15%	315	4.20%	128	1.71%
Project-Based Section 8	3,501	17.17%	13,201	64.76%	1,182	5.80%	2,408	11.81%
Other Multifamily	449	26.35%	969	56.87%	100	5.87%	181	10.62%
HCV Program	NA	NA	NA	NA	NA	NA	NA	NA
Total Households	1,146,249	53.04%	547,575	25.34%	229,029	10.60%	184,508	8.54%
0–30% AMI	90,665	33.26%	112,341	41.21%	40,008	14.68%	21,717	7.97%
0–50% AMI	175,960	34.84%	190,389	37.70%	85,426	16.92%	39,408	7.80%
0–80% AMI	244,055	36.68%	240,579	36.15%	111,238	16.72%	51,826	7.79%

Note: Numbers presented are numbers of households, not individuals.
Data sources: Decennial Census; APSH; CHAS.

Montgomery County
In Montgomery County, Black households represent the highest percentage of households that occupy public housing and project-based Section 8 housing and that use HCVs. Asian or Pacific Islander households represent the highest percentage of households that live in other multifamily housing. Hispanic households represent the second highest percentage of households that occupy public housing, while White households are second highest for project-based Section 8 and other multifamily housing and HCVs.

The largest number of Black, White, and Hispanic households in publicly supported housing use an HCV, followed by project-based Section 8 housing. Asian or Pacific Islander households using publicly supported housing are most likely to reside in project-based Section 8 housing. The second most common option for Asian or Pacific Islander households is an HCV. Overall, in Montgomery County, Black households are most likely to occupy publicly supported housing, while White households are least likely to occupy publicly supported housing.

Region

Regionally, the vast majority of households living in publicly supported housing are Black households, despite accounting for only one-quarter of the region's total population. Black households represent the highest percentage of households living in public housing, project-based Section 8 housing, and other multifamily housing. Despite accounting for more than half of the region's total population, White households represent the second-highest percentage of households living in public housing, project-based Section 8 housing, and other multifamily housing. The third-highest number of households living in publicly supported housing are Hispanic households, and Asian or Pacific Islander households are least likely to occupy publicly supported housing. Regionally, HCVs are the most used type of publicly supported housing assistance, often by a large margin.

1.b. Compare the racial/ethnic demographics of each program category of publicly supported housing for the jurisdiction with the demographics of the same program category in the region.

Regional data are not available concerning the demographics of HCV users but are available for other types of publicly supported housing.

Montgomery County

In Montgomery County, there are higher percentages of White households, Hispanic households, and Asian or Pacific Islander households living in public housing developments than across the region. There is a lower percentage of Black households living in public housing developments than regionwide. There are higher percentages of White households, Hispanic households, and Asian or Pacific Islander households living in project-based Section 8 housing developments than across the region. There is a lower percentage of Black households living in project-based Section 8 housing developments than regionwide. There are higher percentages of White households, Hispanic households, and Asian or Pacific Islander households living in other multifamily housing developments than across the region. There is a lower percentage of Black households living in other multifamily housing developments than across the region. Overall, Montgomery County has much higher percentages of White households, Hispanic households, and Asian or Pacific Islander households in publicly supported housing when compared with the entire region.

1.c. Compare the demographics, in terms of protected class, of residents of each program category of publicly supported housing (public housing, project-based Section 8, other multifamily assisted developments, and HCVs) with the population in general and with those who meet the income eligibility requirements for the relevant program category of publicly supported housing in the jurisdiction and the region. Include in the comparison a description of whether there is a higher or lower proportion of groups based on protected class.

Montgomery County

In Montgomery County, there is a higher proportion of Black households using HCVs, residing in public housing, residing in project-based Section 8 housing, and residing in other multifamily housing when compared with the total number of Black households. There is also a higher proportion of Hispanic households residing in public housing. Asian or Pacific Islander households have a higher proportion of occupancy in public housing, project-based Section 8 housing, and other multifamily housing. Correspondingly, there is a significantly lower proportion of White households across all types of publicly supported housing when compared with the total number of White households. There is also a lower proportion of Asian or Pacific Islander households using HCVs. Finally, Hispanic households have a lower proportion of HCV usage, occupancy in project-based Section 8 housing, and occupancy in other multifamily housing.

When broken down by income eligibility, the overrepresentation of Black households using HCVs, residing in project-based Section 8 housing, and residing in other multifamily housing decreases. The overrepresentation of Hispanic households residing in public housing also decreases when controlled for income eligibility. The overrepresentation of Asian or Pacific Islander households in public housing, project-based Section 8 housing, and other multifamily housing decreases when considering income eligibility. The degree of underrepresentation of White households across all publicly supported housing decreases when controlled for income eligibility. The underrepresentation of Asian or Pacific Islander households using HCVs and Black households residing in other multifamily housing increases when considering income eligibility. Finally, the degree of underrepresentation of Hispanic households using HCVs, residing in other multifamily housing, and project-based Section 8 housing increases when controlled for income eligibility.

2. Publicly Supported Housing Location and Occupancy

2.a. Describe patterns in the geographic location of publicly supported housing by program category (public housing, project-based Section 8, other multifamily assisted developments, HCVs, and LIHTC) in relation to previously discussed segregated areas and R/ECAPs in the jurisdiction and the region.

Map 73: Publicly Supported Housing and Race/Ethnicity, Montgomery County, Maryland
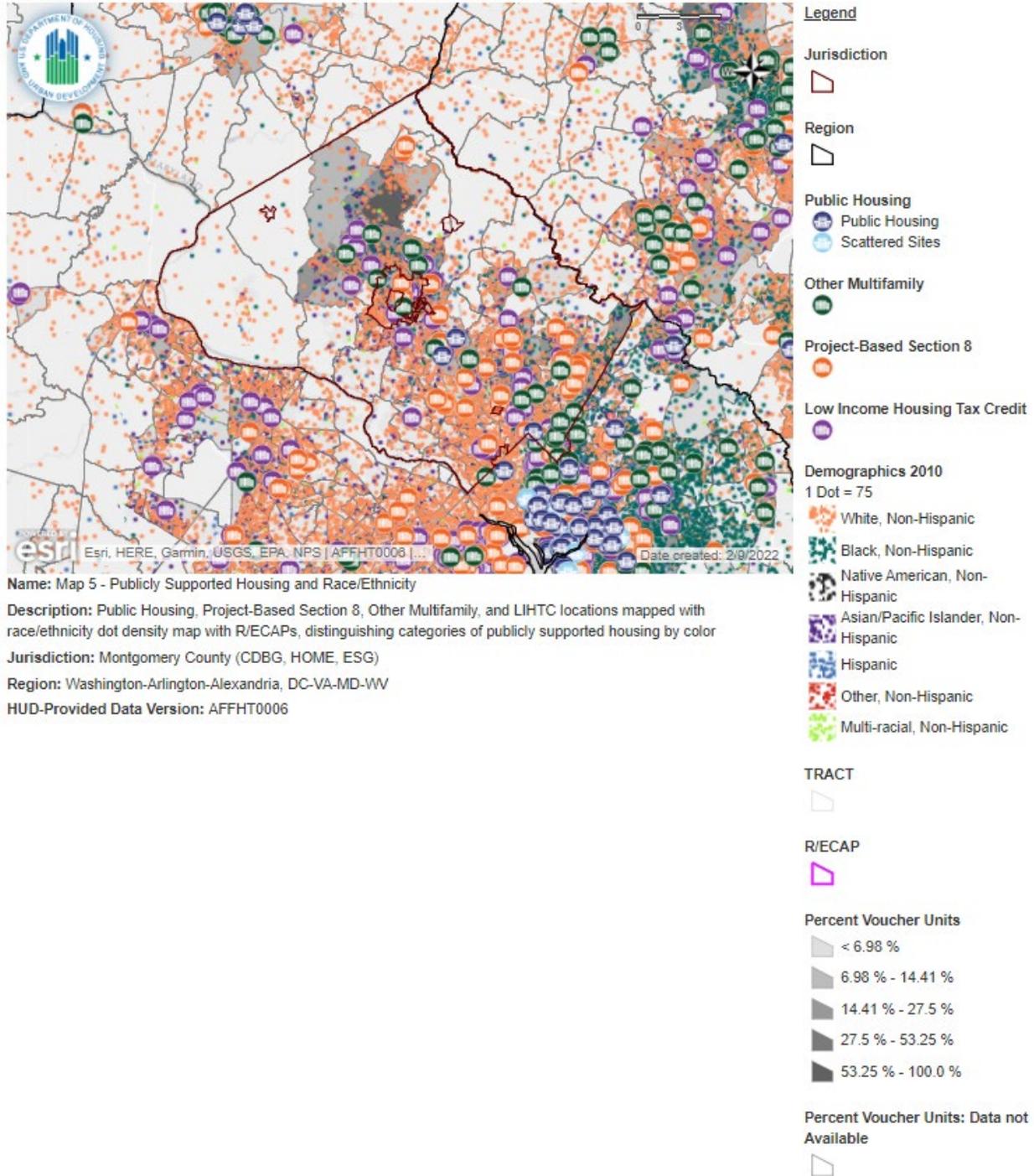
In Montgomery County, a large share of publicly supported housing developments is located in the eastern portion of the county, which has a high concentration of Black and Hispanic residents. There is little publicly supported housing development in the western and northern portions of the county. Most HCV users reside in or close to areas with high percentages of Black residents compared with the county as a whole.

Map 74: Publicly Supported Housing and Race/Ethnicity, Region

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Legend

Jurisdiction

Region

Public Housing
- Public Housing
- Scattered Sites

Other Multifamily

Project-Based Section 8

Low Income Housing Tax Credit

Demographics 2010
1 Dot = 75
- White, Non-Hispanic
- Black, Non-Hispanic
- Native American, Non-Hispanic
- Asian/Pacific Islander, Non-Hispanic
- Hispanic
- Other, Non-Hispanic
- Multi-racial, Non-Hispanic

TRACT

R/ECAP

Percent Voucher Units
- < 6.98 %
- 6.98 % - 14.41 %
- 14.41 % - 27.5 %
- 27.5 % - 53.25 %
- 53.25 % - 100.0 %

Percent Voucher Units: Data not Available

Name: Map 5 - Publicly Supported Housing and Race/Ethnicity

Description: Public Housing, Project-Based Section 8, Other Multifamily, and LIHTC locations mapped with race/ethnicity dot density map with R/ECAPs, distinguishing categories of publicly supported housing by color

Jurisdiction: District Of Columbia (CDBG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

Regionally, much of the publicly supported housing is concentrated near areas with high proportions of Black residents. Publicly supported housing is least likely to be located in areas with high proportions of White residents. The areas with the highest percentage of HCV users also tend to be in areas with higher percentages of Black residents. There is much more publicly supported housing in the eastern portion of the region that is closest to D.C. There is a lack of publicly supported housing in the western and southern portions of the region.

2.b. Describe patterns in the geographic location of publicly supported housing that primarily serves families with children, elderly persons, or persons with disabilities in relation to previously discussed segregated areas or R/ECAPs in the jurisdiction and the region.

Montgomery County

In Montgomery County, project-based Section 8 housing serves the highest percentage of elderly residents when compared with other types of publicly supported housing. Most project-based Section 8 housing is in areas with a higher share of Black residents. The HCV program serves the highest percentage of families with children and the highest percentage of persons with a disability. HCV users are most likely to live in areas with a high percentage of Black residents.

2.c. How does the demographic composition of occupants of publicly supported housing in R/ECAPS compare with the demographic composition of occupants of publicly supported housing outside R/ECAPs in the jurisdiction and the region?

Montgomery County

In Montgomery County, there is no publicly supported housing in R/ECAPs.

Table 30: Publicly Supported Housing Demographics by R/ECAP and Non-R/ECAP Tracts

Montgomery County	Total Units (Occupied) #	White %	Black %	Hispanic %	Asian or Pacific Islander %	Families with Children %	Elderly %	With a Disability %
Public Housing								
R/ECAP tracts	NA	NA	NA	NA	NA	NA	NA	NA
Non-R/ECAP tracts	178	14.04%	47.75%	21.35%	16.29%	38.12%	50.28%	11.43%
Project-Based Section 8								
R/ECAP tracts	NA	NA	NA	NA	NA	NA	NA	NA
Non-R/ECAP tracts	2,984	26.56%	42.34%	11.96%	19.04%	22.43%	60.54%	9.75%
Other Multifamily								
R/ECAP tracts	NA	NA	NA	NA	NA	NA	NA	NA
Non-R/ECAP tracts	172	27.87%	14.75%	1.64%	55.19%	NA	49.02%	29.80%
HCV Program								
R/ECAP tracts	NA	NA	NA	NA	NA	NA	NA	NA
Non-R/ECAP tracts	6,731	16.76%	66.20%	11.69%	4.93%	41.54%	27.88%	19.87%

2.d. Do any developments of public housing, properties converted under the Rental Assistance Demonstration, and LIHTC developments have a significantly different demographic composition, in terms of protected class, than other developments of the same category for the jurisdiction? Describe how these developments differ.

Table 31: Project-Based Section 8 Publicly Supported Housing Demographics

Montgomery County									
Type	Development Name	PHA Code	PHA Name	Units #	White %	Black %	Hispa nic %	Asian %	Househ olds with Children %
Public	David Scull Courts	MD0 07	Rockville Housing Enterprises	105	7.29	58.33	30.21	4.17	71.88
Public	Fireside Park Apartments	MD0 07	Rockville Housing Enterprises	3	NA	NA	NA	NA	NA
Public	Elizabeth House	MD0 04	Housing Opprty Com of Montgomer y Co	106	21.95	35.37	10.98	30.49	NA
Project-Based Section 8	Spring Parc/Fairland Gardens	NA	NA	100	NA	NA	NA	NA	NA
Project-Based Section 8	Mcarc New Hampshire	NA	NA	6	NA	NA	NA	NA	NA
Project-Based Section 8	Georgian Court	NA	NA	29	14.81	74.07	7.41	3.7	37.04
Project-Based Section 8	Beaverwood Homes	NA	NA	4	NA	NA	NA	NA	NA
Project-Based Section 8	Homecrest House North	NA	NA	100	56.19	26.67	4.76	11.43	NA

Project-Based Section 8	Homecrest House South (B'nai B'rith)	NA	NA	135	60.31	28.24	6.11	5.34	NA
Project-Based Section 8	Shady Grove Apartments	NA	NA	144	50.36	13.67	23.74	12.23	17.27
Project-Based Section 8	Mcarc Randolph Rd	NA	NA	6	NA	NA	NA	NA	NA
Project-Based Section 8	Snowden's Ridge	NA	NA	87	7.59	68.35	16.46	6.33	63.29
Project-Based Section 8	Great Hope Homes	NA	NA	21	14.29	71.43	14.29	NA	76.19
Project-Based Section 8	Columbia Towers Limited	NA	NA	14	16.67	58.33	16.67	8.33	50
Project-Based Section 8	Chathlake Apts	NA	NA	4	NA	NA	NA	NA	NA
Project-Based Section 8	Clifton Road Apts Msaac	NA	NA	4	NA	NA	NA	NA	NA
Project-Based Section 8	Revitz House	NA	NA	32	80.65	9.68	3.23	6.45	NA
Project-Based Section 8	Chelsea Towers	NA	NA	21	23.81	33.33	33.33	9.52	NA
Project-Based Section 8	Lakeview House Apts	NA	NA	151	34.21	0.66	1.32	63.82	NA
Project-Based Section 8	Magruders Discovery	NA	NA	134	7.96	43.36	36.28	11.5	32.74
Project-Based Section 8	Damascus Gardens	NA	NA	104	20.95	72.38	6.67	NA	72.38

Project-Based Section 8	Montgomery Paint Branch I	NA	NA	49	15.56	64.44	20	NA	57.78
Project-Based Section 8	Montgomery White Oak IV	NA	NA	37	24.24	48.48	27.27	NA	45.45
Project-Based Section 8	Vista at White Oak V Apartments	NA	NA	20	5.88	70.59	23.53	NA	76.47
Project-Based Section 8	Victory Tower	NA	NA	156	17.42	67.1	13.55	1.94	0.65
Project-Based Section 8	The Barrington Apartments	NA	NA	143	2.11	88.73	9.15	NA	54.23
Project-Based Section 8	Hathaway Apts	NA	NA	4	NA	NA	NA	NA	NA
Project-Based Section 8	Arcola Towers LP	NA	NA	141	33.09	20.86	15.83	30.22	NA
Project-Based Section 8	Heritage House	NA	NA	100	18.95	NA	0	81.05	NA
Project-Based Section 8	Heritage Park Aka Dawson Adams	NA	NA	65	25	31.67	15	28.33	25
Project-Based Section 8	Rock Creek Terrace	NA	NA	457	8.64	73.09	6.17	12.1	44.69
Project-Based Section 8	Mcarc Lawrence Avenue	NA	NA	6	NA	NA	NA	NA	NA
Project-Based Section 8	Rebecca Apts	NA	NA	95	29.17	13.54	44.79	12.5	NA
Project-Based Section 8	Londonderry Towers	NA	NA	150	35.76	2.65	13.25	48.34	3.31

Project-Based Section 8	Rad 6 Apartments	NA	NA	158	27.43	54.29	10.86	7.43	62.29
Project-Based Section 8	St. Luke's Homes, Inc.	NA	NA	18	52.94	29.41	11.76	5.88	NA
Project-Based Section 8	Waverly House LP	NA	NA	148	36.57	21.64	7.46	34.33	NA
Project-Based Section 8	Inwood House	NA	NA	149	51.7	23.81	4.08	20.41	2.04
Project-Based Section 8	Camp Hill Square	NA	NA	10	NA	NA	NA	NA	NA
Project-Based Section 8	900 Thayer Nine LP	NA	NA	62	NA	NA	NA	NA	NA
Project-Based Section 8	Franklin Apartments	NA	NA	183	10.17	59.89	8.47	21.47	1.69
Other Multifamily Assisted Housing	Andrew Kim House	NA	NA	75	5.13	1.28	0	93.59	NA
Other Multifamily Assisted Housing	Thomas Housing Development	NA	NA	9	NA	NA	NA	NA	NA
Other Multifamily Assisted Housing	Second Step Inc.	NA	NA	18	77.78	16.67	5.56	NA	NA
Other Multifamily Assisted Housing	New Hampshire Housing	NA	NA	11	NA	NA	NA	NA	NA
Other Multifamily Assisted Housing	Second Ste II	NA	NA	6	NA	NA	NA	NA	NA

Other Multifamily Assisted Housing	NA	NA	NA	1	NA	NA	NA	NA	NA
Other Multifamily Assisted Housing	Next Step Housing	NA	NA	12	45.45	27.27	9.09	18.18	NA
Other Multifamily Assisted Housing	Waterside Homes	NA	NA	11	81.82	9.09	0	9.09	NA
Other Multifamily Assisted Housing	Vesta Germantown	NA	NA	10	NA	NA	NA	NA	NA
Other Multifamily Assisted Housing	Hughes Neighborhood Housing	NA	NA	23	54.17	45.83	0	NA	NA
Other Multifamily Assisted Housing	Centennial Housing	NA	NA	10	NA	NA	NA	NA	NA
Other Multifamily Assisted Housing	Ashmore Homes	NA	NA	10	NA	NA	NA	NA	NA
Other Multifamily Assisted Housing	University Gardens II	NA	NA	27	0	10.34	0	86.21	NA
Other Multifamily Assisted Housing	Aurora Homes Inc.	NA	NA	8	NA	NA	NA	NA	NA
Other Multifamily Assisted Housing	Washington-Mclaughlin Apt.	NA	NA	8	NA	NA	NA	NA	NA
Other Multifamily	Youth In Transition	NA	NA	12	50	41.67	8.33	NA	NA

Assisted Housing									
Other Multifamily Assisted Housing	Silver Flower Homes	NA	NA	7	NA	NA	NA	NA	NA

Data source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, data version AFFHT0006.

Montgomery County

In Montgomery County, among project-based Section 8 developments, Revitz House has a significantly higher percentage of White residents. Lakeview House and Heritage House (both apartments) have a significantly lower percentage of Black residents and a significantly higher percentage of Asian or Pacific Islander residents. Several developments, such as the Barrington Apartments, Georgian Court, and Rock Creek Terrace, have significantly higher percentages of Black residents. Among other multifamily housing developments, Andrew Kim House and University Gardens II both have a significantly higher percentage of Asian or Pacific Islander residents. Second Step Inc. and Waterside Homes have a significantly higher percentage of White residents.

2.e. Provide additional relevant information, if any, about occupancy, by protected class, in other types of publicly supported housing for the jurisdiction and the region.

2.f. Compare the demographics of occupants of developments in the jurisdiction, for each category of publicly supported housing (public housing, Project-Based Section 8, other multifamily assisted developments, properties converted under the Rental Assistance Demonstration, and LIHTC) with the demographic composition of the areas in which they are located. For the jurisdiction, describe whether developments primarily occupied by one race or ethnicity are located in areas occupied largely by the same race or ethnicity. Describe any differences for housing that primarily serves families with children, elderly persons, or persons with disabilities.

Table 32: Publicly Supported Housing Demographics and Surrounding Census Tract Demographics, Montgomery County

Type	Development Name	PHA Code	PHA Name	Units #		White %		Black %		Hispanic %		Asian %		Households with Children %		Population below Poverty Line %
				Devel opme nt	Tract	Devel opme nt	Trac t	Devel opme nt	Trac t	Devel opme nt	Trac t	Devel opme nt	Trac t	Devel opme nt	Tract	Tract
P	David Scull Courts	MD007	Rockv ille Housi ng Enter prises	105	771	7.3	25	58.3	22.4	30.2	36.4	4.2	13	71.9	41.3	11.6
P	Fireside Park Apartments	MD007	Rockv ille Housi ng	3	2,276	NA	53.8	NA	5.3	NA	16.5	NA	10.7	NA	30.7	7.7

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			Enter prises													
P	Elizabeth House	MD004	Housing Opprty Com of Montgomery Co	106	2,593	22.0	47.3	35.4	25.8	11.0	15	30.5	6.8	NA	21.1	5.1
S8	Spring Parc/Fairland Gardens	NA	NA	100	2,548	NA	17.7	NA	44.5	NA	13.2	NA	19.7	NA	32.5	7.6
S8	Mcarc New Hampshire	NA	NA	6	1,866	NA	45.7	NA	23.8	NA	9.8	NA	13.9	NA	33.7	4.5
S8	Georgian Court	NA	NA	29	2,381	14.8	11.2	74.1	26.4	7.4	50.5	3.7	4	37.0	38.9	15.2
S8	Beaverwood Homes	NA	NA	4	2,430	NA	10.4	NA	25.8	NA	51.6	NA	5.3	NA	50	18.9
S8	Homecrest House North	NA	NA	100	2,061	56.2	26.5	26.7	38.2	4.8	21.1	11.4	8.7	NA	33.2	8.5
S8	Homecrest House South (B'nai B'rith)	NA	NA	135	2,061	60.3	26.5	28.2	38.2	6.1	21.1	5.3	8.7	NA	33.2	8.5
S8	Shady Grove Apartments	NA	NA	144	2,517	50.4	39.1	13.7	20.3	23.7	6	12.2	24.6	17.3	35.8	8.8
S8	Mcarc Randolph Rd	NA	NA	6	2,505	NA	26.1	NA	36.5	NA	19.3	NA	12.8	NA	32.2	6.1
S8	Snowden's Ridge	NA	NA	87	2,548	7.6	17.7	68.4	44.5	16.5	13.2	6.3	19.7	63.3	32.5	7.6
S8	Great Hope Homes	NA	NA	21	2,505	14.3	26.1	71.4	36.5	14.3	19.3	NA	12.8	76.2	32.2	6.1
S8	Columbia Towers Limited	NA	NA	14	561	16.7	4.2	58.3	49	16.7	20.2	8.3	16.1	50.0	38.7	5.9
S8	Chathlake Apts	NA	NA	4	2,198	NA	25.9	NA	34.3	NA	12.8	NA	22.8	NA	25.9	6.2
S8	Clifton Road Apts Msaac	NA	NA	4	2,198	NA	25.9	NA	34.3	NA	12.8	NA	22.8	NA	25.9	6.2
S8	Revitz House	NA	NA	32	1,599	80.7	46.5	9.7	13.3	3.2	13	6.5	20.1	NA	14.8	8.4
S8	Chelsea Towers	NA	NA	21	1,724	23.8	43.2	33.3	17.7	33.3	15.9	9.5	18.7	NA	14.8	11
S8	Lakeview House Apts	NA	NA	151	1,724	34.2	43.2	0.7	17.7	1.3	15.9	63.8	18.7	NA	14.8	11
S8	Magruders Discovery	NA	NA	134	1,724	8.0	43.2	43.4	17.7	36.3	15.9	11.5	18.7	32.7	14.8	11
S8	Damascus Gardens	NA	NA	104	1,954	21.0	53.7	72.4	14.7	6.7	18.6	NA	8.9	72.4	43.3	8.9

S8	Montgomery Paint Branch I	NA	NA	49	NA	15.6	NA	64.4	NA	20.0	NA	NA	NA	57.8	NA	NA
S8	Montgomery White Oak IV	NA	NA	37	2,378	24.2	12.2	48.5	44.6	27.3	34.5	NA	6.6	45.5	46	11.1
S8	Vista at White Oak V Apartments	NA	NA	20	2,378	5.9	12.2	70.6	44.6	23.5	34.5	NA	6.6	76.5	46	11.1
S8	Victory Tower	NA	NA	156	1,435	17.4	60	67.1	16.1	13.6	6.9	1.9	4.2	0.7	39.1	8.7
S8	The Barrington Apartments	NA	NA	143	2,333	2.1	36.6	88.7	36.5	9.2	18.3	NA	6	54.2	26.5	12.6
S8	Hathaway Apts	NA	NA	4	1,233	NA	29.1	NA	21.5	NA	27.1	NA	15.8	NA	31.7	4.3
S8	Arcola Towers LP	NA	NA	141	2,530	33.1	28.8	20.9	32.9	15.8	17.8	30.2	13.3	NA	38.2	6.4
S8	Heritage House	NA	NA	100	2,586	19.0	47.1	NA	8.5	0.0	6.2	81.1	24.9	NA	18.4	12.3
S8	Heritage Park Aka Dawson Adams	NA	NA	65	2,586	25.0	47.1	31.7	8.5	15.0	6.2	28.3	24.9	25.0	18.4	12.3
S8	Rock Creek Terrace	NA	NA	457	2,039	8.6	15.1	73.1	23.8	6.2	41.8	12.1	13.8	44.7	46.8	7.5
S8	Mcarc Lawrence Avenue	NA	NA	6	1,215	NA	50.4	NA	16.5	NA	13.5	NA	9.9	NA	27.4	8.1
S8	Rebecca Apts	NA	NA	95	1,215	29.2	50.4	13.5	16.5	44.8	13.5	12.5	9.9	NA	27.4	8.1
S8	Londonderry Towers	NA	NA	150	1,288	35.8	11.6	2.7	23.5	13.3	52.6	48.3	12.1	3.3	35.1	21.2
S8	Rad 6 Apartments	NA	NA	158	823	27.4	71.7	54.3	4.7	10.9	16.3	7.4	5.2	62.3	39.3	3.1
S8	St. Luke's Homes, Inc.	NA	NA	18	1,172	52.9	70.1	29.4	4.4	11.8	9.4	5.9	11.3	NA	38.4	4.4
S8	Waverly House LP	NA	NA	148	1,448	36.6	61.8	21.6	3.9	7.5	12.8	34.3	17.8	NA	11.4	9.6
S8	Inwood House	NA	NA	149	2,662	51.7	33.1	23.8	11.5	4.1	41.9	20.4	10.4	2.0	36	8.5
S8	Camp Hill Square	NA	NA	10	2,127	NA	33.6	NA	10.8	NA	37	NA	14.8	NA	41	8.7
S8	900 Thayer Nine LP	NA	NA	62	5,610	NA	37.6	NA	42.1	NA	7.6	NA	8.2	NA	9.4	7.6
S8	Franklin Apartments	NA	NA	183	1,938	10.2	44.3	59.9	44.5	8.5	7.3	21.5	3	1.7	37.8	7.4
OM	Andrew Kim House	NA	NA	75	1,269	5.1	56.9	1.3	16.6	0.0	5.6	93.6	17.8	NA	27.4	4.7
OM	Thomas Housing Development	NA	NA	9	561	NA	4.2	NA	49	NA	20.2	NA	16.1	NA	38.7	5.9

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OM	Second Step Inc	NA	NA	18	771	77.8	25	16.7	22.4	5.6	36.4	NA	13	NA	41.3	11.6
OM	New Hampshire Housing	NA	NA	11	2,198	NA	25.9	NA	34.3	NA	12.8	NA	22.8	NA	25.9	6.2
OM	Second Ste II	NA	NA	6	1,758	NA	6.7	NA	21.3	NA	59.5	NA	12.2	NA	62	9.6
OM	Next Step Housing	NA	NA	12	1,564	45.5	17.9	27.3	15.4	9.1	48.8	18.2	14.6	NA	46.8	13.3
OM	Waterside Homes	NA	NA	11	1,564	81.8	17.9	9.1	15.4	0.0	48.8	9.1	14.6	NA	46.8	13.3
OM	Vesta Germantown	NA	NA	10	1,112	NA	20.6	NA	33.9	NA	19	NA	24.4	NA	36.5	4.2
OM	Hughes Neighborhood Housing	NA	NA	23	2,273	54.2	30.5	45.8	33.8	0.0	14.7	NA	9.8	NA	21.4	13.9
OM	Centennial Housing	NA	NA	10	1,766	NA	23.1	NA	19.5	NA	43.7	NA	10.8	NA	52.9	6.7
OM	Ashmore Homes	NA	NA	10	2,842	NA	38.3	NA	23	NA	21.9	NA	14.3	NA	29.3	10.8
OM	University Gardens II	NA	NA	27	1,877	0	11	10.3	32.5	0.0	44.3	86.2	9.6	NA	48.8	11.3
OM	Aurora Homes Inc.	NA	NA	8	2,517	NA	39.1	NA	20.3	NA	6	NA	24.6	NA	35.8	8.8
OM	Washington-Mclaughlin Apt	NA	NA	8	1,108	NA	49.9	NA	23.6	NA	18.9	NA	3.6	NA	47	6.5
OM	Youth In Transition	NA	NA	12	NA	50	NA	41.7	NA	8.3	NA	NA	NA	NA	NA	NA
OM	Silver Flower Homes	NA	NA	7	1,068	NA	29.5	NA	42.1	NA	20.5	NA	4.3	NA	25.8	13.2

Note: Housing types are P = public housing, S8 = project-based Section 8, and OM = other multifamily assisted housing.
Data source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, data version AFFHT0006.

Montgomery County

In Montgomery County, publicly supported housing developments that serve a large percentage of families with children and elderly persons tend to have more Black residents than the populations of the census tracts in which they are located. Developments that serve a large percentage of persons with disabilities tend to have larger White populations than the census tracts in which they are located.

3. Disparities in Access to Opportunity

3.a. Describe any disparities in access to opportunity for residents of publicly supported housing in the jurisdiction and the region, including within different program categories (public housing, project-based Section 8, other multifamily assisted developments, HCVs, and LIHTC) and between types (housing primarily serving families with children, elderly persons, and persons with disabilities) of publicly supported housing.

Montgomery County

In Montgomery County, public housing residents and HCV users tend to have lower access to proficient schools when compared with residents of other types of publicly supported housing. There are no meaningful differences in access to transportation costs, jobs proximity, or labor market engagement across types of publicly supported housing. LIHTC developments and other multifamily developments tend to have lower access to environmentally healthy neighborhoods. This is likely because a significant portion of these types of development are in the central-western portion of the county, which has lower environmental health values than the eastern portion of the county, where HCV users and public housing are more prevalent.

Region

Regionally, public housing residents and HCV users tend to live in areas with low access to proficient schools, low labor market engagement, and low access to environmentally healthy neighborhoods. Proximity to transit centers is less consistent across areas with higher proportions of public housing residents and HCV users.

C. Disability and Access Analysis

In 1988, Congress extended Fair Housing Act protections against housing discrimination to persons with disabilities. In addition to protection against intentional discrimination and unjustified policies that have disproportionate effects, the Fair Housing Act includes three provisions unique to persons with disabilities.

First, the act prohibits the denial of reasonable accommodation requests for persons with disabilities if the accommodations are necessary to afford an individual equal opportunity to use and enjoy a dwelling. Reasonable accommodations are departures from facially neutral policies. These accommodations are generally granted, so long as they would not place an undue burden on the party providing the accommodation or result in a direct threat to the health or safety of others. Permitting an individual with an anxiety disorder to have a dog in their rental unit as an emotional support animal despite a broad "no pets" policy is an example of a reasonable accommodation.

Second, the act prohibits the denial of reasonable modification requests. Modifications involve physical alterations to a unit, such as the construction of a ramp or the widening of a door frame, and must be paid by the person requesting the accommodation unless the unit receives federal financial assistance and is subject to Section 504 of the Rehabilitation Act.

Third, the act includes a design and construction provision that requires most multifamily housing constructed since 1991 to have certain accessibility features. This section of the Fair Housing Analysis looks at the housing barriers faced by persons with disabilities, including those that result in the segregation of persons with disabilities in institutions and other congregate settings.

1. Population Profile

Map 75: Disability by Type (Hearing, Vision, Cognitive), Montgomery County, Maryland

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Legend

Jurisdiction

Region

Disability
1 Dot = 75
Hearing Disability
Vision Disability
Cognitive Disability

TRACT

R/ECAP

Name: Map 14 - Disability by Type

Description: Dot density map of the population of persons with disabilities by persons with vision, hearing, cognitive, ambulatory, self-care, and independent living difficulties with R/ECAPs for Jurisdiction and Region

Jurisdiction: Montgomery County (CDBG, HOME, ESG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

Map 76: Disability by Type (Hearing, Vision, Cognitive), Region

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool
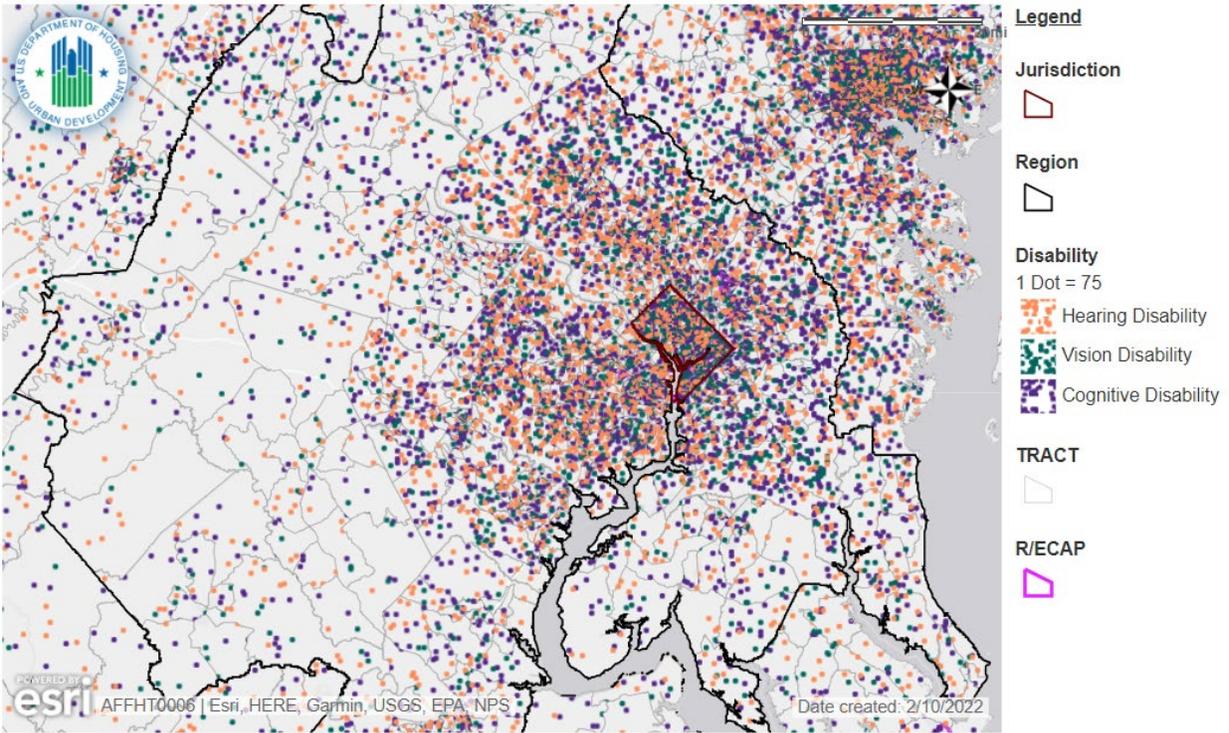
Legend

Jurisdiction

Region

Disability
1 Dot = 75
- Hearing Disability
- Vision Disability
- Cognitive Disability

TRACT

R/ECAP

Name: Map 14 - Disability by Type

Description: Dot density map of the population of persons with disabilities by persons with vision, hearing, cognitive, ambulatory, self-care, and independent living difficulties with R/ECAPs for Jurisdiction and Region

Jurisdiction: District Of Columbia (CDBG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

Map 77: Disability by Type (Ambulatory, Self-Care, Independent Living), Montgomery County, Maryland

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Name: Map 14 - Disability by Type

Description: Dot density map of the population of persons with disabilities by persons with vision, hearing, cognitive, ambulatory, self-care, and independent living difficulties with R/ECAPs for Jurisdiction and Region

Jurisdiction: Montgomery County (CDBG, HOME, ESG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

Map 78: Disability by Type (Ambulatory, Self-Care, Independent Living), Region

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool
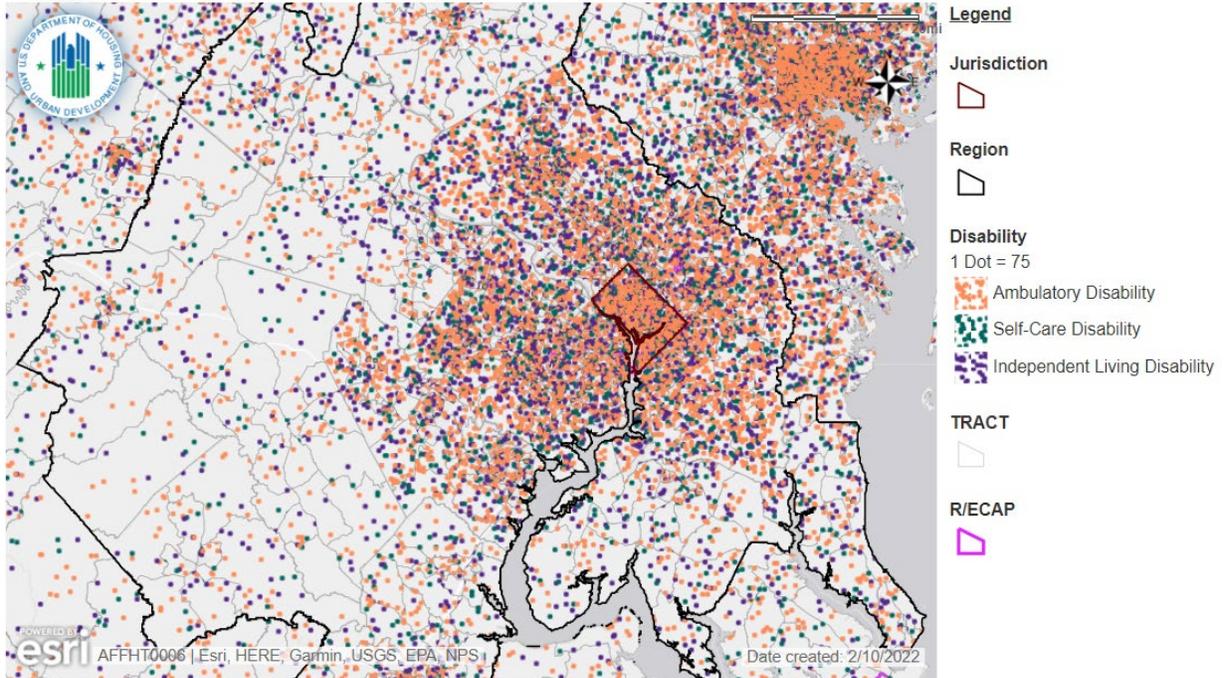
Name: Map 14 - Disability by Type

Description: Dot density map of the population of persons with disabilities by persons with vision, hearing, cognitive, ambulatory, self-care, and independent living difficulties with R/ECAPs for Jurisdiction and Region

Jurisdiction: District Of Columbia (CDBG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

Map 79: Disability by Age, Montgomery County, Maryland

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool

Legend

Jurisdiction

Region

Disability
1 Dot = 75
- Disabled Ages 5-17
- Disabled Ages 18-64
- Disabled Over 64

TRACT

R/ECAP

AFFHT0006 | Esri, HERE, Garmin, USGS, EPA, NPS

Date created: 2/1/2022
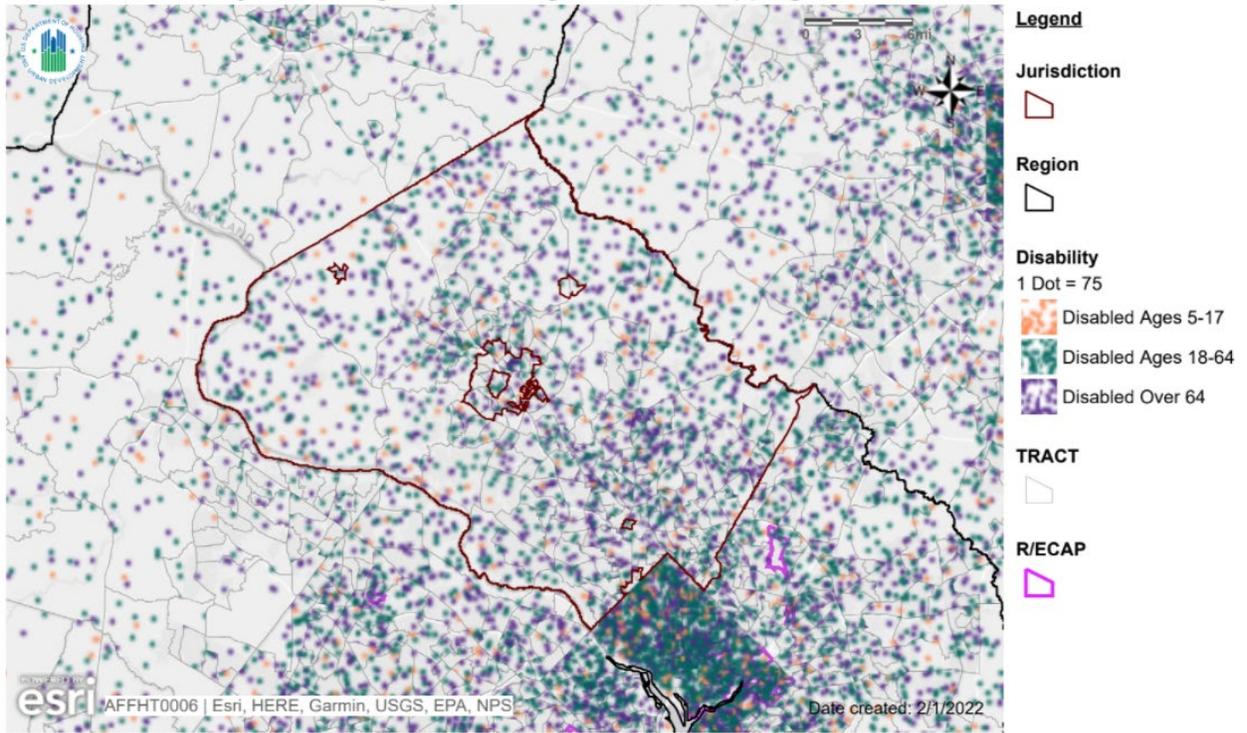
Name: Map 15 - Disability by Age Group

Description: All persons with disabilities by age range (5-17)(18-64)(65+) with R/ECAPs

Jurisdiction: Montgomery County (CDBG, HOME, ESG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

Map 80: Disability by Age, Region

HUD Affirmatively Furthering Fair Housing Data and Mapping Tool
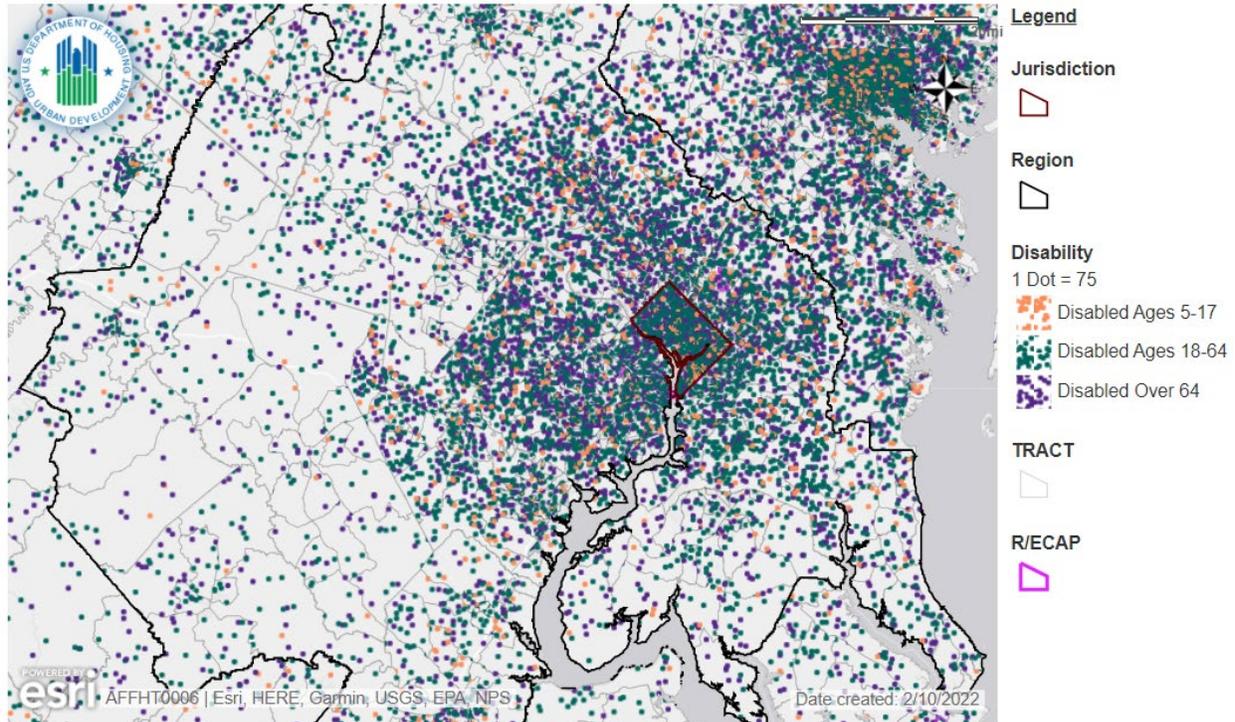
Legend

Jurisdiction

Region

Disability
1 Dot = 75
- Disabled Ages 5-17
- Disabled Ages 18-64
- Disabled Over 64

TRACT

R/ECAP

Name: Map 15 - Disability by Age Group

Description: All persons with disabilities by age range (5-17)(18-64)(65+) with R/ECAPs

Jurisdiction: District Of Columbia (CDBG)

Region: Washington-Arlington-Alexandria, DC-VA-MD-WV

HUD-Provided Data Version: AFFHT0006

Table 33: Disability by Type

Jurisdiction	Disability Status	Hearing Difficulty	Vision Difficulty	Cognitive Difficulty	Ambulatory Difficulty	Self-care Difficulty	Independent Living Difficulty
Montgomery County	8%	3%	3%	3%	3.7%	2%	4.1%
Region	8.7%	2.2%	1.6%	3.4%	4.5%	1.8%	3.9%

Note: All disability characteristics are based on the civilian noninstitutionalized population.
Data source: 2015–2019 American Community Survey five-year estimates.

