

# 2020 Joint Analysis of Impediments to Fair Housing Choice

**September 2020**



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# JOINT ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE

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For Program Years 2020 to 2024

## CITY OF ATLANTA, GEORGIA

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Department of Grants and Community Development



## FULTON COUNTY, GEORGIA

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Department of Community Development



September 2020

Prepared for the City of Atlanta and Fulton County by  
Mosaic Community Planning, LLC



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# CHAPTER I.

## INTRODUCTION

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### FAIR HOUSING PLANNING

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

Provisions to affirmatively further fair housing (AFFH) are basic long-standing components of HUD’s housing and community development programs. The AFFH requirements are derived from Section 808(e) (5) of the Fair Housing Act which requires the Secretary of HUD to administer the Department’s housing and urban development programs in a manner to affirmatively further fair housing.<sup>1</sup>

Under 24 CFR § 91.225(a)(1), local communities, such as Atlanta and Fulton County, that receive grant funds through HUD’s entitlement process certify annually that they will Affirmatively Further Fair Housing, stating that they will “take meaningful actions to further goals” identified through a fair housing analysis and that they will “take no action that is materially inconsistent with [the] obligation to affirmatively further fair housing.”<sup>2</sup>

In 2015, HUD published a final rule on Affirmatively Furthering Fair Housing, which outlined procedures that jurisdictions and public housing authorities who participate in HUD programs must take to promote access to fair housing and equal opportunity. This rule stipulated that grantees and housing authorities take meaningful actions to overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity based on protected class characteristics. Under HUD’s final rule, grantees must take actions to:

- Address disparities in housing need;
- Replace segregated living patterns with integrated and balanced living patterns;
- Transform racially and ethnically concentrated areas of poverty into areas of opportunity; and
- Foster and maintain compliance with civil rights and fair housing laws.

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

<sup>2</sup> Consolidated Plan Submissions for Community Planning and Development Programs, Certifications, 24 C.F.R. § 91.225(a)(1) Last amended July 2015.

To assist grantees and housing authorities affirmatively further fair housing, HUD provided publicly-available data, maps, and an assessment tool to use to evaluate the state of fair housing within their communities and set locally-determined priorities and goals. HUD's final rule mandated that most grantees begin submitting to HUD an assessment developed using this tool in 2017; however, a 2018 HUD notice withdrew the requirement to prepare such assessments. A subsequent notice further required that grantees instead prepare and keep on file a current Analysis of Impediments to Fair Housing Choice. HUD's data and maps remain available for grantees to use in preparing their AIs, which HUD guidance specifies should be updated every three to five years.

In an AI, communities evaluate barriers to fair housing choice and develop and implement strategies and actions to overcome any identified impediments based on their individual histories, circumstances, and experiences. Through this process, local entitlement communities promote fair housing choice for all persons, including classes protected under the Fair Housing Act, and provide opportunities for racially and ethnically inclusive patterns of housing occupancy, identify structural and systemic barriers to fair housing choice, and promote housing that is physically accessible and usable by persons with disabilities.

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

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

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

Mosaic Community Planning assisted the City of Atlanta and Fulton County with the preparation of this Analysis of Impediments to Fair Housing Choice. It covers the city of Atlanta, unincorporated areas of Fulton County, and other Fulton County cities, including Alpharetta, Chattahoochee Hills, College Park, East Point, Fairburn, Hapeville, Milton, Mountain Park, Palmetto, and Union City. The Cities of Roswell and Sandy Springs are HUD entitlement jurisdiction that receive a direct allocation from HUD and prepare Consolidated Plans and Analyses of Impediments to Fair Housing Choice independent of Fulton County.

This AI follows the requirements in HUD's *Fair Housing Planning Guide* but is also compliant with the regulations and assessment tool established in HUD's 2015 final rule. Key areas of research include: socioeconomic indicators and trends; residential patterns, including segregation and integration; access to opportunity; housing need and access, publicly supported housing, and housing for people with disabilities; and fair housing activities and resources. In several chapters, it incorporates the maps and data developed by HUD for use by grantees as part of the Affirmatively Furthering Fair Housing final rule.