1.a. How are people with disabilities geographically dispersed or concentrated in the jurisdiction and region, including R/ECAPs and other segregated areas identified in previous sections?

Montgomery County

Geographic areas in Montgomery County having a concentration of persons with disabilities include a section of Wheaton where the Arcola Towers senior living development and Leisure World (a large senior living community) are located. Although there are no R/ECAPs in Montgomery County, Wheaton is more heavily Black and Hispanic than the county as a whole. Leisure World, by contrast, is disproportionately White. Areas of a slightly elevated but not extreme percentage of persons with disabilities are most likely to be in the racially and ethnically diverse eastern and northwestern portions of the county and not in the more heavily White southwestern portion of the county.

1.b. Describe whether these geographic patterns vary for people with each type of disability or for people with disabilities in different age ranges for the jurisdiction and region.

Montgomery County
The patterns described above are consistent for most types of disabilities except for hearing disabilities. There are some areas in the southwestern portion of the county having higher rates of persons with hearing disabilities, and individuals with hearing disabilities are more dispersed throughout the county than are persons with other types of disabilities. Older adults with disabilities are not highly concentrated in specific parts of the county—except for Leisure World—but children and younger adults with disabilities disproportionately reside in the eastern and northwestern parts of the county.

2. Housing Accessibility

2.a. Describe whether the jurisdiction and the region have sufficient affordable, accessible housing in a range of unit sizes.

As the data show, between 2.5 percent and 6.1 percent of individuals have ambulatory disabilities, depending on the jurisdiction. Similarly, 2–3 percent of individuals and 2–4 percent of individuals, respectively, have hearing or vision disabilities. Given the large size of the region, this implies a likely estimated total need for between 100,000 and 300,000 accessible housing units. Given the low income levels of persons with disabilities, it is critical that a significant share of these units be affordable for them to be truly useful.

Accessibility Requirement for Federally Funded Housing

HUD's implementation of Section 504 of the Rehabilitation Act of 1973 (24 CFR Part 8) requires that publicly supported federal housing developments make (1) 5 percent of total units accessible to individuals with mobility disabilities and (2) an additional 2 percent of total units accessible to individuals with sensory disabilities. It requires that each property, including site and common areas, meet the Uniform Federal Accessibility Standards or HUD's alternative accessibility standard.

Public housing and project-based Section 8 units are both considered to be publicly supported housing. The Publicly Supported Housing Analysis section describes, jurisdiction by jurisdiction, the number of units that exist through the public housing and project-based Section 8 programs, as well as programs like Section 202 and Section 811 that fall under the umbrella of other multifamily housing. Collectively, these units account for a significant share of units subject to Section 504, though that law's accessibility requirements apply to HUD programs like HOME and CDBG as well.

Unfortunately, housing through the programs discussed in the Publicly Supported Housing Analysis section account for tens rather than hundreds of thousands of units, and, as described above, the accessibility requirements that apply to those units only require that 5 percent of units be accessible to persons with mobility disabilities and 2 percent to individuals with sensory disabilities. As publicly supported housing is generally concentrated in the District and is least present in outer suburban communities like Loudoun and Prince William Counties, the distribution of accessible units may follow that pattern to an extent. However, as discussed below, a portion of older public housing units in the District may require retrofits in order to be fully accessible, slightly undermining that conclusion.

Low-Income Housing Tax Credit Units

There is legal ambiguity regarding whether LIHTC units are subject to Section 504, but the program contributes an important supply of affordable, accessible housing regardless. That is primarily because the Fair Housing Act's design and construction requirements, which took effect in 1991, have been in place for the vast majority of the life of the LIHTC program. There are tens of thousands of LIHTC units across the jurisdictions, including 23,631 low-income LIHTC units in the District. It is likely that more LIHTC units meet an accessibility standard than other types of publicly supported housing units, but the accessibility standard that those LIHTC units meet is a lesser one.

Fair Housing Act Units

In the region, 156,637 units in structures with five or more units have been built from 2000 to the present and a further 176,137 units in structures with five or more units were built from 1980 through 1999. It is not possible to determine what portion of the latter was constructed between the date in 1991 when the Fair Housing Act's design and construction standards took effect and the close of 1999. This may appear to be a significant number of potentially accessible units, but it is important to keep a few factors in mind. First, the data above include publicly supported housing units, particularly LIHTC units, built in the relevant timeframe. Thus, totals from this subsection cannot be added to figures from the preceding subsections. Second, many households that do not include individuals with disabilities who have accessibility needs also reside in this housing. Indeed, from the standpoint of community integration, it would not be a desirable outcome for people who do not have disabilities to vacate this housing en masse for it to be made available to persons with disabilities. Third, compliance with the Fair Housing Act's accessibility requirements can be uneven at times. These ACS data do not provide a basis for concluding that the developers of this housing followed the law.

Summary

Overall, there appear to be significant unmet needs for affordable, accessible housing in the region. It is likely that these are most acutely felt in outer suburban communities like Loudoun and Prince William Counties that lack both multifamily housing, in general, and publicly supported housing, in particular, in comparison with the jurisdictions at the core of the region. It is also likely that funding for accessibility retrofits will be essential to ensure that older sources of publicly supported housing, like D.C.'s large public housing stock, are accessible to persons with disabilities. Lastly, inclusionary zoning, as practiced in the District, Fairfax County, and Montgomery County, has begun to create better balance in the location of affordable, accessible housing regionally.

2.b. Describe the areas where affordable, accessible housing units are located in the jurisdiction and the region. Do they align with R/ECAPs or other areas that are segregated?

The Publicly Supported Housing Analysis section contains a granular discussion of the location of affordable housing in each jurisdiction and in the region. There is no basis for concluding that there are significant differences between where affordable housing is located and where affordable, accessible housing is located. There may, however, be some minor nuances. For instance, the affordable housing that is least likely to be accessible consists of older developments, principally public housing, developed before the passage of accessibility laws. By a wide margin, the District is home to the largest share of such housing. Thus, while the District still likely has more affordable, accessible housing than any jurisdiction, it is also likely that a meaningful amount of D.C.'s public housing is not accessible.

At the same time, because public housing is subject to Section 504, public housing residents may be entitled to have the D.C. Housing Authority pay for accessibility retrofits as reasonable modifications. The other important nuance is in regard to affordable but not publicly supported housing produced through inclusionary zoning programs. The District, Fairfax County, and Montgomery County all have robust inclusionary zoning programs that result in the development of affordable units, most frequently in large new multifamily developments. The locations of such developments are often different from the distribution of affordable, accessible housing that exists through publicly supported housing programs. In Fairfax County, the most significant areas of growth through inclusionary requirements are in the Silver line corridor in western Fairfax County. In D.C., areas of growth include the Wharf, Navy Yard, NoMa, Shaw, Columbia Heights, and Petworth. In Montgomery County, Bethesda and Rockville are areas of significant inclusionary development.

2.c. To what extent are people with different disabilities able to access and live in the different categories of publicly supported housing in the jurisdiction and region?

Table 34: People with a Disability by Publicly Supported Housing Program Category

Montgomery County	#	%
Public Housing	21	11.43%
Project-Based Section 8	295	9.75%
Other Multifamily	77	25.37%
HCV Program	1,433	19.84%

Data source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, data version AFFHT0006.

Montgomery County
In Montgomery County, persons with disabilities are underrepresented in public housing and project-based Section 8 housing relative to their share of the income-eligible population, but they appear to have relatively equal opportunity to reside in other multifamily housing and to obtain HCVs.

3. Integration of People with Disabilities Living in Institutions and Other Segregated Settings

3.a. To what extent do people with disabilities in or from the jurisdiction or region reside in segregated or integrated settings?

Until a wave of policy reforms and court decisions in the 1960s and 1970s, governments at all levels, including in Virginia, Maryland, and the District of Columbia, primarily housed persons with intellectual and developmental disabilities and individuals with psychiatric disabilities in large state-run institutions. Within these institutions, persons with disabilities had few opportunities for meaningful interaction with individuals without disabilities, limited access to education and employment, and a lack of individual autonomy. The transition from housing persons with disabilities in institutional settings toward providing housing and services in home and community-based settings accelerated with the passage of the ADA in 1991 and the US Supreme Court's landmark decision in *Olmstead v. L. C.* in 1999. In *Olmstead*, the Supreme Court held that, under the regulations of the US Department of Justice implementing Title II of the ADA, if a state or local government provides supportive services to persons with disabilities, it must do so in the most integrated setting appropriate to the needs of each person with a disability and consistent with their informed choice. This obligation is not absolute

and is subject to the ADA defense that providing services in a more integrated setting would constitute a fundamental alteration of the state or local government programs.

The transition from widespread institutionalization to community integration has not always been linear, and concepts about what constitutes a home and community-based setting have evolved over time. Although it is clear that developmental centers and state hospitals are segregated settings, and an individual's own house or apartment in a development where most residents are individuals without disabilities is an integrated setting, significant ambiguities remain. Nursing homes and intermediate care facilities are clearly segregated, though not to the same degree as state institutions. Group homes fall somewhere between truly integrated supported housing and segregated settings, and the degree of integration in a group home often corresponds to its size.

The following section includes detailed information about the degree to which persons with intellectual and developmental disabilities and individuals with psychiatric disabilities reside in integrated or segregated settings. The selection of these two areas of focus does not mean that persons with other types of disabilities are never subject to segregation. The discussion below includes some jurisdiction-level analysis but is primarily organized by state. State governments are primarily responsible for implementation of the *Olmstead* mandate, and, as a result, there are often significant commonalities across jurisdictions within the same states.

Maryland

Unlike the District and Virginia, there has not been significant litigation regarding community integration for persons with disabilities in Maryland. The state has partially transitioned from housing persons with intellectual and developmental disabilities in institutions to providing services in community-based settings, but two institutions—Holly Center in Salisbury and the Potomac Center in Hagerstown—remain. Although the US Census Bureau does not disaggregate these data by type of disability, the 2015–2019 ACS shows that the 140,495 residents of group quarters in Maryland were over three times as likely—33.3 percent compared with 10.7 percent—to have disabilities as individuals not living in group quarters. Residents of institutionalized group quarters—55.2 percent—were especially likely to have disabilities. It is likely that a higher percentage of Marylanders living in group quarters have disabilities than in the District, as the District has a large number of colleges and universities whose dormitories skew the demographics of the group quarters population. In both the District and in Maryland, a significantly higher percentage of residents live in nursing homes than in Virginia. Although Maryland still maintains a system of state hospitals for individuals with psychiatric disabilities, the state does not appear to rely on those institutions as heavily as does Virginia.

3.b. Describe the range of options for people with disabilities to access affordable housing and supportive services in the jurisdiction and the region.

Supportive Services

Across jurisdictions, supportive services are provided through similar Medicaid-funded programs, including variations on waivers for home- and community-based services. These programs, at their best, enable individuals with disabilities, including those with the most intensive needs for services and supports, to live in integrated, community-based settings. The exact names of available waivers, the processes for applying, the length of wait (if any) to start receiving waiver services, and the services covered under the waiver (and their billing rates) vary from jurisdiction to jurisdiction.

The Maryland Developmental Disabilities Administration offers three waiver programs for individuals with intellectual and developmental disabilities in addition to the Low Intensity Support Services

program for individuals not receiving waiver services. The Montgomery County DHHS administers additional waiver programs for individuals with traumatic brain injuries, autistic people, medically fragile people, and older adults with disabilities. As a result of these programs, intensive community-based services are available for a broader spectrum of disabilities than in Virginia. As in Virginia, there are waiting lists for waiver services in Maryland, and, as a result, not all people with disabilities are able to receive the community-based services they need to live in integrated settings. Mental health services in Maryland are administered at the county level. Although the Montgomery County DHHS does not reference assertive community treatment for psychiatric disabilities in its materials, that intensive level of support appears to be available through private nonprofit providers in the jurisdiction.

Permanent Supportive Housing

The provision of PSH across jurisdictions in the region is far more disparate. Through its Department of Human Services, the District of Columbia provides locally funded tenant-based rental assistance on a large scale as its primary means of creating integrated housing opportunities. The assistance can be accessed through the Coordinated Assessment and Housing Placement system. One limitation of this program is that payment standards for rental assistance are lower than those of the District of Columbia Housing Authority. As a result, persons with disabilities may have limited choice of neighborhoods and sometimes resort to housing entirely outside D.C. Montgomery County, Maryland, serves more than 1,500 individuals annually through its PSH, with at least 90 percent retaining permanent housing on an annual basis. In Virginia, multiple local governments support nonprofits like New Hope Housing, PathForward, and the Good Shepherd Housing Foundation that provide supportive housing through a number of different approaches, including site-based PSH development and master leasing of units in existing apartment complexes. Tenant-based rental assistance for persons with disabilities is much less available in Virginia than it is in the District, and PSH programs are much more established and operate at a larger scale in Alexandria, Arlington County, and Fairfax County than they do in Loudoun and Prince William Counties. These outer suburban counties need more capacity for PSH to keep pace with their more rapid population growth.

4. Disparities in Access to Opportunity

4.a. To what extent are people with disabilities able to access—and what major barriers do they face in accessing—the following services, accommodations, and opportunities in the jurisdiction and the region?

i. Government Services and Facilities

Although a variety of public facilities and services have reasonable accommodation policies for persons with disabilities, many facilities and services require additional outreach or efforts by the person with a disability to request accommodations themselves, usually with several days' notice, rather than having these services consistently embedded into their administration. As a result, individuals with disabilities must be proactive to obtain necessary accommodations.

In the region, some counties provide a range of accessibility services. Montgomery County has an ADA compliance team and provides training and technical assistance for county staff on ADA compliance and other disability needs. Similarly, Fairfax County provides ADA services through its government offices, including enforcing building codes that require ADA compliance and handling ADA complaints. In the District of Columbia, any facility or part of a facility constructed by a state or local government entity after January 26, 1992, must be built in strict compliance with the ADA. The District is not necessarily required to make every pre-ADA facility fully compliant with current accessibility codes, however, all District services, programs, or activities must be accessible to and usable by persons with

disabilities when viewed in their entirety. This is called "overall program access."[24] Nonetheless, this loophole means accessibility problems may remain, with persons who have disabilities facing greater barriers in accessing government facilities or services. The same principles apply to other governments in the region.

Web accessibility reveals similar dualities, as governments have attempted to comply with Section 508 website accessibility standards. However, this compliance is only implemented "whenever possible," and certain elements remain poorly accessible.

ii. Public Infrastructure

Although accommodations are available for a range of public and private infrastructure (e.g., sidewalks, pedestrian crossings, and pedestrian signals), lack of compliance or maintenance results in inequitable treatment for persons with disabilities. Inadequate maintenance of sidewalks can impede accessibility for persons with mobility-related disabilities, including persons who require wheelchairs for transportation. Recent public efforts, such as the crowdsourced Project Sidewalk, endeavor to map sidewalk accessibility by noting curb ramp conditions, lack of sidewalks, and other common issues impeding mobility in the District. Many sidewalks in the District metropolitan area are not up to ADA standards; in many cases, this is because construction projects have left large cracks that serve as impediments to persons in wheelchairs. The governments of the District of Columbia, Virginia, and Maryland have all put out ADA Transition Plans for Public Rights-of-Way, which provide a detailed review of sidewalks, crosswalks, bus stops, curb ramps, and accessible pedestrian signals. However, the Transition Plans for D.C., published in 2016, and Maryland, published in 2009, have not been updated recently, and inaccessible infrastructure problems persist. Additionally, because COVID-19 has caused restaurants to use more public space for outdoor dining, the pandemic has created new accessibility challenges. Moreover, parking of electric scooters and bicycles has also resulted in impassable sidewalks, particularly in downtown D.C.

iii. Transportation

In Virginia, the elderly population is predicted to increase to 20 percent of residents by 2030,[25] the largest population increase of any demographic. The state recognizes that as the elderly population increases, the demand for public transportation will increase as well, but as it admits in its 2018 *Assessment of Disability Services in Virginia* study, there is insufficient transportation of this type to accommodate rising demand.[26] The outpaced demand for transportation also disproportionately impacts individuals with disabilities, who also tend to rely on public transportation to travel. Similarly, although Maryland has more extensive public transportation modes for individuals with disabilities, less extensive infrastructure in suburban areas reduces access for individuals with disabilities.

Bus and Rail
The Washington Metropolitan Area Transit Authority (WMATA) serves the entire region and explicitly outlines on its website the measures taken to enhance access to its rail and bus systems for persons with disabilities. Fare vending machines have accessibility features, including instructions in Braille with raised alphabets and a button for audio instructions. All stations have at least one extra-wide fare gate for wheelchair access, and all stations except Arlington Cemetery use bumpy tiles to alert customers with low vision that they are nearing the edge of a platform. Railcars also provide priority seating for persons with disabilities and gap reducers have been installed on all railcars to make it easier for an individual with a mobility support to enter and exit the car safely. For Metrobus, all buses are wheelchair accessible and have both audio and visual stop announcements. If the automated announcement system fails to work, bus operators announce major intersections, landmarks, and transfer points. Various other measures are in place as well.[27]

One notable concern with the WMATA Metrorail system is the operating quality of elevators. They are deteriorating, resulting in patrons being trapped in the elevator.[28] Also, at stations with multiple entrances, signage directing people to elevators can often be scarce, making them difficult to locate.[29] Because elevators are a primary access point to the Metro station for individuals with disabilities, these dysfunctional elevator features are likely to disproportionately limit transportation access for transit riders with disabilities. This trend may change as an influx of federal dollars is allocated to elevator repairs.

Virginia Railway Express,[30] the Maryland Transit Administration,[31] the D.C. Circulator,[32] ART buses,[33] and Montgomery County Ride On buses use similar measures to Metrorail and Metrobus.[34] Prince William County's OmniRide,[35] Loudoun County Local Bus Service,[36] and the Fairfax Connector[37] and CUE buses are wheelchair accessible; however, their websites do not specify whether bus operators are instructed to announce major intersections, landmarks, and transfer points.[38] The Alexandria DASH bus system is wheelchair accessible, provides bus service within the city, and connects with Metrobus, Metrorail, Virginia Railway Express, and other local bus systems. However, the DASH website does not elaborate on what, if any, other measures are taken to make the system accessible to persons with disabilities.[39] DASH has been fare-free since September 2021.[40]

Paratransit
WMATA also runs MetroAccess, a door-to-door paratransit program, throughout the entire region. Some MetroAccess customers are entitled to free rides on Metrorail and Metrobus. However, MetroAccess does not provide same-day trip service. Fares can also be expensive and cost up to $6.50 per trip.[41]

WMATA also offers an even more costly service called Abilities-Ride. Although this service has been suspended because of COVID-19, Abilities Ride allows individuals eligible for MetroAccess to receive same-day transportation services through a local taxi company, provided the trip begins or ends in Maryland. The individual pays for the first $5 of the trip, WMATA pays for the next $15, and then the rider is responsible for paying any amount over $20.[42] The City of Rockville offers a similar program that provides low-income residents over the age of 60 a subsidy of $34 a month for taxicab services.[43]

The Alexandria DOT offers a paratransit program similar to MetroAccess seven days a week for Alexandria residents unable to use public transportation. As with MetroAccess, trips must be scheduled a minimum of one day in advance. Trips inside the city and within five miles of the city cost $4 each way, and trips to areas more than five miles outside the city cost $6 each way. Availability of the paratransit program may also be limited to high-priority trips, depending on the status of the COVID-19 pandemic.[44] Arlington County,[45] Loudoun County,[46] and MDOT[47] also offer similar paratransit programs that do not take same-day reservations.

iv. Proficient schools and educational programs

Montgomery County
Montgomery County does not appear to have released aggregated data on educational outcomes for students with disabilities. As of October 2018, there were 19,848 students with disabilities enrolled in special education, constituting 12 percent of the total enrollment.[48] Hispanic and Black students with disabilities are overrepresented, constituting 35 percent and 26 percent respectively.[49]

v. Jobs

As the table below shows, persons with disabilities are employed at extremely low rates across all jurisdictions participating in this analysis. The problem is most extreme in the District and least pervasive in Fairfax County, Gaithersburg, and Loudoun County, also suburban areas with low unemployment and high labor force participation generally. As jurisdictions undertake efforts to increase access to employment for persons with disabilities, it is critical that the opportunities created be truly integrated and pay a decent wage. Under Maryland Code Health-Gen. § 7-207, sheltered workshops that pay below the minimum wage may not receive state funding in Maryland. By contrast, sheltered workshops that fail to pay minimum wage are still present in Virginia.

Table 35: Population with a Disability That Is Employed, Ages 18–64

Jurisdiction	%
Alexandria	50.2%
Arlington County	50.2%
District of Columbia	32.5%
Fairfax County	58.6%
Gaithersburg	61.3%
Loudoun County	58.4%
Montgomery County	51.6%
Prince William County	54.2%

Source: 2019 American Community Survey one-year estimates.

4.b. Describe existing processes in the jurisdiction and the region for people with disabilities to request and obtain reasonable accommodations and accessibility modifications to address the barriers discussed above.

i. Government Services and Facilities

Jurisdictions in the region vary in the extent to which they clearly and publicly share information about reasonable accommodation processes and accessibility on local government websites. Three jurisdictions—Fairfax County, Loudoun County, and Montgomery County—have robust, well-organized accessibility pages on their sites that are directly accessed from the main page. The District of Columbia also links to its accessibility page from its main page, but the information presented there is not as comprehensive. Alexandria and Arlington County do not link to their accessibility pages from their main pages but do have accessibility pages that present useful information. Gaithersburg and Prince William County have extremely sparse information about accessibility on their websites.

ii. Public Infrastructure

Arlington County, the District of Columbia, Fairfax County, and Montgomery have dedicated portals for residents to make sidewalk-related requests, including accessibility requests, rather than routing individuals through more general accessibility request processes.

iii. Transportation

Major transportation providers in the region, including WMATA and Virginia Railway Express, include information about how to request reasonable accommodations on their websites.

iv. Proficient Schools and Educational Programs

School districts in the region generally have information about requesting accommodations posted on their websites.

v. Jobs

This analysis did not reveal specific information regarding reasonable accommodations policies for private employers. The description of website accessibility information for government services and facilities above has significant implications for access to public-sector employment.

4.c. Describe any difficulties in achieving homeownership experienced by people with disabilities and by people with different types of disabilities in the jurisdiction and the region.

Persons with disabilities face at least two significant barriers to homeownership in the region. First, as discussed above, persons with disabilities tend to have lower incomes than individuals who do not have disabilities. Given the higher cost of homeownership in comparison with renting in an area with expensive housing costs, homeownership is often out of reach. Second, single-family homes, which are not covered by the Fair Housing Act's design and construction standards, are the most significant source of owner-occupied units in the region. Multifamily units, by contrast, are comparatively more likely to be rental units. Single-family units may not be accessible to persons with mobility disabilities, in particular.

5. Disproportionate Housing Needs

5.a. Describe any disproportionate housing needs experienced by people with disabilities and by people with certain types of disabilities in the jurisdiction and the region.

As with homeownership, the comparatively low-income levels of persons with disabilities fuel disproportionate levels of cost burden.

Factors Contributing to Disability and Access Issues
Please see the Contributing Factors section for the following Contributing Factors to Disability and Access Issues:

- access for persons with disabilities to proficient schools
- access to publicly supported housing for persons with disabilities
- access to transportation for persons with disabilities
- inaccessible government facilities or services
- inaccessible public or private infrastructure
- lack of access to opportunity attributable to high housing costs
- lack of affordable in-home or community-based supportive services
- lack of affordable, accessible housing in a range of unit sizes
- lack of affordable, integrated housing for individuals who need supportive services
- lack of assistance for housing accessibility modifications
- lack of assistance for transitioning from institutional settings to integrated housing
- lack of local or regional cooperation
- land use and zoning laws
- lending discrimination
- location of accessible housing
- loss of affordable housing

- occupancy codes and restrictions
- regulatory barriers to providing housing and supportive services for persons with disabilities
- source-of-income discrimination
- state or local laws, policies, or practices that discourage individuals with disabilities from living in apartments, family homes, supportive housing, and other integrated settings

V. Fair Housing Enforcement, Outreach Capacity and Resources

1. List and summarize any of the following that have not been resolved:
- *a charge or letter of finding from HUD concerning a violation of a civil rights–related law*
- *a cause determination from a substantially equivalent state or local fair housing agency concerning a violation of a state or local fair housing law*
- *any voluntary compliance agreements, conciliation agreements, or settlement agreements entered into with HUD or the Department of Justice*
- *a letter of findings issued by or lawsuit filed or joined by the Department of Justice alleging a pattern or practice or systemic violation of a fair housing or civil rights law*
- *a claim under the False Claims Act related to fair housing, nondiscrimination, or civil rights generally, including an alleged failure to affirmatively further fair housing*
- *pending administrative complaints or lawsuits against the locality alleging fair housing violations or discrimination*

There were no unresolved findings; compliance, conciliation, or settlement agreements; claims; complaints; or lawsuits regarding fair housing and civil rights laws in the D.C. metropolitan region.

2. Describe any state or local fair housing laws. What characteristics are protected under each law?

Maryland Laws
The Maryland Commission on Civil Rights enforces the Maryland Fair Housing Law (MD State Govt Code § 20-702, *et seq.*). Maryland's Fair Housing Law provides protection and monetary relief to victims of unlawful housing practices. The law prohibits discriminatory housing practices and harassment in the following:

- advertising
- application and selection process
- terms and conditions of tenancy
- privileges of occupancy
- mortgage loans and insurance
- public and private land use practices
- participation in real estate organizations

The following categories are protected by the Maryland Fair Housing Law:

- race
- color
- religion
- sex
- familial status
- national origin
- marital status
- sexual orientation

- gender identity
- disability
- source of income

Additionally, the Maryland Fair Housing Law contains reasonable accommodations, reasonable modifications, and accessibility provisions similar to the federal Fair Housing Amendments Act.

Maryland Human Relations Law (MD State Govt Code § 20-301, *et seq.*) prohibits discrimination in seeking public accommodations on the basis of race, color, religion, sex, familial status, national origin, marital status, sexual orientation, gender identity, disability, or source of income.

3. *Identify any local and regional agencies and organizations that provide fair housing information, outreach, and enforcement, including their capacity and the resources available to them.*

Montgomery County
Montgomery County, Maryland, has enacted a fair housing ordinance (Montgomery County Code § 27-12, *et seq.*). The ordinance makes it illegal to discriminate in the sale or rental of housing on the basis of race, sex, marital status, physical or mental disability, religion, national origin, ancestry, presence of children, source of income, sexual orientation, age, or family responsibility. The fair housing ordinance is enforced by the Montgomery County Office of Human Rights.

Maryland Commission on Civil Rights
The Maryland Commission on Civil Rights (MCCR) administers and enforces Maryland's antidiscrimination statutes for housing, employment, and public accommodations. MCCR also accepts and investigates complaints of housing discrimination. MCCR has an education and outreach unit that offers trainings, public outreach, and informational resources on fair housing issues. Finally, MCCR is a HUD Fair Housing Assistance Program agency and receives funding from HUD to enforce fair housing laws.

Equal Rights Center
The Equal Rights Center (ERC) is a private civil rights organization in Washington, D.C., that identifies and seeks to eliminate unlawful and unfair discrimination in housing in the greater Washington area and nationwide. The ERC's core strategy for identifying housing discrimination is civil rights testing. The ERC conducts tests and trains civil rights testers. The ERC also conducts fair housing trainings to educate the public, engages in policy advocacy, and enforces fair housing laws. In addition, the ERC conducts research and releases publications on fair housing.

Washington Lawyers' Committee for Civil Rights and Urban Affairs
Based in Washington, D.C., the Washington Lawyers' Committee for Civil Rights and Urban Affairs uses litigation, public education, and policy advocacy to fight housing discrimination. The Housing Justice Project at the organization handles a wide variety of issues, including predatory lending, discriminatory real estate advertising, insurance discrimination, exclusionary zoning, discrimination against families with children, and discrimination against low-income families who use housing subsidies.

Fair Housing Enforcement, Outreach Capacity, and Resources Contributing Factors
Please see the Contributing Factors section for the following Contributing Factors to Fair Housing Enforcement, Outreach Capacity, and Resources:

- Lack of local private fair housing outreach and enforcement
- Lack of local public fair housing enforcement
- Lack of resources for fair housing agencies and organizations

- Lack of state or local fair housing laws
- Unresolved violations of fair housing or civil rights law

VI. Fair Housing Goals and Priorities

The participating jurisdictions thoroughly considered input from many sources as they developed the fair housing goals and strategies below. Beyond local and federal data, these sources included public forums, stakeholder engagements, individual interviews, surveys, and guidance from the Community Advisory Committee.

The participating jurisdictions have chosen these shared goals and strategies as those most impactful in reducing housing discrimination, reversing patterns of racial segregation, and improving access to opportunity for all current and future residents of the metropolitan Washington region.

A. Regional Goals

1. Increase the supply of housing affordable to low- and moderate-income families in the region, particularly in areas that have historically lacked such housing.

The metropolitan Washington region has high and ever-increasing housing costs, along with an unequal distribution of committed affordable housing and housing restricted to those with low to moderate incomes. For example, home values jumped over 11 percent last year in Prince William County, and the median home value in Arlington rose to almost $800,000. As a result, there are significant fair housing challenges for members of protected classes in the region. Data presented in this fair housing plan indicate that among the most impacted groups in the region, Hispanic residents, Black residents, and persons with disabilities experience housing affordability and housing instability problems most acutely.

Many households are rent burdened, and racial and ethnic minorities face severe housing burdens at higher rates. For example, 25 percent of renters in the District of Columbia pay over 50 percent of their income on rent. In the region, 57 percent of severely burdened households were non-White, and 47 percent were immigrant households.

a. *Use best practices from other jurisdictions and explore policies and programs that increase the supply of housing affordable to lower- and moderate-income households, such as housing bonds, real estate transfer taxes, mandatory inclusionary housing where permitted, as-of-right ADUs, public land set aside for affordable housing, community land trusts, expedited permitting and review, and relaxation of parking requirements for affordable housing developments.*

The above policies and practices have resulted in an increase in affordable housing in jurisdictions throughout the country. In the region, there has been an increase in the supply of subsidized affordable housing in jurisdictions that have adopted these best practices.

b. *Lower the income targeting of new rental housing affordable to people with incomes of 80 percent of AMI to 60 percent and below, with specific targeting of units affordable at 50 percent of AMI or below in order to address the chronic housing shortage for low-income individuals and families.*

A number of jurisdictions require developers that use inclusionary zoning incentives to set aside affordable housing units for households with incomes of up to 80 percent of AMI. Jurisdictions should target newly constructed affordable units for households with incomes at or below 60 percent of AMI through a combination of increasing incentives and lowering the number of set-aside units to make deeper affordability financially feasible.

c. *Provide low-interest loans to develop ADUs with affordability restrictions on the property.*

ADUs (also known as accessory living units, or ALUs, in Fairfax County) are now allowed in all participating jurisdictions, with varying restrictions. Local governments should consider providing financial assistance or tax benefits to incentivize homeowners to make their ADUs affordable to HCV users. Because it can be difficult for homeowners to access bank financing to build ADUs, there may be a need to offer incentives. As a condition of receiving assistance, jurisdictions should also require homeowners to attend fair housing training and to maintain records that facilitate audits of their compliance with nondiscrimination laws. Education for individual homeowners who do not have experience as landlords and knowledge of the law may prevent unintentional and intentional violations of fair housing laws.

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.**

The prevalence of single-family residential zoning in the region makes it challenging to develop committed affordable housing that could offer housing opportunities to members of protected classes. Many cities across the country are allowing greater zoning density to meet the demand for housing, resulting in lower development costs per unit and new condo and cooperative homeownership models.

a. *Revise zoning regulations to allow as-of-right ADUs.*

Currently, the District of Columbia, Arlington County, Fairfax County, Loudoun County, and Montgomery County allow ADUs in most of their residential zones. ADUs have the potential to expand affordable housing options without expanding land development. This is particularly relevant in the region, where the preponderance of land is zoned for single-family housing.

b. *Increase inclusionary zoning incentives for creating on-site affordable housing and increase fees in lieu of providing on-site affordable housing.*

Inclusionary housing programs often lack enough financial incentives for providing on-site affordable housing. Increasing these incentives along with increasing fees for developers who choose alternative compliance options will increase the likelihood of creating additional committed affordable housing units in high-opportunity areas.

c. *Adopt zoning changes that facilitate the development of affordable housing as of right.*

Multifamily housing remains the most effective way of producing deeply affordable housing that is critically necessary to meet the needs of Black and Hispanic households and persons with disabilities in the region. Zoning that allows affordable multifamily housing developments as of right in designated areas such as the Council of Government's "Activity Centers,"[50]— denser, mixed-use housing and job centers—can reduce the cost of affordable housing development, thereby increasing the number of units that can be developed from year to year. Overlay districts are a way of achieving this goal while avoiding the opportunity cost of

predominantly market-rate multifamily development and, particularly, development that yields few family-sized units and monopolizes desirable sites.

d. *Incorporate a fair housing equity analysis into the review of significant rezoning proposals and specific plans.*

Several large new developments in the region have not sufficiently addressed the needs of members of protected classes who have been displaced or priced out of the area. Incorporating a fair housing analysis in the review process for these plans, similar to what the City of Boston recently implemented, could reduce displacement and other negative impacts for members of protected classes.[51]

3. Implement policies designed to preserve affordable housing and prevent displacement with a goal of no net loss of existing affordable rental units.

The region lost a significant number of affordable housing units during the past decade from the compounding impacts of reduced housing production, decreased federal investment in deeply affordable housing, and a lack of local resources to acquire and preserve housing affordable to lower-income households. In the region, there was a loss of more than 85,000 rental units with monthly rents under $1,500 and an increase of more than 40,000 rental units with monthly rents $2,500 and above. The region must prioritize the preservation of its existing affordable stock as a necessary complement to increasing its supply of affordable housing.

a. *Preserve affordable subsidized and market-rate housing, including manufactured housing, by tracking and supporting existing affordable housing and establishing an acquisition loan fund for tenants, nonprofit organizations, and local governments to purchase for-sale apartments and manufactured home parks.*

A significant number of committed affordable housing developments are coming to the end of their affordability requirements. Their owners have little incentive to renew subsidy contracts in higher-opportunity areas or in areas experiencing rapid gentrification, which is the majority of the region. It is generally more cost-effective to preserve existing affordable housing than to build new affordable housing, particularly in areas with high land costs. Accordingly, jurisdictions should track affordable housing developments, particularly those in higher-opportunity or rapidly gentrifying areas, and work with nonprofit housing developers to provide financial support for property acquisition and rehabilitation. Additionally, all for-profit developers of proposed affordable housing projects, including those funded through LIHTC, should be required to provide ROFR to tenants, nonprofit organizations, and local governments seeking to maintain affordability after rent restrictions are lifted. For manufactured home parks—one of the most important sources of unsubsidized affordable housing in the region, particularly in its more rural areas—homeowners should be provided an opportunity to purchase their communities with technical assistance from nonprofit organizations like ROC USA.

4. Increase the number of homeowners in the region and reduce inequities and discriminatory practices that limit homeownership opportunities for members of protected classes.

The greater metropolitan Washington region is facing an affordability crisis in homeownership as well as in rental housing. In the past year alone, housing prices rose almost 11 percent, making homeownership out of reach for the majority of residents, particularly members of protected classes.

a. *Increase homeownership opportunities for low- and moderate-income members of protected classes through the following strategies:*
   - Support innovative approaches designed to increase homeownership opportunities, such as cooperative homeownership models and community land trusts.
   - Support policies and practices that will increase the supply of affordable homeownership housing units, such as allowing and encouraging smaller, higher-density units/ADUs and duplexes.
   - Ensure that affordable housing set-asides in new housing developments include subsidized home ownership opportunities in addition to subsidized rental opportunities.
   - Increase housing affordability through mortgage write-downs, down payment and closing cost assistance, special purpose credit programs, and other affordable homeownership subsidies.
   - Support first-time homebuyers by expanding financial literacy programs, homeownership counseling, and homebuyer education.

b. *Support current homeowners with protected characteristics, including racial and ethnic minorities, persons with disabilities, and seniors, through the following strategies:*
   - Increase funding for repair, rehabilitation, and renovation programs and products.
   - Expand programs that provide energy efficient improvements to lower utility costs.
   - Provide comprehensive foreclosure prevention counseling and legal referrals.

c. *Reduce inequities and discriminatory practices that exacerbate the wealth gap between White households and households of color by addressing issues of appraisal bias and by increasing fair housing testing and monitoring for lenders and real estate entities. Use local and regional Community Development Financial Institutions to target members of protected classes to reduce inequities in mortgage lending.*

5. Protect the housing rights of individuals with protected characteristics.

Evictions and significant rent increases contribute to the displacement of protected class members, particularly Black and Hispanic residents and persons with disabilities. The pandemic has highlighted the vulnerability of renters, as well as racial and ethnic disparities.

a. *Expand locally funded housing voucher programs, increase the scale and scope of housing mobility programs, and improve the portability of vouchers across jurisdictions in the region.*

   Housing mobility is an important tool to address high segregation levels in the HCV program. In many places in the region, voucher families have been limited in where they can live. Additional local resources, along with increased mobility strategies and better coordination throughout the region, will give families a broader range of housing options.

b. *Reduce barriers to accessing rental housing by encouraging landlords to reduce, eliminate, or offset application fees for voucher users and follow HUD's guidance on the use of criminal backgrounds in screening tenants.*

   Stakeholders reported that high application fees for rental housing are a significant barrier for HCV users. Additionally, some landlords continue to refuse rental housing to prospective tenants based on criminal background checks that reveal decades-old criminal histories or minor misdemeanors.

c. *Pilot a Right to Counsel program to ensure legal representation for tenants in landlord-tenant proceedings.*

Thousands of residents in the region are displaced annually after evictions. According to local legal services and fair housing organizations, many evictions occur because tenants do not understand their rights and 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. Several legal providers in the region are well positioned to serve low-income tenants, including undocumented tenants. Although funding for legal representation would be an up-front investment, it is less costly than serving families experiencing homelessness.

d. *Expand and increase support for fair housing outreach, education and training, testing, and enforcement.*

Jurisdictions could increase support for organizations that provide fair housing outreach, education, and enforcement and expand the number of protected classes tested annually. Although Virginia, Maryland, and the District of Columbia require landlords to accept HCVs, tenants report that some landlords continue to refuse vouchers. Landlords have also refused to participate in the Emergency Rental Assistance Program, preferring to file for eviction instead. Tenants facing eviction reported difficulties accessing these emergency rental assistance funds, and victims of housing discrimination did not know where to get help. Some jurisdictions reported that there was limited fair housing testing and no testing for discrimination against persons with disabilities.

The metropolitan Washington region recognizes 12 protected classes in common; 7 are federal, with the balance designated by the District of Columbia, Maryland, and Virginia. Beyond the federal classes, fair housing protections in the two states and the District of Columbia include marital status, age, elderliness (age 55 or older), sexual orientation, gender identity or expression, and source of income. Expanding testing beyond race and ethnicity on an annual basis could identify and address discriminatory practices and reduce harm to residents.

Fair housing organizations and legal services providers play a critical role in fair housing enforcement, education, and outreach but struggle to meet the full needs of victims of discrimination because financial and staff capacity are limited. By supporting these organizations, jurisdictions can help ensure that these organizations can address existing and critical emerging issues, like source-of-income discrimination and emergency rental assistance.

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

a. *Increase the supply of PSH units by utilizing innovative funding streams, like affordable housing bonds, affordable housing trust funds, commercial linkage fees, and real estate transfer taxes.*

Federal funding sources such as CDBG and HOME and inclusionary zoning are not sufficient to meet the total need for PSH for persons with disabilities. Additionally, some program rules for federal housing programs may disproportionately exclude persons with disabilities generally or persons with specific types of disabilities on the basis of criminal history and

directly exclude undocumented persons with disabilities based on immigration status. Deeply affordable housing utilizing the above funding mechanisms could help increase the supply of such housing. In designing incentives, jurisdictions could use existing priorities for PSH in qualified allocation plans (QAPs) to encourage PSH set-asides in new developments. Additionally, jurisdictions should prioritize using that funding to support developments that would be eligible for the Section 811 Project Rental Assistance Program.

b. *Advocate for the adoption of design standards that require at least 10 percent of total units in new multifamily developments receiving public funds to be accessible to persons with mobility disabilities and at least 4 percent for persons with hearing and vision disabilities.*

Persons with disabilities, including seniors, have expressed difficulty finding accessible housing. Some jurisdictions in the region have adopted this higher standard to increase housing options for persons with disabilities, and the higher standard should become uniform throughout the region.

c. *Increase support for rental assistance programs for persons with disabilities and advocate for additional resources.*

Programs like Virginia's State Rental Assistance Program provide much-needed rental assistance to persons with disabilities. Increasing this assistance will provide options for persons with disabilities who are leaving institutions or are at risk of institutionalization and who are at high risk of becoming homeless.

d. *Support fair housing testing that investigates barriers identified by case managers who assist persons with disabilities in finding integrated housing.*

Fair housing testing is most effective as a civil rights tool when it targets structural barriers that perpetuate segregation. Case managers who assist persons with disabilities with securing housing, particularly those persons exiting institutions, homelessness, or incarceration, are uniquely positioned to identify patterns across large landlords that make it harder for persons with disabilities to find homes and maintain stable tenancy.

e. *Support education regarding the application of the Fair Housing Act's reasonable accommodation duty in the context of criminal history screening.*

Persons with disabilities are disproportionately likely to have contact with the criminal justice system and to be the victims of crime. Some contact with the criminal justice system has a causal connection to individuals' disabilities and law enforcement's inadequate training and capacity to deescalate difficult situations. Persons with disabilities may be entitled to reasonable accommodations that qualify them for units for which landlords' criminal history screening policies might otherwise make them ineligible. Focused education for landlords on this point would help ensure that accommodation requests in this context are responded to appropriately.

f. *Improve the tracking and mapping of the locations of affordable, accessible restricted units and the accessibility of surrounding streets and sidewalks.*

Tenants expressed frustration with the absence of a database with ADA-accessible housing units. Regional jurisdictions could identify ways to develop and maintain this list, make it available on the jurisdiction's website, and distribute it to organizations serving persons with

disabilities. Additionally, it is important to ensure that the surrounding streets and sidewalks are accessible.

7. **Expand access and affordability of public transportation for members of protected classes.**

High housing costs in the region have forced many low- and moderate-income residents, including members of protected classes, to move farther from their jobs and reliable public transportation. This, in turn, can exacerbate disparities in employment and can also burden employers who cannot find local residents to hire.

a. *Identify resources to expand free or reduced-fare bus and paratransit transportation to low-income households.*

Transportation barriers for members of protected classes increase with rising displacement. Data shows that low-income households are much more likely to use bus services.[52] Providing free bus transportation to lower-income households would help facilitate access to jobs and services.

b. *Study and make recommendations to improve, expand, and coordinate bus routes across jurisdictions to ensure that members of protected classes can access jobs in employment centers.*

As members of protected classes are forced to live farther from their jobs as a result of displacement caused by soaring housing costs, public transportation options become less viable. Bus routes should be expanded or rerouted to ensure that they connect the places low- and moderate-income members of protected classes—who are more likely to use public transportation—live and work.[53] Additional funding may be required to accomplish this.

B. **Montgomery County Goals**

1. **Increase the supply of housing that is affordable to low- and moderate-income families through the following strategies:**

a. *Expand preservation and production of income-dedicated units, both rental and homeownership, using Housing Initiative Fund, HOME, and CDBG loans to dedicated affordable-housing developers, prioritizing units dedicated to households with income less than 50 percent of AMI.*
b. *Prioritize production of income-dedicated units, for both rental and ownership, on County-owned land, targeting pricing for households with income less than 50 percent of AMI.*
c. *Ensure MPDU provision for all eligible developments, discontinuing the option of payments in lieu of providing MPDUs.*
d. *Leverage Community Reinvestment Act program investments from local banks to expand and enhance affordable housing developments.*

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.**

a. *Formalize no net loss provisions in master plan and sector plan rezoning of currently affordable housing units, providing density to support one-for-one affordable unit replacement in future redevelopment.*
b. *Adopt strategies from the Thrive Montgomery 2050 general plan and the Attainable Housing Strategies initiative that support expanded densities in transit corridors, adaptive reuse of*

> commercial properties, faith-based community land development, and protections of existing affordable housing units.
>
> c. Require increases in percentages of MPDUs where zoning density increases create value from supporting additional MPDU dedication.

3. **Protect the housing rights of individuals with protected characteristics.**

   a. Expand awareness of fair housing rights and enforcement activities to ensure compliance with protections for all tenants, including tenants acting to ensure their tenants' rights.
   b. Expand dedication of housing units for persons with disabilities, persons experiencing homelessness, and seniors with special housing needs.
   c. Implement access to counsel support for all tenants in landlord–tenant court actions, ensuring income-eligible households have access to information and counsel for representation.

4. **Expand access and affordability of public transportation for members of protected classes.**

   a. Expand flash/bus rapid transit routes and additional bus routes to support access to rail lines and areas of employment opportunity.
   b. Expand income-based fare options to reduce barriers to access for lower-income households

VII. Contributing Factors

Access to Proficient Schools for Students with Disabilities

Alexandria
In the most recent Individuals with Disabilities Education Act (IDEA) report from 2019, the City of Alexandria performed near state targets on most indicators, but obstacles remain in others. For example, 65 percent of Alexandria students with Individualized Education Programs (IEPs) are included in regular classroom instruction for at least 80 percent of the day, compared with the state target of 70 percent. However, 36 percent of children ages 3–5 continue to attend separate educational facilities when the state target is 17 percent.[54] Development of adequate IEPs in Alexandria is prompt, and representation among children with disabilities is commensurate with the demographics of the district as a whole.

Arlington County
Of Arlington County's 27,000 students, 14.3 percent receive special education services. Arlington County schools consistently rank among the highest performing in Virginia and the nation, but barriers remain in access to opportunities for individuals with disabilities. The demographic disparities between students referred for IEPs and the overall population of APS are small. However, significant racial, class, and language disparities persist among students referred for supplementary aids and services provided under Section 504 of the Rehabilitation Act: White students are overrepresented (66 percent of Section 504 referrals vs. 45 percent of the APS population), and economically disadvantaged students (8 percent vs. 32 percent) and English learners (6 percent vs. 30 percent) are underrepresented.[55]

APS has routinely fallen short of the state target for the percentage of early childhood students with disabilities who spend the majority of their time in regular early childhood programs; in 2016–2017, this was 27 percent for APS, while the state target was 33 percent.[56] However, APS exceeded state targets in preparing students with disabilities for the postsecondary transition, with 60 percent of such

students enrolling in higher education within one year of leaving high school, compared with the state target of 35 percent.[57]

<u>District of Columbia</u>
Students with disabilities are nearly 20 percent of all students in the District. The Office of the State Superintendent of Education has implemented initiatives to increase access to proficient schools for these students, but significant barriers remain. Nearly 25 percent of the 3,253 students with disabilities who are transported by the District to school spend two hours or more on the bus to school each day.[58]

Accessibility in schools is evaluated using IDEA, which requires all states and the District of Columbia to assess accessibility standards in public schools every year. In the District's latest report, from 2019, the percentage of children with IEPs who spent 80 percent or more of the school day inside regular classrooms (57 percent) fell well short of the target (64 percent).[59] This discrepancy begins in preschool education and continues through high school. Moreover, of the 1,770 students with disabilities, over 66 percent exited special education by dropping out of the school system.[60]

Although no particular racial or ethnic groups or particular disabilities appear to be overrepresented among the District's population of students with disabilities, the identification of these students and the implementation of IEPs continues to be inadequate. Only 86 percent of children whose parents had consented to an IEP evaluation received one within 60 days.[61] And though IEP development for early childhood is close to the target, the same is not true for the secondary education level. Only 76 percent of students ages 16 and older have an adequate IEP that accounts for postsecondary goals.[62] As a result of these discrepancies, the achievement gap between students with and without disabilities is growing in the District.

<u>Fairfax County</u>
The most recent IDEA report from 2019 found that although Fairfax students with disabilities participate and perform well in academic assessments compared with state targets, access to educational infrastructure remains inadequate. Only 54 percent of Fairfax students with IEPs are included in regular classroom instruction for at least 80 percent of the day, compared with the state target of 70 percent, and 46 percent of children ages 3–5 continue to attend separate educational facilities when the state target is 17 percent.[63] Nonetheless, development of adequate IEPs in Fairfax is prompt, and representation among children with disabilities is commensurate with the demographics of the district as a whole.

<u>Gaithersburg</u>
See Montgomery County.

<u>Loudoun County</u>
In Loudoun County, fewer impediments to educational access for students with disabilities exist in comparison with other jurisdictions. Fewer than 0.5 percent of students with disabilities drop out, and 79 percent graduate from high school with a regular diploma. However, only 68 percent of students with disabilities are included in regular classroom instruction for at least 80 percent of the day, below the state target.[64] Additionally, 27 percent of children ages 3–5 attend separate educational facilities, above the state target of 17 percent.[65]

<u>Montgomery County</u>
Montgomery County does not appear to have released aggregated data on educational outcomes for students with disabilities. As of October 2018, 19,848 students with disabilities were enrolled in

special education, 12 percent of the total enrollment.[66] Hispanic and Black students with disabilities are overrepresented at 35 percent and 26 percent, respectively.[67]

Prince William County
Prince William County's 2018 IDEA report shows a graduation rate for students with IEPs of 64 percent, higher than the state target rate of 56 percent.[68] The county has a dropout rate of 1.5 percent, slightly higher than the state target rate. The report also identified a significant discrepancy in the rate of suspensions and expulsions for children with IEPs. The rate of students included in regular classrooms 80 percent or more of the day is 65 percent, below the state target rate of 70 percent.[69] Among children ages 3–5 with IEPs, the rate of children in separate educational facilities is 30 percent, significantly higher than the state target of 17 percent.[70]

Access to Financial Services

Region
Access to financial services is a contributing factor to fair housing issues in the District of Columbia but is not a significant factor for fair housing issues in surrounding municipalities. Residents of the District of Columbia are unbanked at a far higher percentage than surrounding municipalities. According to the 2022 Prosperity Now Scorecard, a higher percentage of people of color were unbanked than White/Non-Hispanic people in all municipalities with data.[71] The District of Columbia had the greatest unbanked discrepancy, with 1.1 percent of White/Non-Hispanic households unbanked compared with 12.7 percent of people of color.[72]

Table 36: Access to Financial Services

Municipality	Population Estimate July 1, 2019	Minority Population %	Unbanked %	FDIC-Regulated Institutions	FDIC-Regulated Full-Service Brick-and-Mortar Branches	FDIC-Regulated Non-Brick-and-Mortar Branches
City of Alexandria	159,428	33.3%	4.0%	15	32	2
Arlington County	8,535,519	25.0%	2.5%	24	58	3
District of Columbia	705,749	54.0%	8.0%	32	197	15
Fairfax County	1,147,532	35.3%	2.4%	39	273	19
Loudoun County	413,538	33.0%	1.6%	23	85	7
Montgomery County	1,050,688	40.0%	2.8%	28	252	19
Prince William County	470,335	37.6%	3.2%	16	65	4

Data source: US Census Bureau, *Quick Facts*, 2020, https://www.census.gov/quickfacts/fact/table/US/PST045219; Prosperity Now Scorecard, *Local Outcome Report,* September 2021, https://scorecard.prosperitynow.org/reports#report-local-outcome; and "Details and Financials—Institution Directory," FDIC, accessed September 30, 2022, https://www7.fdic.gov/idasp/advSearchLanding.asp.

Many financial institutions and physical banking locations are available to residents in the metropolitan D.C. area. However, mere physical access to financial institutions does not preclude the possibility of predatory lending practices, nor does it assure access to banking institutions (see the Lender Discrimination section).

Access to Publicly Supported Housing for Persons with Disabilities

In the region, HCVs are the primary form of publicly supported housing support for persons with disabilities. Project-based Section 8 provides a disproportionately lower rate of housing for individuals with disabilities than other programs.

In Maryland, residents with disabilities tend to have low incomes; therefore, there is a significant need for affordable housing, including publicly supported housing. Based on a study performed by the Maryland Department of Health, at least half of all residents with a disability had a household income of less than $15,000.[73] Additionally, the population of elderly residents is expected to increase to over 20 percent of the total population. Currently, almost 195,000 elderly residents are cost burdened.[74]

Similarly, Virginia has a high rate of individuals with disabilities who live in poverty: an estimated 20 percent.[75] As in Maryland, the population of elderly residents is predicted to substantially increase in the next 10 years. Consequently, there is significant demand among individuals with disabilities for access to publicly supported housing, and this need is likely to increase in the coming years.

Data from HUD show that, across jurisdictions, persons with disabilities are underrepresented in project-based Section 8 developments in relation to their proportion of the income-eligible population. Because local governments in the area do not directly administer project-based Section 8 developments, support for fair housing organizations to engage in testing may be the most effective way to address this underrepresentation. Although the data do not show similar disparities for other types of publicly supported housing, low-income persons with disabilities may also have limited access to LIHTC units because of the way rents are set in those developments. In LIHTC developments, affordability is generally targeted at households making 50 percent or 60 percent of AMI. Because over half of Maryland residents with disabilities have household incomes under 30 percent of AMI, many do not meet AMI requirements for LIHTC development.

In the region, most residents with a disability rely on HCVs, although the proportion of multifamily dwellings and project-based housing in some jurisdictions provides additional housing options. Despite the prevalence of HCVs, those with ambulatory disabilities do not have sufficient accessible housing because there is a lack of accessibility features.

Regionally, HCVs are the primary form of publicly supported housing. Included in other multifamily developments are Section 811 developments, which target persons with disabilities, and Section 202, which target elderly individuals (who are disproportionately persons with disabilities). Additionally, although the proportion of residents with disabilities in other multifamily housing is high compared with other programs in several jurisdictions, the total amount of available multifamily housing is significantly lower than the amount available through the HCV program. Although HUD does not provide regional data reflecting the percentage of HCV users with disabilities, it provides these data by jurisdiction for other CDBG recipients.

Table 37: Housing Choice Voucher Users with Disabilities, by Jurisdiction

Jurisdiction	#	%
Alexandria	214	15.82
Arlington County	318	21.98
District of Columbia	2,994	24.75
Fairfax County	705	17.75
Gaithersburg	101	17.32
Loudoun County	140	24.14
Montgomery County	1,141	16.78
Prince William County	442	19.95

Data source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, data version AFFHT0006.

In the District, where almost 12 percent of the population reports having a disability, persons with disabilities appear able to access public housing and HCVs at rates at least commensurate with the portion of the income-eligible population that has disabilities. The same is not true with respect to project-based Section 8 units, in which the percentage of residents with disabilities is lower than the percentage of all District residents with disabilities and is presumably much lower than the percentage of the income-eligible population that has disabilities. The reason for this disparity is not clear. Because the other multifamily housing category includes several programs with different purposes and because the District has relatively few other multifamily developments, it is not clear whether persons with disabilities face structural barriers to accessing that housing.

The District also administers tenant-based rental assistance programs and other supportive housing assistance that specifically targets persons with particular types of disabilities. Within these programs, persons with disabilities are not underrepresented. The Department of Behavioral Health's *Supportive Housing Strategic Plan, 2012–2017*,[76] reported that 675 Home First tenant-based vouchers were available for persons with psychiatric disabilities, in addition to those provided through the HCV program, and that the District had funded project-based rental assistance for 121 units of PSH for the same population. The Department on Disability Services also provides rental assistance to persons with developmental disabilities, though data are not available on the number of individuals served. Family members of individuals with developmental disabilities have reported difficulties using this assistance to find housing within the District for their loved ones because payment standards are not as generous as for the HCV program. As a result, some individuals with developmental disabilities from the District reside outside the regional parameters in Montgomery County, Maryland, while receiving District-funded services.

Of the other jurisdictions in the region, only Loudoun County has a greater proportional representation of persons with disabilities among its voucher holders than the District. Additionally, this jurisdiction has among the fewest vouchers in use. This suggests that suburban public housing authorities may not prioritize serving persons with disabilities as well as the District of Columbia Housing Authority. At the same time, the overall share of persons with disabilities, at approximately 9 percent, is significantly lower regionwide than in the District.

Montgomery County has the second-largest population of persons with disabilities in the region. As in other jurisdictions, a much lower proportion of individuals with disabilities use project-based Section 8 housing. Other programs like HCVs and other multifamily housing offer a significantly larger proportion of available affordable units. While multifamily dwellings in Montgomery County do have a higher proportion of residents with disabilities than HCV units do, the latter provides the largest number of publicly supported housing units throughout the county. But, as noted above, HCVs may offer limited accessibility for individuals with ambulatory impairments.

Access to Transportation for Persons with Disabilities

Access to transportation for persons with disabilities is a significant contributing factor. In Virginia, the elderly population is predicted to increase to 20 percent of residents by 2030,[77] the largest population increase of any demographic. The state recognizes that as the elderly population increases, the demand for public transportation will increase, but as it admits in its 2018 Assessment of Virginia's Disability Services System, public transportation is insufficient to accommodate rising demand.[78] The outpaced demand for transportation also disproportionately impacts individuals with disabilities, who also tend to rely on public transportation to travel. Similarly, although Maryland has more extensive public transportation modes for individuals with disabilities, less extensive infrastructure in suburban areas reduces access for individuals with disabilities.

Bus and Rail
WMATA serves the entire region and explicitly outlines on its website the measures taken to enhance access to its rail and bus systems for persons with disabilities. Fare vending machines have accessibility features, including instructions in Braille with raised alphabets and a button for audio instructions. All stations have at least one extra-wide fare gate for wheelchair access, and all stations except Arlington cemetery use bumpy tiles to alert customers with low vision that they are nearing the edge of a platform. Rail cars also provide priority seating for persons with disabilities and gap reducers have been installed on all rail cars to make it easier for an individual with a mobility support to enter and exit the car safely. For Metrobus, all buses are wheelchair accessible and have both audio and visual stop announcements. If the automated announcement system fails to work, bus operators announce major intersections, landmarks, and transfer points. Various other measures are in place as well.[79]

One notable concern with the WMATA Metrorail system is the operating quality of elevators. They are deteriorating, resulting in patrons being trapped in the elevator.[80] Also, at stations with multiple entrances, signage directing people to elevators can often be scarce, making them difficult to locate.[81] Because elevators are a primary access point to the Metro station for individuals with disabilities, these dysfunctional elevator features are likely to disproportionately limit transportation access for transit riders with disabilities. This trend may change as an influx of federal dollars is allocated to elevator repairs.

Virginia Railway Express,[82] the Maryland Transit Administration,[83] the DC Circulator,[84] ART buses,[85] and Montgomery County Ride On buses use similar measures to Metrorail and Metrobus.[86] Prince William County's OmniRide,[87] Loudoun County Local Bus Service,[88] and the Fairfax Connector[89] and CUE buses are wheelchair accessible, however their websites do not specify whether bus operators are instructed to announce major intersections, landmarks, and transfer points.[90] The Alexandria DASH bus system is wheelchair accessible, provides bus service within the city, and connects with Metrobus, Metrorail, Virginia Railway Express, and other local bus systems. However, the DASH website does not elaborate on what, if any, other measures are taken to make the system accessible to persons with disabilities.[91] DASH has been fare-free since September 2021.[92]

Paratransit
WMATA also runs MetroAccess, a door-to-door paratransit program, throughout the entire region. Some MetroAccess customers are entitled to free rides on Metrorail and Metrobus. However, MetroAccess does not provide same day trip service. Fares can also be expensive and cost up to $6.50 per trip.[93]

WMATA also offers an even more costly service called Abilities-Ride. Although this service has been suspended because of COVID-19, Abilities Ride allows individuals eligible for MetroAccess to receive same-day transportation services through a local taxi company, provided the trip begins or ends in Maryland. The individual pays for the first $5 of the trip, WMATA pays for the next $15, and then the rider is responsible for paying any amount over $20.[94] The City of Rockville offers a similar program that provides low-income residents over the age of 60 a subsidy of $34 a month for taxicab services.[95]

The Alexandria DOT offers a paratransit program similar to MetroAccess seven days a week for Alexandria residents unable to use public transportation. As with MetroAccess, trips must be scheduled a minimum of one day in advance. Trips inside the city and within five miles of the city cost $4 each way, and trips to areas more than five miles outside the city cost $6 each way. Availability of the paratransit program may also be limited to high-priority trips depending on the status of the COVID-19 pandemic.[96] Arlington,[97] Loudoun County,[98] and MDOT[99] also offer similar paratransit programs that do not take same-day reservations.

Admissions and Occupancy Policies and Procedures, Including Preferences in Publicly Supported Housing

<u>District of Columbia</u>
The D.C. Housing Authority exercises preferences on its public housing waiting list. Elderly families and families that include a household member with a disability receive preference, as do working families and unhoused people.[100] The D.C. Housing Authority may deny access to public housing to individuals who have been convicted of a violent crime or who have been documented as participants in one (regardless of their conviction), though enforcing this preference is not required.[101]

Overall, however, the shortage of public housing in the District is not attributable to preferences in allocation of such housing; the waiting list has been closed since 2013. Additionally, within the past two years, the District has allocated only 56 percent of its housing vouchers reserved for individuals and an even more meager 37 percent of those reserved for families.[102] This has exacerbated the District's housing problem and prevented many individuals from gaining admission to affordable housing.

<u>Virginia</u>
Most governments in the region do not provide explicit information about their preferences for publicly supported housing or other housing-related services. Alexandria is unique in its maintenance of separate lists for different housing programs, including a priority list for unhoused individuals and individuals in supported housing, as well as a list for elderly people and persons with disabilities.[103] Other jurisdictions in the region, such as Fairfax County, have large numbers of individuals and families on third-party waiting lists, many of which may also be subject to preferences.[104] Overall, however, preferences and other admissions policies appear to be a less significant barrier than other impediments examined in this analysis.

<u>Maryland</u>
Montgomery County Housing Opportunities Commission's HCV waiting list operates on a system of preferences for those displaced by government action; those who live, work, or have been hired to work in Montgomery County; persons with disabilities; veterans; and those with a history of homelessness.[105] Though preferences for the county's other housing programs, including public housing, are not explicitly stated, they are likely similar.

Availability of Affordable Units in a Range of Sizes

As discussed in the Location and Type of Affordable Housing section, affordable housing in the region is available in a range of unit sizes. However, this availability may not meet the demand for specific unit sizes, and not every local government lists unit size in its housing directory. Affordable units in appropriate sizes may not always be accessible to those who need them. The shortage of available housing units for larger families is particularly acute, and most large families rely on HCVs for suitable units rather than on public housing and other types of publicly supported multifamily housing.

Availability, Type, Frequency, and Reliability of Public Transportation

Availability, type, frequency, and reliability of public transportation contribute significantly to impediments to fair housing. Metropolitan Washington is served chiefly by Metrorail and Metrobus services operated by WMATA, which has a reputation for delays, unreliability, and inaccessibility. WMATA's latest performance report, from the second quarter of 2021, shows that Metrobus and Metrorail are both performing near or above targets in almost all safety and quality indicators.[106] However, because ridership remains significantly depressed after the COVID-19 pandemic, it is more instructive to look at the last pre-pandemic performance report, from FY 2019. This report shows significant improvement from previous years, which have been marked by numerous delays, breakdowns, and even death caused by fire, but also shows room for further improvement. The bus fleet, which is more accessible and widespread than rail, remains somewhat unreliable. Buses, on average, traveled just over 6,300 miles between service interruptions and experienced approximately 67 bus collisions per 1 million miles driven.[107] No on-time bus performance was reported because of data quality errors.[108] MetroAccess, the door-to-door paratransit service, showed an on-time performance rate of 90 percent.[109]

WMATA operates 6 lines serving 91 rail stations in the District, Maryland, and Virginia.[110] However, stations are frequently far from each other, so riders may need to take buses to transfer from one station to another or to reach their destination from a rail station. In addition to bus, rail, and MetroAccess, WMATA operates parking spaces at 44 Metrorail stations, costing approximately $5 per day.[111]

Metropolitan Washington is also served by Capital Bikeshare, which is owned by Lyft and offers 4,500 bikes across over 500 stations in the District, Maryland, and Virginia. A single trip costs $1.00 to unlock plus $0.15 per minute, while annual membership costs approximately $8.00 per month.[112] Bikes are concentrated in downtown D.C., although stations are spread throughout the region, including in lower-income areas in Southeast D.C., Virginia, and Maryland.[113] Bike shares are widely used, with more than 254,000 trips taking place in May 2021 alone.[114]

Nonetheless, the District's truly public transport options, bus and rail, remain subject to significant quality defects. Though public transport is available, its frequency and reliability are subject to variation, and the variety of options available is also limited, especially for persons with disabilities and those who live outside downtown D.C.

Community Opposition

District of Columbia
Although the District is known as a Democratic stronghold with progressive leanings in the realm of social justice, this image has often failed to hold true regarding support for affordable housing. Of particular importance has been the geographically inscribed gap between the District's White population and its residents of color, which mirrors the divide between its wealthiest and its lowest-

income communities. Efforts by the government of Mayor Muriel Bowser to build affordable housing, including in wealthier neighborhoods, have faced opposition owing to fears of congestion and undesirable changes in the character of communities.[115] Although most District residents believe the current housing situation is unfair, many have also been slow to support efforts to expand affordable housing outside its geographically concentrated locations.[116] However, within the past year, District residents have become increasingly aware of segregative housing issues, and many have begun to speak up against exclusionary zoning and similar problems.[117]

Virginia

Earlier this year, Virginia became the third state in the nation to implement legislation barring the denial of building permits to housing developments on the grounds that those developments will contain affordable housing units.[118] This law, which attempts to combat the NIMBY (not in my backyard) perspective and the desire of wealthy communities to maintain their self-segregation, paves the way for more equitable housing in northern Virginia and reflects a trend away from community opposition to fair housing. It contrasts to the opposition to affordable housing that influenced many planning decisions in the early 2010s. Nonetheless, community opposition remains a problem, especially in rural areas.[119] Earlier this year, for example, Loudoun County scrapped plans for a mixed-income housing development after neighborhood protests.[120] Local governments in northern Virginia, like their counterparts in the District, are beginning to critically examine exclusionary zoning policies.[121] However, mere policy changes may not be enough to dismantle opposition to the creation of more affordable housing in the region.

Maryland

Montgomery County has often been a site of controversy regarding affordable housing, even as it has sought to increase housing inclusion and affordability in recent years. The 2022 county executive campaign has brought the issue of affordable housing to the forefront, with a discourse centering on the need for affordable housing versus economic development.[122] There has also been community opposition to the proposed Thrive Montgomery plan, which would allow duplexes and triplexes in some single-family neighborhoods.[123] Thus, it appears that community opposition to affordable housing not only exists in Montgomery County, but also manifests within the county's government and political discourse.

Deteriorated and Abandoned Properties

Though the District of Columbia has gentrified significantly in recent years, rapid development of new housing has not kept properties from falling into disrepair. The D.C. Department of Housing and Community Development's Property Acquisition and Disposition Division maintains a portfolio of vacant and abandoned properties, nearly two-thirds of which are in Wards 7 and 8, the lowest-income wards in the city.[124] The division attempts to repair these properties into livable homes, but its work addresses only a small fraction of the deteriorated and abandoned properties in the District. As of 2016, the Department of Consumer and Regulatory Affairs' Vacant and Blighted Enforcement Unit maintained a list of around 1,200 vacant properties, but loopholes and inadequate reporting mean that this number is also likely to be a significant underestimate.[125] A 2017 auditor's report revealed that the number is likely closer to 2,000 properties.[126]

The problem appears to be less significant in surrounding areas of metropolitan Washington, D.C., especially as house prices have increased rapidly throughout 2020 and 2021. Deteriorated and abandoned properties tend to be concentrated in the District and do not appear to have been extensively catalogued elsewhere.

Displacement of and Lack of Housing Support for Victims of Domestic Violence, Dating Violence, Sexual Assault, and Stalking

District of Columbia
One in three women experiencing homelessness in the District cites domestic violence as the cause of her housing instability.[127] The District is home to several domestic violence shelters and emergency shelters (not specific to domestic violence), as well as the District Alliance for Safe Housing, which provides housing services and an emergency fund for victims of domestic violence. The Domestic Violence Housing Continuum was founded in 2016 to encourage dialogue and collaboration in the realm of housing for victims of domestic violence. Despite the existence of these services, DASH identified a one-to-five ratio of survivors placed in housing versus those turned away because no housing options were available.[128]

Virginia
Several northern Virginia counties offer support services for those displaced by domestic violence, including shelters and support for housing and utilities. Nonetheless, domestic violence affects approximately 25 percent of households in northern Virginia.[129] Low-income, immigrant, and refugee families are particularly vulnerable.[130] Shelters specifically dedicated to domestic violence remain few within any given locality; for example, Doorways' Domestic Violence Safehouse, which serves 60–80 people per year, is the only domestic violence shelter in Arlington County, and those who stay at the safehouse remain only for short periods.[131]

Maryland
The Betty Ann Krahnke Center (BAK) of Family Services, Inc., the only emergency domestic violence shelter for women and their children in Montgomery County, is a 60-bed short-term crisis shelter.[132] Various other shelters exist for men, women, and families, and Montgomery County also runs the Abused Persons Program, but admission to the latter is by application.[133]

Displacement of Residents Caused by Economic Factors

Region
High housing costs and a lack of affordable housing options place significant pressure on longtime District residents. As a result, many residents, particularly low-income residents of color, relocate to the edges of the metropolitan region or out of the region altogether.[134] The City of Alexandria, Arlington County, the District of Columbia, Fairfax County, the City of Gaithersburg, Loudoun County, Montgomery County, and Prince William County all have households vulnerable to displacement.

Households earning less than 200 percent of the federal poverty line in Arlington, Loudoun, Fairfax, and Prince William Counties in northern Virginia have the nation's highest rate of spending more than 50 percent of their income on housing.[135] The high cost of housing is especially burdensome to low- and moderate-income households closer to the District of Columbia.[136]

Increasing financial pressure after the COVID-19 pandemic has affected many households' ability to pay their rent or mortgages. Eviction moratoriums have delayed many evictions, but high housing costs in the region will likely force households to move farther from the region's center.

Alexandria
Business investment in the area around the City of Alexandria, particularly the selection of Arlington as Amazon's second headquarters, has increased housing costs and will make it more difficult for low-income residents to remain. There is particular concern that Amazon will displace residents of the

Arlandria-Chirilagua neighborhood, one of the last sections in Alexandria that has some market-rate affordable housing.[137]

Arlington County

As in the City of Alexandria, Arlington County housing costs are increasing from economic development and growing income inequality.[138] Increasing business development, including the construction and opening of Amazon's HQ2, will likely accelerate the displacement of longtime residents.[139] Residents in southern Arlington County, where more than half of residents rent, face higher risk of displacement than residents of northern Arlington County.[140] Increasing economic inequality, intensified after the COVID-19 pandemic, make Black and Hispanic renters particularly vulnerable.

District of Columbia

Increasing economic requirements for housing in the District of Columbia have led to high levels of displacement for low-income residents,[141] who are disproportionately likely to be Black.[142] A study by the Institute on Metropolitan Opportunity concluded that the District of Columbia had the most widespread displacement of low-income residents of any major city between 2000 and 2016.[143] In the wake of low-income resident exodus, wealthier households are moving in. This creates a feedback cycle whereby less affordable housing is created, making it harder for low-income households to remain in the District. The high cost of housing has collateral effects on other industries. With new, increasingly wealthier residents moving in, the prices for services like child care also increase and place financial pressure on households.[144]

Fairfax County

Fairfax County faces a significant threat of resident displacement in the metropolitan D.C. region.[145] Housing prices are increasing rapidly. Fairfax County has a large number of established low- and moderate-income households likely to face significant increases in housing costs in the future.[146]

Loudoun County

In 2020, 62 percent of Loudoun County households spent more than one-third of their income on housing.[147] A 2021 draft of Loudoun County's Unmet Housing Needs Strategic Plan highlighted that people who work in Loudoun County are unable to afford to live there and are forced to live outside the county.[148] Furthermore, Loudoun County lacks housing options with practical access to transit, forcing households to use roads overburdened by workers commuting from adjacent counties.[149]

Montgomery County

Montgomery County lacks housing across all income levels. Although the region faces competition for low- and moderate-income housing, Montgomery County's spiraling housing costs force even middle-income households to move farther from the metropolitan center. Housing prices in the county are 57 percent above the statewide average and 74 percent above neighboring Prince George's County average.[150]

Prince William County

Prince William County faces problems similar to other municipalities in the region. High housing costs and lack of housing stock, particularly low- and moderate-income housing, make it difficult for many to live in the county.

Table 38: Impediments to Mobility

Municipality	HCV Waiting List Status	HCV Payment Standard for 2 Bedrooms	HCV Lease-Up Time	Source-of-Income Protection Law
Alexandria	Closed to new applicants	$1,941	Not locally specified; HUD minimum voucher term is 60 days	Statewide: yes Locally: no
Arlington County	Closed to new applicants; average voucher wait is approximately 5 years	$1,941	120 days	Statewide: yes Locally: no
District of Columbia	Closed to new applicants; estimated 1–10 years to get to the top of the waiting list	Based on zip code, ranges from $1,160 to $2,650	180 days	Yes
Fairfax County	Closed to new applicants	$1,934	60 days with automatic 60-day extension upon request	Statewide: yes Locally: no
Loudoun County	Closed to new applicants	$1,941	60 days; 30-day extensions are available	Statewide: yes Locally: no
Montgomery County	Open to new applicants	Based on zip code, ranges from $1,160 to $2,650	90 days; extensions up to 60 days are available	Statewide: yes Locally: yes
Prince William County	Closed to new applicants	$1,941	60 days; generous extensions available	Statewide: yes Locally: no

Sources: "Housing Choice Voucher Programs (HCVP)," Alexandria Redevelopment and Housing Authority, accessed August 12, 2022, https://www.arha.us/housing-choice-voucher-programs-hcvp; "Rental Services," Arlington, Virginia, accessed August 12, 2022, https://housing.arlingtonva.us/get-help/rental-services/achcv-program/hcv-wait-list-faqs/; "How to Comply with ADA Guidelines," District of Columbia Housing Authority, accessed September 27, 2022, https://webserver1.dchousing.org/?page_id=284#waitlist; "Apply for Public Housing," DASH, accessed September 27, 2022, https://www.dashdc.org/housing-resource-center/find-safe-housing/permanent-housing/apply-public-housing/; "Housing Choice Voucher Program (Formerly Section 8)," Fairfax County Department of Housing and Community Development, accessed October 18, 2023, https://www.fairfaxcounty.gov/housing/rentalhousing/housingchoicevoucher; Housing Opportunities Commission of Montgomery County, "Chapter 8—Voucher Issuance & Briefings," in *Administrative Plan: Housing Choice Voucher Program*, May 8, 2019, https://www.hocmc.org/images/files/HCVAdministrativePlan/s8AdminPlan-10-Ch08.pdf; and "Housing & Community Development," Prince William County Office of Housing and Community Development, accessed September 27, 2022, https://www.pwcva.gov/department/housing-community-development.

The biggest impediment to mobility in the D.C. metropolitan region is the lack of affordable housing beyond the existing housing system. A range of impediments reduce access to housing. First, the majority of HCV programs have suspended applications for the program through waiting list closures. As a result, individuals in need of affordable housing who are not on the existing waiting list cannot even apply for the program, which limits the expansion of affordable housing stock. Montgomery

County is the only municipality with an open waiting list for HCVs. In markets where the waiting list is closed, housing is either unavailable or available only after several years.

State and local laws in the District and Montgomery County prohibit source-of-income discrimination. Although the District has protected source of income in housing for years, a study in 2018 by the Urban Institute found that 15 percent of District landlords did not accept vouchers.[151] In response, the D.C. Council strengthened source-of-income protections,[152] notably requiring landlords to affirm in all advertisements they will not refuse to rent to a person paying through a voucher for rental housing assistance.[153] Maryland enacted source-of-discrimination protection statewide in 2020.[154] However, Montgomery County has had source-of-income protections far longer. Like Maryland, statewide source-of-income protections in Virginia are recent, taking effect on July 1, 2020.[155] Similar to Maryland's statute, but unlike the Montgomery County ordinance, Virginia's law exempts "small landlords, landlords that own four or fewer units, or when the entity providing the payment for rent takes more than 15 days to approve the lease" from source-of-income protections.[156]

All jurisdictions in the region except for Fairfax County use HUD's small area fair market rent calculation for HUD vouchers. By using a zip code–based calculation, these jurisdictions increase mobility because the voucher amount, rather than using a one-size-fits-all model, is tailored to costs in a more discrete area, thereby expanding the potential housing stock an individual can access. In contrast, Fairfax County has one payment standard for the entire county, effectively limiting HCV users to the areas of town where rent is below the standard rate.[157]

The voucher lease-up time in some jurisdictions also impedes mobility. Once a voucher lease time expires, an individual loses the voucher. Given that the waiting lists are effectively closed, an expired lease time limit can disqualify otherwise eligible voucher participants from securing affordable housing for many years. In the majority of Virginia's jurisdictions in the region, the public housing agency imposes a lease-up time of 60 days. Although extensions are available, the standard wait time is insufficient to allow residents to find eligible housing because of the extensive housing search necessary (in addition to standard employment and family care obligations) and, often, a lack of familiarity with qualifying housing. Landlords' prejudice about accepting vouchers despite the legal protection, as well as the onerous housing application process, are also barriers that may cause a lease time to expire before an individual can secure housing.

Inaccessible Government Facilities or Services

Inaccessible government facilities or services contribute to disparities in access to opportunity for persons with disabilities. Although a variety of public facilities and services have reasonable accommodation policies for persons with disabilities, many facilities and services require additional outreach or efforts by the person with a disability to request accommodations themselves, usually with several days' notice, rather than having these services consistently embedded into their administration. As a result, individuals with disabilities must be proactive to obtain necessary accommodations.

In the region, some counties provide a range of accessibility services. Montgomery County has an ADA Compliance Team and provides training and technical assistance for county staff on ADA compliance and other disability needs. Similarly, Fairfax County provides ADA services through its government offices, including enforcing building codes that require ADA compliance and handling ADA complaints. In the District of Columbia, any facility or part of a facility constructed by a state or local government entity after January 26, 1992, must be built in strict compliance with the ADA. The District is not necessarily required to make every pre-ADA facility fully compliant with current accessibility codes, however, all District services, programs, or activities must be accessible to and usable by persons with

disabilities when viewed in their entirety. This is called "overall program access."[158] Nonetheless, this loophole means accessibility problems may remain and persons with disabilities may face greater barriers in accessing government facilities or services. The same principles apply to other governments in the region.

Web accessibility reveals similar dualities as governments have attempted to comply with Section 508 website accessibility standards. However, this compliance is only implemented "whenever possible," and certain elements remain poorly accessible.

Inaccessible Public or Private Infrastructure

Inaccessible public or private infrastructure contributes to disparate access for persons with disabilities in the Washington, D.C., metropolitan area. Although accommodations are available in public and private infrastructure, lack of compliance or maintenance results in inequitable treatment for persons with disabilities. Inadequate maintenance of sidewalks can impede accessibility for persons with mobility-related disabilities, including persons who require wheelchairs for transportation. Recent public efforts, such as the crowdsourced Project Sidewalk, endeavor to map sidewalk accessibility by noting curb ramp conditions, lack of sidewalks, and other common issues impeding mobility in the District.[159] Many sidewalks in the D.C. metropolitan area are not up to ADA standards; in many cases, this is because construction projects have left large cracks that serve as impediments to persons in wheelchairs.[160]

The governments of the District of Columbia,[161] Virginia,[162] and Maryland[163] have all released ADA Transition Plans for public rights-of-way, which provide a detailed review of sidewalks, crosswalks, bus stops, curb ramps, and accessible pedestrian signals. However, the transition plans for the District, published in 2016, and Maryland, published in 2009, have not been updated recently, and inaccessible infrastructure problems persist. Additionally, because COVID-19 has caused restaurants to use more public space for outdoor dining, the pandemic has created new accessibility challenges.[164] Moreover, parking of electric scooters and bicycles has also resulted in impassable sidewalks, particularly in downtown D.C.

Lack of Access to Opportunity Related to High Housing Costs

The extent to which high housing costs impede access to opportunity is a serious concern throughout the region. Median home values vary depending on location. The median home value in Prince William County is approximately $450,000,[165] whereas the median home value in Arlington is almost $800,000.[166] Home values dramatically increased this past year across the board. Home values have increased the least in the District, by over 3 percent,[167] and the most in Prince William County, by almost 12 percent.[168]

Home values vary depending on location, but low-income households throughout the region are burdened by the cost of housing. According to a study from the Community Foundation for Northern Virginia, when compared with the 50 largest metro areas, northern Virginia has the highest percentage of low-income households severely burdened by the cost of housing. Northern Virginia also has the sixth-highest rate of housing burden among moderate-income households. Racial and ethnic minorities face severe housing burdens at higher rates: 57 percent of severely burdened households were non-White, and 47 percent were immigrants.[169] In addition, nonfamily households have the highest cost burden throughout the region compared with family households. Consequently, individuals with disabilities who live alone, and who are likely to live on a fixed income like Supplemental Security Income, are likely to face more barriers to opportunity caused by high housing costs.

In the District, nearly 60 percent of households rented housing in 2018. Of those households, one in four spent over 50 percent of their income on rent, and another one-fifth spent between 31 and 50 percent of their income. People of color are also more likely to face housing cost burdens in the District; 30 percent of Black renters spend over half their income on rent.[170] Similarly, in Montgomery County, 50 percent of renters spend more than 30 percent of their income on housing, and one-quarter of renters spend over 50 percent of their income.[171] Because affordable housing is in such short supply throughout the region, low-income workers may need to live farther from employers and transportation. For workers with a disability, transit distances are likely to impede job access as well.

Lack of Affordable In-Home or Community-Based Supportive Services

District of Columbia
D.C.'s Department of Behavioral Health has certified more than 30 in-home and community-based providers of supportive services, many of which also provide services to children and youth.[172] Though these services vary in their affordability and accessibility, they are located throughout the city (there is only one in Southwest D.C., but the rest are not concentrated in any of the other three quadrants). The D.C. Department on Disability Services also funds some supportive services.[173] Though supply still fails to meet demand, the framework for adequate, affordable supportive services nonetheless exists.

Virginia
Virginia Housing and Supportive Services, a community engagement initiative of the Virginia government that serves northern Virginia, maintains a database of programs and resources for individuals with developmental disabilities and others who may benefit from such services.[174] These include programs that assist with accessibility modifications, emergency rent, financial counseling, food, and other potential needs. More than 700 people in the region who have developmental disabilities and live independently currently use these services.

Maryland
The Montgomery County government provides personal assistance, medical assistance, and other supportive services to individuals who meet the county's medical level of care.[175] Such individuals must also qualify for Medicaid. The county does not provide access to or information about more general services. Nonprofit groups serving the rest of the region fill some of these gaps, but Montgomery County remains an area in need of supportive services.

Lack of Affordable, Integrated Housing for People Who Need Supportive Services

Region
The lack of affordable, integrated housing for people who need supportive services is a significant contributing factor to segregation, homelessness, and inadequate housing for persons with disabilities in the D.C. metropolitan area. Although the municipalities have prioritized integrated housing for people who need supportive services, the high housing costs and the lack of affordable housing in general limit the effectiveness of targeted programs.

Table 39: Population, Supportive Housing, and Rental Housing Characteristics

Municipality	2019 Census Population Estimate	Permanent Supportive Housing Year-Round Beds	Total Rental Units	Rental Units with 30% or More of Household Income as Gross Rent	Rental Vacancy Rates	Median Gross Rent
Alexandria	159,428	47	38,804	15,084 (38.9%)	4.2%	$1,781
Arlington County	236,842	278	61,245	23,144 (37.8%)	3.3%	$1,993
District of Columbia	705,749	9,958	162,199	69,304 (42.7%)	7.0%	$1,603
Fairfax County	1,147,532	627	126,768	57,431 (45.3%)	2.6%	$1,900
Loudoun County	413,538	24	28,713	11,617 (40.4%)	7.1%	$1,876
Montgomery County	1,050,688	2,155	125,266	63,923 (51.0%)	4.9%	$1,788

Data source: American Community Survey, *ACS Data Table DP04, Selected Housing Characteristics, 2019 ACS 1-Year Estimates Data Profiles*, US Census Bureau.

Alexandria
The City of Alexandria acknowledges that there is a lack of supportive housing and aims to increase affordable housing and supportive housing through its efforts to end homelessness.[176]

Arlington County
Arlington County has increased its capacity to support individuals needing PSH, but many applicants remain on the waiting list for services for more than one year.[177]

District of Columbia
The District of Columbia prioritizes funding PSH to address homelessness.[178] HUD's Continuum of Care Housing Inventory Count Report indicated that the District of Columbia provides the highest number of supportive housing beds per capita in the region. Although the District is a leader in the region, there is still an overall lack of supportive housing.

Fairfax County
Fairfax County acknowledges the need to create more affordable and supportive housing, and there is a waiting list.[179] However, short-term plans to increase supportive housing stock are seemingly modest.[180]

Loudoun County
Loudoun County has the fewest number of PSH beds per capita in the region, according to HUD's Continuum of Care Housing Inventory Count Report.[181] The county acknowledges that it needs increased capacity to provide PSH, homelessness prevention, and intensive case management.[182]

Montgomery County
Montgomery County's Interagency Commission on Homelessness prioritizes creating housing and services for homeless persons, including emergency and transitional shelter, rapid rehousing, and PSH.[183] Since 2015, the commission has worked with the county to revise its structure for delivering supportive housing.[184] The commission's 2020 annual report acknowledged that their overall effort

was hurt by the lack of affordable housing for families at or below 30 percent of AMI and the lack of supportive housing services.[185]

Lack of Affordable, Accessible Housing in a Range of Unit Sizes

HUD's implementation of Section 504 of the Rehabilitation Act of 1973 (24 CFR Part 8) requires that publicly supported federal housing developments make 5 percent of total units accessible to individuals with mobility disabilities and an additional 2 percent accessible to individuals with sensory disabilities. Public housing and project-based Section 8 units are both considered publicly supported housing subject to this mandate. Based on these requirements, every jurisdiction except for Gaithersburg, Maryland, meets the above legal criteria.

As discussed in the Location and Type of Affordable Housing section, affordable housing in the region is available in a range of unit sizes. These include accessible housing options such as assisted living facilities, independent living units, and congregate care facilities. However, the supply of affordable, accessible housing continues to fall well short of demand in the D.C. area, as a report by the D.C. Affordable Housing Alliance makes clear.[186] Virginia and Maryland also acknowledge the mismatch between the supply of affordable, accessible housing and the growing need for such housing.[187]

Despite a range of sizes being available, disparities in unit size allocations produce disparities in access to affordable, accessible housing. As discussed in depth in the Disproportionate Housing Needs section, there is a disproportionately lower percentage of publicly supported housing for larger families, meaning individuals with disabilities who live with their families are less likely to have access to affordable housing. Additionally, there appears to be an outsized proportion of housing stock reserved for one-bedroom units, which also limits access to affordable and accessible housing because in some circumstances occupancy limits prevent a resident from retaining a necessary live-in attendant.

Additionally, many individuals with disabilities live on a fixed income. Those who rely on Supplemental Security Income as their primary income and live alone are unable to afford most units. Further development of affordable, accessible housing units is needed to ensure availability to a larger proportion of those who need it.

Lack of Assistance for Housing Accessibility Modifications

In the District of Columbia, the Single-Family Residential Rehabilitation Program administers grants for modification to eliminate barriers to accessibility for persons with disabilities.[188] The District's public housing program also prioritizes persons with disabilities and allows reasonable accommodations for those with disabilities.[189] Rebuilding Together Arlington/Fairfax/Falls Church provides home repair services to make homes accessible at no cost to persons with disabilities. The Housing Modifications for the Disabled and Elderly program assists low-income individuals and families with housing modifications to allow for greater mobility.[190] The City of Alexandria's Rental Accessibility Modification Program provides grant funds to modify rental housing to make the units more accessible for low- and moderate-income tenants with physical disabilities.[191] In Maryland, much of this work is done by a group of nonprofits known as the Centers for Independent Living, but these organizations do not provide explicit support for housing accessibility modifications, nor does the government of Montgomery County appear to do so.

Housing accessibility and accessibility modifications remain a major concern, particularly with regard to discriminatory renting. A 2019 report revealed that housing in the D.C. region is frequently

inaccessible and that affordable housing programs frequently steer persons with disabilities toward already modified housing, a violation of the Fair Housing Act.[192]

Lack of Assistance for Transitioning from Institutional Settings to Integrated Housing

Lack of assistance for transitioning from institutional settings to integrated housing is a slight contributing factor to the segregation of persons with disabilities in D.C. and the broader region. In the past decade, Maryland and Virginia have significantly reduced the proportion of individuals with disabilities who live in institutional settings, but this alone does not prove that assistance provided for transitioning to integrated housing has been successful. Stakeholders indicated that transition services for persons with psychiatric disabilities lag behind those available for persons with intellectual and developmental disabilities, with less stable housing tenure in integrated settings being the result. Additionally, a large population of individuals with psychiatric disabilities live in group homes, including some large group homes, that may not meet the regulatory definition for an institution but in practice are virtually the same.

There is a need for more proactive case management that informs individuals living in group homes of more integrated housing opportunities. In the broader region, although the Commonwealth of Virginia has increased the transition services offered to persons with intellectual and developmental disabilities, such services for persons with psychiatric disabilities are not as adequate.

Nevertheless, several agencies in the region work with clients to assist with this transition. In the District, the main organization that assists with transitions from institutional settings to integrated housing is Pathways to Housing D.C., which has helped nearly 1,000 people move into its permanent housing program since 2004.[193] Pathways to Housing D.C. works exclusively with those overcoming mental illness, substance abuse, or severe health challenges. Given that Pathways to Housing D.C. is the District's only organization primarily dedicated to providing assistance with the transition to integrated housing, there is room for expansion in this field.

Virginia Supportive Housing has also worked to increase access to information about transitioning to integrated housing. However, it does not run its own programs but rather contracts with community partners to facilitate transitions.[194] No Wrong Door is its primary program to expand access to integrated settings, but it predominantly does so by connecting individuals with private entities.[195]

In Maryland, the Maryland Developmental Disabilities Administration assists with similar services and has an online portal, Maryland Access Point, where people can identify available resources in their area.[196] Virginia and Maryland provide Medicaid waivers to assist individuals with disabilities in the transition to integrated housing. However, in Maryland, wait times for these services are considerably long, taking more than a year in most cases.[197] Nonetheless, in this past year, Maryland increased its waiver rates, which indicates that service providers may be able to expand and improve the overall services and reduce wait times.[198]

Lack of Community Revitalization Strategies

All jurisdictions within the Washington, D.C. metropolitan region dedicate significant time and funds to community revitalization. All use the Opportunity Zone program to incentivize developers to build within economically disadvantaged neighborhoods. Opportunity Zones are designated zones in a federal program that provides tax incentives for investments in new businesses and commercial projects in low-income communities. In addition to this federal initiative, local jurisdictions have also instituted a variety of other programs.

Virginia has a variety of community revitalization and jurisdiction-based strategies. Prince William County offers households financial assistance to improve owner-occupied housing and increase energy efficiency, with priority given to households making below 50 percent of AMI.[199] Loudoun County offers a similar program.[200] Arlington County offers community development grants for community groups that aim to improve the quality of life for low-income residents.[201] Eligible Areas Small Grants Program also provides grants for community activities.[202] In 2020, Loudoun County designated an area of land outside Leesburg as a Virginia Housing Development Authority revitalization area.[203] Fairfax County created the Economic Incentive Program to encourage redevelopment in certain areas.[204]

Maryland has also developed a host of programs to advance community revitalization. Under its Sustainable Community Act, the state provides funding to designated localities to invest in community development activities, including local economic development, historic landmark preservation, affordable and sustainable housing development, and growth and development practices that target the improvement of the natural and built environment.[205] One important initiative is the Community Legacy Program, which provides funding to local governments, community groups, and groups of local governments to support the following:

- mixed-use development consisting of residential, commercial, or open space, or any combination thereof
- business retention, expansion, and attraction initiatives
- streetscape improvements
- increased homeownership and home rehabilitation among residents
- residential and commercial facade improvement programs
- real estate acquisition, including land banking, and strategic demolition[206]

Montgomery County is eligible for these funds and has developed several initiatives to implement the Community Legacy Program. Montgomery County offers the Focused Neighborhood Assistance program for public land improvement, home improvement, commercial property improvement, neighborhood cleanup, murals, and community events.[207]

Lack of Local Private Fair Housing Outreach and Enforcement

Lack of local private fair housing outreach and enforcement is not a contributing factor to the segregation and various fair housing issues in the District of Columbia's metropolitan region. More than 30 private organizations across the metropolitan region offer legal advice and representation to low-income individuals experiencing housing issues, with several organizations restricting their clientele to low-income seniors and other special populations. The ERC, Maryland Legal Aid, Legal Services of Northern Virginia, Housing Opportunities Made Equal of Virginia, Greater Washington Urban League, and Northern Virginia Urban League are among the private organizations offering housing outreach and enforcement services to residents in the larger metropolitan region.

In the District, an even more robust network of private organizations offers fair housing legal aid services. Organizations such as Bread for the City, Legal Counsel for the Elderly, Legal Aid, Neighborhood Legal Services Program, and D.C. Bar Pro Bono Center offer legal services to low-income residents experiencing fair housing issues, with several organizations forming partnerships to coordinate and bolster the fair housing services they offer individuals. These partnerships include the D.C. Right to Housing Initiative, the Housing Right to Counsel Project, and the Landlord–Tenant Court-Based Legal Services Project.[208]

Nevertheless, private fair housing outreach and enforcement services still need to be expanded in the area, particularly for metropolitan residents who have disabilities. The Disability Rights D.C. program at University Legal Services offers legal services to District residents with disabilities, and many of the organizations listed above routinely offer legal services to low-income residents who have disability-related fair housing needs.[209] Yet, individuals with disabilities who are not income eligible may find it difficult to acquire legal representation or advice regarding their reasonable accommodation.

Lack of Local Public Fair Housing Outreach and Enforcement

Lack of transparency into local public fair housing outreach and policy enforcement is a significant impediment to fair housing in the region. For the most part, Virginia provides educational materials regarding fair housing rights targeting both housing seekers and partners like real estate agencies. This includes information on changes to the state fair housing laws regarding the expanded protected classes and new source-of-income discrimination protections. Virginia does not provide public information on the amount or type of fair housing complaints online, so it is difficult to assess the quality of enforcement mechanisms. When it comes to fair housing testing, residents rely on nonprofits to investigate fair housing violations because public fair housing agencies do not typically provide testing services.

Local enforcement activities, as well as resources, are also limited. Three local municipalities—the District of Columbia, Fairfax County, and Montgomery County—have locally certified substantially equivalent agencies eligible to investigate fair housing complaints under their jurisdiction.[210] Other municipalities have complaints made directly to HUD or the state's subagency in charge of enforcing the Fair Housing Act. As a result, it is difficult to determine the total number of public fair housing complaints and resolutions in the region because of the fragmented enforcement mechanisms available and the lack of transparency related to fair housing complaint information. Additionally, Virginia has recently reduced the number of attorneys in the state's Office of Civil Rights charged with investigating fair housing complaints.