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## DEFINITIONS

**Affirmatively Further Fair Housing** – In keeping with the latest proposed guidance from HUD, to Affirmatively Further Fair Housing Choice (AFFH) is to comply with “the 1968 Fair Housing Act’s obligation for state and local governments to improve and achieve more meaningful outcomes from fair housing policies, so that every American has the right to fair housing, regardless of their race, color, national origin, religion, sex, disability or familial status.”<sup>3</sup>

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

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

**Fair Housing Choice** - This Analysis of Impediments to Fair Housing Choice uses the following definition of “Fair Housing Choice”:

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

**Impediments to Fair Housing Choice** - As adapted from the HUD *Fair Housing Planning Guide*, impediments to fair housing choice are understood to include:<sup>4</sup>

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

**Protected Classes** – The following definition of federally protected classes is used in this document:

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

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<sup>3</sup> U.S. Department of Housing and Urban Development. “HUD Publishes New Proposed Rule on Affirmatively Furthering Fair Housing Choice.” Press Release No. 13-110. July 19, 2013.

<sup>4</sup> U.S. Department of Housing and Urban Development Office of Fair Housing and Equal Opportunity. *Fair Housing Planning Guide: Volume 1 (Chapter 2: Preparing for Fair Housing Planning, Page 2-17)*. March 1996.

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## DATA SOURCES

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

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

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

- ACS Multi-Year Estimates – More current than Census 2010 data, this dataset is one of the most frequently used. Because sampling error is reduced when estimates are collected over a longer period of time, 5-year estimates will be more accurate (but less recent) than 1-year estimates. The 2013-2017 ACS 5-year estimates are used most often in this assessment.

**HUD Affirmatively Furthering Fair Housing Data and Mapping Tool (AFFH-T)** – HUD’s AFFH Data and Mapping Tool provides a series of online, interactive maps and data tables to assist grantees in preparing fair housing analyses. Topics covered include demographics and demographic trends; racial and ethnic segregation; housing problems, affordability, and tenure; locations of subsidized housing and Housing Choice Voucher use; and access to educational, employment, and transportation opportunities. This report uses HUD’s latest data and maps, AFFHT0004, which was released in November 2017. HUD’s source data includes the American Community Survey (ACS), Decennial Census / Brown Longitudinal Tract Database (BLTD), Comprehensive Housing Affordability Strategy (CHAS), Longitudinal Employer-Household Dynamics (LEHD), HUD’s Inventory Management System (IMS) / Public and Indian Housing (PIH) Information Center (PIC), and others. For a complete list of data sources, please see HUD’s

Affirmatively Furthering Fair Housing Data and Mapping Tool Data Documentation available online at <https://www.hudexchange.info/resources/documents/AFFH-T-Data-Documentation-AFFHT0004-November-2017.pdf>.

Please note that HUD-provided Affirmatively Furthering Fair Housing data for Fulton County covers unincorporated Fulton County as well as the following municipalities: Alpharetta, Chattahoochee Hills, College Park, East Point, Fairburn, Hapeville, Milton, Mountain Park, Palmetto, and Union City. It does not include the cities of Atlanta, Sandy Springs, or Roswell.

For key data points throughout this document, information is profiled for the city of Atlanta, Fulton County, and DeKalb County. In those comparisons, the DeKalb County geography includes unincorporated DeKalb County and municipalities in DeKalb County with the exception of the cities of Atlanta, Dunwoody, Pine Lake, and Avondale Estates. The complete Analysis of Impediments to Fair Housing Choice for DeKalb County is available for download from <https://www.dekalbcountyga.gov/community-development/consolidated-plans>.