Lack of Meaningful Language Access for Individuals with Limited English Proficiency

A lack of meaningful language access for individuals with LEP is a contributing factor to unequal access to opportunity in the District of Columbia's metropolitan region.

District of Columbia
While the D.C. Language Access Act of 2004 requires all District government agencies, public-facing contractors, and grantees to ensure that individuals with LEP have access to the full range of government services, studies show that the city's housing organizations provide insufficient translation and interpretation services to individuals. In fact, the District's inadequate access to translation and interpretation services is widely known among proponents of equal language access. Advocacy groups including the D.C. Language Access Coalition[211] and the Council for Court Excellence[212] have frequently pointed out the insufficiency of meaningful language access for individuals in the District, especially with regard to the city's housing agencies and rental assistance programs.

The D.C. Office of Human Rights Language Access Program monitors and evaluates all 38 covered entities annually. The District's housing-related agencies are designated as covered entities with major public contact under this act.

The Office of Human Rights' latest report revealed the D.C. Housing Authority to have one of the lowest interpretation rates among D.C. agencies, with interpretation services provided to only 31 percent of the test calls and visits.[213] The Housing Authority scored a 31 percent on the Office of Human Rights

evaluation of the organization's compliance with the Language Access Program, one of the lowest scores.[214] In 2019, the D.C. Housing Authority faced two inquiries alleging that it had violated the Language Access Act.

The most frequently encountered languages for District agencies were Spanish, Amharic, Vietnamese, Mandarin, Arabic, French, and Korean.[215]

<u>Virginia</u>
Arlington County requires all county departments to provide interpretation and translation services to residents with LEP. In fact, the Arlington County HCV program is specifically required to offer LEP residents oral interpretation and written translation services free of charge.[216] Housing information available on the county's website is almost always written on the web page itself, therefore allowing the materials to be translated by the page-translating service at the top of the web page.

In Fairfax County, more than one-third of residents speak a language other than English at home. However, while the county uses interpreters from LanguageLine Solutions to provide language services to those calling 911, the county does not seem to require their departments to offer translation and interpretation services to non-English speakers seeking help with housing issues.[217] The county's website provides several housing resources that are only available in English. The Fairfax County Affordable Housing Guide and Family Self-Sufficiency Interest Form,[218] for instance, are both only available as a PDF, making them difficult to translate with an automatic web service. The county does, however, allow web pages to be translated by Google Translate and filmed videos regarding the COVID-19 Emergency Rental Assistance Program in both English and Spanish.[219]

Slightly more than one-third of all Alexandria residents speak a language other than English at home.[220] However, despite hosting the April 2022 Virginia Language Access Conference, Alexandria does not appear to abide by any long-term language access programs itself. When language access is provided to residents, translation and interpretation services are limited to Spanish-speaking LEP individuals. For instance, the City of Alexandria's Office of Housing provides special assistance to Spanish speakers seeking housing-related mediation.[221] The Alexandria Redevelopment and Housing Authority offers interpretation and translation services to Spanish-speaking LEP individuals as well, recommending that applicants bring an interpreter to the office to complete Section 8 applications with staff aid.[222] This is an issue, as an estimated 19.1 percent of all Alexandria residents speak neither English nor Spanish at home.[223] Nevertheless, the websites of both the City of Alexandria and the Alexandria Redevelopment and Housing Authority can be translated into any other language via Google Translate, and both websites often ensure that PDFs published on their websites are available in a variety of languages. Alexandria's 2021 Housing Resource Guide, for instance, is available in English, Spanish, Arabic, Urdu, and Amharic.[224]

In Loudoun County, 31.5 percent of the county's residents speak a language other than English at home, and 9.8 percent speak English "less than very well." Contrary to other county governments in the D.C. metropolitan region, however, Loudoun County does have a long-term language access policy that requires its departments and personnel to take "reasonable steps to provide LEP persons with timely and meaningful access to services and benefits."[225] Specifically, Loudoun County provides translation and interpretation services to residents who speak Spanish, Arabic, Farsi, Urdu, Mandarin, Cantonese, Korean, Vietnamese, French, Hindi, Turkish, and Somali via foreign language phone interpretation, face-to-face interpretation, and written translation contract vendors. In 2020 alone, the county provided interpretation services for more than 10,000 phone calls, of which 80 percent were from Spanish-speaking residents.[226] Loudoun County's website can also be translated by a Google Translate button in the bottom right corner of each page. The vast majority of resources on housing are located on the web page itself and can thus be translated by the Google Translate tool, though

several resources are only available as a PDF in English. These resources—the ADU Self-Screening Questionnaire and the document Financial Education and Credit Counseling Resources,[227] for example—cannot be translated by the Google Translate tool, making it difficult for LEP residents to access them.[228]

Maryland
Like Loudoun County, Montgomery County offers LEP residents written translation and oral interpretation services to help them communicate with county staff members. When residents visit staff offices, they can select their primary language on a language ID board to receive interpretation services. These services may be provided by someone listed in a database of bilingual county employees or the Language Bank, a searchable online database made up of community volunteers.[229] Montgomery County's website archives translated resources in a single place, making it easy for LEP individuals to find the information they both need and understand. Notably, however, housing resources were available primarily in English and Spanish.[230]

Lack of Private Investment in Specific Neighborhoods

Alexandria
Alexandria provides a list of affordable housing projects that are proposed or recently completed, as well as a list of market-rate projects that will contain affordable housing units. Current nonprofit affordable housing projects include the Lineage, which will redevelop 15 public housing units into a four-story building that will include 15 replacement units for households that earn up to 30 percent of AMI and 37 units for those that earn up to 50 percent and 60 percent of AMI. Two other projects will serve residents earning between 40 and 60 percent of AMI. None of the market-rate projects provide more than a handful of affordable units. One project will provide for 4 affordable units in a 370-unit mixed-use development. Rather than provide more units, the developer appears to have elected to contribute $1 million to the city's housing trust fund.[231]

There has been ample development in the Opportunity Zones within Alexandria.[232] The Alexandria Housing Development Corporation has sought a loan for a project that will result in hundreds of affordable units in Arlandria. As many as 530 units could be constructed.[233] In Arlandria, the poverty rate is over 15 percent and more than 10 percent of households experience overcrowding.[234]

There are also several new developments in Alexandria West, including a townhouse development with units staring at $800,000. Several office buildings in the area are being converted into multifamily residential units. In another development, 24 units of garden-style apartments will be torn down and replaced with a 383-unit building.[235] The project was approved over the objections of two council members, who were concerned about the relatively low number of affordable units within the building.[236]

Arlington County
This past year, Arlington County approved a 77-unit affordable housing project in the Columbia Pike Corridor. Construction also started on a 160-unit, 6,750 square foot building on Washington Boulevard. Another affordable housing complex on South Glebe Road was completed.[237]

The Columbia Pike Corridor is the location of one designated Opportunity Zone within Arlington County.[238] Certain tracts within the corridor are also listed as disadvantaged by the Northern Virginia Health Foundation.[239] Arlington County has committed $150 million in loans to preserve Barcroft Apartments near Columbia Pike, aiming to keep more than 1,300 units affordable for middle- and low-income residents.[240]

There are 25 census tracts considered Opportunity Zones within the District, most of which are in Wards 7 and 8. Opportunity Zone investments offer a federal tax incentive, and District taxpayers can realize District-level tax benefits for certain qualifying investments approved by the mayor.[241] There are currently 15 such investments. Several mixed-use housing developments are listed as qualifying investments, as are urban farms, a brewery, and a commercial development in downtown Anacostia that will provide over 34,000 square feet of retail space, among others.[242]

Fairfax County
The Opportunity Zones in Fairfax County are in Herndon and Reston, as well as the area around Groveton and Mount Vernon Woods.[243] However, according to a study from the Northern Virginia Health Foundation, there are some isolated, economically distressed census tracts in several other locations in Fairfax County. These tracts can be found in Centreville and Chantilly, Fair Oaks and Oakton, Springfield and Annandale, and Seven Corners and Bailey's Crossroads.[244]

There appear to be a few new mixed-use developments in Herndon. However, none appear to be within the Opportunity Zone.[245] There are several proposed mixed-use developments in Reston, including the redevelopment of the Lake Anne Fellowship House, which provides affordable housing for seniors. However, the new development will merely replace existing housing, not add to the number of units.

There is also discussion about converting Fair Oaks Mall into a mixed-use development with more than 2,000 units. However, though a new transit center is being constructed near the mall, the existing roadways are not conducive to biking and walking.[246] This seems to be a trend in the county, as the Springfield Mall is being converted into a mixed-use development, but the need for a pedestrian-friendly experience to reach the mall from the Metro station has also interfered with plans.[247]

Fairfax County has also launched an economic incentive program to spur development in several commercial revitalization districts. These districts include parts of Springfield, Annandale, Bailey's Crossroads and Seven Corners, and Richmond Highway, which includes Groveton. The county will offer a 10-year real estate tax abatement for new commercial, industrial, or multifamily residential developments within these areas.[248]

Gaithersburg
Several new commercial and residential developments are planned in Gaithersburg, including the proposed Stevenson-Metgrove mixed residential community and the Novavax Campus containing over 600,000 square feet of offices, light manufacturing, and open space. The recently closed Lake Forest Mall will also provide mixed uses, including a range of housing opportunities. Several developments already in the pipeline will include affordable homes through the city's Moderately Priced Dwelling Units and Work Force Housing Units programs (both rental and ownership options). All told, the city will add more than 1,500 residential units if the already submitted plans become fully realized.

Loudoun County
The Loudoun County Department of Economic Development has extensive information for developers on its website, encouraging them to develop a project in an Opportunity Zone.[249] The two Opportunity Zones in Loudoun County are in Oak Grove and Sterling.[250] Loudoun County has recently constructed several mixed-use developments, four of which are near Oak Grove and along Phase 2 of the Silver line Metro extension. There are several other mixed-use developments in and around Sterling, most notably Dulles Town Center.[251]

However, one area, Leesburg, is not classified as an Opportunity Zone. In that area, there are census tracts where more than 10 percent of households experience overcrowding. In one tract in Leesburg,

only 56 percent of adults graduated high school. By comparison, 92 percent of adults ages 25 and older in northern Virginia graduated high school.[252] Over 2 million square feet of office, retail, and commercial space is under development in the town.[253] While some of the proposed uses include mixed-use developments, others are fast-food restaurants and storage units.[254]

Montgomery County

There are 13 Opportunity Zones in Montgomery County.[255] In the Opportunity Zones around Germantown and Gaithersburg, one recently proposed development is a 137-unit residential building.[256] It appears to be designed for students, given its proximity to the Germantown campus of Montgomery College and its application name of College View Campus.[257] There were also proposals for a development with 450 townhomes, 32 single-family detached homes, and 6 duplex units[258] and for a development with 49 townhomes, a four-story apartment building with 72 units, and retail space.[259]

Prince William County

There are six Opportunity Zones within Prince William County, most of which are near the border of Fairfax County along I-95.[260] The Northern Virginia Health Foundation identifies as disadvantaged not only those areas, but also three census tracts in Dumfries.[261] Riverside Station, a large mixed-use development containing 930 multifamily residential units and 145,000 square feet of retail, is planned for North Woodbridge across from the Woodbridge Virginia Railway Express station.[262]

Lack of Public Investment in Specific Neighborhoods

District of Columbia

The Tax Cuts and Jobs Act of 2017 implemented Opportunity Zones in the District.[263] Currently, 25 census tracts in the District are designated as Opportunity Zones, with the majority in Wards 7 and 8. The Office of the Deputy Mayor for Planning and Economic Development also maintains a map and list of its own projects, affordable housing projects, industrial revenue bond projects, vacant properties, and Great Streets awardees and corridors.[264] The majority of these public investment projects are in Wards 4–8, with Ward 8 containing the highest number, followed by Ward 6. Currently, 112 projects are listed in the database, including projects in development, under construction, and completed since 2011.

Virginia

In recent years, northern Virginia has seen a rise in private investment, including well-known projects such as the second Amazon headquarters in Arlington. Nonetheless, the region has seen an uptick in public investment in transportation infrastructure. For example, in 2020, the Northern Virginia Transportation Authority pledged over $500 million in funding for 21 projects throughout the region.[265] City and county governments have each undertaken public projects within their jurisdictions. However, these projects do not match the scale of projects in D.C., nor do they take a similarly pointed approach to neighborhoods with a particular need for such investments.

Maryland

The Montgomery County government maintains a list and map of economic development projects that receive public funding.[266] The map currently contains nine projects, which include transportation, residential development, a science research complex, and a hotel project. These are concentrated in the southeastern part of the county, especially around Bethesda and Silver Spring. All are in Districts 1, 3, 4, and 5. District 2 and the western portion of District 1, which encompass the western and northwestern portions of the county, receive minimal public investment.

Lack of Regional and Local Cooperation

Lack of regional and local cooperation is not a contributing factor to fair housing issues in the District of Columbia's metropolitan region. The metropolitan region's primary cooperative body is COG, which is composed of more than 300 elected officials from 24 local governments, the Maryland and Virginia legislatures, and the US Congress. Since COG established the need for accessible and affordable housing in its 2010 regional plan,[267] members have recognized the centrality of fair and affordable housing issues in securing a vibrant and equitable future for the metropolitan area. In September 2019, the COG Board of Directors adopted the Regional Housing Initiative. The initiative establishes three regional housing targets intended to "address the region's housing needs from an economic competitiveness and transportation infrastructure standpoint." Specifically, as part of this Regional Housing Initiative, COG aspires to work alongside nonprofit, private, and philanthropic partners to create an additional 320,000 housing units, with three-quarters of all new housing affordable to low- and middle-income families and in activity centers or near high-capacity transit.[268] COG also established a committee dedicated to helping local jurisdictions meet fair housing requirements. This Regional Fair Housing project team meets monthly and is composed of a core group of jurisdictions and their public housing authority partners.[269]

Lack of Resources for Fair Housing Agencies and Organizations

Lack of resources for fair housing agencies and organizations is a moderate contributing factor to the housing issues in the region. Multiple fair housing agencies and organizations in the metropolitan region receive or have received FHIP funds from HUD, including the ERC, the National Coalition for Asian Pacific American Community Development, the National Community Reinvestment Coalition, and the National Fair Housing Alliance.[270] CDBG also grants funds to fair housing organizations across the metropolitan region. However, each organization that has recently received FHIP funds is based in the District and primarily works within the city—not the larger metropolitan region—to help residents resolve housing issues. In fact, the ERC was the only private fair housing organization of those that received FHIP funds in 2020 that was dedicated to serving the housing needs of the greater Washington, D.C., region.[271] Resources for fair housing organizations are thus concentrated within the District itself, with fewer resources allocated to the larger metropolitan region.

Many organizations that provide fair housing services to the District's residents are not devoted solely to remedying fair housing issues in the region. Organizations such as the ERC, Maryland Legal Aid, Legal Services of Northern Virginia, and the D.C. Bar Pro Bono Center have broad missions, with specific projects devoted to alleviating specific housing issues in their region. Therefore, these organization's resources are often divided among a variety of projects. For instance, the D.C. Office of Human Rights, the body tasked with investigating claims of housing discrimination in the District, has also been reported to lack sufficient resources to properly handle claims and investigate cases.[272]

Lack of State or Local Fair Housing Laws

Lack of state or local fair housing laws is not a significant contributing factor. The D.C. Human Rights Act protects against housing discrimination based on a variety of traits, including race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, familial responsibilities, political affiliation, disability, matriculation, familial status, source of income, place of residence or business, and status as a victim of an intrafamily offense.[273] While not as broad as the District's, Virginia's and Maryland's fair housing laws also prohibit discrimination based on several traits. In Virginia, it is illegal to discriminate in housing on the basis of race, color, religion, national origin, sex, elderliness, familial status, disability, source of funds, sexual orientation, gender identity, and veteran status.[274] Maryland similarly prohibits discrimination on the basis of race,

color, religion, sex, familial status, national origin, marital status, sexual orientation, gender identity, disability, or source of income.[275]

Montgomery County expands on Maryland's law by prohibiting discrimination on the basis of ancestry, presence of children, family responsibilities, and age.[276] Arlington County differs slightly from Virginia law in that it protects both marital status and familial status, and specifies that both physical and mental disabilities are protected.[277] Alexandria likewise considers marital and familial status, as well as age and transgender status, to be protected traits.[278] Prince William County also prohibits discrimination based on both marital and familial status, as well as age in addition to elderliness.[279]

The Loudoun County website has been updated to reflect the changes to Virginia's Fair Housing Law prohibiting discrimination on the basis of sexual orientation and gender identity.[280]

Land Use and Zoning Laws

Land use and zoning laws play a role in a variety of fair housing issues. Specifically, overly restrictive zoning that suppresses the production of affordable housing in particular and housing more generally leads to disproportionately high rates of housing cost burden and overcrowding for some racial and ethnic groups as well as for persons with disabilities. Additionally, more restrictive zoning in communities that are predominantly White and have disproportionately higher incomes than other parts of their cities or regions can exacerbate patterns of residential racial segregation. Conversely, inadequate zoning and land use controls to buffer low-income communities of color from heavily polluting industrial land uses can contribute to racial disparities in health outcomes. An analysis of the fair housing ramifications of land use and zoning laws in each participating jurisdiction follows.

Region
The majority of the land in the District of Columbia is developed.[281] Arlington County, the City of Alexandria, and Fairfax County have similar land development profiles as the District of Columbia.[282] Montgomery County contains the highest percentage of undeveloped land in the region.[283]

Alexandria
The City of Alexandria has a large amount of single-family housing.[284] The many historic areas in the city make it difficult to build multifamily housing.[285] As a result, affordable housing is only viable on the edges of the municipality.[286] The Alexandria City Council approved ADUs in 2021.[287]

Arlington County
Arlington County is currently undertaking a study to address the "missing middle":[288] the lack of multiunit housing that fits between single-family housing and large residential developments.[289] Arlington County's zoning laws heavily favor single-family housing and have impeded the creation of multiunit affordable housing.

Map 81: Impacts of the Housing Gap
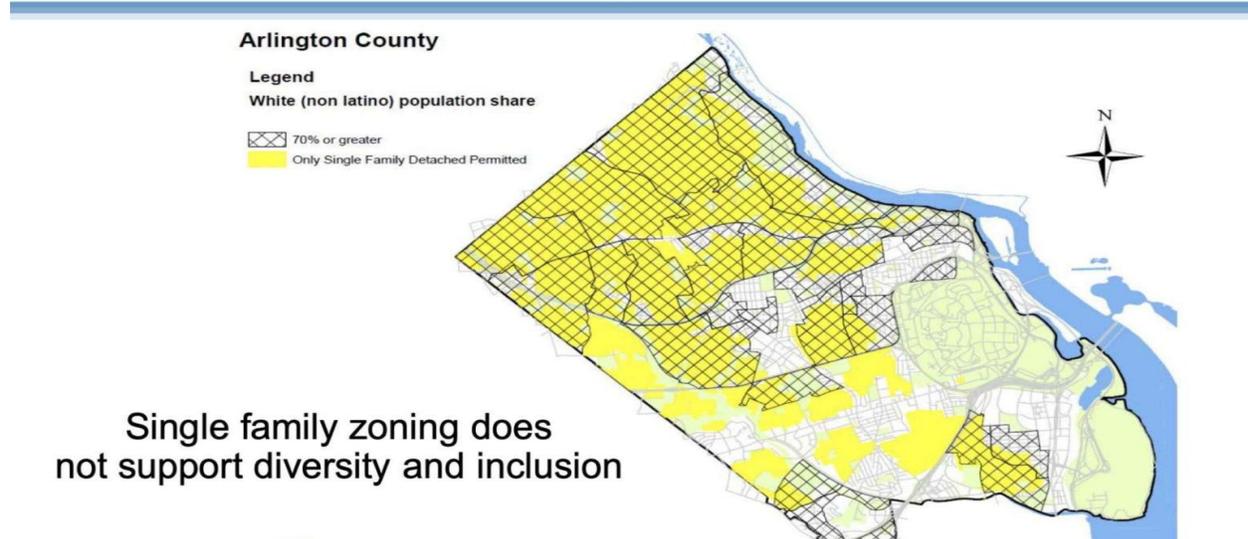
Between 2010 and 2018, Arlington County added significant housing stock that contained 20 or more units and had modest increases in single-detached and single-attached housing and housing with 2–4 units.[290] However, Arlington County lost housing stock that contained 5–19 units.[291]

District of Columbia

Affordable housing is unevenly distributed in the District. Ward 8 has significantly more affordable housing than other wards. In contrast, Wards 2 and 3 have significantly less affordable housing than other wards. Single-family homes account for 80 percent of residential buildings in the District .[292]

Table 40: D.C. Affordable Housing by Ward

Ward	2019 Median Household Income	2018–2019 Households below the Poverty Line %	Total Affordable Housing Units	Affordable Housing Units at 0%–30% of AMI	Affordable Housing Units at 31%–50% of AMI	Affordable Housing Units at 51%–60% of AMI	Affordable Housing Units at 61%–80% of AMI	Affordable Housing Units above 81% of AMI
Ward 1	$94,810	9.5%	1,530	486	347	445	252	0
Ward 2	$128,670	7.6%	774	94	81	438	158	3
Ward 3	$71,782	15.7%	135	0	11	80	44	0
Ward 4	$102,822	12.2%	2,463	393	846	866	355	3
Ward 5	$111,064	14.0%	2,972	780	432	1,043	717	0
Ward 6	$45,318	26.3%	4,843	981	1,301	1,295	975	291

| Ward 7 | $114,363 | 12.0% | 3,634 | 704 | 872 | 1,743 | 266 | 49 |
| Ward 8 | $35,245 | 32.9% | 6,375 | 1,300 | 2,299 | 2,413 | 340 | 23 |

Data sources: Open Data D.C. (interactive map), "Economic Characteristics of D.C. Wards," accessed October 11, 2023, https://opendata.dc.gov/apps/economic-characteristics-of-dc-wards-2017-2021-5-year-acs/explore; and Open Data D.C. (interactive map), "Affordable Housing," accessed October 11, 2023, https://opendata.dc.gov/datasets/affordable-housing/explore.

Additionally, the District has a large amount of land that cannot be used for housing because of its historical designation or governmental use. The District requires most new residential developments to include affordable housing through the Inclusionary Zoning program.[293] From 2011 to 2019, inclusionary zoning created 989 affordable housing units.[294] The District allows ADUs but requires them to be owner-occupied, limiting their usefulness for adding additional housing stock.[295]

Fairfax County
Fairfax County is almost entirely zoned for single-family housing.[296] Fairfax County began allowing ADUs in 2021 to enable homeowners to add smaller rental units onto their homes.[297]

Loudoun County
Loudoun County is the most rural jurisdiction in this analysis. The eastern part of the county, closest to the District of Columbia, contains more development. Moving westward, the county is less developed and less dense.[298] Historically, Loudoun County's land use policies and zoning laws have actively discouraged the type of development most conducive to affordable housing. Instead, Loudoun County has promoted low-density land uses.[299]

Map 82: Zoning Patterns, Virginia Jurisdictions
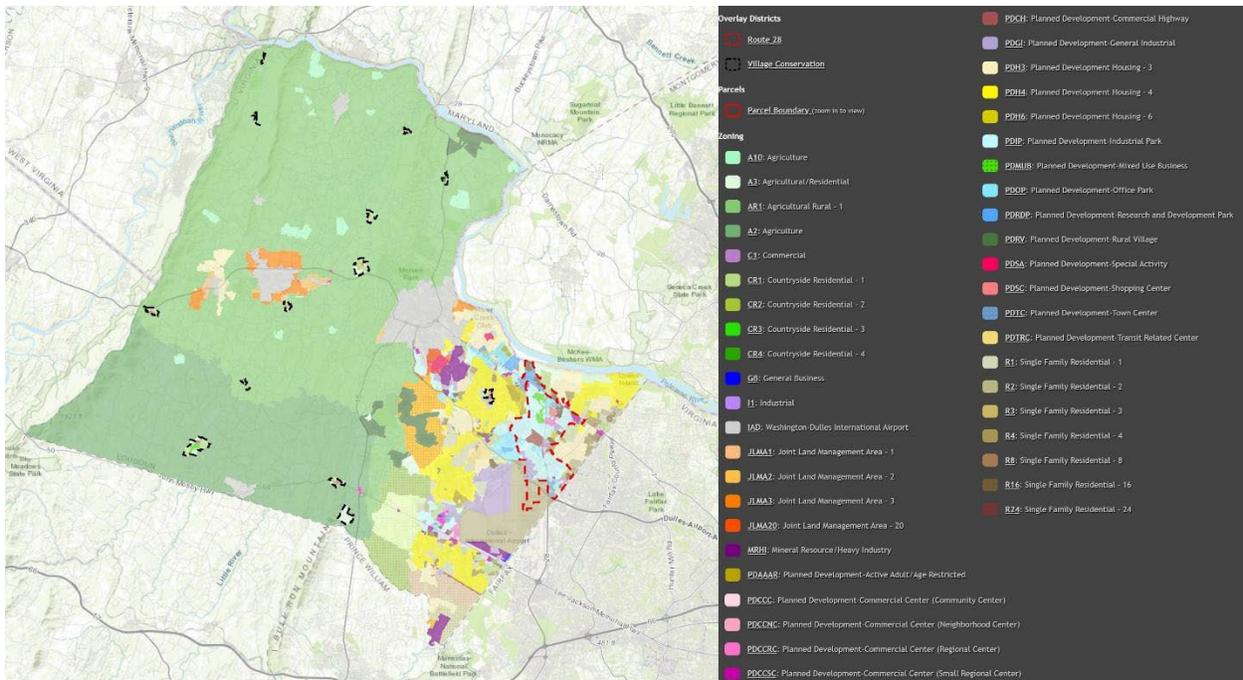
Source: Angela Woolsey, "Arlington Missing Middle Housing Study Sets October Kick-Off," *ARLnow*, September 29, 2020, https://www.arlnow.com/2020/09/29/arlington-missing-middle-housing-study-sets-october-kick-off/.

Loudoun County's 2019 General Plan acknowledged the need for increased density land uses and created two "urban policy areas" near future train stations on the D.C. Metro's Silver line.[300] The urban policy areas aim to offer "a diversity of housing" and "offer flexible land use policies to allow for innovation and changing market demands."[301] In addition, the 2019 General Plan promotes policies to increase density, such as the addition of residential units on existing single-family housing properties, more dwelling units per acre than are currently allowed, and mixed-use development.[302] These policies are often prerequisites for developing low- and moderate-income housing.

Loudoun County is currently rewriting its zoning ordinance to implement the 2019 General Plan.[303] The zoning ordinance was last comprehensively rewritten in 1993, so most of the use categories and policies are not conducive to affordable housing development. The current zoning ordinance has only two use types amenable to multifamily development: R-16 and R-24.[304] These use types make up a relatively small proportion of county land. Areas zoned for multifamily development are concentrated on the county's east side, closest to the District of Columbia.

Montgomery County
Montgomery County's zoning laws are a significant impediment to fair housing. Zoning laws allow apartments on less than 2 percent of county land, and more than one-third of the county is restricted to single-family homes.[305]

Map 83: Zoning Patterns, Montgomery County
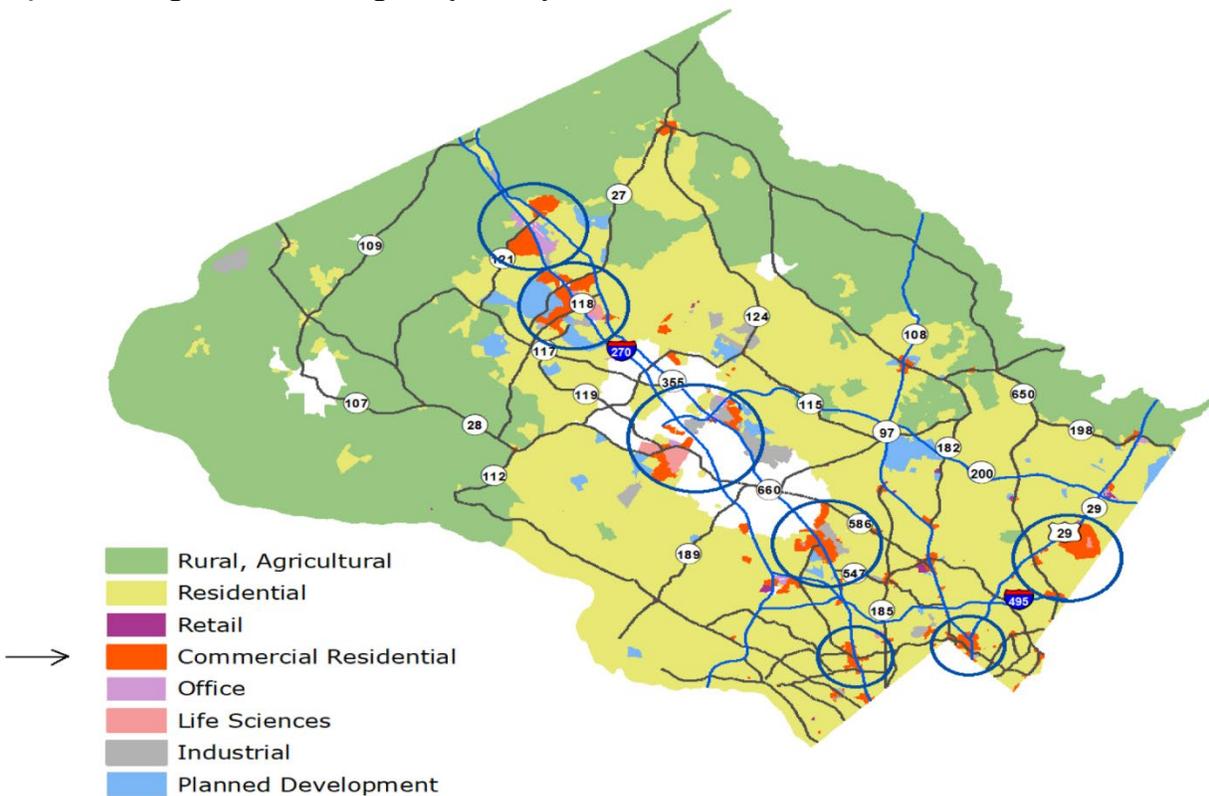
Source: Maryland–National Capital Park and Planning Commission, *Thrive Montgomery 2050: Let's Plan Our Future. Together,* Planning Board Draft, April 2021, https://montgomeryplanning.org/wp-content/uploads/2021/02/THRIVE-Planning-Board-Draft-2021-Pages_web.pdf.

Montgomery County attempted to relax zoning restrictions in 2010 to allow low- and moderate-income housing by introducing a new zoning designation: commercial/residential.[306] Areas designated as

commercial/residential can have increased density and building height. However, areas zoned as commercial/residential are a relatively tiny percentage of the county. In 1980, Montgomery County set aside 93,000 acres along the northwest edge of the county, almost one-third of the county, as an agricultural reserve. The accompanying zoning ordinances severely limited housing development by requiring at least 25 acres per dwelling.[307]

Montgomery County published a new general plan in 2020, the first update since 1993.[308] Montgomery County's original general plan used "wedges and corridors" to promote development along major thoroughfares and promote open spaces in other parts of the county.[309] The general plan published in 2020 acknowledges that the "wedges and corridors" unintentionally promoted unequal development and restricted housing construction.[310] The updated general plan encourages zoning reform to integrate "varied uses, building types, and lot sizes."[311] Montgomery County launched a "missing middle" housing program to increase the supply of affordable housing.[312]

Gaithersburg
The city has launched Retool Gaithersburg, a comprehensive initiative to update the zoning code. The update aims to modernize the zoning ordinance to better reflect the needs of the community and ensure that zoning regulations support the city's vision and goals (including its residential areas and future needs). Gaithersburg anticipates this effort to be completed in 2024.[313]

Prince William County
Over 75 percent of housing in Prince William County is single-family housing.[314] Prince William County has issued a draft of the land use chapter of its comprehensive plan update, along with a long-range land use map.[315] The plan contemplates changes to allow for a variety of housing types rather than single-family zoning and the relaxation of the rural area's zoning from one house per 10 acres to one house per 5 acres.[316] The county has no ADU ordinance, voluntary inclusionary zoning, or affordable housing trust fund, making zoning a barrier to creating affordable housing.

Map 84: Long-Range Land Use Map, Prince William County
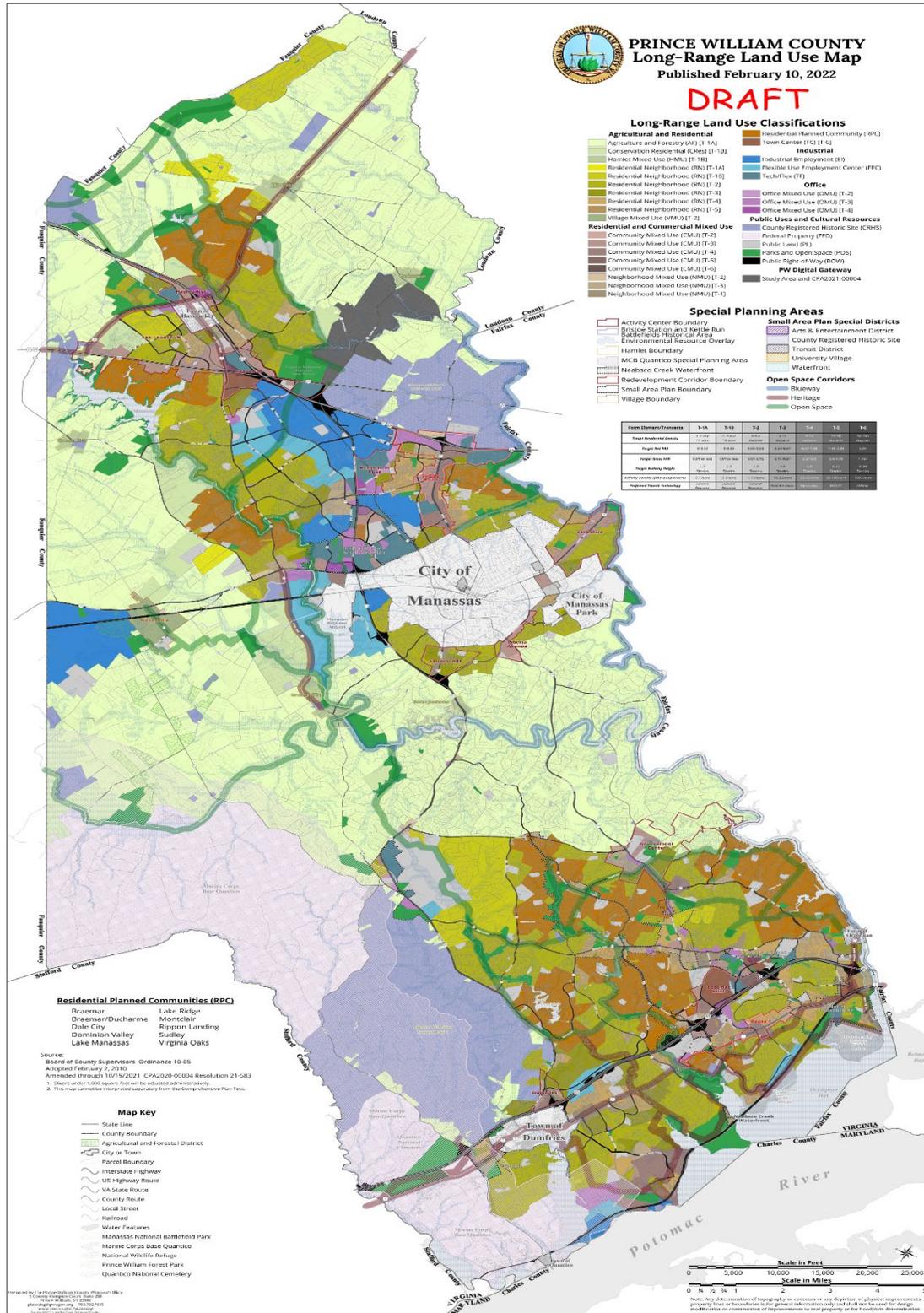
Source: Prince William County Planning Office, "Long-Range Land Use Map," Draft, December 5, 2022, https://www.pwcva.gov/assets/2022-02/DRAFT_LRLU_3000_36x66%2020220201.pdf.

Lender Discrimination

Data on home purchase mortgage applications that were denied by the lender demonstrate that non-Hispanic White applicants in all municipalities were significantly more likely to receive a mortgage than other races or ethnicities. Non-Hispanic Black applicants in the District, Fairfax County, Loudoun County, and Montgomery County were the most likely to be denied in their respective jurisdictions. Non-Hispanic Native American or Alaska Native in Alexandria, Hispanic/Latino applicants in Arlington County, and non-Hispanic Asian or Pacific Islander applicants in Prince William County were most likely to be denied in those jurisdictions.

Table 41: Home Purchase Mortgage Denial Rates

Municipality	Non-Hispanic White Applicants	Non-Hispanic Black or African American Applicants	Hispanic/Latino Applicants	Non-Hispanic Asian or Pacific Islander Applicants	Non-Hispanic American Indian or Alaska Native Applicants
Alexandria	4.2%	9.5%	7.3%	5.5%	14.3%
Arlington County	3.4%	5.8%	9.7%	6.1%	0.0%
District of Columbia	4.1%	15.5%	7.7%	6.6%	9.4%
Fairfax County	4.2%	8.7%	8.3%	8.4%	3.4%
Loudoun County	4.5%	10.0%	8.5%	8.6%	9.4%
Montgomery County	5.1%	11.3%	9.7%	9.1%	3.6%
Prince William County	5.3%	9.2%	9.5%	10.2%	4.2%

Note: Data exclude 12,661 applications (19 percent of total) where race and ethnicity were not reported.
Data source: Federal Financial Institutions Examination Council (FFIEC) Home Mortgage Disclosure Act (HMDA) data on home purchase loan applications for one- to four-unit dwellings in 2019.

Location and Type of Affordable Housing

District of Columbia

D.C. Open Data, a project of the District government, maintains data on affordable housing sites in the District, as well as a map of such units.[317] The dataset contains 577 affordable housing sites, but only 513 of these currently contain one or more affordable housing units. These units are located across Wards 1, 4, 5, 6, 7, and 8, which have substantially larger low-income populations than Wards 2 and 3. Sites with more units (tens or hundreds, with the largest containing 668 units) appear more often in Wards 6, 7, and 8. Units also vary in affordability with respect to AMI.

Virginia

Alexandria, Arlington County, Fairfax County, and Loudoun County all maintain lists of affordable housing units within their jurisdictions.[318] Prince William County no longer maintains such a list. Among the four jurisdictions that do, affordable housing appears to be available in a range of locations and types. Publicly and privately owned housing options exist, including market-rate housing with affordable units. Housing is also distributed across a variety of neighborhoods, with complexes containing anywhere from fewer than 10 units to more than 200 units.

<u>Maryland</u>
Montgomery County's Moderately Priced Dwelling Unit program offers access to affordable units in apartment complexes throughout the county. The list includes 71 sites, most with at least 20 units in a range of sizes, from efficiencies to three-bedroom units.[319] The sites, which include both high-rise and garden-style apartments, encompass all major municipalities within the county and have rents starting from $1,133.

Location of Accessible Housing

The location of accessible housing is not a significant contributing factor to fair housing issues in the Washington, D.C., metropolitan area. Although it is not possible to precisely map the location of accessible housing in the area, it tends to exist where new multifamily housing and publicly supported housing are concentrated. These two dimensions cut in somewhat contradictory directions. The ACS does not facilitate the disaggregation of housing units by the number of units in a structure and the year a structure was built, but it does allow a look at those two data points separately. As the following maps reflect, there is some overlap. For example, both newer and denser housing are clustered in parts of Arlington and Fairfax Counties. There are concentrations of new predominantly single-family homes in the northern part of Montgomery County, the western part of Fairfax County, and the center of the District of Columbia. There are concentrations of older multifamily housing in and surrounding the District of Columbia. The parts of the county with more new multifamily housing offer high access to opportunity in an areawide perspective.

Map 85: Median Year Structure Built, D.C. Metropolitan Area

Source: 2015–2019 American Community Survey five-year estimates, Table <u>B25035</u>.
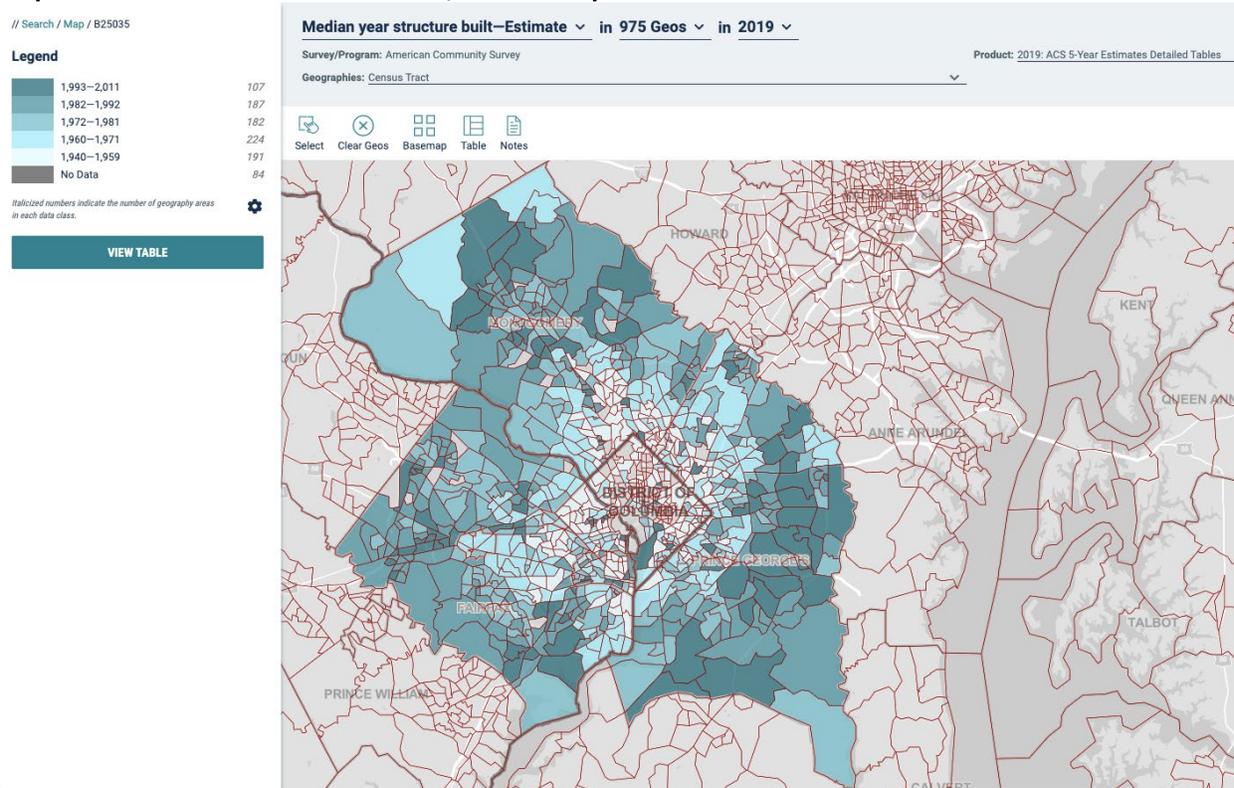
Map 86: Units in Structure (≥20), D.C. Metropolitan Area

Legend

	2,762–5,199	15
	1,623–2,761	43
	757–1,622	96
	231–756	171
	0–230	650
	No Data	0

Italicized numbers indicate the number of geography areas in each data class.

VIEW TABLE

UNITS IN STRUCTURE—Total housing units—20 or more units—Estimate ⌄ in **975 Geos** ⌄ in **2019** ⌄

Survey/Program: American Community Survey   Product: 2019

Geographies: Census Tract   ⌄

Select   Clear Geos   Basemap   Table   Notes
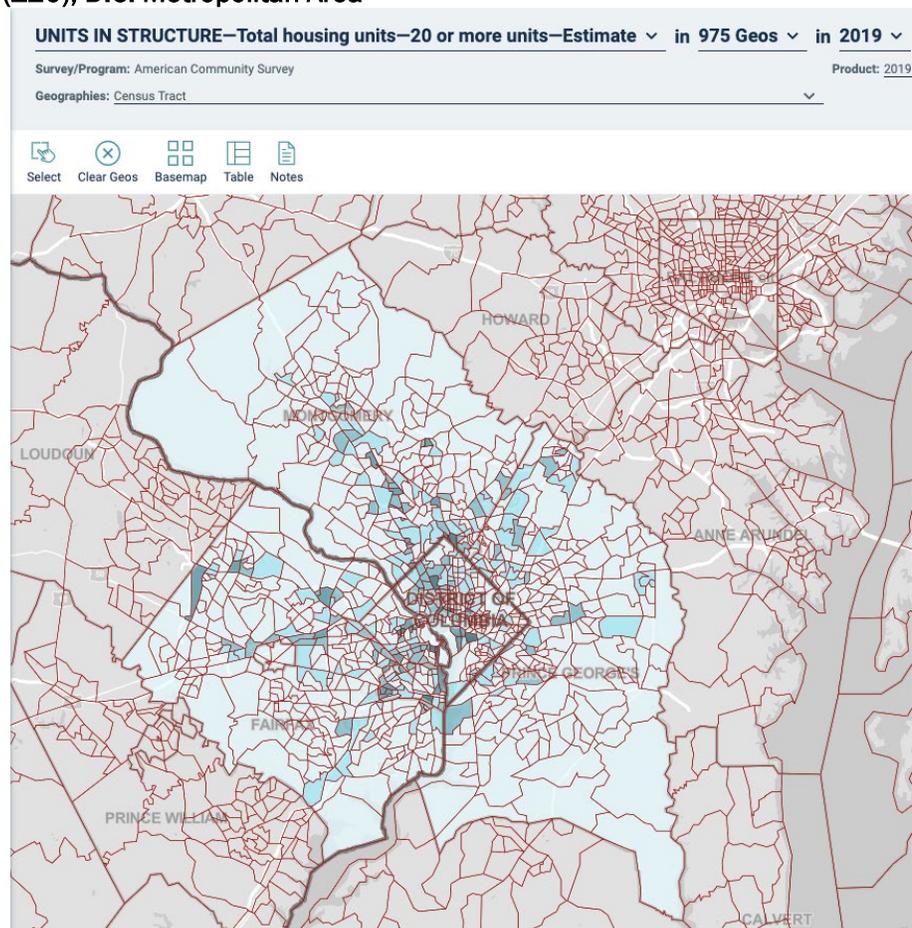
Source: 2015–2019 American Community Survey five-year estimates, Table DP04.

By contrast, publicly supported housing, as reflected in Map 87, is much more concentrated on the edges of and immediately surrounding the District of Columbia, places that do not have concentrations of new multifamily development. It is likely that the two categories of housing more likely to be accessible are widely dispersed across the metropolitan area. Across the area, places with accessible housing include high-opportunity areas. When affordability is not factored into consideration, the location of accessible housing does not appear to contribute significantly to fair housing issues.

Map 87: Publicly Supported Housing, Region
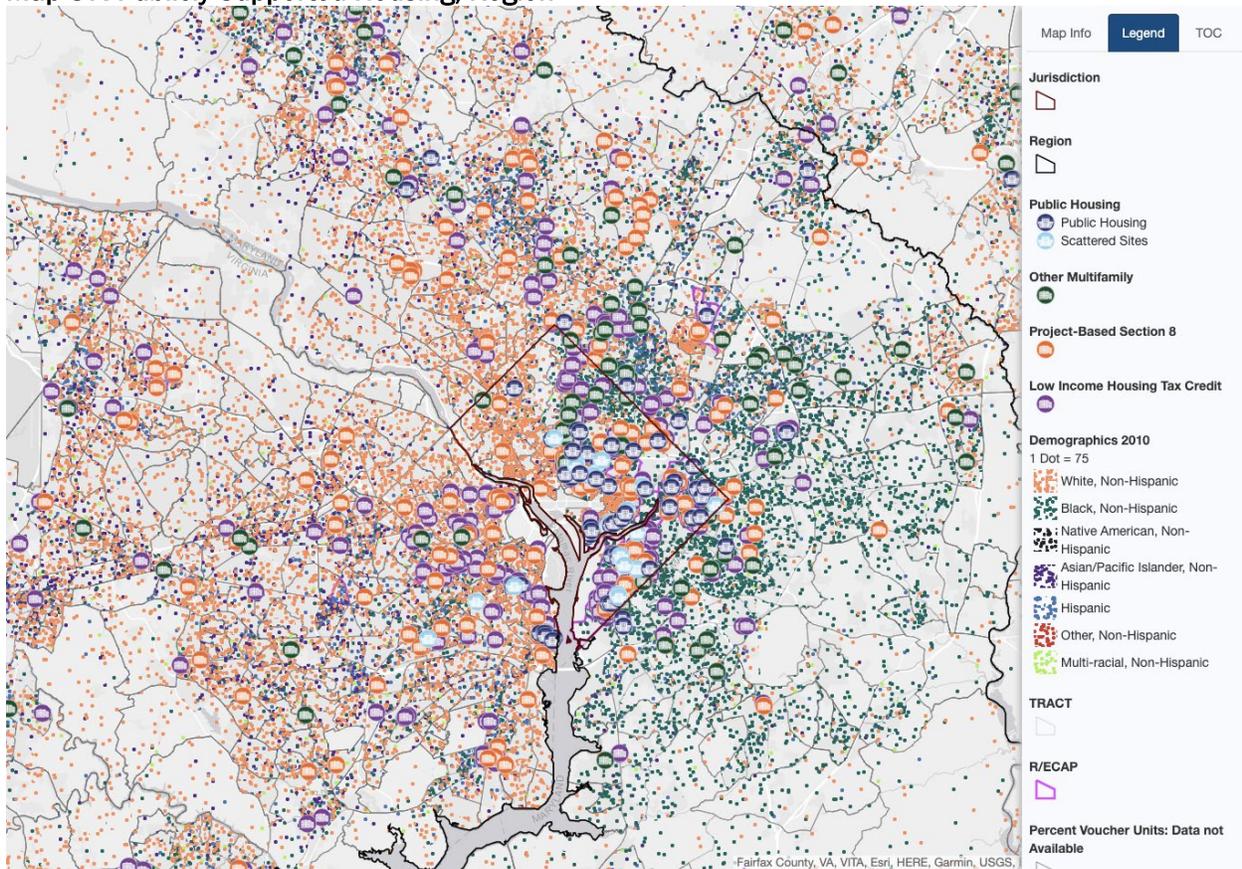
Source: HUD, Affirmatively Furthering Fair Housing Tool, D.C. Metropolitan Area.

Location of Employers

Region

The location of employers is a contributing factor to disparities in access to opportunity in the District of Columbia's metropolitan region. The highest-paying jobs are located primarily in downtown D.C., where employers occupy office buildings in the most expensive part of the region. These employers provide jobs to hundreds of thousands of people who reside outside the District, indicating that expensive housing costs have forced at least some individuals who would otherwise live in the District of Columbia to reside farther from the city center in the greater metropolitan region.

The long commute times of District employees are evidence that high housing costs have pushed people to reside farther from their employers in the larger metropolitan region. District employees face some of the longest commute times in the nation: census estimates indicate that the average person travels 43 minutes to work each day. This is over 1.5 times the length of the commute of the average American, who spends approximately 27 minutes traveling to work each day. The metropolitan D.C. region has consistently been ranked as one of the most expensive housing markets in the nation, and these census findings echo a study conducted by the Brookings Institution that found commutes tend to be longer in metropolitan areas where housing is the priciest.[320]

A spatial mismatch in jobs and affordable housing often places a significant burden on workers. Long commutes cut into time that could otherwise be spent with family members or friends or pursuing interests unrelated to work. Traveling to and from work—enduring traffic jams, unforeseen

circumstances, and bad weather—are additional stressors. Numerous studies have shown that individuals with long commutes suffer from psychosomatic disorders at a much higher rate than those with short trips to work.[321] The psychological, physical, and financial burdens that coincide with long commutes all hinder access to equal opportunity for residents of the metropolitan D.C. region.

Alexandria
Despite being home to many large employers—the US Department of Defense, the US Trademark and Patent Office, the Salvation Army, and the Society for Human Resource Management among them—people who both live and work in Alexandria are by far the city's minority. Approximately 16 percent of Alexandria residents live and work in Alexandria, while 84 percent of the city's residents commute out of Alexandria each day. Alexandria residents spend slightly more time than the average American commuting to work each day (30 minutes) and travel primarily to employers in the District and Fairfax County.[322] These individuals have access to public transportation via bus and Metro.

Arlington County
While it is estimated that nearly 20 percent of Arlington County residents work within the county, residents' commute times mirror those of the average American; the average Arlington County resident spends 27 minutes traveling to and from work each day.[323] Those commuting out of the county are traveling primarily to the District, with approximately 70 percent traveling by car or train. The county's biggest employers are Accenture, Deloitte, the Virginia Hospital Center, Booz Allen Hamilton, and Garter, and approximately 50,000 residents of the larger metropolitan region commute to Arlington County each day to work for these companies, among others.

District of Columbia
District residents spend slightly more time than the average American commuting to work each day, with the average District resident traveling just under 29 minutes to get to work. Approximately 9 percent of all District residents, however, endure "super commutes" and spend more than an hour getting to work each day.[324]

A 2017 study conducted by the D.C. Policy Center suggests that the time it takes a District resident to commute to work is strongly linked to their income. People who live in the Georgetown and Capitol Hill neighborhoods, where residents' average median income is highest, have the shortest average commutes; it often takes residents of these neighborhoods less than 25 minutes to get to work each day. Meanwhile, those who live in neighborhoods like Brightwood, Petworth, and Anacostia have longer commute times than the overall city average. The Southeast quadrant of the District endures the longest commute times of them all, with Marshall Heights residents traveling almost 40 minutes on average to work each day. The percentage of commuters traveling by bus is also highest in Southeast D.C., where incomes are lowest and there are no Metro stops.[325] These results indicate that low-income people residing within the District must both travel farther to access employment and use less reliable means of transportation to do so.

Map 88: Commute Times, Household Income, and Commuters Traveling by Bus, District of Columbia

Average Commute Times to Work in Minutes

Median Household Income

Percent of Commuters Traveling by Bus
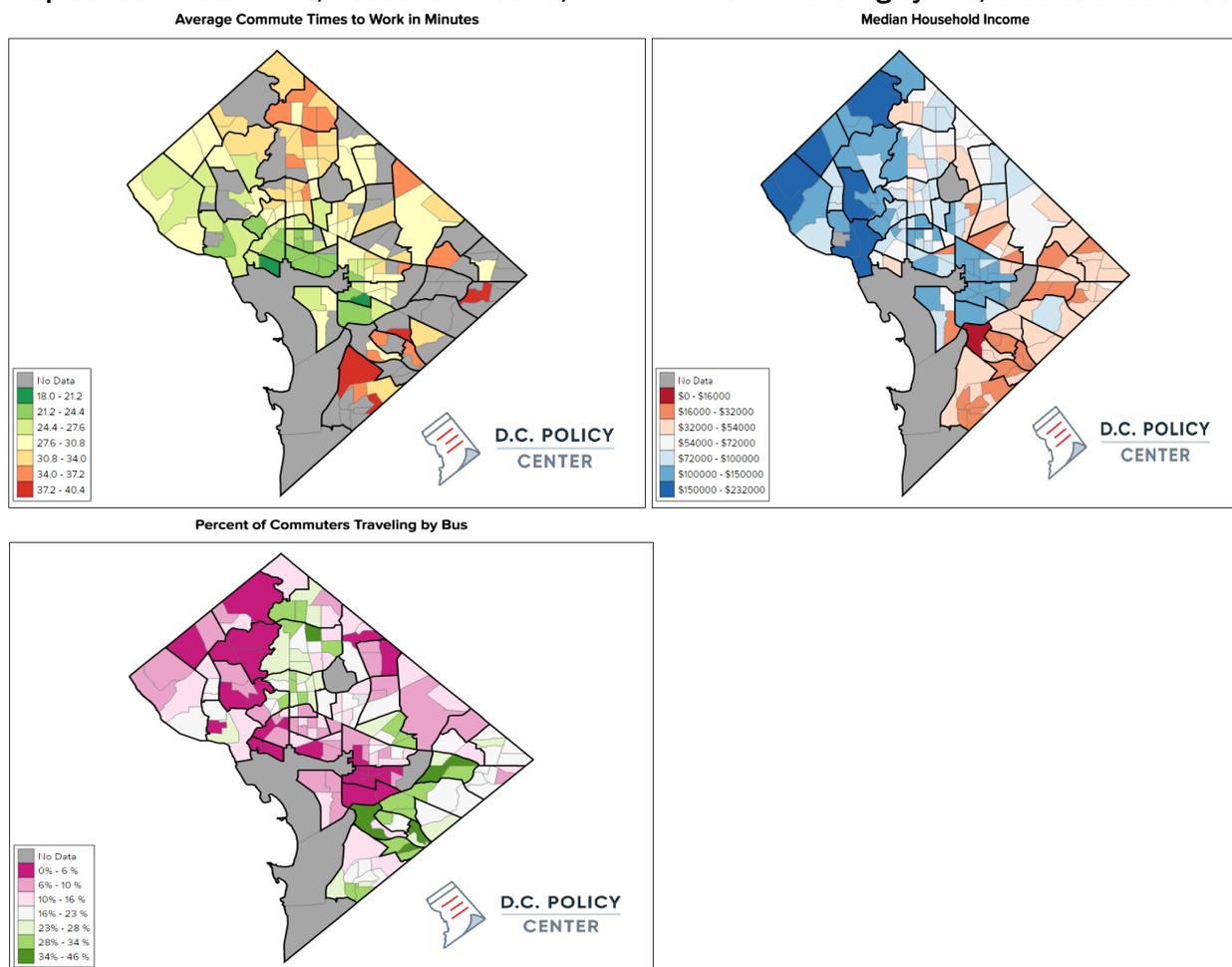
Source: Randy Smith, "Commute Times for District Residents Are Linked to Income and Method of Transportation," D.C. Policy Center, March 23, 2017, https://www.dcpolicycenter.org/publications/commute-times-for-district-residents-are-linked-to-income-and-method-of-transportation/.

Fairfax County

Unlike individuals residing in other parts of the District's metropolitan region, most Fairfax County residents live and work within the county. Approximately 60 percent of Fairfax County residents commute to work within the county, while only 15 percent commute to the District and 12 percent to Arlington County or Alexandria.[326] Yet, the average commute for Fairfax County residents is 30 minutes, slightly above the national average.[327] Those who live and work within Fairfax County, however, earn lower incomes on average than those traveling out of the county for work. The largest employers in the county are Booz Allen Hamilton, Inova Health System, Freddie Mac, and Lockheed Martin.[328] Commuters have access to public transportation via the Metro, Metrobuses, and local buses.

Unlike for other parts of the region, there are significant data detailing the demographics, incomes, and jobs of Fairfax County residents commuting to the District to work. An estimated 40 percent are employed by the government, and these in-commuters make more money, on average, than those who live and work in the county.[329] These findings strike contrary to the trend for District residents, with low-income residents—not high-income earners—enduring the longest commute times on average.

<u>Loudoun County</u>
Of the 177,432 working residents of Loudoun County, an estimated 70 percent commute out of the county for work each day, traveling primarily to Fairfax County and the District. Only 30 percent of Loudoun County residents both live and work within the county.[330] At least some of these individuals are likely working for the county's largest employers: the Loudoun County Public School System, local government, Verizon, Northrop Grumman, and United Airlines.[331] The average commute time for Loudoun County residents is 32 minutes—5 minutes longer than the national average.[332]

<u>Montgomery County</u>
Despite being home to the National Institute of Health, the US Food and Drug Administration, Naval Support Activity Bethesda, Marriott International, Lockheed Martin, and other large employers,[333] more than half of Montgomery County residents commute out of the county for work each day. The average Montgomery County resident travels 33 minutes to work, and more than 3 percent of all employed residents have "super commutes" in excess of 90 minutes. Montgomery County residents spend more time, on average, commuting to work than any other residents of the metropolitan region.

<u>Prince William County</u>
In Prince William County, a larger proportion of residents commute outside the county for work than anywhere else in the District metropolitan region. Only one-quarter of all Prince William County residents work within county lines. Meanwhile, approximately three-quarters of all county residents are commuting out of the county for work, traveling primarily to Fairfax County and the District. Almost half of out-commuters leave for work before 7:00 a.m.[334]

Location of Environmental Health Hazards

<u>District of Columbia</u>
In an Environmental Protection Agency assessment of the severity of environmental pollution in the United States, the District of Columbia ranks 576 out of 2,357 metropolitan areas.[335] A study by the D.C. Policy Center found that Wards 4, 5, and 6 are disproportionately exposed to chemicals in the soil, air, and water from sources other than daily activity. Sources of such exposure include soil contamination from leaking underground storage tanks (Ward 4 has the largest number of active tanks, with 36; it is followed by Wards 4 and 6, with 17 each), brownfields, and superfund sites. Air pollution is also a major concern; Ward 1 has the highest concentration of ozone, largely driven by vehicle exhaust, and Ward 7 has the highest levels of particulate matter. Water pollution is a further concern; Ward 6 and the southeastern portion of the District are particularly exposed to sewer overflows. In general, the Northeast and Southeast quadrants are most susceptible to environmental health hazards. These are also the areas where affordable housing is most needed and most prevalent.

<u>Virginia</u>
A March 2021 report by the Environmental Working Group found per- and polyfluoroalkyl substances levels in water samples taken from northern Virginia to be some of the highest in the country. The most severely polluted samples were taken from areas closest to D.C., though Prince William County water also has high levels of the toxins.[336] Northern Virginia is also known for its polluted air—the Environment Virginia Research and Policy Center reported 84 dirty air days in 2016.[337]

<u>Maryland</u>
Montgomery County is home to 30 superfund sites. Of these, 10 are active non-NPL (sites not on the national priority list in terms of threatened releases of hazardous substances) and 20 are archived; none are active NPL sites.[338] Gaithersburg ranks in the 90th and 80th percentile, respectively, for residents in close proximity to these sites. Air pollution in Montgomery County occasionally exceeded

the regulatory standard in the 2000s, but this has become rarer in recent years.[339] Gaithersburg has several air quality risks that pose hazards to human health. The environmental justice indexes show that Gaithersburg ranks in the highest percentile nationally for concentrations of diesel particulate matter, air toxics linked with cancer, and air toxics linked with respiratory hazards.[340] The western part of the area also ranks in the 90th percentile for traffic proximity, meaning that nearby residents have more exposure to mobile sources of air pollutants.[341]

Location of Proficient Schools and School Assignment Policies

<u>District of Columbia</u>
D.C.'s School Transparency and Reporting Framework has consistently confirmed the existence of deep inequities in school quality in the District.[342] A map in the 2018–2019 school year report shows that Wards 7 and 8, and, to a lesser extent, Ward 6, are more likely to have schools with lower ratings, which denote lower student achievement, student growth, college and career readiness, and graduation rates, as well as poorer school environments characterized by poorer attendance, inconsistent enrollment, and poorer safety and discipline standards.[343] These inequalities stem from the historic failure to desegregate D.C. schools and the tendency for wealthier families, especially in Wards 2 and 3, to send their children to private schools.[344]

<u>Virginia</u>
Northern Virginia is known to have some of the state's highest-performing school districts, and academic achievement in public schools in Arlington County is particularly high.[345] However, inequalities continue to pose a challenge in the region. For example, while most high schools in Loudoun County have dropout rates below 1 percent, some schools in Fairfax County have dropout rates well above 15 percent. Similar disparities exist for measures like chronic absenteeism and accreditation rates, as well as for numeric measures of student achievement.

<u>Maryland</u>
Montgomery County Public Schools are among the most well-resourced and highest-achieving schools in Maryland. However, MCPS continues to fall short of some targets. In particular, academic achievement of Black students, Hispanic students, students with disabilities, and English learners continues to be inadequate. Though the school district continues to improve in its provisions, these improvements have not extended to all demographics of students; in particular, Hispanic and English-learner students have not seen improvements in academic achievement or graduation rates in the past several years.[346]

Loss of Affordable Housing

<u>Region</u>
The loss of affordable housing in the region contributes to segregation and the creation of R/ECAPS throughout the metropolitan area.

Broadly, constrained housing supply and the explosive growth of the region have contributed significantly to the loss of affordable housing in the area. These affordable housing losses are primarily concentrated in the District, Alexandria, and Arlington County, which, at one time, were home to a sizable population of affordable housing units. Alexandria, in particular, has eliminated almost 90 percent of the city's affordable housing stock in just two decades. Almost every local government in the District of Columbia metropolitan region has coordinated efforts to expand affordable housing in their area, though many will not create the number of housing units needed to make up for the market's substantial losses.

<u>Alexandria</u>
Wage stagnation, gentrification, and the growing popularity of the city itself have driven up Alexandria's housing prices and created a crisis for those who rely upon affordable housing. The latest ACS approximates that 14,500 renter households earning less than $75,000 are burdened by Alexandria's housing costs and unable to properly invest in other necessities. The situation is even more dire for the city's 6,600 renter households earning less than $50,000, who spend 50 percent or more of their monthly earnings on housing-related costs.[347]

These burdens are at least partly attributable to the loss of affordable housing in Alexandria. Between 2000 and 2017, the City of Alexandria lost 90 percent of its affordable housing. Alexandria, which once offered more than 18,000 units of affordable housing, now has only 1,749. These affordable units are unsubsidized, privately owned units that cater to low-income renter households. Few of these units, however, can accommodate larger families who earn 60 percent of AMI or less. Two-thirds of the affordable units in the city are studio or single-bedroom units, 27 percent are two-bedroom units, and just 7 percent are three-Bedroom units,[348] meaning that some Alexandria residents must crowd their families into the first affordable housing unit that becomes available.

In May 2021, the City of Alexandria announced a plan to build 480 affordable units in the next three years on the site of the old Safeway on West Glebe Road.[349] One-quarter of these units are to be deemed "deeply affordable" and set aside for families making 40 percent of AMI.[350] While these housing units will likely ease the housing burden of at least some low-income Alexandria residents, they will be unable to make up for the significant loss of affordable housing units over the past two decades.

<u>Arlington County</u>
In Arlington, the loss of affordable housing has been spurred by the increasing popularity of the city, which has driven up the cost of living and, consequently, the cost of housing as well. Only 9,500 apartments for rent are affordable to the approximately 17,000 renter households with incomes below 60 percent of AMI. Older apartments and homes that were at one time affordable to those with incomes below 60 percent of AMI have been renovated or replaced, with these improved units boasting higher rents than the original ones.[351] From 2000 to 2013, Arlington County lost 13,500 affordable housing units, many of which were naturally occurring market-affordable housing units.[352]

Because of the continual loss of naturally occurring market-affordable housing units, Arlington's affordable housing program has announced that it is focusing on both preserving and increasing the number of committed affordable rental units. By 2040, Arlington County aims for 17.7 percent of the county's housing stock to be affordable to residents with incomes at or below 60 percent of AMI. They have not given up on naturally occurring affordable housing, however, and have committed to preserving 60–80 percent of the current naturally occurring affordable housing stock as well.[353]

<u>District of Columbia</u>
In the District, declining housing construction, rising demand, and market pressures have all spurred the loss of the city's affordable housing units. In fact, the District now has half as many affordable units as it reported in 2002. Adjusted for inflation, the number of District apartments with rents under $800 fell from almost 60,000 in 2002 to 33,000 in 2013.[354] Meanwhile, the number of properties for rent between $1,300 and $2,500 has skyrocketed, making subsidized housing effectively the only source of affordable housing in the city.[355] Among residents earning 30–50 percent of AMI, 31 percent are considered severely burdened by housing costs.[356]

In May 2019, D.C. Mayor Muriel Bowser signed the Housing Framework for Equity and Growth, which called upon local agencies to create and preserve affordable housing units in the city. District agencies

are tasked with creating an additional 36,000 housing units, with at least 12,000 units designated as affordable housing for low-income residents. The District hopes to preserve at least 6,000 existing affordable housing units by funding the maintenance, inspection, and repair of old units, allowing vulnerable populations to "age in place."[357]

Fairfax County
While it is unclear whether Fairfax County has lost affordable housing units in recent years, there is—at the least—a need for *more* affordable housing in the area. In Fairfax County, one in five renters spends more than half of their monthly earnings on housing costs.[358]

In an attempt to subsidize affordable housing units in Fairfax County, in 2019, county lawmakers announced their commitment to produce and preserve affordable housing. The county has adopted the goal of constructing a minimum of 5,000 new rental homes over the next 15 years for residents earning 60 percent of AMI or less. To preserve existing affordable housing units, the county has partnered with private and public entities to create "committed affordable homes" required to keep rent affordable for a specific period of time. Today, most of the county's committed affordable homes for residents earning 60 percent of AMI or less are within the Parkwood, Murraysgate, Landing I, and Landing II housing projects. There are 628 units, with 640 more "in the pipeline" to be created at the Little River Glen, Lake Anne House, One University, and Stonegate Village housing projects.[359]

Loudoun County
Unfortunately, there are not sufficient data documenting either the loss or the growth of Loudoun County affordable housing units over time. Nevertheless, the need for more affordable housing units in the area is evident. In 2017, approximately 81 percent of Loudoun County households earning 30–50 percent of AMI reported being cost burdened and approximately 39 percent reported being severely cost burdened.[360] The county additionally reports that, of the 168 LIHTC units affordable to households earning 60 percent of AMI, none are expected to be income restricted after 2028.[361]

In June 2021, the Loudoun County Board of Directors announced that they had adopted the Unmet Housing Needs Strategic Plan, intended to help the county and its partners improve housing access, quality, and affordability for all families in the area. By 2040, the county aims to construct 16,000 new housing units, of which 20 percent—or 8,200 units—are to be designated affordable housing for those who make at or below 100 percent of AMI.[362]

Montgomery County
In Montgomery County, there is a large gap between the demand for and the availability of housing units for those making below 100 percent of AMI. While an estimated 25,081 units are available to Montgomery County households that earn less than 50 percent of AMI, 49,675 are needed, resulting in an affordability gap of 24,594 units.[363] This affordability gap shows no signs of shrinking, as the rise of Montgomery County's median gross rent continues to outpace the growth of the area's median income.[364] The 2020 Montgomery County Housing Needs Assessment pointed to "significant pricing pressure" as a leading cause for the loss of affordable housing in several of its jurisdictions, including Gaithersburg, which experienced a net loss of 246 units of affordable housing from 2010 to 2018. [365]

Since county officials set out to preserve deed-restricted housing units in 2000, Montgomery County has created deed-restricted housing units at a faster rate than it has lost them. Unfortunately, however, the same cannot be said for the county's naturally occurring affordable housing units, which account for 80 percent of all affordable housing units in the area. In two decades, Montgomery County has lost more than 19,000 naturally occurring affordable housing units. Current projections estimate that the county is slated to lose an additional 7,000–11,000 more units by 2030. If these estimates are

accurate, then the county will have fewer than 20,000 naturally occurring affordable housing units in less than 10 years.[366]

Like Fairfax County, Montgomery County has committed to ensuring that there is no net loss of affordable housing units in the coming years. In 2019, county lawmakers announced that they intended to add 41,000 new housing units by 2030, with most affordable to low- and medium-income residents.[367] Montgomery County has also begun to incentivize housing developers to build naturally occurring independent housing units. The county will exempt developers from paying development impact taxes, for instance, if they construct a new housing complex and designate at least one-fourth of these new units as affordable housing.[368] To prevent net loss of affordable housing units, local lawmakers have also passed initiatives aimed at preserving existing affordable housing units. Among these initiatives are the requirement that all rental units undergo annual inspections and the adoption of stricter penalties for housing code violations. The county also allows tenants and municipalities to purchase properties before landlords offer them to outside buyers. Currently, Montgomery County, Prince Georges County, and the District are the only jurisdictions in the country that allow such a practice, and it has shown significant success in preventing the loss of additional affordable housing units in these areas.[369]

Prince William County
There are insufficient data regarding the amount of affordable housing in Prince William County over time. Nevertheless, the severe lack of affordable housing in the area is evident. An estimated 51,938 households in the county, about one-third of the total, have one or more housing problems, which include affordability, lack of complete kitchen or plumbing facilities, and overcrowding. About 1 in 5 households (19 percent) has a cost burden and 13 percent has a severe cost burden. These shares were higher for renter households, with 27 percent being cost burdened and 23 percent severely cost burdened. In fact, Prince William County's affordable housing market is so overwhelmed that the county's HCV program is currently closed because of the sheer number of residents on the waiting list.[370]

There is no local funding source to incentivize the construction of affordable housing units in Prince William County, and the county currently has no plan to do so. The Prince William County Planning Commission proposed a series of affordable housing policies in July 2021, though county officials have yet to decide the best path forward. In May 2021, however, the Prince William County Board voted five to three to approve an affordable housing development in the county's Rural Crescent.[371]

Occupancy Codes and Restrictions

All municipalities in the D.C. metropolitan region use International Code Council standards as the foundation for their construction codes and International Building Codes as the foundation for their building codes. How the region's municipalities and counties define *family* varies, but none of the definitions are so restrictive that they negatively affect access to housing.

Loudoun County, Prince William County, Arlington County, and Alexandria all have similar definitions of family as including any number of people "related by blood or marriage together with any number of natural, foster, step, or adopted children." However, the jurisdictions sometimes differ from one another with regard to how many unrelated individuals can live together to constitute a family. Arlington County, Alexandria, and Loudoun County all cap the number of unrelated individuals living together to four, or two unrelated adults plus their children.[372] Prince William County's zoning ordinance caps a family at three unrelated individuals, or two unrelated adults plus their children.[373] Though each of these counties and municipalities should increase the cap of unrelated individuals

that can live together in a household, this is especially true for Prince William County, which has the lowest number of allowed unrelated persons in a household of the entire metropolitan region.

Both the District and Montgomery County use the term *household* instead of *family* in their zoning ordinances. The District's definition of household is the broadest in the metropolitan region. Not only is a household defined as "any number of people related by blood, marriage, adoption, or guardianship," but it considers six unrelated people and "two unrelated people and any children, parents, siblings, or other persons related to either of them by blood, adoption, or guardianship" to be a household as well.[374] Montgomery County's definition of a household is identical to the District's, though the ordinance caps the number of unrelated people living in a particular place at five individuals instead of six.[375]

Private Discrimination

District of Columbia
The D.C. Office of Human Rights has not released a detailed annual report since 2018. That report described continued increases in cases filed regarding fair housing and public accommodations (53 and 57 cases, respectively, as opposed to 42 and 47 the previous year).[376] Of the fair housing cases, 22 cited source-of-income discrimination, 16 cited discrimination based on disability status, and 4 cited race discrimination. The public accommodation cases included 14 cases of sex discrimination, 13 cases of discrimination based on disability status, and 9 cases of race discrimination. The report does not specify how many cases within these categories were mediated or settled.

Virginia
Fairfax County Human Rights Commission's annual report from FY 2019–2020 states that in 2018, 20 fair housing cases were filed involving the county.[377] In 2019, this number was 22; in 2020, it increased to 35, or one-third of the total cases filed (105). Of the 2020 cases, 24 involved disability-related discrimination (the most significant factor), followed by race (11 cases), national origin (5 cases), and sex (4 cases). Twenty cases were resolved in 2020, though it is unclear if these cases were also filed in 2020. Fairfax County and Prince William County have also seen several private discrimination lawsuits in recent years, including one alleging discrimination based on family structure and another alleging discrimination based on disability.

Maryland
After D.C., Montgomery County has seen the largest number of private discrimination lawsuits of any jurisdiction in the county between 2020 and 2022. These suits include allegations of discrimination based on age, source of income, and disability and involve several property management companies that operate in Montgomery County and elsewhere in the region. It appears that private discrimination by management companies, private landlords, and community members, such as neighbors, continues to contribute significantly to impediments to fair housing in the region.

Quality of Affordable Housing Information Program

District of Columbia
The Department of Housing and Community Development helps support community-based nonprofit organizations that provide housing counseling services and training to potential homeowners, current homeowners, and tenants, focusing on low- to moderate-income residents and neighborhoods.[378] Services are provided to assist tenants in understanding their rights and responsibilities, including issues such as potential displacement, rental/eviction counseling, and apartment locating. Though all of these organizations are based in the District, some serve the greater Washington, D.C., region as a whole. However, only a few of these organizations are specifically dedicated to housing issues and the

provision of mobility counseling. Others are more general economic empowerment and economic development organizations. HUD maintains a separate but overlapping list of HUD-approved housing counseling agencies in the District that have similar characteristics.[379] More specifically designated general-eligibility mobility counseling in the District is needed.

Virginia

HUD maintains a list of HUD-approved housing counseling agencies in Virginia.[380] Only a handful are based in northern Virginia, and most of those agencies serve prospective homebuyers rather than tenants, suggesting a serious lack of support for low-income communities and residents. Virginia Housing, for example, offers a free class for those purchasing a house for the first time.[381] Three counseling agencies are located in the District metropolitan region and provide rental counseling: Money Management International in Alexandria and Northern Virginia Family Service and Cornerstones in Fairfax County.[382] Considering the significant number of residents who need renter-oriented affordable housing information programs, simply not enough programs are available to keep up with the demand rising throughout northern Virginia.

Maryland

HUD's list of HUD-approved housing counseling agencies in Maryland includes four organizations based in Montgomery County, most of which provide rental housing counseling.[383] However, there is a clear gap between supply and demand for such counseling services, given the large population of Montgomery County and the small number of existing agencies. The county government does not appear to run or support mobility counseling programs, further exacerbating this gap. Housing counseling agencies that offer assistance to both renters and potential homeowners include the Housing Initiative Partnership; HomeFree-USA of the Washington, D.C., metropolitan area; Greater Washington Urban League; and Centro de Apoyo Familiar.[384]

Regulatory Barriers to Providing Housing and Supportive Services for Persons with Disabilities

Regulatory barriers are not a significant contributing factor to fair housing issues for persons with disabilities in the Washington, D.C., metropolitan region. There are no specific examples of regulations that make the provision of supportive services difficult. Some policies have been implemented to support housing for persons with disabilities. For example, Fairfax[385] and Arlington[386] Counties require property owners who desire to convert a building from multifamily rental housing to a condominium or cooperative to allow tenants with disabilities a three-year extension on their leases. Moreover, both Maryland and Virginia expanded the scope of protected classes beyond those recognized in federal law to include the prohibition of source-of-income discrimination, and issued directives to prevent blanket bans on individuals based on their criminal records.

Siting Selection Policies, Practices, and Decisions for Publicly Supported Housing

Siting selection policies, practices, and decisions for publicly supported housing, including discretionary aspects of QAPs and other programs, are significant contributing factors to the segregation of public housing units. Throughout the greater Washington, D.C., metropolitan region, affordable housing units are located primarily in low- and middle-income areas. For instance, while 15 percent of the total affordable housing units in the District are in 6E (Shaw) and 8E (Congress Heights, etc.), there are no income-restricted housing units in the upper-income, predominantly White 2D (Kalorama), 2E (Georgetown/Burleith), 3C (Woodley Park/Cleveland Park), and 3D (Spring Valley/AU Park) neighborhoods.[387] The low-income, minority-majority neighborhoods in which affordable housing is predominantly located are often far from transit, contributing to disproportionately long commutes and high transportation costs for the neighborhood's residents.[388]

Map 89: Income-Restricted Affordable Housing by Advisory Neighborhood Commission, 2018
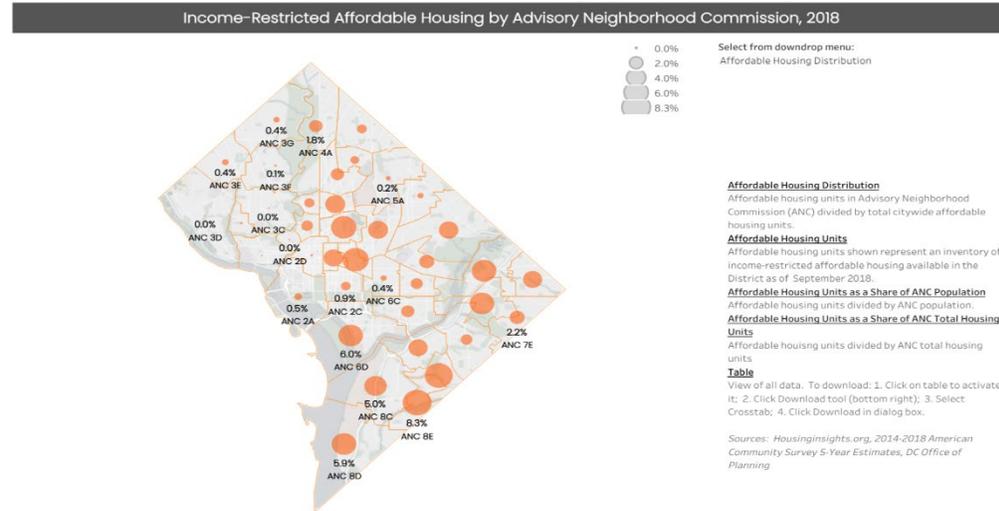
Source: D.C. Office of Planning—State Data Center, "District of Columbia, Income-Restricted Affordable Housing by ANC, 2018," updated November 23, 2022, https://public.tableau.com/app/profile/travis.pate/viz/DistrictofColumbiaIncome-RestrictedAffordableHousingbyANC/AffordableHousingANC.

Nevertheless, the area's site-selection policies have shown improvement, especially by ensuring that more affordable housing units are located near transit. Arlington County has been particularly successful in this regard. Since 2000, 75 percent of all new residential units built in Arlington County were within the Rosslyn-Ballston and Jefferson Davis Metro corridors and only 6 percent were single-family detached homes or townhouses.[389] Additionally, the COG has emphasized the need to build affordable housing units near public transit in the region as a whole. The Regional Housing Initiative, which COG passed in 2019, calls for at least 75 percent of the proposed 320,000 affordable housing units to be located in activity centers or near high-capacity transit. (High-capacity transit areas anticipated in the region by 2030 are shown in Map 90.)[390] These efforts, combined with D.C. Mayor Muriel Bowser's initiative to create 12,000 affordable units dispersed throughout all eight wards,[391] represent positive steps to making the region's site-selection policies more equitable. However, until every part of the metropolitan area prioritizes the location of affordable housing in neighborhoods with ample access to transit and opportunity, these efforts will likely fall short of achieving their intended effect.

Map 90: High Capacity Transit Station Areas, Region
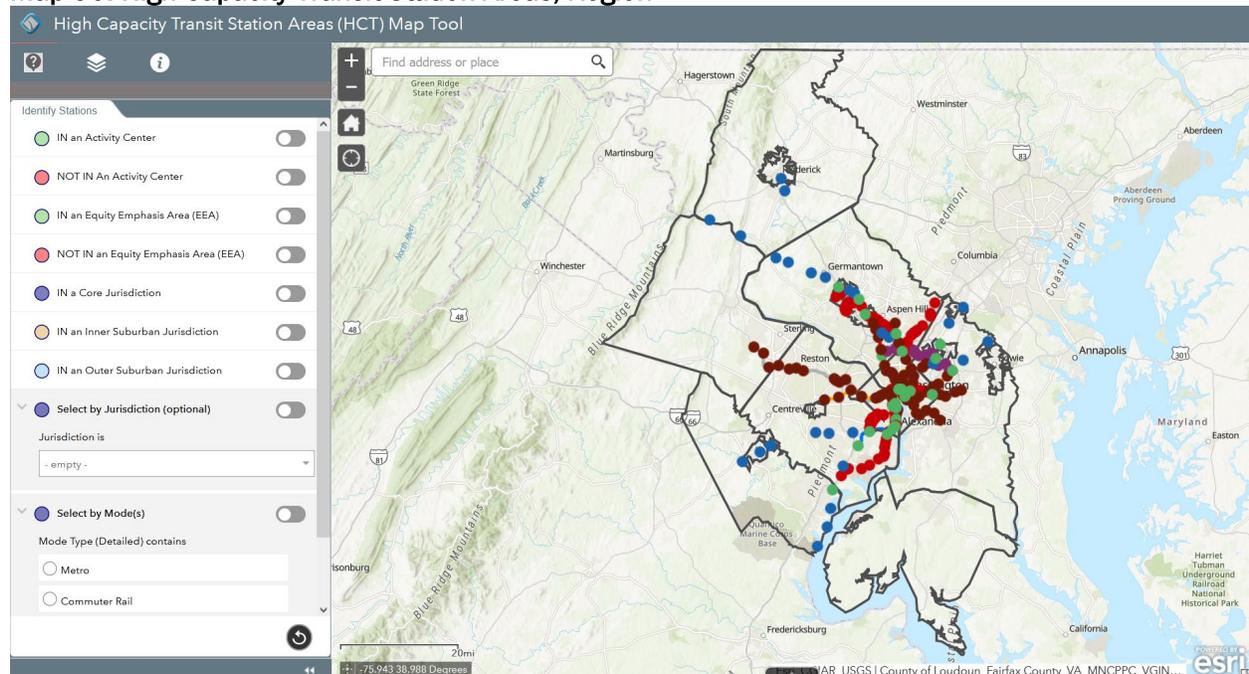
Source: Metropolitan Washington Council of Governments, "High Capacity Transit Station Areas (HCTs)," updated October 13, 2021, https://www.mwcog.org/maps/map-listing/high-capacity-transit-station-areas-hcts/.

As for other programs, however, only the District offers housing construction incentives by way of a QAP. Presently, the District's Department of Housing and Community Development offers new construction and rehabilitation projects a 9 percent fixed tax credit if they were placed in service after July 30, 2008, and a 4 percent fixed tax credit if they are financed with tax-exempt bonds under Internal Revenue Code Section 103 or involve the acquisition of existing buildings. Developers can earn a boost of up to 30 percent if their project is located in an area with residents earning 60 percent of AMI or that has a poverty rate of at least 25 percent.[392] As noted previously, however, neither Virginia nor Maryland incentivizes developers with financial credits laid out in QAPs.

Source-of-Income Discrimination

The District of Columbia, Maryland, and Virginia all have statutes prohibiting source-of-income discrimination.[393] Montgomery County also has local laws prohibiting source-of-income discrimination, while Virginia provides statewide incentives (in the form of tax credits) to promote acceptance of HCVs.

Nonetheless, source-of-income discrimination remains a significant problem in the metropolitan Washington region, as demonstrated by several recent lawsuits. For example, *Lundregan v. Housing Opportunities Commission*, a 2020 case brought before the US District Court of Maryland, alleged that the Montgomery County Housing Opportunities Commission, a government-supported affordable housing agency, housing finance agency, and housing developer, discriminated against the plaintiff because she uses housing vouchers. Similarly, in 2021, the ERC and a local renter filed a suit in the US District Court for the District of Columbia against Vaughan Place Apartments for the latter's refusal to accept housing vouchers as a source of income to pay rent.[394] Many other cases have alleged discriminatory acts by landlords, property management companies, and government agencies against tenants who use housing vouchers, even if such discrimination may not be solely or primarily attributable to the housing vouchers. Such cases reveal the continued prevalence of source-of-income discrimination in the metropolitan Washington region despite its de facto illegality.

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State or Local Laws, Policies, or Practices That Discourage Individuals with Disabilities from Living in Apartments, Family Homes, Supportive Housing, and Other Integrated Settings

State or local laws, policies, or practices that discourage individuals with disabilities from living in apartments, family homes, supportive housing, shared housing, and other integrated settings are a significant contributing factor to fair housing issues for persons with disabilities.

The D.C. Human Rights Act of 1977 explicitly protects individuals with disabilities from experiencing housing discrimination,[395] yet individuals with disabilities continue to face housing obstacles in the District in myriad ways.

The ERC conducted a civil rights investigation in 2019 to capture "the potential barriers that persons with disabilities face when seeking housing both in person and online." Of the 23 District properties examined, 16 were found to violate the standards set in the Fair Housing Act Design Manual, and 51 violations were reported in total. Violations included inaccessible public and common use areas (25), unusable kitchens and bathrooms (19), inaccessible entrances on accessible routes (4), unusable doors (1), inaccessible routes into and through covered units (1), and unreinforced walls in bathrooms for later installation of grab bars (1).

An ERC analysis of property websites and online applications also revealed several barriers individuals with disabilities face when attempting to find affordable, accessible housing online. Of the 25 websites examined on a desktop computer, 21 posed accessibility issues to individuals with disabilities. In these instances, mandatory fields involving interactive calendars, combo boxes, and drop-down menus could not be accessed by screen readers, thus making it impossible for visually impaired users to determine how many units were available, filter results, and find other information. Screen readers also could not access 13 of the 16 online renter applications, with the biggest accessibility issues arising from inclusion of CAPTCHA requirements or mandatory fields that screen readers could not understand. As more and more rental properties come to rely on online applications, virtual walkthroughs, and their websites as a whole to find potential renters, it is crucial that these websites are accessible to all individuals with disabilities.[396]

Though the ERC's investigation only examined rental properties in the District, similar barriers can no doubt be found at properties across the region. To date, the District, Virginia, and Maryland have not passed policies requiring property websites to be accessible to individuals with disabilities. To eliminate the barriers these individuals may face, the region must better ensure that properties follow both ADA and Federal Housing Administration guidelines and build accessible websites for those who need them.

In Maryland, a 21,000-person waiting list for Medicaid waivers that help individuals afford at-home care also discourages individuals with disabilities from living in apartments, family homes, supportive housing, and other integrated settings. This waiting list, among the longest in the country, means that many persons with disabilities will never have the opportunity to receive care that would allow them to continue to reside at home or with family members. If one does get off this waiting list, it often takes years. A family from Towson, Maryland, for instance, received news that their son had gotten off the waiting list nine years after they signed up for the waiver program. The length of the waiting list poses a significant burden to individuals with disabilities, as well as their family members, who often forgo wages to care for their loved ones. Individuals who cannot afford at-home care are thus moved out of their apartments and family homes into retirement homes, often without much choice.[397]

Unresolved Violations of Fair Housing or Civil Rights Law

Unresolved violations of fair housing law are not a significant contributing factor in the region. In September 2022, the District filed three lawsuits alleging housing discrimination against seven real estate companies and individuals operating in the District.[398] In February 2023, D.C. Attorney General Karl Racine announced that a lawsuit was filed against a Virginia-based moving company for rejecting reservations for rental moving boxes from applicants living in Wards 7 and 8. He also announced a settlement with a Maryland home improvement company that refused to operate east of the Anacostia.[399]

Outside the District, the Virginia Office of the Attorney General recently resolved an investigation into Loudoun County Public Schools. The NAACP filed a complaint with the office in 2019, alleging that the school system failed to admit Black students to the school district's advanced STEM program on the basis of race. After concluding the school district's policies and practices do discriminate against Black and Latino students, Loudoun County Public Schools agreed to revise its outreach and recruitment plans and its admissions criteria for the advanced programs. The school system also agreed to revise its nondiscrimination policies, annually review its protocol for handling hate speech, and hire a consultant approved by the Office of Civil Rights.[400]

VIII. Public Comments

March 31, 2023

The Honorable Kate Stewart
Metropolitan Washington Council of Governments
777 N Capitol Street, NE, Suite 300
Washington, DC 20002

Dear Chair Stewart:

Adherence to fair housing law is a cornerstone of ensuring equitable access for all in the community, and the apartment industry is committed to working with localities and other constituencies across the region to deliver equitable housing access and to reduce and eliminate fair housing violations. The Apartment and Office Building Association of Metropolitan Washington (AOBA) supports the regional and local goals in the draft Metropolitan Washington Regional Fair Housing Plan to increase housing attainment and to reverse historical patterns of segregation in our region. We further offer our expertise, drawn from our members' daily work providing housing across the region, to help shape strategies to ensure that they produce the desired outcome of a fairer and more equitable housing market throughout Metropolitan Washington.

As you know, AOBA is the premier non-profit organization representing owners and managers of more than 435,000 apartment units and approximately 169 million square feet of office space in the District of Columbia, Maryland, and Virginia. Our members play a critical role in building and operating the commercial and residential buildings that will accommodate the economy and workforce of the future. As such, our member companies consider themselves part of the Metropolitan Washington community and maintain a vested stake in the long-term sustainability and well-being of the region and each of the eight jurisdictions in the Regional Fair Housing Plan. Our member companies take pride in providing safe and sanitary, professionally managed homes for their residents, and we look forward to working with the region's governing bodies to achieve our shared goals.

Goals # 1 and 2: Increase the supply of affordable housing for families earning at or below 60% of the Area Median Income and change zoning and land use policies to expand access to fair housing

The region's ability to lower housing costs will be directly tied to its ability to increase the overall supply of housing units. By contrast, policies which restrict housing construction preclude some households from living affordably in the community. AOBA supports applying best practices to increase the supply of housing attainable for lower and moderate-income households and to provide diverse housing options. However, we caution not to overlook potential negative impacts of targeting specific populations and income brackets – *e.g.*, potentially discouraging investment in housing for households with incomes at or below 80% of the area median income (AMI) in an effort to target incomes below 60% AMI. Moreover, we should remain cognizant that even the creation of housing at higher price points benefits lower-income households because the market is interconnected across types, sizes, and costs; constructing any housing reduces competition for otherwise limited supply, lowering prices as a result.

Goal # 3: Implement policies to preserve affordable housing and to prevent displacement of residents

We share the goal of developing and maintaining market rate and committed affordable housing units, but it comes at a cost, which is often borne by the balance of the rental market if restrictions are not accompanied by funding. Financial incentives and flexibility for additional residential densities are ways to deliver affordable units without creating excessive upward pressure on overall market rents. By contrast, indefinite extensions of affordability commitments, requirements to replace market-rate affordable units, or a right of first refusal for tenant purchases could inhibit the delivery of this much-needed affordable housing by increasing the cost and uncertainty of providing these units.

Goal # 5: Protect the housing rights of individuals who are part of protected groups

Rental assistance programs with local or state funding and modeled after the federal housing choice voucher program with expanded eligibility, flexibility, and increased efficiencies could assist residents who are chronically rent-burdened, without passing costs onto housing providers or other tenants. A means-test and housing sustainability measurement could assess the needs of the applicant and what housing can be made available with the programs awarding a supplementary payment to bridge the gap between 30% of an applicant's pre-tax income and their periodic rent. Such programs could be scaled to assist the desired number of potential voucher recipients across the region.

Tenant screening reports provide housing providers solely with a recommendation regarding the tenant based on the criteria provided (*i.e.*, tenant qualified to rent, tenant does not qualify to rent). These reports specifically exclude personal information to remove subjectivity from such determinations and eliminate the prospect for fair housing violations or discriminatory actions. Restricting housing providers from charging fees to applicants precludes providers from being reimbursed for staff time and expenses, such as fees charged by screening agencies, related to processing the application. Such restrictions could raise barriers to housing and drive up rents by passing these costs onto other tenants.

Conceptually, AOBA does not oppose right to counsel programs to ensure legal representation for tenants in landlord-tenant proceedings. However, it is important that the cost for tenants' counsel not be passed to the housing provider, as property managers have only one source of income: the rental payments from their tenants. As such, a "landlord-paid" counsel would become a cost for other tenants, raising the cost of housing, and diluting the impact to assist tenants. By contrast, providing funding from the state or local general fund would provide the service without raising the cost of housing for residents who can least afford the extra burden. Additionally, care should be taken that such programs do not result in an extension of the court process, as delays can have the effect of digging a deeper financial hole for the very tenants they are intended to assist.