# CHAPTER 2.

## COMMUNITY PARTICIPATION PROCESS

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### COMMUNITY ENGAGEMENT OVERVIEW

An important component of the research process for this Joint Analysis of Impediments to Fair Housing Choice involved gathering input regarding fair and affordable housing conditions, perceptions, and needs in Atlanta and Fulton County. The project team used a variety of approaches to achieve meaningful public engagement with residents and other stakeholders, including public meetings, targeted meetings and focus groups, interviews, and a communitywide survey.

#### Public Meetings

Three community meetings open to the general public were held to inform residents and other stakeholders about the project and gather input for the Analysis of Impediments to Fair Housing Choice. Each meeting began with a short overview of the AI followed by an interactive discussion of fair housing, neighborhood conditions, and community resources in the city and county. Twenty-four (24) members of the public attended a meeting. Meeting dates, times, and locations are shown below:

#### **North Fulton Community Meeting**

Tuesday, September 17, 2019  
6 PM  
North Fulton Annex  
7741 Roswell Road NE  
Atlanta, GA 30350

#### **Atlanta Community Meeting**

Wednesday, October 9, 2019  
6 PM  
Old Council Chambers, City Hall  
68 Mitchell Street SW  
Atlanta, GA 30303

#### **South Fulton Community Meeting**

Wednesday, September 25, 2019  
6 PM  
South Fulton Annex  
5600 Stonewall Tell Road  
Atlanta, GA 30349

#### Targeted Meetings and Focus Groups

In addition to the public meetings, the City of Atlanta and Fulton County also held a series of focus groups and targeted meetings for residents and other stakeholders. At each meeting, the facilitator opened with a brief background of the AI and what it will cover and then led a discussion or interactive exercise to gather input from participants. There was a total of about 260 attendees for these meetings/focus groups. Meeting dates, times, and locations are shown below:

**HOPWA Advisory Committee**

Thursday, September 12, 2019

1 PM

WorkSource Atlanta

818 Pollard Boulevard, Room 240

Atlanta, GA 30315

**Fulton County Health & Human Services Dept**

Tuesday, September 17, 2019

1 PM

Community Development Department

1st Floor, 137 Peachtree Street SW

Atlanta, GA 30303

**CDBG, HOME, and ESG Stakeholder Meeting**

Wednesday, September 18, 2019

3 PM

WorkSource Atlanta

818 Pollard Boulevard

Atlanta, GA 30315

**Fulton County Continuum of Care & Nonprofits**

Thursday, September 19, 2019

1 PM

South Fulton Annex

5600 Stonewall Tell Road

Atlanta, GA 30349

**Fulton County Housing & Community  
Development Department**

Friday, September 27, 2019

2 PM

Community Development Department

1st Floor, 137 Peachtree Street SW

Atlanta, GA 30303

**HOPWA Stakeholder Meeting**

Tuesday, October 22, 2019

10 AM

DeKalb County Board of Health

445 Winn Way

Decatur, GA 30030

**LaAmistad Focus Group**

Thursday, October 24, 2019

10 AM

LaAmistad

3434 Roswell Road NE

Atlanta, GA 30305

**Senior Focus Group**

Friday, October 25, 2019

2 PM

Helene S. Mills Senior Center

515 John Wesley Dobbs Avenue NE

Atlanta, GA 30312

**Better Living Together Focus Group**

Saturday, November 2, 2019

2 PM

Decatur Recreation Center

231 Sycamore Street

Decatur, GA 30030

**Mechanicsville Civic Association Focus Group**

Monday, November 4, 2019

6:30 PM

The Dunbar Center

477 Windsor Street

Atlanta, GA 30312

**Atlanta Housing Authority Resident Focus  
Group**

Wednesday, November 20, 2019

4 PM

Cheshire Bridge Highrise

2170 Cheshire Bridge Road NE

Atlanta, GA 30324

## Stakeholder Interviews

The project team also conducted interviews with stakeholders with knowledge of fair housing issues in Atlanta and Fulton County. Stakeholders were identified with assistance from local government staff and represented a variety of viewpoints including fair housing, legal advocacy, affordable housing, advocacy and services for people with disabilities, advocacy and services for recent immigrants and refugees, and others. Forty-seven people participated in an interview.