Each jurisdiction and the region as a whole have made progress toward achieving a more equitable housing market, as noted in the draft Regional Fair Housing Plan. We celebrate these successes and look to build on them in pursuing the regional and local goals and priorities. We look forward to collaborating to expand housing access and to reduce and ultimately to eliminate fair housing violations across our region. We hope that the Metropolitan Washington Council of Governments and each of its participating localities will look to us as partners as you move forward to finalize and then to implement the Metropolitan Washington Regional Fair Housing Plan.

Sincerely,

Katalin Peter, Esq.
Vice President of Government Affairs,
District of Columbia-Residential

Brian Anleu
Vice President of Government Affairs,
Maryland

Scott E. Pedowitz
Director of Government Affairs,
Virginia

Apartment and Office Building Association of Metropolitan Washington (AOBA)

cc: Metropolitan Washington Council of Governments Board of Directors; Metropolitan Washington Council of Governments Executive Director Clark Mercer; Alexandria City Council; Arlington County Board; District of Columbia Council; Fairfax County Board of Supervisors; Gaithersburg City Council; Loudoun County Board of Supervisors; Montgomery County Council; Prince William Board of County Supervisors

Metro Washington COG,
Fair Housing Plan participating governments and
Community Advisory Committee;
fairhousing@mwcog.org
31 March 2023

Distinguished Metropolitan Leaders & Housing Advocates,

Jim Schulman, Exec. Director
631 E St. NE, WDC 20002
JSchulman@ARCdmv.org
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My name is Jim Schulman & The Alliance for Regional Cooperation (ARC), which I lead is a non-profit organization focused on sustainable regional economic development. I am also an Architect.

ARC promotes self-reliant approaches to metropolitan planning and development, addressing the region's ability to meet residents' basic needs for food, shelter, clothing, education, health care, water, and energy. These are human needs that can best be met through governmental policies that stress equity and regional self-reliance so that residents can become more self-sufficient & competitive in the global economy. Housing is widely acknowledged to be a regional policy issue that heavily impacts other sectors.

ARC is not opposed to the greater provision of a variety of housing types, mixed-use or mixed-income neighborhoods, the adoption of alternatives to auto-dominated land-uses nor housing equity policies that will actually serve those with great financial need. **We strongly agree with comments Suzanne Smith Sundburg from Arlington has submitted critiquing the draft report.**

Washington Metro area jurisdictions appear to be missing opportunities to improve the affordability of housing by:

• **fostering partial equity housing cooperatives as are common in DC, NYC, and Madison, WI**

• **establishing Community Housing Land Trusts**

• **reforming property appraisal methodology so that it does not continue to favor and encourage the unnecessary inflation of land values - which currently discriminates against people of color**

Many area governments also appear to be missing opportunities to:

• **incentivize the conversion of vacant luxury housing and vacant commercial property into affordable housing**

• **establish a program of reparations via housing policy, featuring down-payment assistance to former priced-out residents as Rochester, NY and Evanston, IL are piloting**

We thank you for this opportunity to share our concerns.

Sincerely,

ARC, Executive Director

The Equal Rights Center (ERC) is a civil rights organization that identifies and seeks to eliminate unlawful and unfair discrimination in housing, employment, and public accommodations in its home community of Greater Washington, D.C. and nationwide. For many years, the ERC has conducted intakes with individuals in the Washington, D.C. metropolitan region who believe they may have experienced housing discrimination, investigated individual claims and systemic forms of housing discrimination, pursued enforcement of the Fair Housing Act and state and local fair housing laws as needed, and conducted education and outreach about fair housing protections and requirements. We were also honored to serve on the community advisory committee as part of the regional analysis of impediments effort. We have reviewed the draft Metropolitan Washington Regional Fair Housing Plan and appreciate the opportunity to offer the following comments to be taken into consideration in the crafting of the final regional fair housing plan.

Overall, we appreciate the novel regional approach taken for this fair housing plan, which MWCOG and participating jurisdictions were not required to undertake, and which we understand likely demanded additional resources compared to if individual jurisdictions in the region had proceed independently. We hope the regional approach serves as a national model for other metropolitan regions. Previous fair housing plans in the region have been individually prepared by local jurisdictions, for example by the District of Columbia or Fairfax County, which can make it challenging to identify the broader regional trends and solutions necessary to address a regional housing market. The ERC commends the Metropolitan Washington Council of Governments (COG) and the participating local jurisdictions for this more collaborative approach.[1]

We also appreciate the coalition's effort to engage the community in crafting the plan. It is crucial that the area's residents – especially members of groups that have historically been devalued and left out of planning and decision-making processes – have a say in shaping the region's fair housing priorities.

Of course, no effort that is simultaneously so expansive but also detailed in nature can be perfect, but we remain invested in ensuring that the final plan is as good as it possibly can be. In that spirit, we offer the following comments, concerns, and suggestions, targeted at ensuring there are actionable strategies and accompanying commitments to ensure the region achieves the plan's goals:

To Stem the Tide of Increasing Neighborhood Segregation, the Plan Must Include Broader Commitments to Building & Preserving Deeply Affordable Housing

The ERC appreciates the plan's focus on increasing affordable housing to combat the tide of increasing segregation in the region. Throughout the United States, historical racism and its ongoing legacy have not only impacted people's access to housing, but also their access to employment and their ability to

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[1] The participating jurisdictions include the City of Alexandria, VA; Arlington County, VA: District of Columbia; Fairfax County, VA; City of Gaithersburg, MD; Montgomery County, MD; Loudoun County, VA; and Prince William County, VA.

accumulate wealth. As a result, class and race are deeply intertwined. The most recent DC[2] and Fairfax County[3] AIs found that a lack of affordable housing played a significant role in worsening neighborhood segregation. This trend holds true across the region.

However, the affordable housing crisis is not new. For the past several years, the ERC has been ringing the alarm about the affordable housing crisis in our region, particularly in the District. The *District of Columbia Analysis of Impediments to Fair Housing Choice 2006–2011* identified that most housing in DC was unaffordable to most DC residents.[4] Efforts over the last decade have proven inadequate to stop the worsening problem of housing unaffordability. The scope of the affordable housing crisis facing the region is now massive, and will require local jurisdictions to mount equally massive, thoughtful, and immediate investments in response.

For this reason, we were relieved to see the plan's stated goals to not only build affordable housing, but also preserve it. Given the pace of growth in our region, affordable housing established under temporary contracts only temporarily delays the displacement of the region's low-income residents. Affordable housing must be made permanent to have a real impact.

We were also heartened to read the plan's stated goal to create new rental housing for people earning at or below 60 percent of the Area Median Income (AMI) instead of 80 percent, as had been proposed previously. This change will help ensure that lower-income residents will be able to find and maintain housing.

However, this goal alone is insufficient, as many developers have historically and likely will continue to build housing for people at the higher end of that range. As such, the region's lowest-income residents will remain most vulnerable to displacement. The region should prioritize the construction and preservation of deeply affordable units for residents earning at or below 30 percent AMI in order to avoid escalating this crisis. The ERC recommends including in the plan a goal that sets a minimum percentage of affordable housing for residents at or below 30 percent AMI.

Jurisdictions Need to Commit to Robust, Systemic Investigation and Enforcement of Fair Housing Violations

In order to adequately address the extent of the fair housing concerns detailed in the plan, jurisdictions must proactively and systemically enforce federal, state, and local fair housing laws. It would be ideal if

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[2] "Draft for Public Comment: Analysis of Impediments to Fair Housing Choice Washington, D.C." (2019). DC Department of Housing and Community Development, the Lawyers' Committee for Civil Rights Under Law, and the Poverty and Race Research Action Council (PRRAC). https://dhcd.dc.gov/sites/default/files/dc/sites/dhcd/publication/attachments/D.C.%20Draft%20Analysis%20of%20Impediments%20to%20Fair%20Housing%20Choice%209.27.2019%20%281%29.pdf
[3] "Fairfax County, Virginia Analysis of Impediments to Fair Housing Choice 2016-2020" (2017). Fairfax County, Department of Housing and Community Development and Fairfax County Office of Human Rights and Equity Programs, Human Rights Division. https://www.fairfaxcounty.gov/humanrights/sites/humanrights/files/migration/docs/ai-2016-2020.pdf
[4] "District of Columbia Analysis of Impediments to Fair Housing Choice 2006–2011" (2012). District of Columbia Department of Housing and Community Development. https://ohr.dc.gov/sites/default/files/dc/sites/ohr/publication/attachments/DC%20AI%202012%20-%20FINAL.pdf

participating jurisdictions would make public commitments to doing so as part of their plan adoption efforts.

While victims of discrimination can individually defend their fair housing rights through litigation or the administrative complaint process, they must not be made to bear the burden of ensuring the region is free from housing discrimination. For many, litigation is not an accessible option. The administrative complaint process, meanwhile, can be a years-long, sometimes re-traumatizing endeavor. As their complaints progress through the process, individual complainants are required to repeatedly relive the discrimination they experienced. Some former ERC clients have found the administrative complaint process to be even more traumatic than the initial discrimination they experienced. Jurisdictions should conduct testing and other systemic investigations and aggressively pursue enforcement of fair housing violations in order to lift this undue burden off of individual victims. The region's residents deserve to be treated with fairness and respect at the leasing office, mortgage lender, and beyond.

The ERC also recommends that the plan set specific goals for civil rights testing, which is arguably the most effective tool for uncovering and pinpointing systemic barriers to fair housing. At Community Advisory Committee meetings, the ERC was excited to hear that the local governments had committed to conducting testing across the metropolitan area. These commitments should be included in the final plan. Testing serves as a critical tool for identifying more subtle forms of discrimination, such as in the sales and lending market. The report places a significant emphasis on increasing homeownership, but these goals will fail to reduce the racial homeownership gap unless they include a robust campaign to confront sales and lending discrimination against people of color, especially Black homebuyers. The plan should stipulate that participating jurisdictions fund fair housing testing and commit to following through on test results.

The Plan Needs an Implementation Roadmap

One of the greatest disappointments with previous AIs has been the lack of full implementation. Local jurisdictions have devoted significant time and resources into creating this report and identifying goals and strategies for reducing housing discrimination. This commitment cannot end once the report is published, but instead participating entities must double down on effective implementation. To facilitate that, the plan should at least include a roadmap for the further work jurisdictions will need to engage in.

Conclusion

The Regional Fair Housing Plan's purpose – to eliminate housing discrimination and promote affordable, integrated communities throughout the region – is an essential one. This draft is a valuable first step. The ERC commends the report's collaborative, regional approach and emphasis on affordable housing; however, we also urge that the final plan include:

- Goals related to building and preserving deeply affordable housing for the region's lowest income residents, at or below 30 percent AMI.
- Commitments from the jurisdictions involved to conduct fair housing testing and other systemic investigations as part of enforcement efforts to proactively root out barriers to fair housing and ensure that the burden of combatting discrimination across the region does not fall on individual complainants.

- An implementation roadmap to ensure that the time and resources spent and the collaborative framework established in the plan's creation do not fall apart after it is published. The plan is only meaningful if each jurisdiction involved implements it effectively.

With these changes made, the plan will offer the jurisdictions involved a real opportunity to replace patterns of discrimination and segregation with fair, affordable, and integrated housing throughout the region.

GREATER WASHINGTON PARTNERSHIP
FROM BALTIMORE TO RICHMOND.
FOSTERING UNITY. ADVANCING GROWTH.

March 13, 2023

Executive Director Clark Mercer
Metropolitan Washington Council of Governments
777 North Capitol Street NE, Suite 300
Washington, DC 20002

Re: Regional Fair Housing Plan

Dear Executive Director Mercer,

The Greater Washington Partnership ("the Partnership") commends you and your team for the draft of the Regional Fair Housing Plan, an important planning document to increase access to safe and affordable housing and create more inclusive communities throughout the Washington area.

The Partnership is a first-of-its-kind nonprofit alliance of the region's most influential and leading employers in Maryland, Virginia and Washington, DC. Together, we leverage our collective experiences, resources, and assets to identify shared challenges and offer real solutions to the region's most critical issues including skills and talent, regional mobility, infrastructure, and inclusive growth. Affordable housing, in thriving communities that are well-connected to the region's job, educational, and recreational centers, are key components of our Blueprint for Regional Mobility and Regional Blueprint for Inclusive Growth.

I appreciate the opportunity to comment on the draft plan and offer the following comments and recommendations for how the Metropolitan Washington Council of Governments (COG) could advance our shared goals to enhance our region's economic competitiveness and collaboration, ensure inclusive growth, and expand access to moderate and affordable housing.

The Partnership commends the draft's focus on:

- The supply of affordable housing for families earning at or below 60% of the Area Median Income (AMI), a segment of the regional workforce that is currently underserved and overburdened by housing costs according to the Partnership's Inclusive Growth Dashboard.
- Pro-growth zoning and land use policies to expand the supply of housing, a key solution supported by the Partnership's Housing Pillar of our Regional Blueprint for Inclusive Growth.

To strengthen the final draft plan, the Partnership recommends:

- A bolder goal for affordable rental units in the region. The draft only calls for preserving the same number of existing affordable rental units. The region needs even more affordable rental units in the future to address the pressing affordability challenges and prevent displacement.
- A stronger focus on more housing, especially affordable housing, near high-quality transit. While the draft calls for making public transit easier to access and more affordable, the final plan could include a stronger focus on transit-oriented zoning and land use policies to increase the supply of affordable housing near affordable transportation options.

I thank you for your review and consideration of the Partnership's comments intended to support our shared goal of making this region the best place to live, work, and build a business.

GREATER WASHINGTON PARTNERSHIP
FROM BALTIMORE TO RICHMOND.
FOSTERING UNITY. ADVANCING GROWTH.

Sincerely,

Kathy Hollinger
CEO

CC: Francesca Ioffreda, Vice President of Inclusive Growth & Talent Initiatives, Greater Washington Partnership
John Hillegass, Director, Regional Mobility & Infrastructure, Greater Washington Partnership

Just Economics ⚖️

Metropolitan Washington
Regional Fair Housing Plan

Draft of January, 2023

Comments & Recommendations

March 31, 2023

INTRODUCTION:

The draft Regional Fair Housing Plan (Draft Plan), published in January 2023 by the Metropolitan Washington Council of Governments (MWCOG) provides important information and laudable goals. Unfortunately, the policies and programs offered are not sufficient to address the magnitude of the problem.

The number one problem identified in the Draft Plan is the lack of affordable housing. In particular, many households are paying more than 30% of their income for housing costs. The Draft Plan does not explain why there is a lack of affordable housing. Many of the recommended policies and programs fall short because they do not address the root causes of this problem.

In some cases, there might be sufficient housing supply, but some people might lack "effective demand." In other words, they lack the income to pay housing costs. For example, in Rust Belt cities in the United States, housing prices are often very low. Large homes can be purchased more cheaply than one-bedroom condos in New York City. But, if you're unemployed in a Rust Belt city (as many are), even a cheap home can be unaffordable.

In other cases, there might not be sufficient supply. For example, in Silicon Valley in California, many households are affluent (making six-figure incomes). Yet, many of these households have difficulty finding decent affordable housing.

Policies that might be effective in increasing effective demand (housing vouchers or other subsidies to households) might be ineffective if the problem is constrained supply. In such a case, housing subsidies would simply exacerbate inflation in housing prices. On the other hand, increasing housing supply in a place that has ample supply (including many vacant homes) might be ineffective if the problem is unemployment and a lack of income.

GOVERNMENT BARRIER TO AFFORDABLE HOUSING: THE UPSIDE-DOWN TAX

Landowners who construct or improve housing are punished with higher property taxes. A 1% or 2% property tax might not seem like much. However, unlike a sales tax that is only paid once (at the time of sale), a property tax is paid each and every year that an improvement adds value to a property. For long-lived assets (like buildings and building components) this stream of tax payments can be substantial. **Thus, a 1% or 2% property tax can have the economic impact of a 10% to 20% sales tax on construction labor and materials.**

Meanwhile, **owners who allow buildings to deteriorate are rewarded with lower taxes.** And the owners of vacant lots typically pay much less tax than their neighbors with buildings, even though it costs the local government about the same to maintain streets, sidewalks and sewers in front of similar-sized properties regardless of whether they are vacant or developed.

A REMEDY

Fortunately, some communities have turned these upside-down incentives right-side up. They have transformed their property tax into an infrastructure access fee. This is accomplished by **reducing** the tax rate applied to privately-created building values while **increasing** the tax rate applied to publicly-created land values. The lower rate on buildings makes them cheaper to

construct, improve and maintain. This lowers space costs for residents and businesses alike. Surprisingly, the higher rate applied to land values helps keep land prices more affordable by reducing profits from land speculation. As a bonus, the higher rate on land encourages development of high-value sites -- typically infill sites near existing urban infrastructure amenities. Increasing infill development reduces development pressure at the urban fringe, reducing sprawl.

This policy, combining lower rates of tax on building values with higher rates of tax on land values, increases housing supply. And, by reducing space costs and encouraging construction, improvement and maintenance activities, it stimulates employment, increasing incomes as well. Thus, **without new spending or any loss of revenue**, **this "tax shift" can make both buildings and land more affordable, increase employment and reduce urban sprawl.** In other words, this policy addresses both supply side and demand side problems.

LOWER-INCOME HOUSEHOLDS

If this tax reform reduced the market price of housing by 10% or more, some might complain that it would not help very low income households. Certainly, vouchers will be necessary for some households. But because vouchers typically fill the gap between 30% of income and the market price, the ability of the tax shift to reduce market prices will reduce the gap and allow a given amount of voucher subsidies to assist more households.

DENSITY

Why is housing so much cheaper in Rust Belt cities than in the Metropolitan Washington Region? It's not because the price of labor or materials is that much less there than here. Instead, it's primarily because land prices are so much higher here. A high demand for commercial and residential space in our Region causes high land prices.

It would seem obvious that if we could get more households to share the same parcel of land, the cost of land per household could be reduced and housing could be made more affordable. This is the rationale behind recommendations for zoning reforms that would increase allowable densities.

Unfortunately, if the allowable density for a parcel is increased, the potential income from the parcel increases and so does its price. Thus, increasing allowable density leads to even higher land prices – and this reduces or eliminates the ability of density increases to reduce the cost of land per household.

However, if the tax shift were implemented, publicly-created land values (as a result of higher density zoning) would be returned to the community instead of becoming windfall profits for landowners. This would minimize land price increases due to zoning reform, thereby making zoning reform a more effective policy than it is under the traditional property tax system.

TRANSIT ACCESS

Today, transit access is a double-edged sword. It can be very helpful for low-income individuals by providing them with better access to education, jobs, shopping and recreation. But, because

transit service is so valuable, proximity to high-quality transit typically increases land prices and rents, thereby displacing the households that need it most.

However, if the tax shift were implemented, transit-created land values would be returned to the community instead of becoming windfall profits for landowners. In this way, transit could become financially self-sustaining to a greater degree because transit created land value could be returned to the transit agencies instead of being given away to landowners. (Hong Kong's transit system is profitable because it owns land around and air rights above its transit stations. Thus, transit-created land values are returned to the transit agency in the form of rent.)

CONCLUSION:

Transforming the traditional property tax into a public infrastructure access fee has been implemented successfully in both urban and rural communities. This tax shift is not the only policy or program required to improve housing affordability. However, if it is not implemented, many of the other important policies and programs are less effective or even counter-productive.

For more information, see https://www.shareable.net/land-value-return-and-building-a-more-equitable-economy/ .

See also, "**Invisible Role of Taxes in US Housing Shortage**" (Wall Street Journal) 2023-03-06 https://www.wsj.com/video/series/wsj-explains/the-invisible-role-taxes-play-in-americas-housing-shortage/3B6959A8-71A5-4943-94C6-DE52E3AB8DD0

Thank you for considering my comments. Please let me know if I can provide any assistance regarding the design or implementation of this tax reform.

Sincerely,

Rick Rybeck
Director

March 28, 2023

RE: MWCOG Attn: Fair Housing Plan

To Whom it May Concern:

The National Community Reinvestment Coalition (NCRC) appreciates the opportunity to comment on the Metropolitan Washington Regional Fair Housing Plan. The region is to be commended for developing the first regional plan in 25 years. The plan provides an important opportunity for local jurisdictions to collaborate in promoting integration and access to affordable housing, job opportunities and improved quality of life for people of color.

NCRC is an association of over 600 community-based organizations around the country and in the District-Maryland-Virginia (DMV) area whose mission is to increase access to credit and capital for revitalizing communities of color and modest income neighborhoods. We are thus excited about this regional plan and hope opportunities present themselves to help you achieve the objectives described in the plan. This comment will focus on the regional housing plan and those of Montgomery County and the District of Columbia.

The regional plan and those of the participating jurisdictions have several commendable aspects, programs and approaches for achieving fair housing objectives. The programs and approaches of the various jurisdictions are innovative and long standing. At the same time, NCRC encourages you to describe more specific actions, commit to reporting outcomes of the actions and to use the Community Reinvestment Act (CRA) as a means to promoting affordable housing and fair lending.

In addition, the region should consider some region-wide approaches to achieving fair housing and improved quality of life for people of color. One such approach could be working with banks to establish regional Special Purpose Credit Programs (SPCP) and enlisting banks to partner with regionwide first time homeownership programs and rental housing development and preservation. Although we are commenting on fair housing plans, we also encourage the jurisdictions to work with banks to create small business lending programs targeted to women- and minority-owned small businesses that provide employment opportunities and basic necessities (including quality food, child care and health care) for people of color residing in economically disadvantaged neighborhoods.

In a region that is less than 50% White, segregation has been increasing. Your plan documented that the more segregated a region is, the fewer opportunities people of color have to advance economically. Segregation also increases racial inequality.[1] In the DMV, African Americans were one quarter of the population but 80% of the residents of racially or ethnically impoverished neighborhoods.[2] Over 50% of African Americans and almost 42% of Hispanics

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[1] Metropolitan Washington Fair Housing Plan, Executive Summary, Draft, January 2023, p. 7, https://www.mwcog.org/assets/1/6/Executive_Summary_Fair_Hsg_English_with_cover4.pdf
[2] Metro Fair Housing Plan, p. 8.

1

confronted housing problems (physically inadequate housing or cost burden) compared to 25% of whites.[3]

In response to barriers experienced by people of color, the regional plan outlined sensible policy approaches. If they are implemented in an aggressive fashion, they could lessen the disparities the plan identified. Among the policies and approaches the plan listed were these[4]:

- Create new rental units to focus on lower income tenants at 60% of area median income (AMI) instead of 80% of AMI.
- Provide low-interest loans to homeowners that want to build accessory dwelling units (ADUs) that can offer opportunities for modest income renters to reside in less segregated neighborhoods.
- Increase inclusionary zoning initiatives. Local suburban jurisdictions should follow Arlington County's lead in creating multi-unit zoning.
- Establish a loan fund to help tenants, nonprofit organizations and local government agencies to buy apartments and manufactured home parks for sale in an attempt to preserve affordable housing.
- Expand resources for low fare or free bus service (following the District of Columbia's anticipated program of free bus service) in order to improve access to jobs in the DMV.
- Expand local resources for housing vouchers.
- Reduce appraisal bias and increase resources for housing testing.
- Engage in housing equity analyses when considering changes in zoning.
- Increase allowable density and provide affordable housing units in new developments.

NCRC supports each of these proposals and urges the region to document progress. We hope that HUD's forthcoming Affirmatively Furthering Fair Housing (AFFH) rule will require annual reporting (as currently proposed) and in that case recommend that the region and its component jurisdictions publicly report annually on progress toward concrete metrics. The 2022-2026 plan should record how many new units for tenants at or below 60% of AMI are created. The next plan should then commit to a realistic yet aggressive increase in that number. Further, the region should set metrics for unit location and should document where the units are located and whether they are in less segregated neighborhoods. In addition, any publicly subsidized loan program to support ADUs should provide similar documentation.

Federal agencies including the Department of Housing and Urban Development have clarified that the Fair Housing Act allows for SPCP programs as ways to narrow racial inequities in lending. If a bank documents with data analysis that a group of borrowers or neighborhoods are underserved, the bank can design a SPCP that targets people of color including a home purchase

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[3] Metro Fair Housing Plan, p. 11.
[4] Metro Fair Housing Plan, pp. 20-21.

program or a program to lend to small businesses.[5] The jurisdictions should work with banks to develop SPCP programs and then document their progress.

The jurisdictions should employ the Community Reinvestment Act (CRA) to offer loans to people of color and traditionally underserved communities.[6] Montgomery County mentions CRA in its fair housing plan but in a cursory manner. While we commend this mention of CRA, the plan for the DMV region as a whole and for individual jurisdictions should elaborate on using CRA to increase access to credit. CRA requires federal bank agencies to measure and rate bank lending, investing and service to low- and moderate-income (LMI) borrowers and communities. Within the LMI community, there is a significant segment of people of color that CRA can directly benefit.

A regional program featuring downpayment assistance and home purchase loans to modest income first time homebuyers is likely to also serve considerable numbers of people of color. The DMV region should establish this type of program either jointly or the individual jurisdictions ought to establish similar programs. Documentation of program outcomes should include income levels of borrowers and their race/ethnicity and gender. Documentation should also include neighborhoods in which the borrowers reside and whether the program is promoting choice and increasing integration at a neighborhood level.

Recommendations for Montgomery County's Plan

A major component of the county's plan is employing its Moderately Priced Dwelling Unit Program (MPDU) program. Under the MPDU program, developers of 20 or more units of housing must include affordable housing. As one of the first of its kind in the country, Montgomery County has operated the MPDU program for decades. This program has a statutory objective of assisting minority households, young families, older adults and female-headed households. A report in 2004 documented that over 30 years, the county provided 11,000 MPDU rental and homeownership units.[7]

Because segregation is increasing in Montgomery County, the county should build on its MPDU experience to develop or expand methods for marketing the program in an affirmative manner to people of color and to increase neighborhood-level integration.[8] The county should commit to

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[5] Memorandum from Demetria L. McCain, Principal Deputy Assistant Secretary for Fair Housing & Equal Opportunity, *FHEO's Statement by HUD's Office of Fair Housing and Equal Opportunity on Special Purpose Credit Programs as a Remedy for Disparities in Access to Homeownership*, December 7, 2021, https://www.hud.gov/sites/dfiles/FHEO/documents/FHEO_Statement_on_Fair_Housing_and_Special_Purpose_Programs_FINAL.pdf

[6] For more on CRA, see https://ncrc.org/ or https://www.ffiec.gov/cra/default.htm

[7] Aron Trombka and Michael Faden, February 2004, *Strengthening the Moderately Priced Dwelling Unit Program: A 30 Year Review, A Report to the Montgomery County Council*, https://www.montgomerycountymd.gov/DHCA/Resources/Files/housing/singlefamily/mpdu/report_mpdu30yearreview.pdf, pp. 1-2.

[8] Draft Washington Regional Fair Housing Plan, Montgomery County, January 2023, p. 28, https://www.mwcog.org/assets/1/6/Montgomery_County_Clean_web.pdf

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reporting data on the demographics of MPDU occupants, including race and ethnicity, and should report on the demographics of neighborhoods in which MPDU occupants reside. A report issued in 2004 on the 30-year history of MPDU reported unit production by town such as Bethesda-Chevy Chase, suggesting that a county-maintained database could accommodate census tract reporting or at least reporting by town and indicating the demographics of the town. Furthermore, a county website indicates that annual MPDU data collection includes "demographic information which will assist staff to assess the program's racial equity going forward."[9]

The draft plan reported that concentrations of renters correlate with racially segregated areas. The county should work on providing more rental MPDU opportunities in less segregated areas and affirmatively marketing these units to people of color.[10]

If results are not up to expectations, the county should increase its affirmative marketing and other actions to promote fair housing. The county should list the community organizations that help market the MPDU program, including how many and which organizations are controlled by people of color. The county should also document other means of affirmative marketing such as the use of minority-owned media.

Other policies and programs that Montgomery has committed to include in its plan include:

- Eviction prevention – The County's plan mentioned partnerships with nonprofit organizations to provide counseling and eviction prevention services. The state recently passed a law to fund the right to counsel for tenants facing eviction. The state, county, and nonprofit organizations should partner to collect data on tenants receiving counseling and those represented by a lawyer in court. The demographics of clients and outcomes such as eviction prevention or moving to alternative affordable housing should be recorded and presented in annual updates to the fair housing plan.[11]
- Identifying landlords with inclusive screening procedures – The draft plan stated that the county would identify landlords that waive customary screening procedures regarding criminal and credit history. The county should maintain a publicly available list of these landlords.[12]
- Lowering income targeting to 60% of AMI in new affordable rental developments and expand locally funded housing voucher programs[13] - About 20% of African American and Hispanic residents face severe cost burden as opposed to 10% of white residents in

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[9] Memo from Aseem K. Nigam Director, Department of Housing and Community Affairs to Gabe Albornoz, Council President, *Annual Report on the Moderately Priced Dwelling Unit (MPDU) and Workforce Housing Programs Covering Calendar Year 2021*, p. 6, https://www.montgomerycountymd.gov/DHCA/Resources/Files/housing/affordable/publications/mpdu/annual_report_mpdu_2021.pdf
[10] Draft Montgomery County Plan, p. 32.
[11] Draft Montgomery County Plan, pp. 14 and 155.
[12] Draft Montgomery County Plan, p. 14
[13] Draft Montgomery County Plan, pp. 152 and 159.

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the County.[14] Overall more than 50% of Hispanic households and 45% of African American households experience housing problems (physical inadequacy or cost burden) compared to 25% of white households in the County.[15] Affirmative marketing should include aggressive outreach to African Americans and Hispanics regarding new affordable rental developments and any additional vouchers funded by local governments. Montgomery County should commit to reporting on the demographic characteristics of households served by new rental units and vouchers to determine whether racial disparities are being narrowed.

- Expand access to low fare or free bus service[16] – The draft plan described a desire for additional funding for discounted fares. It also mentioned that Hispanics overall tend to have lower access to jobs in the county. In addition, Asians and African Americans below the poverty line fare poorly in terms of job access.[17] The county should explore free or reduced fares for bus routes serving neighborhoods with concentrations of these populations and then conduct follow-up surveys to see if access to jobs has improved.

Lastly, Montgomery County's draft plan presented lending disparities by race but then did not indicate what policies or programs could reduce these disparities. The draft plan documented that the average interest rates for Whites and African American borrowers were 4.21% and 5.29%, respectively.[18] Over the life of the loan, these price disparities can cost borrowers several thousands of dollars. African American borrowers start out with much lower wealth, on average than whites. The price disparities only exacerbate the wealth disparities by making it harder for African American borrowers to accumulate as much equity as Whites.

In addition, African American applicants experienced considerably lower origination rates that whites. About 68% of White applicants received loans in contrast to 55.6% of African American applicants according to Montgomery County's plan.[19]

Together, the higher interest rates and lower origination rates for African Americans suggest that Montgomery County should work with lending institutions to create SPCP programs for African Americans that would help lower their interest rates and increase their origination rates. Further analysis can also document neighborhoods where these disparities and particularly high. As part of SPCP programs, marketing and homeownership counseling can be targeted to the neighborhoods with high disparities.

Finally, the county should work with banks to create CRA home purchase lending programs focusing on LMI people of color that increase their homeownership rates. These programs can also increase the affordability and physical adequacy of their housing via home improvement

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[14] Draft Montgomery County Plan, p. 104
[15] Ibid., p. 102.
[16] Ibid., p. 162.
[17] Ibid., p. 59.
[18] Ibid., p. 191.
[19] Ibid., p. 192

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loans that can finance repair and energy efficiency upgrades. It is rare that CRA exams document this type of collaboration between public jurisdictions and banks. If Montgomery County pursues these recommendations, it would be lessening income and racial disparities and also helping banks score better on their CRA exams.

Recommendations for the District of Columbia's Plan

The District of Columbia (the District) described commendable programs for remediating racial disparities and providing affordable housing in its draft plan. In order to determine if the programs and approaches are commensurate with the housing shortage in the city, the District of Columbia should commit to robust data collection and dissemination regarding the demographics of program recipients.

Between 2000 and 2010, an astounding one third of the District's rental stock was lost. Such a dramatic loss of housing stock contributed to 25% of the District's residents paying more than 50% of their monthly income on rent, a proportion that is not sustainable because it leaves too little for other basic necessities.[20] In response, the Mayor announced a program that would add 36,000 housing units, 12,000 of which would be affordable for LMI populations, by 2025. The District also announced that it allocated about $100 million annually to a housing production trust fund and that this initiative produced 1,000 units in FY 2021.

A major District homeownership program is the Home Purchase Assistance Program (HPAP) which features a second lien loan of up to $200,000. Loan repayments are modest for moderate-income households and are deferred for low-income households.[21] In FY 2021 according to the District, the HPAP program assisted 328 households become homeowners, all of which were first-time homeowners.[22]

Data collection and dissemination are essential if the District is to achieve its equity goals for these programs. Data on the race, ethnicity, gender and income levels of the households assisted make it possible for the District and stakeholders to determine if these programs are reducing inequalities. Moreover, data regarding the neighborhoods in which these households reside will help determine if the programs are achieving goals of integration and moving to opportunities.

In the District, about 23% of African Americans and Hispanics experienced severe cost housing cost burdens (paying more than 50% of monthly income for housing) compared to about 11% for Whites.[23] In addition, the homeownership rate for African American households in the City was

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[20] Draft Washington Regional Fair Housing Plan, District of Columbia, January 2023, p. 13, https://www.mwcog.org/assets/1/6/District_of_Columbia_Clean_web.pdf

[21] District of Columbia, Department of Housing and Community Development, Home Purchase Assistance Program (HPAP) – Eligibility, How to Apply and Program Details, https://dhcd.dc.gov/page/hpap-eligibility-how-apply-and-program-details

[22] District of Columbia Plan, p. 11.

[23] Ibid., p. 114.

34% compared to 49% for White households.[24] The only way to know if the fair housing programs have a realistic chance of reducing these disparities is if the District collects and reports demographic data on the program's clients.

The City should use the Community Reinvestment Act (CRA) as an encouragement for banks to participate in the housing programs. The fair housing plan refers to City financing of these programs but does not describe bank or other private sector financing of them. The final plan should include data on bank financing and indications of whether banks will increase their financing in future years. Moreover, it is our understanding that banks are not regular partners in the HPAP programs. HPAP data should include information on which institutions are making first lien loans under the program. Banks should be encouraged to report HPAP data to their CRA examiners in order to boost their ratings on CRA exams.

In addition to creating affordable housing (in particular in highly resourced areas), the City should invest in creating opportunities for residents of currently disinvested areas and communities. For example. the City should target job training and workforce development to the Southeast section of the City. While African Americans were about 50% of the City's population, 95% of the residents residing in racially and ethnically concentrated areas of poverty (R/ECAPs) were African Americans.[25] While 6.8% of District residents were impoverished, the R/ECAPs in the District experienced poverty rates above 10%, many of which were confronted with poverty rates above 30%, especially in Wards 6, 7, and 8.[26]

The District should target and market workforce development to African Americans and other people of color in R/ECAPs. The District should conduct an inventory of nonprofit organizations and other entities that provide workforce development and determine if there is a sufficient quantity of these organizations in the wards 6 through 8 or whether capacity needs to be expanded. The City should also determine if housing developers and commercial developers have apprenticeship programs that would employ and mentor residents of Southeast Washington. The District and the region's other jurisdictions should also explore implementing and/or expanding on small business lending programs with banks that provide financing to women- and minority-owned small businesses with an additional objective of providing jobs and workforce development for residents of R/ECPAs. Finally, the District has embarked on an innovative transit initiative to provide free or reduced fares on buses operated by the Washington Metropolitan Transit Authority (WMATA); it is also important that the District ensure adequate and equitable quality of transit service, in particular for communities that are reliant on public transportation.

The District's report also discussed racial disparities in access to banking and credit in a section called "Contributing Factors" that highlighted barriers exacerbating inequalities and segregation.

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[24] District of Columbia, Office of the Deputy Mayor for Planning and Economic Development, Homeownership, https://dmped.dc.gov/page/homeownership
[25] District of Columbia Fair Housing Plan, p. 44.
[26] Ibid., p. 48.

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However, the plan did not include programs or initiatives that addressed several of these contributing factors such as unequal access to banking. For example, the plan noted that the District had higher racial disparities in access to banking than other local jurisdictions. It found that just 1.1% of White residents were unbanked compared to 12.7% of people of color.[27] Perhaps the City could set aside some municipal deposits for a bank that would be willing to establish a branch in a community of color that experiences a lack of branches (NCRC has helped jurisdictions and community-based organizations identify banking deserts that have a population density which can support a branch).

The District's plan highlighted racial disparities in the cost of loans and approval rates. For instance, Whites had a median interest rate of 3.98% while African Americans had a median rate of 4.34% during 2019.[28] This difference of a third of a percentage point can equate to several thousands of dollars of additional payments over the term of a mortgage, draining equity from African American households and communities. Moreover, lenders approved White applicants 70% of the time whereas African Americans were approved just 50% of the time.[29] In response, the plan should have committed to increased financial and housing counseling to African Americans and African American communities and should have indicated a plan to collect demographic data about the clients of counseling. SPCP programs can also address these disparities.

Conclusion

Our comment has focused on the need to commit to comprehensive and publicly available data on the fair housing programs and initiatives committed to by the jurisdictions in our region. We hope the programs and initiatives can reduce segregation. Powerful market forces and the legacy of discrimination are formidable barriers. In order to correct for this systemic discrimination, the jurisdictions must undertake aggressive and coordinated initiatives that are long lasting and are improved upon over the decades.

The private and public sectors created, enforced and exacerbated redlining and segregation spanning centuries. Long term and concerted initiatives on several fronts are necessary to counteract segregation including zoning reforms, more affordable housing production, fair lending and targeted workforce development and economic development. Central to these efforts is data collection and dissemination so that the jurisdictions and stakeholders can ensure that the programs and initiatives are benefiting people of color and modest income residents in an equitable manner.

The draft plans did not identify a core of programs and initiatives that would be offered on a regional basis. The advantages of regional programs are that the chances of using them to bolster integration increase due to a wider choice of neighborhoods that can be served by the programs.

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[27] Ibid., p. 183.
[28] Ibid., p. 213.
[29] Ibid., p. 214.

Metropolitan Washington Regional Fair Housing Plan Comment by the Washington Lawyers' Committee for Civil Rights and Urban Affairs

I. Introduction:

The Washington Lawyers' Committee for Civil Rights and Urban Affairs (the "Committee")[1] submit this Comment is to ensure the goals and priorities outlined draft Metropolitan Washington Regional Fair Housing Plan (the Plan) promote housing choice in the most robust ways possible. In order to have a truly equitable city and region, Black and other DC residents of color must have the same choices about where to live as white residents. That means they must have the ability to choose to live in areas where people of color have not typically lived, to remain in gentrifying areas or to remain in areas where the majority of residents are not white without making compromises about their health or safety. They should also have the opportunity to own and control the homes that they live in to the same extent as white people.

The statutory duty to affirmatively further fair housing is explicitly set forth in the Fair Housing Act (FHA), 42 U.S.C. §§ 3608(d) and 3608(e)(5), and arises from the recognition that housing segregation across the country has been fostered and maintained through decades of exclusionary policies at the federal, state, and local levels. It further recognizes that remediation of the consequences of this pervasively harmful legacy requires active and equally intentional efforts to secure meaningful housing choice.

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[1] The Washington Lawyers' Committee for Civil Rights and Urban Affairs was founded in 1968 to address civil rights violations, racial injustice and to fight poverty in our community through litigation and advocacy, including mobilizing the pro bono resources of the private bar. One of the areas on which the Committee focuses is fair and equal housing opportunity.

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Local and federal government policy before and after the passage of the Fair Housing Act ("FHA") has denied Black and other DC residents of color the same menu of housing options white DC residents enjoy.[2] This has limited not only where they can live, but also household wealth and economic mobility for Black and other DC residents of color.[3]

As the District and other nearby jurisdictions attempt to address housing segregation, they should be careful to do so in a way that increases housing choice for Black and other DC residents of color. Too often governments attempt to address the problem of segregated neighborhoods by developing housing and amenities in those areas that will attract new, wealthier and racially diverse residents.[4] For a time, these neighborhoods may appear to be integrating, but eventually, they lose most of their low-income residents of color and thereafter become off limits to people of color because of rising rents.[5] Thus, these efforts actually restrict rather than expand housing choice and can create new segregated areas.

The comments below examine five of the seven Fair Housing Goals and Priorities and suggest ways they could be amended or expanded to ensure that they: 1) create housing opportunities for Black and other DC residents of color to move out of

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[2] Zickur, Kathryn, Discriminatory Housing Practices in the District; A brief history, D.C. Policy Center, October 23, 2018; Schoenfeld, Sarah, Mapping Segregation in D.C., D.C. Policy Center, April 23, 2019.
[3] Mapping Segregation in D.C.; Discriminatory Housing Practices in the District.
[4] Discriminatory Housing Practices in the District; Gentrification and Neighborhood Revitalization; What is the Difference, National Low Income Housing Coalition, April 2019.
[5] Lauber, Daniel, District of Columbia Analysis of Impediments to Fair Housing Choice 2006-2012, District of Columbia Department of Housing and Community Development, April 2012, at pg. 2; Richardson, Jason et. al., Shifting Neighborhoods; Gentrification and cultural displacement in American cities, National Community Reinvestment Coalition, Executive Summary, 2019, https://ncrc.org/gentrification/; Gentrification and Neighborhood Revitalization; What is the Difference, https://nlihc.org/resource/gentrification-and-neighborhood-revitalization-whats-difference.

economically and racially segregated areas, 2) create housing opportunities for low and moderate income people to build wealth, and/or 3) encourage development focused on improving disparities in access to opportunities[6] for existing residents of racially and economically segregated areas.

II. DC's History of Housing Discrimination and its Legacy

Before Congress passed the FHA, restrictive covenants, lending discrimination, and government-sponsored urban renewal efforts restricted where Black residents lived and denied them access to government-subsidized home ownership opportunities.[7] Those homeownership opportunities were a critical foundation for what has become generational wealth for most middle-income white households.[8] Because of this long-standing and pervasive housing discrimination, most Black DC residents are renters.[9] Those that do own homes, own them in parts of the city that have not appreciated as quickly as white neighborhoods.[10] This has contributed to an enormous racial wealth gap. In DC, white households have 81 times the wealth of Black households and 22 times the wealth of Latinx households.[11] That means white homebuyers are able to choose from

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[6] Draft Metropolitan Washington Regional Fair Housing Plan, Disparities in Access to Opportunity, at page 6, January 2023.

[7] Mapping Segregation in D.C.

[8] Mapping Segregation; Discriminatory Housing Practices in the District; Mineo, Liz, Racial Wealth Gap may be the Key to other Inequities, Harvard Gazette, June 3, 2021.

[9] Black Homeownership Strike Force, Homeownership, Office of the Deputy Mayor for Planning and Economic Development, https://dmped.dc.gov/page/homeownership.

[10] Lederer, Anneliese, Tracy McCracken, The Many Effects of Housing Discrimination on African Americans, National Community Reinvestment Coalition, April 28, 2021.

[11] Williams, Erica, DC's Extreme Wealth Concentration Exacerbates Racial Inequality, Limits Economic Opportunity, D.C. Fiscal Policy Institute, October 20, 2022.

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67% of homes for sale while Black homebuyers are limited to 9.3% and Latinx buyers to 29%.[12]

Discrimination's legacy is not the only factor limiting housing choice for Black DC residents today. After the FHA went into effect, most of the housing that the government subsidized a generation earlier was no longer affordable, which meant that Black households were not necessarily able to move from segregated areas to integrated ones.[13] Further, the District's zoning and land use policies kept areas like majority white Ward 3 comprised of single-family homes while concentrating apartment buildings in low-income areas like Ward 8.[14] These policies worked well to preserve segregation. Today, very low-income renters can afford 67% of the units east of the Anacostia River and only 7% of those that are west of Rock Creek Park.[15] In this way, income and wealth inequality along racial lines and the rising cost of housing have solidified as intractable barriers to both Black housing choice and economic mobility. Economic development driven by an influx of high earning, mostly white, professionals in recent years has further limited housing choice for Black residents as developers have replaced low cost apartments with high cost units, displacing residents from the District entirely or to neighborhoods that are more economically and racially segregated.[16]

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[12] Hendey, Leah, Somala Diby, A Vision for an Equitable D.C., Urban Institute, December 12, 2016.
[13] Discriminatory Housing Practices in the District.
[14] Discriminatory Housing Practices; Ward 3, zoned almost exclusively for single-family use, is over 80% white with a median household income of over $150,000, Summary Data for Ward 3, DC Health Matters, https://www.dchealthmatters.org/; Ward 8 where the city's largest concentration of multifamily housing is concentrated, is over 90% Black with a median household income is less than 42K, Summary Data for Ward 8, DC Health Matter, https://www.dchealthmatters.org/demographicdata?id=131495.
[15] A Vision for an Equitable D.C.
[16] Rivers, Wes, Going, Going, Gone: D.C.'s Vanishing Affordable Housing, D.C. Fiscal Policy Institute, March 12, 2015; Lang, Marissa J., Gentrification in D.C. means widespread displacement, study finds, Washington Post, April 26, 2019.

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The goals and priorities outlined in the Plan are meant to undo the legacy of discrimination and segregation. In order for those goals and priorities to be successful policymakers must take special care to ensure the remedies they pursue expand rather than further restrict housing options for Black other DC residents of color and attempt to close the racial wealth gap that plays a significant role in perpetuating segregation. The following comments suggest amendments or modifications to the Plan's goals that are in line with these principals.

III. **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 has not been any.**

Increasing the supply of affordable housing for families earning at or below 60% of AMI where there has not been any is critical to disrupting existing patterns of segregation, but does little to address the disparities in income and wealth along racial lines. That wealth gap persistently undermines efforts to foster racial integration because the wealth gap fuels income inequality that greatly restricts where Black residents can live.[17] For the most part the priorities for achieving this goal relate to creating rental housing. DC and other jurisdictions should consider creating down payment assistance programs specifically for families earning less than 60% of AMI that currently live in racially and economically segregated areas that would allow them to buy a home outside of those areas.[18] In addition to addressing the problem of racial segregation, such policies would also begin to alleviate the racial wealth gap by allowing the recipients of that down

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[17] DC's Extreme Wealth Concentration Exacerbates Racial Inequality, Limits Economic Opportunity; District of Columbia Analysis of Impediments to Fair Housing Choice 2006-2012.
[18] Stegman, Michael, Mike Loftin, An Essential Role for Down Payment Assistance in Closing America's Racial and Homeownership Wealth Gaps, Urban Institute, April 2021.

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payment assistance to begin building home equity. That wealth gap is not only a legacy of discrimination and segregation, but also a driver of racial disparities in other areas like health, income and education.[19] As the Plan outlines in the Disparities in Access to Opportunities section, many Black DC residents live in racially and economically isolated parts of the city where they do not have the same level of access to education and employment as people living in less isolated parts of the city.[20] That lack of access to education and employment opportunities creates income disparities leading to a cycle of disparate access to opportunity.[21]

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

This goal argues that zoning for single-family housing makes it hard to develop affordable housing in many areas and calls on local leaders to make changes that will make it easier to develop affordable housing. The priorities that the Plan suggests should be strengthened and priorities that create affordable housing outside racially and economically segregated areas and allow for the creation of wealth by residents should also be considered.