## Participating Organizations

Representatives from more than 100 organizations attended a meeting or focus group, participated in an interview, or otherwise provided information for this study, as shown below:

- 3Keys
- AbsoluteCARE
- Action Ministries
- Africa Children’s Fund
- AID Atlanta
- AIDS Athens
- Amerigroup
- Aniz
- Antioch Urban Ministries
- Atlanta Apartment Association
- Atlanta Bicycle Coalition
- Atlanta Center for Self Sufficiency
- Atlanta Children’s Shelter
- Atlanta Downtown Neighborhood Association
- Atlanta Habitat for Humanity
- Atlanta Housing Authority
- Atlanta Land Trust
- Atlanta Legal Aid
- Atlanta Neighborhood Development Partnership
- Atlanta REALTORS Association
- Atlanta Regional Center
- Better Living Together
- Black Futurists Group
- Bright from the Start
- Butterfly Girls
- CaringWorks
- Center for Pan Asian Community Services
- City of Atlanta Community Development/Human Resources Committee
- City of Atlanta Department of City Planning
- City of Atlanta Department of Finance
- City of Atlanta Department of Human Resources
- City of Atlanta Office of Emergency Preparedness
- City of Atlanta Office of Grants Management
- City of East Point
- City of Roswell
- City of South Fulton
- City of Union City
- Community Advanced Practice Nurses
- Community Friendship
- Covenant Community
- Covenant House
- Crossroads Community Ministries
- DeKalb County Board of Health
- DeKalb County Community Development Department
- Development Authority of Fulton County
- The Donna Center
- Eagles Economic CDC
- East Point and Fairburn Housing Authorities
- Edgewood Center
- Emory
- Enterprise Community Partners
- Families First
- Fulton County Board of Commissioners
- Fulton County Board of Health
- Fulton County Continuum of Care
- Fulton County Department of Arts and Culture
- Fulton County Department of Behavioral Health and Developmental Disabilities

- Fulton County Department of Community Development
- Fulton County Department of HIV Elimination
- Fulton County Department of Strategy and Performance Management
- Fulton County Finance Department
- Fulton County Housing Authority
- Fulton County Human Services Department
- Fulton County Office of Diversity and Civil Rights Compliance
- Fulton County Schools
- Fulton County Senior Services
- Fulton County Youth and Community Services Division
- Furniture Bank
- The Gateway Center
- Georgia Advocacy Office
- Georgia Department of Community Affairs
- Georgia Equality
- Georgia House of Representatives
- Georgia State University
- Gilead Sciences
- Gwinnett, Newton, and Rockdale County Health Departments
- H.O.P.E. Through Divine Intervention
- He is Valuable
- Heather Ivy Society
- Helping Hands
- Here's to Life
- HOPE Atlanta
- Invest Atlanta
- La Amistad
- Latin American Association
- MARTA
- Mary Hall Freedom House
- Mayor's Office of Immigrant Affairs
- Meals on Wheels Atlanta
- Mechanicsville Civic Association
- Mercy Care
- Metro Fair Housing Services
- Metropolitan Atlanta HIV Health Services Planning Council
- Nehemiah Project CDC
- New American Pathways
- Nicholas House
- North Fulton Community Charities
- Our House
- Partners for HOME
- Partnership Against Domestic Violence
- Positive Impact Health Centers
- Positive Women's Network
- Poz Vets
- Project Community Connections
- Project Q
- Providence Missionary Baptist Church
- Quest
- Rebuilding Together Atlanta
- Resources for Residents and Communities
- Ryan White Planning Council
- SafeHouse Outreach
- Salvation Army
- SisterLove
- Small Business Administration
- Someone Cares
- Southside Medical Center
- Step Up
- SUMMECH
- THRIVE SS
- Trans Gentlemen of Excellence
- University Community Development Corporation
- View Point Health
- WestCare Georgia
- The Young Adult Guidance Center

### **Community Survey**

The fourth approach for obtaining community input regarding housing and community needs was an online survey available to the general public, including people living or working in Atlanta and Fulton County. A total of 531 survey responses were received.