First, one of the priorities proposed is to increase fees for developers to build affordable housing required by inclusionary zoning in different locations. The Plan should recommend that jurisdictions eliminate those incentives and require developers to

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[19] DC's Extreme Wealth Concentration Exacerbates Racial Inequality, Limits Economic Opportunity; Racial Wealth Gap may be the Key to other Inequities.
[20] Draft Metropolitan Washington Regional Fair Housing Plan, Disparities in Access to Opportunity.
[21] Racial Wealth Gap may be the Key to other Inequities.

build the affordable housing first or simultaneously with market rate housing at the same location.

Second, the Plan calls for jurisdictions to adopt zoning regulations that make it easier to develop affordable housing generally. The Plan should propose that jurisdictions adopt zoning regulations that make it easier to develop affordable housing outside of racially and economically segregated areas specifically. That will ensure that more affordable housing is built outside of racially and economically segregated areas. If zoning regulations are only changed to make it easier to build affordable housing generally the result could be more affordable housing being built in racially and economically segregated areas and little or none being built outside those areas.

Finally, the District and other jurisdictions should consider acquiring single-family homes in areas zoned only for single-family homes and reselling those homes as affordable owner-occupied housing to households that earn below 60% of AMI and are moving out of racially and economically segregated areas. This would allow jurisdictions to create some opportunities for residents of racially and economically segregated areas to move out of those areas without changing zoning regulations and allows for the recipients of this housing to build wealth.

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

Preventing displacement and preserving existing affordable housing is critical to ensuring housing choice for people with protected traits. The Plan calls on jurisdictions to tracking exist affordable housing and establish funds to aid tenants seeking to purchase

properties.[22] The District should also revise zoning regulations to require developers

seeking zoning approval for projects to build replacement affordable housing first where

new development will demolish existing affordable housing. The development process

can take years, and when residents are relocated for the duration of construction, they

rarely find their way back to the new property for a variety of reasons.[23] Requiring

developers to build replacement housing first would reduce this risk of displacement.

VI. 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.

Efforts to increase the number of homeowners in the region and reduce unequal

treatment and discriminatory practices that keep members of protected classes from

buying a home are likely to have a moderate impact on the racial wealth gap, but little

impact on segregation because of income inequality. The average Black homebuyer is

only able to afford about 9% of homes in the DC market and those homes are in the areas

with the lowest housing costs, which are also in racially and economically segregated

areas.[24] The District and other local governments could increase homeownership and

disrupt patterns of segregation by increasing down payment assistance to households

earning below 80% of AMI such that those households would be able to choose from a

percentage of homes on the market closer to the level of choice enjoyed by the average

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[22] Where a public housing authority seeks to demolish and redevelop and or sell a public housing property they are required to consider allowing the tenants or a nonprofit to purchase the property. 24 CFR 970.11. DC law also requires any property owner seeking to sell a rental property to all the tenants the opportunity to purchase. Tenant Opportunity to Purchase Act (TOPA), § 42–3404. This strategy suggests that jurisdictions create funds to assist tenants seeking to purchase the housing they live in.

[23] Zipple, Claire, DC's Public Housing; An important resource at risk, DC Fiscal Policy Institute, fn. 15, January 27, 2016, https://www.dcfpi.org/all/dcs-public-housing-an-important-resource-at-risk/#_ednref15

[24] A Vision for an Equitable DC.

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white household.[25] That would allow those households to choose to live outside of racially and economically segregated areas.[26]

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

Protecting the housing rights of individuals who are part of protected groups is critical to expanding housing choice for those groups and generally because if those rights are not protected housing choice will be further restricted.[27] The priorities suggested here are well suited to accomplish this purpose, but they fall short of actually preventing evictions, which the goal recognizes as a mechanism that disproportionately displaces Black and other residents of color from their homes. Increasing funding for emergency rental assistance can prevent evictions and avoid displacement by helping tenants catch up on delinquent rental payments.[28]

VIII.   Conclusion

Congress created the duty to affirmatively further fair housing in recognition that in order to create true housing choice and foster integrated communities, policy makers must take deliberate steps aimed at disrupting patterns of segregation and the attendant inequitable distribution of wealth. In order to do that, policy makers must pursue

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[25] An Essential Role for Down Payment Assistance in Closing America's Racial and Homeownership Wealth Gaps;

[26] A Vision for an Equitable DC.

[27] Draft Metropolitan Washington Regional Fair Housing Plan, Lack of Local Fair Housing Outreach and Enforcement (describing the need to expand fair housing outreach and enforcement services); District of Columbia Analysis of Impediments to Fair Housing Choice 2006-2012, Fair Housing Complaints and Studies.

[28] Abraham, Noah et al., A Collaborative Framework for Eviction Prevention in DC, Urban Institute, Access to Emergency Financial Resources, February 2023; Airgood-Obrycki, Whitney, Short Term Benefits of Emergency Rental Assistance Extend Beyond Housing, June 14, 2022, https://www.jchs.harvard.edu/blog/short-term-benefits-emergency-rental-assistance-extend-beyond-housing.

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priorities that subsidize homeownership outside of racially and economically segregated areas as vigorously as policies seeking to create rental housing. Similarly, where investments are made in racially and economically segregated areas, they should focus on improving the material circumstances of and increasing access to opportunities for the people already living there instead of focusing on attracting racially and economically diverse newcomers. By keeping these principles in mind, the District and surrounding jurisdictions can undo much of the legacy of discrimination and segregation.

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priorities that subsidize homeownership outside of racially and economically segregated areas as vigorously as policies seeking to create rental housing. Similarly, where investments are made in racially and economically segregated areas, they should focus on improving the material circumstances of and increasing access to opportunities for the people already living there instead of focusing on attracting racially and economically diverse newcomers. By keeping these principles in mind, the District and surrounding jurisdictions can undo much of the legacy of discrimination and segregation.

IX. Glossary

accessibility: A physical structure, object, or technology able to be used by persons with disabilities such as mobility issues, hearing impairment, or vision impairment; accessibility features include wheelchair ramps, audible crosswalk signals, and TTY numbers (*see also* TTY/TDD).

accessory dwelling unit (ADU): A smaller, independent residential unit located on the same lot as a stand-alone single-family home. In Fairfax County, these are also known as accessory living units (ALUs).

Affirmatively Furthering Fair Housing (AFFH): An obligation under the Fair Housing Act requiring that local governments take steps to further fair housing, especially in places that have been historically segregated (*see also* segregation).

alternative accessibility standard: An alternative to the Uniform Federal Accessibility Standards (UFAS) for HUD grantees to meet Section 504 accessibility requirements; a modified version of the 2010 ADA Standards for Accessible Design (*see also* Uniform Federal Accessibility Standards).

American Community Survey (ACS): A survey conducted by the US Census Bureau that regularly gathers information about demographics, education, income, language proficiency, disability, employment, and housing. Unlike the census, ACS surveys are conducted both yearly and across multiple years studying samples of the population, rather than counting every person.

Americans with Disabilities Act (ADA): A federal civil rights law that prohibits discrimination against persons with disabilities.

Annual Action Plan: An annual plan used by local jurisdictions that receive money from HUD to plan how they will spend the funds to address fair housing and community development; the Annual Action Plan carries out the larger Consolidated Plan (*see also* Consolidated Plan).

area median income (AMI): Annual median income calculated by HUD-designated area, based on American Community Survey data and Consumer Price Index trends. HUD sets extremely low (30 percent of the AMI), very low (50 percent of the AMI), and low (80 percent of the AMI) income limits by household size to determine eligibility for assisted housing programs.

census tract: A small subdivision of cities, towns, and rural areas that the US Census Bureau uses to group residents together and accurately evaluate the demographics of a community. Several census tracts, put together, make up a town, city, or rural area.

Community Development Block Grant (CDBG): A grant that local governments receive from HUD to spend on housing and community improvement.

Community Development Financial Institutions (CDFIs): Private-sector financial institutions that specialize in personal lending and business development with the goal of expanding economic opportunity in impoverished and underresourced communities.

consent decree: A settlement agreement that resolves a dispute between two parties without admitting guilt or liability. The court maintains supervision over the implementation of the consent decree, including any payments or actions taken as required by the consent decree.

Consolidated Plan: A plan that helps local governments evaluate their affordable housing and community development needs and market conditions. Local governments must use their Consolidated Plan to identify how they will spend money from HUD to address fair housing and community development. Any local government that receives money from HUD in the form of CDBGs, HOME, ESG, or Housing Opportunities for Persons with AIDS grants must have a Consolidated Plan. Consolidated Plans are carried out through annual Action Plans (see also Action Plan, Community Development Block Grant, HOME Investment Partnership Program, Emergency Solutions Grants).

Continuum of Care (CoC): A HUD program designed to promote commitment to the goal of ending homelessness. The program provides funding to nonprofits and state and local governments to quickly rehouse homeless individuals and families, promote access to and effect utilization of mainstream programs by homeless individuals, and optimize self-sufficiency among individuals and families experiencing homelessness.

Affirmatively Furthering Fair Housing Data and Mapping Tool (AFFH-T): An online HUD resource that combines census data and American Community Survey data to generate maps and tables evaluating the demographics of an area for a variety of categories, including race, national origin, disability, limited English proficiency, housing problems, environmental health, school proficiency, and others.

de facto segregation: Segregation that is not created by the law, but is the result of various outside factors, including former laws (see also segregation).

de jure segregation: Segregation that is created and enforced by the law. Segregation is currently illegal (see also segregation).

density bonus: An incentive for developers that allows developers to increase the maximum number of units allowed at a building site in exchange for either affordable housing funds or making a certain percentage of the units affordable.

disparate impact: The type of practices in housing that negatively affect one group of people with a protected characteristic (such as race, sex, or disability, etc.) more than other people without that characteristic, even though the rules applied by landlords do not single out that group.

displacement: The involuntarily relocation of residents from a housing unit or neighborhood due to external pressures. Displacement often occurs because of economic factors such as rising housing costs and/or gentrification (see also gentrification).

Dissimilarity Index: An index measuring the percentage of a certain group's population that would have to move to a different census tract in order to be evenly distributed within a city or metropolitan area in relation to another group. The higher the Dissimilarity Index value, the higher the level of segregation. For example, if a city's Black/White Dissimilarity Index value was 65, then 65 percent of Black residents would need to move to another neighborhood in order for Black and White residents to be evenly distributed across all neighborhoods in the city.

Emergency Rental Assistance Program: A program that helps qualified residents who are dealing with housing emergencies, often by providing money for overdue rent or covering court costs if the household is facing eviction. Additionally, the program can provide support for security deposits and initial rent for residents moving into new apartments. Qualified households are those that earn less than 40 percent of the area median income (see also area median income).

entitlement jurisdiction: A local government that receives funds from HUD to be spent on housing and community development (see also HUD grantee).

Environmental Health Index: A HUD index calculating potential exposure to harmful toxins at a neighborhood level. This includes air quality and carcinogenic, respiratory, and neurological hazards. The higher the number, the less exposure to toxins that are harmful to human health.

environmental justice: The fair treatment and meaningful involvement of all people, especially minorities, in the development, implementation, and enforcement of environmental laws, regulations, and policies. Historically, environmental hazards have been concentrated near segregated neighborhoods, making minorities more likely to experience negative health effects. Recognizing this history and working to make changes in future environmental planning are important pieces of environmental justice.

Emergency Solutions Grants (ESG): Grants provided by HUD to (1) engage homeless individuals and families living on the street, (2) improve the number and quality of emergency shelters for homeless individuals and families, (3) help operate these shelters, (4) provide essential services to shelter residents, (5) rapidly rehouse homeless individuals and families, and (6) prevent families/individuals from becoming homeless.

ethnic enclave: An area with a high spatial concentration of a particular ethnic group, with cultural and economic activity partially segregated from the majority culture and greater urban area.

exclusionary zoning: The use of zoning ordinances to prevent certain land uses, especially the building of large and affordable apartment buildings for low-income people. A city with exclusionary zoning might only allow single-family homes to be built in the city, excluding people who cannot afford to buy a house.

Exposure Index: An index measuring how much the typical person of a specific race is exposed to people of other races. A higher number means that the average person of that race lives in a census tract with a higher percentage of people from another group.

Fair Housing Act: A federal civil rights law that prohibits housing discrimination on the basis of race, class, sex, religion, national origin, or familial status (*see also* housing discrimination).

familial status: The presence of children under 18 in a household, as defined by the Fair Housing Act (*see also* Fair Housing Act).

gentrification: The process of renovating or improving a house or neighborhood to make it more attractive to middle-class residents. Gentrification often causes the cost of living in the neighborhood to rise, pushing out lower-income residents. Often, the rising housing costs cause a corresponding change in the racial demographics of an area.

high-opportunity areas: Communities with low poverty, high levels of access to jobs, and low concentrations of existing affordable housing. Often, local governments try to build new affordable housing options in high opportunity areas to provide residents with access to better resources and in an effort to desegregate a community, as minorities are often concentrated in low-opportunity areas and in existing affordable housing sites.

home- and community-based services (HCBS): Medicaid programs that provide beneficiaries with medical care and supportive services at their own home or community rather than at an institutional setting. HCBS programs are most often provided through state waivers.

housing choice voucher (HCV)/Section 8 voucher: A HUD voucher issued to a low-income household that promises to pay a certain amount of the household's rent. Prices are set based on the rent in the metropolitan area, and voucher households must pay any difference between the rent and the voucher amount. Voucher users are often the subjects of discrimination based on source of income (see also source-of-income discrimination).

housing cost burden: Housing cost that is more than 30 percent of a household's income (as defined by HUD) . Severe cost burden is defined as housing cost that is more than 50 percent of income.

housing discrimination: Discrimination against a potential tenant, buyer, or lendee based on race, class, sex, religion, national origin, or familial status, including refusal to rent to or inform a potential tenant about the availability of housing. Housing discrimination also applies to buying a home or getting a loan to buy a home. Housing discrimination is illegal under the Fair Housing Act.

Housing First model: A policy approach to chronic homelessness that prioritizes providing unhoused people with immediate access to permanent supportive housing without any housing readiness requirements.

Housing Opportunities Made Equal (HOME) Investment Partnership Program: A program that provides grants to states and localities that communities (often in partnership with nonprofits) use to fund activities such as building, buying, and/or rehabilitating affordable housing for rent or ownership or to provide direct rental assistance to low-income people.

housing problem: The four HUD-designated housing problems are lack of complete kitchen facilities, lack of complete plumbing facilities, overcrowding, and housing cost burden (*see also* overcrowding, housing cost burden).

HUD grantee: A jurisdiction (city, country, consortium, state, etc.) that receives money from HUD (*see also* entitlement jurisdiction).

inclusionary zoning: A zoning ordinance that requires that a certain percentage of any newly built housing must be affordable to people with low and moderate incomes.

Individuals with Disabilities Education Act (IDEA): A federal civil rights law that ensures students with a disability are provided with a free appropriate public education that is tailored to their individual needs.

integration: The process of reversing trends of racial or other segregation. Often, segregation patterns in housing continue even though enforced segregation is now illegal, and integration may require affirmative steps to encourage people to move out of their historic neighborhoods and mix with other groups in the community.

Isolation Index: An index measuring how much the typical person of a specific race is only exposed to people of the same race. For example, an 80 percent Isolation Index value for White people would mean the typical White person is exposed to a population that is 80 percent White.

Jobs Proximity Index: A HUD index measuring distances to all job locations, distance from any single job location, size of employment at that location, and labor supply to that location. The higher the index value, the better the access to employment opportunities for residents in a neighborhood.

Labor Market Engagement Index: A HUD index measuring level of employment, labor force participation, and educational attainment in a census tract. The higher the number, the higher the labor force participation and human capital in the neighborhood.

limited English proficiency (LEP): Language proficiency of those for whom English is not the first language or who self-identify as speaking English less than "very well."

local data: Any data used in this analysis that are not provided by HUD through the Data and Mapping Tool (AFFH-T) or through the census or American Community Survey.

Low-Income Housing Tax Credit (LIHTC): A tax incentive to encourage individual and corporate investors to invest in the development, acquisition, and rehabilitation of affordable rental housing.

Low Poverty Index: A HUD index measuring family poverty rates and public assistance receipt in the form of cash welfare (such as Temporary Assistance for Needy Families). This is calculated at the census tract level. The higher the score, the less exposure to poverty in the neighborhood.

Low Transportation Cost Index: A HUD index measuring estimated transportation costs for a single-parent family of 3 with an income of 50 percent of the median income for renters in the region. The higher the number, the lower the cost of transportation in the neighborhood.

market-rate housing: Housing that is not restricted by affordable housing laws. A market rate unit can be rented for any price that the market can support.

NIMBY (not in my backyard): A social and political movement that opposes housing or commercial development in local communities. NIMBY complaints often involve affordable housing, with reasons ranging from traffic concerns to small town quality to, in some cases, thinly veiled racism.

overcrowding: A housing unit being occupied by more than one person per room, excluding bathrooms and kitchens. HUD defines severe overcrowding as more than one and a half persons per room.

other multifamily developments: Includes the HUD-sponsored Section 202 Supportive Housing for the Elderly and Section 811 Supportive Housing for Persons with Disabilities, which provides nonprofit organizations with funding to provide supportive housing to elderly and/or disabled very-low-income persons.

payment standard: The maximum monthly assistance payment paid to a household with a housing choice voucher (HCV). A lower payment standard means that the household will pay a greater share of the rent (*see also* housing choice voucher/Section 8 voucher).

poverty line: The minimum level of yearly income needed to allow a household to afford the necessities of life such as housing, clothing, and food. The poverty line is defined on a national basis. As of 2021, the US poverty line for a family of four with two children under 18 is $27,479.

project-based Section 8: A government-funded program that provides rental housing to low-income households in privately owned and managed rental units. The funding is specific to the building so if you move out of the building, you will no longer receive the funding.

protected class: A group of people with a common characteristic (or "protected characteristic") who are legally protected from discrimination on the basis of that characteristic. The Fair Housing Act includes seven protected classes: race, color, religion, national origin, sex, disability, and familial status (*see also* housing discrimination).

publicly supported housing: Housing assisted with funding through federal, state, or local agencies or programs, as well as housing that is financed or administered by or through any such agencies or programs.

Qualified Allocation Plan (QAP): A document that states the eligibility criteria and priorities for the awarding of Low-Income Housing Tax Credits (LIHTCs). State governments must update their QAPs each time they receive a federal LIHTC allocation (*see also* Low-Income Housing Tax Credit).

quintile: A segment of 20 percent of a population; one-fifth of a population that is divided into five equal groups.

reasonable accommodation: A change to rules, policies, practices, or services that would allow a handicapped person an equal opportunity to use and enjoy their housing, including in public and common use areas. It is a violation of the Fair Housing Act to refuse to make a reasonable accommodation when such accommodation is necessary for the handicapped person to have equal use and enjoyment of the housing.

R/ECAPs (racially or ethnically concentrated areas of poverty): A census tract that has more than 50 percent non-White residents, and where 40 percent or more of the population is in poverty OR where the poverty rate is greater than three times the average poverty rate in the area, as defined by HUD. In the HUD Data and Mapping Tool (AFFH-T), R/ECAPS are outlined in pink (*see also* census tract).

region: In this analysis, the region (also referred to as the metropolitan Washington region or the metropolitan D.C. region) includes the jurisdictions of Montgomery County, the City of Alexandria, Arlington County, Fairfax County, Loudoun County, Prince William County, the District of Columbia Housing Authority, the Alexandria Redevelopment and Housing Authority, the Housing Opportunities Commission of Montgomery County, the Fairfax County Redevelopment and Housing Authority, and the Rockville Housing Enterprises.

Rehabilitation Act (Section 504): A federal civil rights law that prohibits discrimination on the basis of disability in programs conducted by federal agencies, programs receiving federal financial assistance, federal employment, and employment practices of federal contractors.

Rental Assistance Demonstration (RAD): A HUD affordable housing initiative that allows public housing authorities to convert original public housing properties to a project-based Section 8 platform. Converted properties gain access to additional sources of funding for unit maintenance and repair (*see also* project-based Section 8).

restrictive covenant: A clause in a deed or lease that restricts how people can use their land. The Fair Housing Act bans the use of racial restrictive covenants, which have commonly been used to discriminate against non-White and Jewish people.

right of first refusal: A contractual right for a party to enter into a transaction with a person or company before any other party can.

School Proficiency Index: A HUD index using the performance of fourth-grade students on state exams to determine which neighborhoods have high-performing elementary schools nearby and which are near lower-performing elementary schools. The higher the number, the higher the school system quality is in a neighborhood.

segregation: The illegal separation of racial or other groups. Housing segregation can occur within a city or town or across multiple cities. Even though segregation is now illegal, housing often continues to be segregated because of factors that make certain neighborhoods more attractive and expensive than others and therefore more accessible to affluent White residents (see also integration, de facto segregation, and de jure segregation).

Section 811 Supportive Housing for Persons with Disabilities: A HUD program that funds rental housing with supportive services for income-eligible persons with disabilities via subsidies to developers and project rental assistance to state housing agencies.

source-of-income discrimination: Housing discrimination based on whether a potential tenant plans to use a housing choice voucher/Section 8 voucher to pay part of their rent. Source of income discrimination is illegal under Virginia, Maryland, and District of Columbia law (see also housing choice voucher/Section 8 voucher).

superfund site: Any land in the United States that has been contaminated by hazardous waste and identified by the Environmental Protection Agency as a candidate for cleanup because it poses a risk to human health and/or the environment. Superfund sites evaluated as particularly hazardous and/or warranting remedial actions are additionally placed onto the National Priorities List.

Supplemental Security Income (SSI): Benefits paid to disabled adults and children who have limited income and resources or to people 65 and older without disabilities who meet the financial limits.

testers: People who apply for housing to determine whether a landlord is illegally discriminating. For example, Black and White testers will both apply for housing with the same landlord, and if they are treated differently or given different information about available housing, their experiences are compared to show evidence of discrimination.

Transit Trips Index: A HUD index measuring the estimated number of transit trips taken by a single-parent family of three with an income of 50 percent of the median income for renters in the region. The higher the number, the more likely residents in that neighborhood utilize public transit.

TTY/TDD (Text Telephone/Telecommunication Device for the Deaf): TTY is the more widely used term. People who are deaf or hard of hearing can use a text telephone to communicate with other people who have a TTY number and device. TTY services are an important resource for government offices to have so that deaf or hard of hearing people can easily communicate with them.

Uniform Federal Accessibility Standards (UFAS): A guide to uniform standards for design, construction, and alternation of buildings so that physically handicapped people will be able to access and use such buildings.

Violence Against Women Act (VAWA): A federal law protecting women who have experienced domestic and/or sexual violence. The law establishes several programs and services including a federal rape shield law, community violence prevention programs, protections for victims who are evicted because of events related to domestic violence or stalking, funding for victim assistance services such as rape crisis centers and hotlines, programs to meet the needs of immigrant women and women of different

races or ethnicities, programs and services for victims with disabilities, and legal aid for survivors of domestic violence.

X. Appendix

The appendices are published as separate documents and can be found on the same web page as this document at www.mwcog.org/fairhousingplan. Hard copies are available upon request.

XI. Endnotes

[1] "Five Things to Know about the Regional Housing Equity Plan," Metropolitan Washington Council of Governments, news release, June 9, 2021, https://www.mwcog.org/newsroom/2021/06/09/five-things-to-know-about-the-regional-housing-equity-plan/.

[2] "What We Do," Challenging Racism, accessed October10, 2023, https://www.challengingracism.org/what-we-do.html.

[3] Richard Rothstein, *The Color of Law: A Forgotten History of How Our Government Segregated America* (New York: Liveright, 2017).

[4] The use of the terms Hispanic or Latino in the report is related to the data sources. In this case, these were the choices that respondents were presented in the survey: "Are you Hispanic or Latino? Yes/No."

[5] Montgomery County, MD, Department of Housing and Community Affairs, *Consolidated Annual Performance and Evaluation Report (CAPER)*, 2020, https://montgomerycountymd.gov/dhca/grants/conplan.html.

[6] Ibid.

[7] Ibid.

[8] Montgomery County, MD, Department of Housing and Community Affairs, "'Community Governance Fundamentals' Training Programs," accessed October 13, 2023, https://montgomerycountymd.gov/DHCA/housing/commonownership/community_governance_fundamentals.html.

[9] For purposes of this analysis, the term *Hispanic* refers to any individual who identifies as Hispanic, including individuals who may also identify as another race, so there is some overlap in population counts. This term will be used throughout the analysis.

[10] American Community Survey, ACS Data Table S0101, *Age and Sex: 2019 ACS 5-Year Estimates Subject Tables (United States)*, US Census Bureau, https://data.census.gov/table?q=United+States&d=ACS+5-Year+Estimates+Subject+Tables&tid=ACSST5Y2019.S0101.

[11] Kathryn Zickuhr, "Discriminatory Housing Practices in the District: A Brief History," D.C. Policy Center, October 2018, https://www.dcpolicycenter.org/publications/discriminatory-housing-practices-in-the-district-a-brief-history/.

[12] Data from HUD online tool table downloads, based on 2011–2015 American Community Survey data.

[13] US Bureau of Labor Statistics, "Local Area Unemployment Statistics Map, Rates by County Table Maryland," February 2022, https://data.bls.gov/lausmap/showMap.jsp.

[14] US Census Bureau, "ACS Data Table S2301, 2019 ACS 5-Year Estimates Subject Tables," accessed September 12, 2022, https://data.census.gov/cedsci/table?t=Employment%3AEmployment%20and%20Labor%20Force%20Status&g=0500000US24031&tid=ACSST5Y2019.S2301.

[15] US Census Bureau, "ACS Data Table S2301."

[16] US Census Bureau, "ACS Data Table S0201."

[17] Montgomery County, MD, "Montgomery County Office of Human Rights Launches 'Second Chance' Ban the Box Public Education Campaign," January 31, 2022, https://www2.montgomerycountymd.gov/mcgportalapps/Press_Detail.aspx?Item_ID=39953.

[18] Maryland Department of Labor, WorkSource Montgomery American Job Centers, accessed April 25, 2022, https://www.dllr.state.md.us/county/mont/.

[19] The Montgomery County Collaboration Council for Children, Youth and Families, Inc. and partners, *info*MONTGOMERY.org (website), accessed April 25, 2022; Maryland Department of Labor, Maryland Apprenticeship and Training Program, accessed April 26, 2022, https://www.dllr.state.md.us/employment/appr/.

[20] American Lung Association, "Report Card: District of Columbia," *State of the Air 2022*, https://www.lung.org/our-initiatives/healthy-air/sota/city-rankings/states/district-of-columbia/, accessed December 21, 2022.

[21] Anacostia Watershed Society, *A Waterway to 2025: A Vision for the Anacostia River*, https://www.anacostiaws.org/our-watershed/waterway-to-2025.html.

22 Jacob Fenston, "The Consequences of Cleaning Up the Anacostia River," *Weekend Edition*, National Public Radio, May 5, 2018, https://www.npr.org/2018/05/05/608723599/the-consequences-of-cleaning-up-the-anacostia-river.

23 HUD, "CHAS: Background," HUD User (website), https://www.huduser.gov/portal/datasets/cp/CHAS/bg_chas.html.

24 Office of Disability Rights, "Facility Access Requirements," D.C. Government, https://odr.dc.gov/book/ADATITLEII/facility-access.

25 Shonel Sen, "1 in 5 Virginians Will Be over 65 Years by 2030," *StatChat* (web series), July 5, 2017, University of Virginia Demographics Research Group, https://statchatva.org/2017/07/05/1-in-5-virginians-will-be-over-65-years-by-2030/#:~:text=Virginia's%20elderly%20population%20is%20anticipated,and%20reaching%2019%25%20by%202030.

26 Virginia Board for People with Disabilities, *Assessment of Virginia's Disability Services System: Transportation*, Commonwealth of Virginia, 2018, https://sharepoint.wwrc.net/VBPDdocs/Shared%20Documents/Policymaking/2018%20Assessments/VBPD%202018%20Transportation%20Assessment.pdf.

27 "Metrorail Accessibility Features," Washington Metropolitan Area Transit Authority (website), https://wmata.com/service/accessibility/metrorail.cfm.

28 "Washington, D.C. Public Transportation," Wheelchair Travel (website), https://wheelchairtravel.org/washington-dc/public-transportation/.

29 *Ibid.*

30 "Accessibility," Virginia Railway Express (website), https://www.vre.org/service/accessibility/.

31 "Accessibility," Maryland Transit Authority (website), https://www.mta.maryland.gov/accessibility.

32 "Accessibility," D.C. Circulator (website), https://www.dccirculator.com/bus-basics/accessibility/.

33 "About," Arlington Transit (website), https://www.arlingtontransit.com/about/.

34 "Ride On Bus Accessibility," Montgomery County Department of Transportation Transit Services (website), https://www.montgomerycountymd.gov/DOT-Transit/routesandschedules/brochures/accessible_ride_on.html.

35 "Accessibility," OmniRide (website), https://omniride.com/about/accessibility/.

36 "Local Bus," Loudoun County Transit and Commuter Services (website), https://www.loudoun.gov/3302/Local-Bus.

37 "Rider Guide," Fairfax County Connector (website), https://www.fairfaxcounty.gov/connector/new-rider.

38 "Transportation for Seniors and Persons with Disabilities," Fairfax County CUE Bus System (website), https://www.fairfaxva.gov/government/public-works/transportation-division/cue-bus-system/transportation-for-seniors-and-persons-with-disabilities.

39 Alexandria Transit Company DASH (website), https://www.dashbus.com/.

40 "Fare-Free Transit at Dash," DASH (website), https://www.dashbus.com/free/.

41 Department of Access Services, *Customer Guide to MetroAccess*, WMATA, https://wmata.com/service/accessibility/metro-access/upload/MetroAccess-Customer-Guide-2021.pdf.

42 "Abilities-Ride," WMATA (website), https://www.wmata.com/service/accessibility/metro-access/Abilities-Ride.cfm.

43 "Rockville Call N Ride," Info Montgomery (website), https://infomontgomery.org/program/59463344.

44 "DOT Paratransit Program," City of Alexandria (website), https://www.alexandriava.gov/tes/info/default.aspx?id=6538.

45 "STAR—Specialized Transit for Arlington Residents," Arlington Transit (website), https://www.arlingtontransit.com/star/.

46 "Accessible Bus Service," Loudoun County Transit and Commuter Service (website), https://www.loudoun.gov/3303/Paratransit-Bus-Service.

47 "Accessibility," Maryland Transit Administration (website) https://www.mta.maryland.gov/accessibility.

48 Montgomery County Public Schools, *Special Education,* https://montgomerycountymd.gov/HHS-Program/Resources/Files/A%26D%20Docs/CPWD/MCPSDataOct2018.pdf.

49 Montgomery County Public Schools, *Special Education.*

50 "Activity Centers Maps," Metropolitan Washington Council of Governments, January 13, 2013, https://www.mwcog.org/documents/2013/01/13/activity-centers-maps/. Activity Centers are priority places for growth in metropolitan Washington.

51 Affirmatively Furthering Fair Housing, Article 80, Boston Planning and Development Agency (website), http://www.bostonplans.org/housing/affirmatively-furthering-fair-housing-article-80.

52 Hugh M. Clark, *Who Rides Public Transportation*, January 2017, American Public Transportation Association, https://www.apta.com/research-technical-resources/research-reports/who-rides-public-transportation/.

53 COG's Equity Emphasis Areas analysis and maps can help inform this work. "Equity Emphasis Areas for TPB's Enhanced Environmental Justice Analysis," Metropolitan Washington Council of Governments (website), https://www.mwcog.org/transportation/planning-areas/fairness-and-accessibility/environmental-justice/equity-emphasis-areas/.

54 Virginia Department of Education, *Alexandria City Public Schools FFY 2018 Special Education Performance Report*, https://www.doe.virginia.gov/special_ed/reports_plans_stats/special_ed_performance/division/2018-2019/spp-app/alexandria.pdf.

55 Arlington Public Schools, *Evaluation of Services for Students with Disabilities and Those Requiring Intervention*, November 2019, https://www.apsva.us/wp-content/uploads/2019/11/Evaluation-of-Services-for-Students-with-Disabilities-and-Those-Requiring-Intervention-FINAL-1.pdf.

56 *Ibid.*, 57.

57 *Ibid.*, 125.

58 Office of the State Superintendent of Education, *Students with Disabilities in the District of Columbia: Landscape Analysis*, October 2019, https://osse.dc.gov/sites/default/files/dc/sites/osse/page_content/attachments/SWD%20Landscape%20Analysis%2010.10.19.pdf.

59 US Department of Education, *D.C. State Performance Plan—2019 Annual Performance Report: Part B,* February 1, 2021, https://osse.dc.gov/sites/default/files/dc/sites/osse/publication/attachments/FFY%202019%20Annual%20Performance%20Report%20-%20Part%20B.pdf.

60 *Ibid.*, 11.

61 *Ibid.*, 43.

62 *Ibid.*, 49.

63 Virginia Department of Education, *Fairfax County Public Schools FFY 2018 Special Education Performance Report*, https://www.doe.virginia.gov/special_ed/reports_plans_stats/special_ed_performance/division/2018-2019/spp-app/fairfax.pdf.

64 Virginia Department of Education, *Loudoun County Public Schools FFY 2018 Special Education Performance Report*, https://www.doe.virginia.gov/special_ed/reports_plans_stats/special_ed_performance/division/2018-2019/spp-app/loudoun.pdf.

65 *Ibid.*

66 Maryland State Department of Education, *Montgomery County Public Schools Special Education,* October 2018, https://montgomerycountymd.gov/HHS-Program/Resources/Files/A%26D%20Docs/CPWD/MCPSDataOct2018.pdf.

67 *Ibid.*

68 Virginia Department of Education, *Prince William County Public Schools FFY 2018 Special Education Performance Report*, https://www.doe.virginia.gov/special_ed/reports_plans_stats/special_ed_performance/division/2018-2019/spp-app/princewilliam.pdf.

69 *Ibid.*

70 *Ibid.*

71 *Ibid.*

72 Prosperity Now, *Local Outcome Report,* September 2021, https://scorecard.prosperitynow.org/reports#report-local-outcome.

73 National Center for Smart Growth and Enterprise Community Partners, *Maryland Housing Needs Assessment and 10-Year Strategic Plan*, Maryland Department of Housing and Community Development, December 2020, https://dhcd.maryland.gov/Documents/Other%20Publications/Report.pdf.

74 *Ibid.*

75 Virginia Board for People with Disabilities, *Assessment of Virginia's Disability Services System: Housing*, 2018, https://sharepoint.wwrc.net/VBPDdocs/Shared%20Documents/Policymaking/2018%20Assessments/VBPD%202018%20Housing%20Assessment.pdf.

76 District of Columbia Department of Behavioral Health, *Supportive Housing Strategic Plan, 2012–2017*, September 2012, https://dbh.dc.gov/publication/2012-2017-supportive-housing-strategic-plan.

77 Shonel Sen, "1 in 5 Virginians Will Be Over 65 Years by 2030," *StatChat* (web series), July 5, 2017, University of Virginia Demographics Research Group, https://statchatva.org/2017/07/05/1-in-5-virginians-will-be-over-65-years-by-2030/#:~:text=Virginia's%20elderly%20population%20is%20anticipated,and%20reaching%2019%25%20by%202030.

78 Virginia Board for People with Disabilities, *Assessment of Virginia's Disability Services System: Transportation*, Commonwealth of Virginia, 2018, https://sharepoint.wwrc.net/VBPDdocs/Shared%20Documents/Policymaking/2018%20Assessments/VBPD%202018%20Transportation%20Assessment.pdf.

79 Washington Metropolitan Transit Authority, *Metrorail Accessibility Features*, https://wmata.com/service/accessibility/metrorail.cfm.

80 Wheelchair Travel, *D.C. Public Transportation*, https://wheelchairtravel.org/washington-D.C./public-transportation/.

81 *Ibid.*

82 Virginia Railway Express, *Accessibility*, https://www.vre.org/service/accessibility/.

83 Maryland Transportation Authority, *Accessibility*, https://www.mta.maryland.gov/accessibility.

84 D.C. Circulator, *Accessibility*, https://www.dccirculator.com/bus-basics/accessibility/.

85 Arlington Transit, *About*, https://www.arlingtontransit.com/about/.

86 Montgomery County Department of Transportation, *Ride On Bus Accessibility,* https://www.montgomerycountymd.gov/DOT-Transit/routesandschedules/brochures/accessible_ride_on.html.

87 OmniRide, *Accessibility*, https://omniride.com/about/accessibility/.

88 Loudoun County, Local Fixed Route Bus Service, https://www.loudoun.gov/3302/Local-Bus.

89 Fairfax County, *Fairfax Connector Rider Guide*, https://www.fairfaxcounty.gov/connector/new-rider.

90 Fairfax County Cue Bus System, *Transportation for Seniors and Persons with Disabilities*, https://www.fairfaxva.gov/government/public-works/transportation-division/cue-bus-system/transportation-for-seniors-and-persons-with-disabilities.

91 Alexandria Transit Company Dash Bus, *Accessibility*, https://www.dashbus.com/node/52.

92 "Fare-Free Transit at DASH," DASH (website), https://www.dashbus.com/free/.

93 WMATA, *Metro Access Customer Guide,* https://wmata.com/service/accessibility/metro-access/upload/MetroAccess-Customer-Guide-2021.pdf.

94 "Abilities-Ride," WMATA (website), https://www.wmata.com/service/accessibility/metro-access/Abilities-Ride.cfm.

95 "Rockville Call N Ride," Info Montgomery (website), https://infomontgomery.org/program/59463344.

96 City of Alexandria, DOT Paratransit Program, https://www.alexandriava.gov/tes/info/default.aspx?id=6538.

97 Arlington Transit, *STAR—Specialized Transit for Arlington Residents*, https://www.arlingtontransit.com/star/.

98 Loudoun County, *Paratransit Bus Service*, https://www.loudoun.gov/3303/Paratransit-Bus-Service.

99 Maryland Transit Authority, *Accessibility*, https://www.mta.maryland.gov/accessibility.

100 "Rule 14-6105—Preferences For Public Housing," D.C. Municipal Regulations, Register Vol. 69, No. 40, October 7, 2022, https://casetext.com/regulation/district-of-columbia-administrative-code/title-14-housing/chapter-14-61-public-housing-admission-and-recertification/rule-14-6105-preferences-for-public-housing.

101 "Apply for Public Housing," District Alliance for Safe Housing (website), https://www.dashdc.org/housing-resource-center/find-safe-housing/permanent-housing/apply-public-housing/.

102 Morgan Baskin, "D.C. Wasted Hundreds Of Permanent Housing Voucher Subsidies Last Year," *DCist*, April 21, 2021, https://dcist.com/story/21/04/12/dc-wasted-hundreds-of-permanent-housing-voucher-subsidies-last-year/.

103 Affordable Housing Online Waiting List Statuses (website), https://affordablehousingonline.com/housing-authority/Virginia/Alexandria-Redevelopment-and-Housing-Authority/VA004.

104 "Fairfax County Housing Waitlists," Fairfax County Housing and Community Development (website), https://www.fairfaxcounty.gov/housing/waitlist.

105 "Housing Opportunities Commission of Montgomery County Waiting List Statuses," Affordable Housing Online, https://affordablehousingonline.com/housing-authority/Maryland/Housing-Opportunities-Commission-of-Montgomery-County/MD004.

106 WMATA, *Performance Report: Q2/FY2021, July–December 2020*, February 5, 2021, https://www.wmata.com/about/records/upload/Q2FY21MetroPerformanceReport.pdf.

107 WMATA, *FY19 Metro Performance Report*, https://www.wmata.com/about/records/scorecard/upload/Q4FY19-Metro-Performance-Report.pdf.

108 *Ibid.*

109 *Ibid.*

110 "Metrorail," WMATA (website), https://www.wmata.com/service/rail/.

111 "Metro Parking," WMATA (website), https://www.wmata.com/service/parking/.

112 Capital Bikeshare (website), https://www.capitalbikeshare.com/.

113 "Map," Capital Bikeshare (website), https://account.capitalbikeshare.com/map.

114 "Index of Bucket Capitalbikeshare-data," https://s3.amazonaws.com/capitalbikeshare-data/index.html.

115 Paul Schwartzman, "How George Floyd's Death Is Fueling a Push for Affordable Housing in Mostly White Parts of D.C.," *Washington Post*, March 1, 2021. https://www.washingtonpost.com/local/dc-politics/dc-racism-affordable-housing/2021/03/01/a37506b4-6d86-11eb-9ead-673168d5b874_story.html.

116 Liz Farmer, "Capital Ideas: Washington, D.C.'s Ambitious Plan to Distribute Affordable Housing More Equitably," Lincoln Institute of Land Policy, January 15, 2020, https://www.lincolninst.edu/publications/articles/2020-01-capital-ideas-washington-dc-ambitious-plan-distribute-affordable-housing-more-equitably.

117 Meagan Flynn, "D.C.'s Housing Fund Falls Short of Requirement to Aid Lowest-Income Renters," Washington Post, April 3, 2023, https://www.washingtonpost.com/dc-md-va/2023/04/03/dc-affordable-housing-report-bowser/.

118 Wyatt Gordon, An "Anti-NIMBY" Bill Will Soon Be Law in Virginia. Will It Have an Impact on Affordable Housing?" *Greater Greater Washington*, May 27, 2021, https://ggwash.org/view/81471/an-anti-nimby-bill-will-soon-be-law-in-virginia-will-it-have-an-impact-on-affordable-housing.

119 Nolan Stout, "Northern Virginia Leaders Highlight Affordable Housing, Transportation," Inside NoVa, August 26, 2021, https://www.insidenova.com/headlines/northern-virginia-leaders-highlight-affordable-housing-transportation/article_78faaf20-062d-11ec-bafc-5f8139602051.html.

120 Drew Wilder, "Loudoun County Board Votes Against Development on Goose Creek After Neighbors Protest," NBC Washington, March 16, 2021, https://www.nbcwashington.com/news/local/northern-virginia/loudoun-county-board-to-reconsider-development-on-goose-creek-after-neighbors-protest/2609335/.

121 Antonio Olivo, "Fairfax Poised to Approve Zoning Changes That Would Make It Easier to Rent Converted Apartments," *Washington Post*, March 22, 2021, https://www.washingtonpost.com/local/virginia-politics/fairfax-accessory-units-zoning-change/2021/03/22/0f5b4756-88dc-11eb-8a8b-5cf82c3dffe4_story.html.

122 Ally Schweitzer, "A Battle Over Housing Is Brewing in the 2022 Montgomery County Executive Race," *DCist*, June 11, 2021, https://dcist.com/story/21/06/11/housing-fight-heats-up-montgomery-county-executive-race/.

123 Ally Schweitzer, "Montgomery County's New General Plan Ignites Debate over Race and Affordability," National Public Radio, November 2, 2021, https://www.npr.org/local/305/2021/11/02/1051622681/montgomery-county-s-new-general-plan-ignites-debate-over-race-and-affordability.

124 District of Columbia Department of Housing and Community Development, *PADD Property Sites Report*, https://octo.quickbase.com/db/bmnu25bzt.

125 David Sheon and David Gottfried, "D.C. Has Way More Vacant Properties Than It Thinks," *Greater Greater Washington*, May 18, 2016, https://ggwash.org/view/41741/dc-has-way-more-vacant-properties-than-it-thinks.

[126] Peter Jamison, "D.C. Failing to Crack Down on Abandoned Buildings, Report Finds, *Washington Post*, September 21, 2017, https://www.washingtonpost.com/local/dc-politics/dc-failing-to-crack-down-on-decrepit-buildings-report-finds/2017/09/21/181c7a6a-9e14-11e7-9083-fbfddf6804c2_story.html.

[127] "District Alliance for Safe Housing (DASH)," Greater Washington Catalogue of Philanthropy (website), https://www.cfp-dc.org/nonprofits/1478/District-Alliance-for-Safe-Housing-DASH/.

[128] "Domestic Violence Housing Continuum," D.C. Coalition Against Domestic Violence (website), https://dccadv.org/housing-continuum/.

[129] "NVFS' Impact on Advocating, Educating, and Reducing Domestic Violence in Northern Virginia," Northern Virginia Family Service, October 2, 2017, https://www.nvfs.org/reducing-domestic-violence-northern-virginia/.

[130] "Domestic Violence," Northern Virginia Family Service (website), https://www.nvfs.org/our-services/mental-health/domestic-violence/.

[131] "Shelter and Housing," Doorways (website), https://www.doorwaysva.org/our-work/emergency-shelter-and-long-term-housing/.

[132] "Housing/Shelter," Info Montgomery (website), https://www.infomontgomery.org/search-results/?taxonomyCode=BH.

[133] "Abused Persons Program," Montgomery County Department of Health and Human Services (website), https://www.montgomerycountymd.gov/HHS-Program/Program.aspx?id=BHCS/BHCSAbusedPerson-p207.html.

[134] Margery Austin Turner et al., *Meeting the Washington Region's Future Housing Needs*, Urban Institute, September 4, 2019, https://www.urban.org/sites/default/files/publication/100946/meeting_the_washington_regions_future_housing_needs_4.pdf.

[135] Elizabeth Hughes, *Unequal Burden, Low-Income Northern Virginians Face the Country's Most Severe Housing Cost Burden*, Community Foundation for Northern Virginia, Insight Region Inclusive Prosperity Series #1, January 2021, https://www.cfnova.org/images/communityreports/InsightRegion_UnequalBurden_Copyright2021.pdf.

[136] *Ibid.*, 4.

[137] Vernon Miles, "Alexandria Races to Put Arlandria Affordable Housing Plan in Place before Amazon's Arrival," ALXnow, March 23, 2021, https://www.alxnow.com/2021/03/23/alexandria-races-to-put-arlandria-affordable-housing-plan-in-place-before-amazons-arrival/.

[138] Jo DeVoe, "County Board Mulls Changes to Affordable Housing Grants Ahead of Budget Vote," *ARLnow*, April 19, 2021, https://www.arlnow.com/2021/04/19/county-board-mulls-changes-to-affordable-housing-grants-ahead-of-budget-vote/.

[139] Ally Schweitzer, "Amazon Will Cause 'Mass Displacement' of Working Class Latino Residents, Report Says," WAMU, February 20, 2019, https://wamu.org/story/19/02/20/amazon-will-cause-mass-displacement-of-working-class-latino-residents-report-says/.

[140] Tracy Jan and Kathy Orton, "Northern Virginia Property Owners Are Delighted Amazon HQ2 Is Moving In. Renters, First-Time Buyers and Low-Income Residents Aren't," *Washington Post*, November 13, 2018, https://www.washingtonpost.com/business/economy/northern-virginia-property-owners-are-delighted-amazon-hq2-will-be-moving-in-renters-first-time-buyers-and-low-income-residents-arent/2018/11/13/47307aba-e457-11e8-b759-3d88a5ce9e19_story.html.

[141] Hallie Mellendorf, "'It's Primarily Racial': Study Finds D.C. Has the Most Intense Gentrification in the Country," WTOP News, April 18, 2019, https://wtop.com/dc/2019/04/its-primarily-racial-dc-has-the-most-intense-gentrification-in-the-country-study-found/.

[142] Jason Richardson, Bruce Mitchell, and Juan Franco, *Shifting Neighborhoods: Gentrification and Cultural Displacement in American Cities* (Washington, DC: National Community Reinvestment Coalition, 2019), https://ncrc.org/gentrification/.

[143] Institute on Metropolitan Opportunity, *American Neighborhood Change in the 21st Century*, University of Minnesota Law School, April 2109, https://www.law.umn.edu/sites/law.umn.edu/files/metro-files/american_neighborhood_change_in_the_21st_century_-_full_report_-_4-1-2019.pdf.

[144] Eliza Berkon, "For Some D.C. Parents, It's Too Expensive to Work," National Public Radio, January 9, 2020, https://www.npr.org/local/305/2020/01/09/794851835/for-some-d-c-parents-it-s-too-expensive-to-work.