## Public Comment Period and Hearing

The City of Atlanta and Fulton County held a 30-day public comment period to receive input on the draft Analysis of Impediments during July and August 2020. The City and County held a joint public hearing on the draft AI before the Fulton County Board of Commissioners on August 5, 2020. No comments were received during the public comment period or at the hearing.

## Publicity for Community Engagement Activities

A variety of approaches were used to advertise the AI planning process and related participation opportunities to as broad an audience as possible, including the general public, as well as nonprofits, service providers, housing providers, fair housing agencies, legal and advocacy organizations, and others working with low and moderate income households and other populations vulnerable to housing discrimination. Legal notice was given to residents in the *Atlanta Journal-Constitution*; the City and County also sent a press release to local media outlets. The *AJC*, *Saporta Report*, *FGTV*, *Reporter Newspaper*, and *What's Next ATL* ran stories about the Analysis of Impediments to Fair Housing Choice public meetings and provided a link to the online survey. WABE, Atlanta's local NPR station, featured a story on the planning processes in an on-air segment of "Closer Look" on November 6, 2019.

City and County staff and members of the consulting team also attended community meetings to advertise the AI planning process and ways to contribute. These meetings had more than 100 attendees and included:

### Atlanta Continuum of Care

Tuesday, September 10, 2019

10 AM

WorkSource Atlanta  
818 Pollard Boulevard  
Atlanta, GA 30315

### Atlanta Planning Advisory Board

Saturday, September 21, 2019

10 AM

Atlanta City Hall, Committee Room #1  
55 Trinity Avenue SW  
Atlanta, GA 30303

### Atlanta Downtown Neighborhood Association

Tuesday, September 10, 2019

7 PM

Rialto Center for the Arts  
80 Forsyth Street, NW  
Atlanta, GA 30303

The City and County also advertised the meetings through Facebook, Twitter, and NextDoor, and asked partner agencies to post about the project on their social media as well. Flyers were emailed to more than 40 local housing and service providers, community development practitioners, and county and municipal staff, both as outreach to these stakeholders and for distribution to their clients/residents. The project websites – [www.atlantaconplan.com](http://www.atlantaconplan.com) and [www.fultoncountyconplan.com](http://www.fultoncountyconplan.com) – received about 1,100 visitors over the course of the project.



Meeting advertisements noted that accommodations (including translation, interpretation, or accessibility assistance) were available if needed; no requests for accommodations were received. One meeting – the focus group at LaAmistad – had Spanish translation.

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## COMMUNITY ENGAGEMENT RESULTS

Listed below are the summarized comments from interviews, community meetings, and focus groups, as well as a summary of survey results. All input was considered in the development of this AI, and no comments or surveys were not accepted. Note that these comments do not necessarily reflect the views of the City of Atlanta, Fulton County, or Mosaic Community Planning.