[145] Margery Austin Turner et al., *Meeting the Washington Region's Future Housing Needs*, Urban Institute, September 4, 2019, https://www.urban.org/research/publication/meeting-washington-regions-future-housing-needs.

[146] *Ibid.*

[147] Renss Greene, "Loudoun Leaders Target Lower Housing Costs as Top Priority," *LoudounNow*, February 20, 2020, https://loudounnow.com/2020/02/20/loudoun-leaders-target-lower-housing-costs-as-top-priority/.

[148] Loudoun County, *Draft: Unmet Housing Needs Strategic Plan*, April 1, 2021, https://www.loudoun.gov/DocumentCenter/View/164847/April-1-2021-Draft-Unmet-Housing-Needs-Strategic-Plan.

[149] *Ibid.*

[150] Sage Policy Group, Inc., *Restoring Economic Momentum in Montgomery County, MD*, submitted to Empower Montgomery, December 2018, https://www.empowermontgomery.com/wp-content/uploads/2019/01/SAGE-Policy-Report-January-2019.pdf, 32.

[151] Mary Cunningham et al., "Do Landlords Accept Housing Choice Vouchers? Findings from Washington, D.C.," Urban Institute, October 3, 2018, https://www.urban.org/sites/default/files/2018/10/03/do_landlords_accept_housing_choice_vouchers_washington_dc.pdf.

152 MIchelle D. Thomas, "Testimony on Rental Housing Source of Income Amendment Act of 2019," Office of the Attorney General for the District of Columbia, February 20, 2020, https://oag.dc.gov/release/testimony-rental-housing-source-income-amendment.
153 "Act 23-574—Rental Housing Source of Income Amendment Act of 2020 (B23-528)," D.C. Municipal Regulations Register Vol. 68, No. 4, January 22, 2021, https://www.dcregs.dc.gov/Common/NoticeDetail.aspx?NoticeId=N102999.
154 Maryland House Bill 231, *Housing Opportunities Made Equal Act*, May 8, 2020, https://legiscan.com/MD/text/HB231/2020.
155 Arlington County Housing Choice Voucher Program, "SOI Discrimination and Protections: What Arlington Tenants Need to Know," https://arlingtonva.s3.amazonaws.com/wp-content/uploads/sites/15/2021/04/An-Overview-of-Source-of-Income-Protections-for-AHCVP-Clients-1.pdf.
156 *Ibid.*
157 "Housing Choice Voucher Portability," Fairfax County Housing and Community Development (website), https://www.fairfaxcounty.gov/housing/rentalhousing/housingchoicevoucher/portability.
158 Office of Disability Rights, "Facility Access Requirements," D.C. Government, https://odr.dc.gov/book/ADATITLEII/facility-access.
159 Project Sidewalk (website), https://sidewalk-sea.cs.washington.edu/.
160 Sianna Boschetti, "District Sidewalks Still Not Up to ADA Standards," *The Wash*, January 21, 2020, https://thewash.org/2020/01/21/district-sidewalks-still-not-up-to-ada-standards/.
161 District Department of Transportation, *2016 ADA Transition Plan for the Public Right-of-Way*, August 8, 2016, https://ddot.dc.gov/sites/default/files/dc/sites/ddot/page_content/attachments/2016-08-08_ADA_Transition%20Plan_DDOT_CB.pdf.
162 Hannah E. MacKnight, Peter B. Ohlms, T. Donna Chen, and Shanjiang Zhu, *Guidelines for Prioritizing Curb Ramp Retrofits under the Americans with Disabilities Act*, Virginia Transportation Research Council, Report 21-R18, March 2021, https://www.virginiadot.org/vtrc/main/online_reports/pdf/21-R18.pdf.
163 Maryland State Highway Administration, *Americans with Disabilities Act Transition Plan for Public Rights-of-Way*, December 2009, https://roads.maryland.gov/OHD2/ADA_Transition_Plan_Final_122209.pdf.
164 Brittany Renee Mayes and Maria Aguilar, "Outdoor Dining Reopened Restaurants for All—but Added to Barriers for Disabled," *Washington Post*, July 13, 2021, https://www.washingtonpost.com/dc-md-va/2021/07/13/outdoor-dining-sidewalk-access-disability/.
165 "Prince William County Home Values," Zillow, September 30, 2022, https://www.zillow.com/prince-william-county-va/home-values/.
166 "Arlington County Home Values," Zillow, September 30, 2022, https://www.zillow.com/arlington-va/home-values/.
167 "Washington, D.C., Home Values," Zillow, September 30, 2002, https://www.zillow.com/washington-dc/home-values/.
168 "Prince William County Home Values," Zillow.
169 "Northern Virginia Has a Worse Housing Burden for Low-Income Families than Any Other US Metro Area," *Annandale Today*, January 21, 2021, https://annandaleva.blogspot.com/2021/01/northern-virginia-has-worst-housing.html.
170 Michael Bailey, Eric LaRose, and Jenny Schuetz, "What Will It Cost to Save Washington, D.C.'s Renters from COVID-19 Eviction?" Brookings Institution, July 23, 2020, https://www.brookings.edu/research/what-will-it-cost-to-save-washington-d-c-s-renters-from-covid-19-eviction/.
171 Pete Tomao, "Montgomery County Doesn't Have Enough Homes. Will It Use Public Land to Help Solve the Problem?" *Greater Greater Washington*, May 23, 2018, https://ggwash.org/view/67742/montgomery-county-doesnt-have-enough-homes-will-it-use-public-land-to-help.
172 "List of Community-Based Service Providers," District of Columbia Department of Behavioral Health (website), https://dbh.dc.gov/page/list-community-based-service-providers.
173 "Home and Community-Based Services Waiver Program," District of Columbia Department on Disability Services (website), https://dds.dc.gov/page/home-and-community-based-services-waiver-program.
174 Housing Resources Search Menu, Virginia Housing and Supportive Services (website), https://www.novahss.org/housing-resources/searching-for-housing.
175 "Home and Community-Based Services and Supports," Montgomery County Department of Health and Human Services (website), https://www.montgomerycountymd.gov/HHS-Program/ADS/HomeCommBasedSvs.html.
176 The Partnership to Prevent and End Homelessness in the City of Alexandria, *Strategic Plan to Prevent and End Homelessness in the City of Alexandria, Virginia, FY2014–2020*, July 12, 2014, https://www.alexandriava.gov/uploadedFiles/dchs/economicsupport/PPEH%20Strategic%20Plan%20FY2014-15%20final%20071214.pdf.
177 Arlington Department of Human Services, *Action Plan for Ending Homelessness in Arlington, Virginia: 2019 Annual Report*, https://arlingtonva.s3.amazonaws.com/wp-content/uploads/sites/33/2020/10/2019-Annual-Report-10-2020.pdf.
178 District of Columbia Interagency Council on Homelessness, *Homeward D.C.: Strategic Plan 2015–2020*, https://ich.dc.gov/sites/default/files/dc/sites/ich/page_content/attachments/ICH-StratPlan2.11%20web.pdf.
179 "Housing Blueprint," Fairfax County Housing and Community Development (website), https://www.fairfaxcounty.gov/housing/data/housing-blueprint.

[180] "Housing Blueprint: At a Glance—FY2021," Fairfax County Housing and Community Development, https://www.fairfaxcounty.gov/housing/sites/housing/files/assets/documents/housing%20blueprint/fy%202021%20final.pdf.

[181] HUD, *HUD 2020 Continuum of Care Homeless Assistance Programs Housing Inventory Count Report: Virginia*, January 13, 2021, https://files.hudexchange.info/reports/published/CoC_HIC_State_VA_2020.pdf.

[182] Loudoun County CDBG Program, *Annual Action Plan 2019-2020*, https://www.loudoun.gov/DocumentCenter/View/146363/Annual-Action-Plan-2019-2020-.

[183] Montgomery County Department of Health and Human Services, *Interagency Commission on Homelessness Annual Report 2020*, December 2020, https://www.montgomerycountymd.gov/Homelessness/Resources/Files/Documents/Annual%20Reports/2020-ICHAnnual%20Report.pdf.

[184] *Ibid.*

[185] *Ibid.*

[186] "Accessible Housing for People with Disabilities," D.C. Affordable Housing Alliance, https://www.smartergrowth.net/wp-content/uploads/2014/03/ACCESSIBLE-HOUSING-FOR-PEOPLE-WITH-DISABILITIES_election-2014-brief.pdf.

[187] Virginia Board of People with Disabilities, *Assessment of Virginia's Disability Services System: Housing*, Commonwealth of Virginia, 2018, https://sharepoint.wwrc.net/VBPDdocs/Shared%20Documents/Policymaking/2018%20Assessments/VBPD%202018%20Housing%20Assessment.pdf; National Center for Smart Growth and Enterprise Community Partners, *Maryland Housing Needs Assessment*.

[188] "Single-Family Residential Rehabilitation Program (SFRRP)," District of Columbia Department of Housing and Community Development (website), https://dhcd.dc.gov/SFRRP.

[189] "People with Disabilities," District of Columbia Housing Authority (website), https://webserver1.dchousing.org/?page_id=346.

[190] "Services," Rebuilding Together (website), https://rebuildingtogether-aff.org/what-we-do/services/.

[191] "Resources for Accessible Rental Housing," City of Alexandria Office of Housing, November 4, 2015, https://www.alexandriava.gov/uploadedFiles/housing/info/RAMP%20Brochure%20-%20FINAL.pdf.

[192] Justin Wm. Moyer, "Disabled Residents in the D.C. Region Face Obstacles When Searching for Housing, Report Says," *Washington Post*, March 20, 2019, https://www.washingtonpost.com/local/disabled-residents-in-the-dc-region-face-obstacles-when-searching-for-housing-report-says/2019/03/20/7564a056-4a6d-11e9-b7e1-f816f3e72d77_story.html.

[193] Pathways to Housing, D.C. (website), https://pathwaystohousingdc.org/.

[194] "Preparing Individuals for Independent Housing," Virginia Housing and Supportive Services (website), https://www.novahss.org/housing-tool-kit/preparing-individuals-to-transition.

[195] No Wrong Door (website), https://www.nowrongdoor.virginia.gov/default.htm.

[196] Maryland Access Point (website), https://marylandaccesspoint.211md.org/.

[197] "Maryland Medicaid Waiver: Disability Services and Waivers" (website), http://medicaidwaiver.org/state/maryland.html.

[198] "Maryland Department of Health Announces New Medicaid Rate Increases," Maryland Department of Health, November 2, 2021, https://health.maryland.gov/newsroom/Pages/Maryland-Department-of-Health-announces-new-Medicaid-rate-increases.aspx.

[199] "Neighborhood Housing Rehabilitation Program," Prince William County Housing and Community Development (website), https://www.pwcva.gov/department/housing-community-development/neighborhood-rehabilitation-program.

[200] "Home Improvement Programs," Loudoun County Housing and Community Development (website), https://www.loudoun.gov/1789/Home-Improvement-Programs.

[201] "Community Development," Arlington Community Development (website), https://housing.arlingtonva.us/community-development/.

[202] "Small Grants Program: FY2021 Proposal Instructions and Application Form," Arlington County Housing Division, https://arlingtonva.s3.amazonaws.com/wp-content/uploads/sites/15/2020/07/SMALL-GRANTS-PROPOSAL-INSTRUCTIONS-AND-APPLICATION-FORM-fillable.pdf.

[203] Renss Greene, "Loudoun Board Designates New Area for State Affordable Housing Financing," *Loudoun Now*, February 6, 2020, https://loudounnow.com/2020/02/06/loudoun-board-designates-new-area-for-state-affordable-housing-financing/.

[204] "Economic Incentive Program," Fairfax County Planning and Development (website), https://www.fcrevite.org/economic-incentive-program.

[205] "Sustainable Communities: Enhancing Maryland Communities by Prioritizing Investment," Maryland Department of Housing and Community Development (website), https://dhcd.maryland.gov/Communities/Pages/dn/default.aspx.

[206] "Community Legacy Program," Maryland Department of Housing and Community Development (website), https://dhcd.maryland.gov/Communities/Pages/programs/CL.aspx.

[207] "Focused Neighborhood Assistance Program," Montgomery County Department of Housing and Community Affairs (website), https://www.montgomerycountymd.gov/DHCA/community/neighborhood/fnaprojects.html.

[208] "Housing Right to Counsel Project," D.C. Bar Pro Bono Center (website), https://www.dcbar.org/pro-bono/what-we-do/housing-right-to-counsel-project.

[209] "Disability Rights D.C.," University Legal Services—Disability Rights D.C. (website), https://www.uls-dc.org/protection-and-advocacy-program/disability-rights-dc/.

210 "Fair Housing Assistance Program (FHAP) Agencies," HUD Fair Housing Partners (website), https://www.hud.gov/program_offices/fair_housing_equal_opp/partners/FHAP/agencies.

211 Immigrant Justice Clinic, *Access Denied: the Unfulfilled Promise of the D.C. Language Access Act*, American University Washington College of Law, https://www.migrationpolicy.org/sites/default/files/language_portal/Access%20Denied-%20The%20Unfulfilled%20Promise%20of%20the%20D.C.%20Language%20Access%20Act.pdf.

212 Sosseh Prom, Council for Court Excellence (CCE), Letter to D.C. Department of Human Services, July 29, 2021, https://www.washlaw.org/wp-content/uploads/2021/07/CCE_Request_for_Language_Access_Changes_to_STAY_DC_Website.pdf.

213 District of Columbia Office Of Human Rights, *Language Access Program Annual Compliance Report*, 2019, https://ohr.dc.gov/sites/default/files/dc/sites/ohr/publication/attachments/OHRLAR19_FINAL_121820.pdf.

214 *Ibid.*

215 *Ibid.*

216 Arlington County Department of Human Services, *Arlington County Housing Choice Voucher Program Administration Plan*, July 1, 2019 https://arlingtonva.s3.amazonaws.com/wp-content/uploads/sites/15/2020/06/Administrative-Plan-05-21-2020.pdf.

217 " Language Line," Fairfax County Department of Public Safety Communications (website), https://www.fairfaxcounty.gov/911/language-line.

218 Fairfax County Department of Housing and Community Development, *Fairfax County Affordable Housing Guide* https://www.novahousingexpo.org/images/virtual/FairfaxDHCDAffordableHousingGuide2020.pdf; "Family Self-Sufficiency Program Interest Form," https://www.fairfaxcounty.gov/housing/sites/housing/files/assets/documents/fss/updated_fss program flyer.pdf.

219 "Fairfax County Emergency Rental and Utility Assistance," Fairfax County Department of Health and Human Services (website), https://www.fairfaxcounty.gov/health-humanservices/eviction-prevention/emergency-rent-assistance-program-eligibility.

220 American Community Survey, *ACS Data Table DP02, Selected Social Characteristics in the United States, Alexandria City: 2019 ACS 5-Year Estimates Subject Table,* US Census Department, https://data.census.gov/cedsci/table?q=DP02&g=0500000US51510&tid=ACSDP5Y2019.DP02.

221 "Renter Resources," City of Alexandria (website), https://www.alexandriava.gov/housing/info/default.aspx?id=74591.

222 "HCV Program FAQ," Alexandria Redevelopment and Housing Authority (website), https://www.arha.us/hcv-program-faq.

223 American Community Survey, *ACS Data Table DP02: Selected Social Characteristics in the United States, Alexandria: 2019 ACS 5-Year Estimates Subject Tables*, US Census Department, https://data.census.gov/cedsci/table?q=DP02&g=0500000US51510&tid=ACSDP5Y2019.DP02.

224 "Office of Housing," City of Alexandria, accessed October 11, 2023, https://www.alexandriava.gov/Housing.

225 "Language Interpretation and Translation," Loudoun County, accessed October 11, 2023, https://www.loudoun.gov/5099/Language-Interpretation-and-Translation.

226 Sahar Behboudifar, *2022 Overview of Loudoun County Government's Limited English Proficiency Plan*, Loudoun County 2020, https://www.loudoun.gov/DocumentCenter/View/122720/LEP-PLAN-CULTURAL-DEMOGRAPHICS---Updated-May-2021?bidId=#:~:text=Loudoun%20County%20Government's%20Language%20Access%20Policy&text=A%20person%20who%20cannot%20speak,County%20employees%20while%20receiving%20services.

227 "ADU Purchase Program Information," Loudoun County Department of Housing and Community Development (website), https://www.loudoun.gov/1824/ADU-Purchase-Program; "Financial Education and Credit Counseling Resources," Loudoun County Housing Department, https://www.loudoun.gov/DocumentCenter/View/122182/Credit-Counseling--Financial-Education-Resources.

228 Loudoun County Government (website), www.loudoun.gov.

229 "Limited English Proficiency (LEP): Internal Language Resources," Montgomery County Government (website), https://www.montgomerycountymd.gov/lep/res_internal.html.

230 *Ibid.*

231 "Affordable Housing Projects and Partners," City of Alexandria Office of Housing (website), https://www.alexandriava.gov/housing/info/default.aspx?id=74589.

232 "Designated Qualified Opportunity Zone," (interactive map), ArcGIS, https://vedp.maps.arcgis.com/apps/webappviewer/index.html?id=bf7c530d8e0240c6a911a4b40fb0a357.

233 "Arlandria Affordable Housing Project May Grow Larger," *Alexandria Living*, January 3, 2021, https://alexandrialivingmagazine.com/home-and-garden/arlandria-affordable-housing-project-may-grow-larger/.

234 Steven H. Woolf, Derek A. Chapman, Layota Hill, and Lauren K. Snellings, *Getting Ahead: The Uneven Opportunity Landscape in Northern Virginia*, Northern Virginia Health Foundation, November 2017, https://novahealthfdn.org/resources/getting-ahead-the-uneven-opportunity-landscape-in-northern-virginia.

235 "Alexandria Development Map," *Alexandria Living* (website), https://alexandrialivingmagazine.com/development.

236 Beth Lawton, "City Council Approves 383-Unit Newport Village Development," *Alexandria Living*, February 24, 2021, https://alexandrialivingmagazine.com/home-and-garden/city-council-approves-newport-village-development-west-end-alexandria/.

237 Housing Arlington, *Affordable Housing Master Plan (AHMP): Five-Year Report*, December 2020, https://www.arlingtonva.us/files/sharedassets/public/housing/documents/AHMP_5YR-Report.pdf.

238 "Designated Qualified Opportunity Zone," (interactive map), ArcGIS, https://vedp.maps.arcgis.com/apps/webappviewer/index.html?id=bf7c530d8e0240c6a911a4b40fb0a357.

239 Woolf et al., *Getting Ahead*, https://novahealthfdn.org/resources/getting-ahead-the-uneven-opportunity-landscape-in-northern-virginia.

240 "Barcroft Apartments," Arlington County (website), https://www.arlingtonva.us/Government/Programs/Housing/Development/Barcroft-Apartments#:~:text=In%20December%202021%2C%20the%20County,Barcroft%20apartments%20as%20affordable%20units.

241 D.C. Office of the Deputy Mayor for Planning and Economic Development, *Opportunity Zones in Washington, D.C.*, https://dmped.dc.gov/page/opportunity-zones-washington-dc.

242 D.C. OZ Investment Project Marketplace, *Affordable Housing Listing Details*, https://dcgis.maps.arcgis.com/apps/opsdashboard/index.html#/743a320023924f1e9e62cbd2aa75a988.

243 "Designated Qualified Opportunity Zone," (interactive map), ArcGIS, https://vedp.maps.arcgis.com/apps/webappviewer/index.html?id=bf7c530d8e0240c6a911a4b40fb0a357.

244 Woolf et al., *Getting Ahead*, https://novahealthfdn.org/resources/getting-ahead-the-uneven-opportunity-landscape-in-northern-virginia.

245 "Active Land Use and Development Cases," Town of Herndon (website), https://www.herndon-va.gov/departments/community-development/development-services/current-development-projects.

246 Douglas Stewart, "The Fair Oaks Mall Could Be Converted into a Walkable Mixed-Use Community, if Fairfax County Can Reimagine Its Streets," *Greater Greater Washington*, February 9, 2021, https://ggwash.org/view/80344/the-fair-oaks-mall-could-be-copnverted-into-affordable-housing.

247 Jeffrey Levine, "Springfield Mall Slowly Morphs into a Town Center," Annandale Chamber of Commerce, January 2014, http://www.annandalechamber.com/springfieldmall.rhtml.

248 "Fairfax County Launches Incentive Program for Development in Revitalization Areas," *E-Bird Newsletter*, Fairfax County Economic Development Authority, October 1, 2020, https://www.fairfaxcountyeda.org/media-center/fairfax-county-launches-incentive-program-for-development-in-revitalization-areas/.

249 "Invest in Loudoun's Opportunity Zones," Loudoun, Virginia, Economic Development (website), https://biz.loudoun.gov/opportunity-zones/.

250 "Designated Qualified Opportunity Zone," (interactive map), ArcGIS, https://vedp.maps.arcgis.com/apps/webappviewer/index.html?id=bf7c530d8e0240c6a911a4b40fb0a357.

251 "Major Mixed-Use Developments," Loudoun, Virginia, Economic Development (website), https://biz.loudoun.gov/site-selection/major-developments/.

252 Woolf et al., *Getting Ahead*, https://novahealthfdn.org/resources/getting-ahead-the-uneven-opportunity-landscape-in-northern-virginia.

253 "Development News," Town of Leesburg Economic Development (website), https://www.leesburgva.gov/government/development-news.

254 *Ibid.*

255 HUD, Map of Opportunity Zones, https://opportunityzones.hud.gov/resources/map.

256 "Significant Development Activity," (interactive map), Montgomery County Planning Department MCATLAS Map Viewer, https://mcatlas.org/developmentactivity/.

257 "Plan Number: 120200170," Development Activity Information Center, Montgomery County Planning MCATLAS (website), https://mcatlas.org/Development_Info/default.aspx?apno=120200170.

258 *Ibid.*

259 *Ibid.*

260 "Federal Opportunity Zones," Prince William County Planning Office (website), https://www.pwcva.gov/department/planning-office/federal-opportunity-zones.

261 Woolf et al., *Getting Ahead*, Northern Virginia Health Foundation, https://novahealthfdn.org/resources/getting-ahead-the-uneven-opportunity-landscape-in-northern-virginia.

262 "Riverside Station," IDI Group (website), https://www.idigroup.com/project/riverside-station/.

263 "Opportunity Zones in Washington, D.C.," D.C. Office of the Deputy Mayor for Planning and Economic Development (website), https://dmped.dc.gov/page/opportunity-zones-washington-dc.

264 D.C. Office of the Deputy Mayor for Planning and Economic Development (website), *Project Pipeline Database (PPD)*, https://octo.quickbase.com/db/bgk8b4c4n.

265 "$110 Million in New Regional Transportation Project Investments Coming to Prince William County," *Prince William Living,* July 10, 2020, https://princewilliamliving.com/110-million-in-new-regional-transportation-project-investments-coming-to-prince-william-county/.

266 Montgomery County Economic Development, "Projects," Montgomery County Maryland App, https://apps.montgomerycountymd.gov/BASISCAPITAL/Common/ProjectList.aspx?ID=93&TYPE=SUBC.

267 Metropolitan Washington Council of Governments, *Region Forward: A Comprehensive Guide for Regional Planning and Measuring Progress in the 21st Century,* January 13, 2010, https://www.mwcog.org/documents/2010/01/28/region-forward-vision/.

268 Metropolitan Washington Council of Governments, *The Future of Housing in Greater Washington: A Regional Initiative to Create Housing Opportunities, Improve Transportation, and Support Economic Growth*, September 2019, https://www.mwcog.org/documents/2019/09/10/the-future-of-housing-in-greater-washington/.
269 "Regional Housing Targets," Metropolitan Washington Council of Governments (website), n.d., https://www.mwcog.org/community/planning-areas/housing-and-homelessness/regional-housing-initiative/.
270 "HUD Awards Over $40 Million to Fight Housing Discrimination: Grants Support and Promote Fair Housing Nationwide," US Department of Housing and Urban Development (website), June 30, 2020, https://archives.hud.gov/news/2020/pr20-097.cfm.
271 *Ibid.*
272 D.C. Department of Housing and Community Development, the Lawyers' Committee for Civil Rights Under Law, and the Poverty & Race Research Action Council (PRRAC), "Analysis of Impediments to Fair Housing Choice, Washington, D.C.," draft for public comment, September 2019, https://dhcd.dc.gov/sites/default/files/dc/sites/dhcd/publication/attachments/D.C.%20Draft%20Analysis%20of%20Impediments%20to%20Fair%20Housing%20Choice%209.27.2019%20%281%29.pdf.
273 "Protected Traits in D.C.," D.C. Office of Human Rights (website), https://ohr.dc.gov/protectedtraits.
274 "Virginia Fair Housing Office: Protected Classes," Virginia Fair Housing Office (website), https://www.dpor.virginia.gov/FairHousing.
275 "Housing Discrimination," State of Maryland Commission on Human Rights (website), https://mccr.maryland.gov/Pages/Housing-Discrimination.aspx.
276 Montgomery County Code 27-12. Discriminatory Housing Practices, https://codelibrary.amlegal.com/codes/montgomerycounty/latest/montgomeryco_md/0-0-0-13807#JD_27-12.
277 Arlington County Code, Chapter 31: Human Rights, https://arlingtonva.s3.amazonaws.com/wp-content/uploads/sites/22/2020/07/Ch31_HumanRights.pdf.
278 Alexandria City Code, Chapter 4—Human Rights, https://library.municode.com/va/alexandria/codes/code_of_ordinances?nodeId=PTIITHCOGEOR_TIT12EDSOSEWE_CH4HURI.
279 Northern Virginia Association of Realtors®, Inc., *Fair Housing Laws* (brochure), January 2012, https://ppmnva.com/wp-content/uploads/Fair-Housing-Laws.pdf.
280 Loudoun County Fair Housing (website), https://www.loudoun.gov/5703/Fair-Housing.
281 Leah Brooks, Genevieve Denoeux, and Jenny Schuetz, "The Washington, D.C., Region Needs More Housing, and Satellite Data Can Tell Us Where to Build," Brookings Institution (blog), June 4, 2020, https://www.brookings.edu/blog/the-avenue/2020/06/03/the-washington-dc-region-needs-more-housing-and-satellite-data-can-tell-us-where-to-build/.
282 *Ibid.*
283 *Ibid.*
284 "Accessory Dwelling Units in Alexandria," City of Alexandria (website), https://www.alexandriava.gov/planning/info/default.aspx?id=113872.
285 *Ibid.*
286 *Ibid.*
287 *Ibid.*
288 *Ibid.*
289 "County to Study Allowing 'Missing Middle' Housing," ARLnow (website), December 19, 2021, https://www.arlnow.com/2019/12/19/county-to-study-allowing-missing-middle-housing/.
290 "Accessory Dwelling Units in Alexandria."
291 *Ibid.*
292 Yesim Sayin Taylor, *Taking Stock of the District's Housing Stock,* D.C. Policy Center, 2018, https://www.dcpolicycenter.org/wp-content/uploads/2018/03/DC-Policy-Center-Housing-Report.final_.March25.pdf.
293 "Inclusionary Zoning Affordable Housing Program," D.C. Department of Housing and Community Development (website), https://dhcd.dc.gov/service/inclusionary-zoning-iz-affordable-housing-program.
294 D.C. Department of Housing and Community Development, *FY 2020 Annual Action Plan,* https://dhcd.dc.gov/sites/default/files/dc/sites/dhcd/page_content/attachments/Final%20HUD%20FY2019%20DHCD%20FY2020%20Annual%20action%20plan%20formatted_0.pdf.
295 "Accessory Apartments," *Zoning Handbook,* D.C. Department of Zoning, https://handbook.dcoz.dc.gov/use-categories/other-uses/accessory-apartments/.
296 Tracy Hadden Loh, "Where the Washington Region Is Zoned for Single-Family Homes: An Update," Greater Greater Washington (website), December 18, 2018, https://ggwash.org/view/70232/washington-region-single-family-zoning-an-update.
297 Antonio Olivo, "Fairfax Adopts Zoning Changes That Make It Easier to Rent Converted Basements," *Washington Post,* March 23, 2021, https://www.washingtonpost.com/local/virginia-politics/fairfax-county-zoning-changes/2021/03/23/fed70cb4-8be0-11eb-9423-04079921c915_story.html.
298 *Loudoun County 2019 General Plan*, Loudoun County, Virginia, https://www.loudoun.gov/DocumentCenter/View/152285/General-Plan---Combined-with-small-maps-bookmarked.
299 *Ibid.*, 29 (designating the vast majority of land as "open space" and "enduring rural landscape").
300 *Ibid.*

301 *Ibid.*

302 *Ibid.*, 2–53.

303 "Zoning Ordinances," Loudoun County (website), https://www.loudoun.gov/1755/Zoning-Ordinances.

304 *Ibid.*

305 The Maryland–National Capital Park and Planning Commission, *Thrive Montgomery 2050,* April 2021, https://montgomeryplanning.org/wp-content/uploads/2021/02/THRIVE-Planning-Board-Draft-2021-Pages_web.pdf.

306 "Commercial Residential Zones," Montgomery Planning (website), https://montgomeryplanning.org/development/zoning/commercial-residential-zones/.

307 "Agricultural Reserve," Montgomery Planning (website), https://montgomeryplanning.org/planning/agricultural-reserve/.

308 The Maryland–National Capital Park and Planning Commission, *Thrive Montgomery 2050*.

309 "General Plan on Wedges and Corridors," Montgomery Planning (website), May 24, 2019, https://montgomeryplanning.org/planning/master-plan-list/general-plans/.

310 The Maryland–National Capital Park and Planning Commission, *Thrive Montgomery 2050*.

311 *Ibid.*

312 "Missing Middle Housing in Montgomery County," Montgomery Planning (website), https://montgomeryplanning.org/planning/housing/attainable-housing-strategies-initiative/missing-middle-housing/.

313 "Retool Gaithersburg," City of Gaithersburg (website). https://www.retoolgaithersburg.com/.

314 Jaclene Begley, Leah Brooks, Brian J. McCabe, and Jenny Schuetz, *2019 State of the Capital Region*, Center for Washington Studies, The George Washington University, Washington, D.C., https://cpb-us-e1.wpmucdn.com/blogs.gwu.edu/dist/7/677/files/2019/05/20190507_socr_2019_pages.pdf.

315 Prince William County, *General Plan—Land Use,* January 31, 2022, https://www.pwcva.gov/assets/2022-02/Land%20Use%20Chapter%20Update%20Draft%202022_0128%20%281%29.pdf.

316 *Ibid.*

317 "Affordable Housing, Affordable and Accessible Apartment Lists," Open Data D.C. (website), https://opendata.dc.gov/datasets/DCGIS::affordable-housing/explore?location=38.893729%2C-77.019147%2C11.33.

318 "Affordable and Accessible Apartment Lists," Northern Virginia Regional Commission (website), https://www.novaregion.org/168/Affordable-Housing-Lists.

319 "Apartment Complexes with MPDUs," Montgomery County Department of Housing and Community Affairs (website), https://apps.montgomerycountymd.gov/dhca-mpdu/Rental/List.

320 Jenny Schuetz, "Cost, Crowding, or Commuting? Housing Stress on the Middle Class," Brookings Institution (website), May 7, 2019, https://www.brookings.edu/research/cost-crowding-or-commuting-housing-stress-on-the-middle-class/.

321 Annette Schaefer, "Commuting Takes Its Toll," *Scientific American,* October 1, 2005, https://www.scientificamerican.com/article/commuting-takes-its-toll/.

322 *Virginia Labor Market Information: Alexandria*, Virginia Employment Commission, Richmond, August 22, 2018, https://web.archive.org/web/20180823042031/http://virginialmi.com/report_center/community_profiles/5104000510.pdf.

323 "Arlington County," DataUSA (website), accessed August 12, 2022, https://datausa.io/profile/geo/arlington-county-va#economy.

324 Randy Smith, "Commute Times for District Residents Are Linked to Income and Method of Transportation," D.C. Policy Center (website), March 23, 2017, https://www.dcpolicycenter.org/publications/commute-times-for-district-residents-are-linked-to-income-and-method-of-transportation/.

325 *Ibid.*

326 "Commuting Patterns," Fairfax County (website), https://www.fairfaxcounty.gov/demographics/commuting-patterns.

327 Charlynn Burd, Michael Burrows, and Brian McKenzie, *Travel Time to Work in the United States: 2019*, US Census Bureau, Washington, D.C., 2021, https://www.census.gov/content/dam/Census/library/publications/2021/acs/acs-47.pdf.

328 "Major Employers in Northern Virginia," Fairfax County Economic Development Authority (website), https://www.fairfaxcountyeda.org/doing-business/largest-employers-fairfax-county/.

329 Lynda Laughlin, Peter Mateyka, and Charlynn Burd, "Characteristics of Daytime Urban Commuters for 20 US Cities: Gender, Work, and Family," US Census Bureau, Washington, D.C., 2015, https://www.census.gov/content/dam/Census/library/working-papers/2015/demo/2015-Laughlin-01-Abstract.pdf.

330 Smith, "Commute Times for District Residents."

331 "Major Employers," Loudoun Economic Development (website), https://biz.loudoun.gov/information-center/major-employers/.

332 Burd, Burrows, and McKenzie, *Travel Time to Work in the United States: 2019*.

333 "Major Employers in Montgomery County, Maryland," Maryland Department of Commerce, 2015, https://commerce.maryland.gov/Documents/ResearchDocument/MajorEmployersInMontgomeryCounty.pdf.

334 Simone Roy, "Who Has the Longest Commute in the D.C. Area?," D.C. Policy Center (website), September 27, 2017, https://www.dcpolicycenter.org/publications/who-has-the-longest-commute-in-the-d-c-area/.

335 Emilia Calma, "The Geography of Environmental Toxins in the District of Columbia," D.C. Policy Center (website), October 15, 2020, https://www.dcpolicycenter.org/publications/environmental-toxins/.

336 Bruce Leshan and Megan Rivers, "Report: Northern Virginia Is a 'Hot Spot' for Forever Chemicals," WUSA9, March 11, 2021, https://www.wusa9.com/article/news/local/virginia/forever-chemicals-pfas-found-in-northern-virginia-tap-water/65-7d778d3c-7e94-4574-a3a0-c4726130b60d.

337 Environment Virginia Research & Policy Center, "Trouble in the Air: Northern Virginia Residents' Health at Risk with 84 Dirty Air Days in 2016," Environment Virginia (website), June 28, 2018, https://environmentvirginia.org/news/vac/trouble-air-northern-virginia-residents%E2%80%99-health-risk-84-dirty-air-days-2016.

338 "Montgomery County, MD Environmental Hazards Report—Superfund Sites," Homefacts, accessed Augest 12, 2022, https://www.homefacts.com/environmentalhazards/superfunds/Maryland/Montgomery-County.html.

339 "Environment and Infrastructure in Montgomery County, Maryland," Well Being in the Nation (WIN) Network (website), https://www.winmeasures.org/statistics/winmeasures/maryland/montgomery-county-environment-and-infrastructure.

340 US Environmental Protection Agency, Environmental Justice Screening and Mapping Tool, accessed August 12, 2022, https://www.epa.gov/ejscreen.

341 Ibid.

342 "SY2018-19 STAR Ratings: Bringing Accountability, Demonstrating Improvement in D.C. Public Schools" (slide presentation), District of Columbia Public Schools, November 2019, https://dcps.dc.gov/sites/default/files/dc/sites/dcps/page_content/attachments/DCPS%20STAR%20Ratings%20for%20School%20Year%202018-2019.pdf.

343 D.C. Office of the State Superintendent of Education, "D.C. School Report Card," accessed August 12, 2022, https://dcschoolreportcard.org/state/99999-0000/profile.

344 Eileen Cunha, "62 Years Later: It's Time to Desegregate D.C. Schools," D.C. Post, July 8, 2020, https://thedcpost.com/washington-dc-schools-desegregation/.

345 "Virginia School Quality Profiles," Virginia Department of Education (website), accessed August 12, 2022, https://schoolquality.virginia.gov/.

346 "2020 Montgomery County Schools at a Glance," Maryland Department of Education (website), 2022, https://reportcard.msde.maryland.gov/Graphs/#/AtaGlance/Index/3/17/6/15/XXXX/2020.

347 ACS five-year estimates, 2015–2019, City of Alexandria, US Census Bureau (website), accessed August 12, 2022, https://censusreporter.org/profiles/16000US5101000-alexandria-va/.

348 "Market Affordable 2017 Update," City of Alexandria (website), June 6, 2017, https://media.alexandriava.gov/docs-archives/housing/info/2017marketaffordablereport=updatedjune2017.pdf.

349 "Development Fact Sheet: AHDC Glebe/Mt. Vernon," City of Alexandria (website), August 3, 2021, https://media.alexandriava.gov/docs-archives/planning/info/factsheet-ahdc=glebe=mtvernon=final.pdf.

350 "Housing Master Plan & Regional Housing Initiative," City of Alexandria (website), September 21, 2022, https://www.alexandriava.gov/HousingPlan.

351 Lisa A. Sturtevant and Jeannette Chapman, Housing a Diverse and Inclusive Community in Arlington County, Arlington County, VA, September 2013, https://www.arlingtonva.us/files/sharedassets/public/Housing/Documents/Affordable-Housing-Study-Needs-Analysis.pdf (see page 16).

352 Affordable Housing Master Plan, Arlington County, VA, September 2015, https://arlingtonva.s3.dualstack.us-east-1.amazonaws.com/wp-content/uploads/sites/15/2015/12/AHMP-Published.pdf.

353 Ibid.

354 Wes Rivers, "Going, Going, Gone: D.C.'s Vanishing Affordable Housing," D.C. Fiscal Policy Institute (website), March 12, 2015, https://www.dcfpi.org/wp-content/uploads/2015/03/Going-Going-Gone-Rent-Burden-Final-3-6-15format-v2-3-10-15.pdf.

355 Margery Austin Turner, Leah Hendey, Maya Brennan, Peter Tatian, and Kathryn Reynolds, Meeting the Washington Region's Future Housing Needs, Urban Institute, Washington, D.C., September 2019, https://www.urban.org/sites/default/files/publication/100946/meeting_the_washington_regions_future_housing_needs.pdf.

356 Rivers, "Going, Going, Gone."

357 Mayor's Order 2019-036, Government of the District of Columbia, May 10, 2019, https://planning.dc.gov/sites/default/files/dc/sites/op/page_content/attachments/Mayor%27s%20Order%20on%20Housing.pdf.

358 Communitywide Housing Strategic Plan, Fairfax County, VA, June 2018, https://www.fairfaxcounty.gov/housing/sites/housing/files/assets/documents/communitywide%20housing%20strategic%20plan/communitywide%20housing%20strategic%20plan%20final.pdf.

359 Fairfax County Affordable Housing Dashboard, Fairfax County Housing and Community Development, accessed August 12, 2022, https://www.fairfaxcounty.gov/housing/affordablehousingdashboard.

360 Primer on Housing in Loudoun County, Loudoun County, VA, October 16, 2017, https://loudoun.granicus.com/MetaViewer.php?view_id=69&clip_id=5147&meta_id=130106.

361 Loudoun County, Virginia Unmet Housing Needs Strategic Plan, Loudoun County, VA, September 8, 2021, https://www.loudoun.gov/DocumentCenter/View/167024/Unmet-Housing-Needs-Strategic-Plan-Approved-9821-with-Appendices.

362 Ibid.

363 HR&A Advisors Inc. and LSA, Montgomery County Housing Needs Assessment, Montgomery County, MD, July 2020, https://montgomeryplanning.org/wp-content/uploads/2020/07/MoCo-HNA-July-2020.pdf.

364 National Center for Smart Growth and Enterprise Community Partners, *Maryland Housing Needs Assessment*; see also Ally Schweitzer*,* "Maryland Must Build Thousands More Homes to Keep Prices Affordable, Report Says," National Public Radio, February 18, 2021, https://www.npr.org/local/305/2021/02/18/968790273/maryland-must-build-thousands-more-homes-to-keep-prices-affordable-report-says.

365 HR&A Advisors Inc. and LSA, *Montgomery County Housing Needs Assessment*, slide 26.

366 *Ibid.*

367 National Center for Smart Growth and Enterprise Community Partners, *Maryland Housing Needs Assessment*; see also Schweitzer*,* "Maryland Must Build Thousands More Homes.*"*

368 Meghan Thompson, "Shortage of Affordable Rental Housing Hits Md. Poor Hardest," Maryland Matters (website), May 16, 2019, https://www.marylandmatters.org/2019/05/16/shortage-of-affordable-rental-housing-hits-md-poor-hardest/.

369 Willow Lung-Amam, "An Equitable Future for the Washington, D.C., Region?: A 'Regionalism Light' Approach to Building Inclusive Neighborhoods," paper presented at "A Shared Future: Fostering Communities of Inclusion in an Era of Inequality," national symposium hosted by Harvard Joint Center for Housing Studies, April 2017, https://www.jchs.harvard.edu/sites/default/files/a_shared_future_equitable_future_washington_dc.pdf.

370 *Prince William Area 2020–2024 Consolidated Plan*, Prince William County, VA, https://www.pwcva.gov/assets/2021-04/pwc_cp_fnl_42220_1.pdf.

371 Jared Foretek, "Prince William Board Approves Housing Development in 'Rural Crescent,'" Inside NOVA (website), January 20, 2021, https://www.insidenova.com/headlines/prince-william-board-approves-housing-development-in-rural-crescent/article_747e5584-5b18-11eb-9211-4fd40e1cb356.html.

372 City of Alexandria Municipal Code, 2-143—Family, https://library.municode.com/va/alexandria/codes/zoning?nodeId=ARTIIDE_2-143FA; Arlington County Zoning Ordinance 2022, https://www.arlingtonva.us/files/sharedassets/public/building/documents/codes-and-ordinances/aczo_effective_01.12.2022.pdf; Loudoun County Code, Article 10—Definitions, https://www.Loudoun.Gov/Documentcenter/View/9957/Article-10--Definitions.

373 Prince William County Code, Part 100.—Definitions, https://library.municode.com/va/prince_william_county/codes/code_of_ordinances?nodeId=CH32ZO_ARTITEDE.

374 D.C. Municipal Code, Title 11, Zoning, https://dcoz.dc.gov/sites/default/files/dc/sites/dcoz/publication/attachments/SubtitleB.pdf.

375 Linda McMillan, "Single-Family Rental Licensing and Code Enforcement" (memorandum), Montgomery County Planning, Housing, and Economic Development Committee, November 27. 2019, https://www.montgomerycountymd.gov/council/Resources/Files/agenda/cm/2019/20191202/20191202_PHED3PM.pdf.

376 D.C. Office of Human Rights, *2018 Annual Report*, https://ohr.dc.gov/sites/default/files/dc/sites/ohr/publication/attachments/OHR_AR18_062619_FINAL.pdf.

377 Fairfax County Office of Human Rights & Equity Programs, *Fiscal Year 2020 Annual Report*, https://www.fairfaxcounty.gov/humanrights/sites/humanrights/files/assets/documents/pdf/ohrep%20fy2020%20annual%20report.pdf.

378 "Housing Counseling Services CBOs," D.C. Department of Housing and Community Development, https://dhcd.dc.gov/node/702332.

379 "Housing Counseling Services," US Department of Housing and Urban Development, https://apps.hud.gov/offices/hsg/sfh/hcc/hcs.cfm?webListAction=search&searchstate=DC.

380 *Ibid.*

381 "Homebuyer Education," Virginia Housing, https://www.vhda.com/Homebuyers/HomeownershipEdu/Pages/HomeownershipEdu.aspx#.WSM8Sevys-N.

382 "Housing Counseling Services," HUD.

383 *Ibid.*

384 *Ibid.*

385 Fairfax County Code, Article 4.—Condominium and Cooperative Conversions, Section 12-4-3.—Lease extensions, https://library.municode.com/va/fairfax_county/codes/code_of_ordinances?nodeId=FACOCO_CH12TEANRE_ART4COCOCO_S12-4-3LEEX.

386 Arlington County Code, Chapter 45 Inoperative Statutes and Condominium Conversion, September 2011, https://www.arlingtonva.us/files/sharedassets/public/county-board/documents/code/ch45_inoperativestatutesandcondominiumconversion.pdf.

387 D.C. Office of Planning—State Data Center, "District of Columbia, Income-Restricted Affordable Housing by ANC, 2018," May 23, 2019 (updated August 21, 2020), https://public.tableau.com/app/profile/travis.pate/viz/DistrictofColumbiaIncome-RestrictedAffordableHousingbyANC/AffordableHousingANC.

388 D.C.'s Economic Strategy, Prepared Residents: Average Commute Times for Residents, by Ward, 2017.

389 *Affordable Housing Master Plan,* Arlington County, VA, August 2015, https://www.arlingtonva.us/files/sharedassets/public/Housing/Documents/Clean-AHMP-8.0.pdf.

390 Metropolitan Washington Council of Governments, "High-Capacity Transit Station Areas (HCTs)," ArcGIS Online, https://hct-eea-mwcog.hub.arcgis.com/pages/hct-main.

391 "Bowser Administration Breaks Ground on 24 New Affordable Homes at 8th and O Streets NW," District of Columbia Advisory Neighborhood Commissions (website), April 13, 2021, https://mayor.dc.gov/release/bowser-administration-breaks-ground-24-new-affordable-homes-8th-and-o-streets-nw.

392 D.C. Department of Housing and Community Development, *2021 Low-Income Housing Tax Credit: Qualified Allocation Plan*, 2021, https://dhcd.dc.gov/sites/default/files/dc/sites/dhcd/publication/attachments/DHCD%20Qualified%20Allocation%20Plan%20signed.pdf.

393 Poverty & Race Research Action Council (PRRAC), "Appendix B: State, Local, and Federal Laws Barring Source-of-Income Discrimination," *Expanding Choice: Practical Strategies for Building a Successful Housing Mobility Program*, 2022, https://www.prrac.org/pdf/AppendixB.pdf.

394 "ERC and Local Renter File Federal Lawsuit Alleging Source of Income and Race Discrimination at Northwest D.C. Apartment Building" (press release), The DC Line (website), June 17, 2021, https://thedcline.org/2021/06/17/press-release-erc-and-local-renter-file-federal-lawsuit-alleging-source-of-income-and-race-discrimination-at-northwest-dc-apartment-building/.

395 "Protected Traits in D.C.," District of Columbia Office of Human Rights, https://ohr.dc.gov/protectedtraits.

396 *From Click to Visit: A Civil Rights Testing Investigation,* Equal Rights Center, Washington, D.C., https://equalrightscenter.org/wp-content/uploads/click-to-visit-report-final.pdf.

397 Rebecca Tan, "She's Desperate to Get Home Care for Her Mom. In Maryland, 21,000 Are on the Wait List," *Washington Post,* October 9, 2021, https://www.washingtonpost.com/local/maryland-covid-medicaid-waitlist/2021/10/07/37dfc41e-2214-11ec-b3d6-8cdebe60d3e2_story.html.

398 "Seven D.C. RE Firms and Professionals Accused of Housing Discrimination," Fair Housing Coach, September 21, 2020, https://www.fairhousingcoach.com/article/seven-dc-re-firms-and-professionals-accused-housing-discrimination.

399 "AG Racine Announces Two Actions to Stop Discrimination Against District Residents Living East of the River," Office of the Attorney General for the District of Columbia, February 22, 2021, https://oag.dc.gov/release/ag-racine-announces-two-actions-stop; Consent order, D.C. v. Design Build Inc., February 1, 2021, https://oag.dc.gov/sites/default/files/2021-02/Design-Builders-consent-order_2.1.21.pdf.

400 Resolution Agreement in re: Loudoun Public Schools, Virginia OCR Case No. 19-2652, Loudoun County Public Schools and Virginia Office of Civil Rights, https://www.oag.state.va.us/files/2021/RESOLUTION-AGREEMENT-In-Re-LCPS-2021-02-18-Fully-Endorsed.pdf.