### Stakeholder Interviews

1. What parts of the city or county are generally seen as areas of opportunity? What makes them attractive places to live? What barriers might someone face in moving to one of these high opportunity areas?
  - North Fulton has good schools and jobs, but cost is a barrier. Not In My Backyard (NIMBY) attitudes are strong there and there is limited affordable housing or resources for people who are homeless.
  - Midtown has access to transportation, jobs, entertainment, quality schools, and other resources but rents are incredibly high; affordability is a barrier.
  - Buckhead has access to transportation, job centers, quality public schools, and other resources but affordability is a barrier. Additionally, there are not homeless support programs available there.
  - Southeast Atlanta is attractive but affordability is a barrier.
  - Southwest Atlanta
  - Candler Park; barrier is affordability.
  - East Lake.
  - Old Fourth Ward.
  - Morningside.
  - Grant Park.
  - Inman Park; barrier is affordability.
  - Sandy Springs, Roswell, and Alpharetta because jobs are plentiful and schools are good. Politicians here need to understand that it's in their interest to have a range of housing for people in entry level and service jobs.
  - Tri-Cities and City of South Fulton are attractive due to location and access. These are areas with opportunity from an economic standpoint.
  - Fairburn and Palmetto are desirable but convenient transportation and access to jobs are challenges.
  - South Fulton Parkway is a newer area that is starting to develop. Traffic could be a concern here.
  - Castleberry Hill is walkable and near downtown but for-sale and rental units are extremely expensive.

- Areas along the BeltLine represent a great opportunity to address issues of access and connectivity. However, an aggressive strategy is needed to ensure that current housing remains affordable and new housing includes affordable units. There is concern that not enough is being done to meet affordable housing benchmarks.
  - Anything north of I-20 is considered attractive according to corporation and government officials. However, areas of opportunity are south of I-20 and west of the perimeter. The biggest barrier to housing is affordability.
  - Cost is a considerable barrier / driver of housing choice. People often live away from support networks or desired amenities because of housing affordability.
  - Refusal to accept vouchers as payment for housing is a barrier to where people can live.
  - Price is a barrier for housing but there are barriers around race as well. People include how comfortable they feel based on experiences with race in their decision about where to move. White people say they can't find anywhere affordable to live, but they are choosing to live in certain places.
  - Transportation is a frequent barrier in deciding where to live. Traffic and the lack of regional transit limits where people will move.
  - Access to good schools is motivator for housing decisions. People live in substandard conditions to send their children to good schools.
  - City of Atlanta energy efficiency requirements for new multifamily construction increase housing costs.
2. Do residents of similar incomes generally have the same range of housing options? Are there any barriers other than income/savings that might impact housing choices? Are you aware of any housing discrimination?
- Transportation is a barrier; without reliable transportation you have to live near a bus line or MARTA station. There are parts of the city and county that are only options if you have a car. Additionally, the bike and pedestrian network is not safe throughout the city or county.
  - If you move further out, housing is often less expensive, but transportation costs are more. People want to live near the city to access jobs, but it's not affordable. Traffic can also be a barrier. If someone is living in north Fulton, they may not be able to access a job in downtown Atlanta easily due to transportation costs and time.
  - Access to good schools, healthcare, childcare and afterschool care, senior centers and services, and jobs impact people's housing choices. People want to live in areas with good access but may not be able to afford housing there.
  - Seniors want to live within their communities and stay independent, which is way many try to stay in their homes as they age.
  - People's choices are impacted by safety and comfort. They would often like to stay within their neighborhood even if it lacks affordable housing or other amenities / services because they value being within the community. Additionally, some Black families may have concerns about being accepted or safe if moving into a predominately white area.
  - In addition to income, credit history, student debt, rental history, and disposable income can be barriers for accessing housing, and are more likely to impact minority householders. Rental

companies want a tenant with the least amount of risk but this overlooks a lot of good families who would do well in that housing.

- A lack of affordable housing supply in some places limits choice. There is a Not In My Backyard (NIMBY) attitude / backlash against affordable housing in north Fulton, so that limits people's access to the area.
- Lack of access to information about affordable housing can be a barrier. Technology and language barriers can impact ability to find housing and housing assistance.
- Gentrification and rising housing prices in some areas are limiting housing choice for lower and moderate income families whose communities are becoming less affordable. This is especially true for neighborhoods within about a mile of the BeltLine.
- Gentrification impacts people's ability to stay within their neighborhoods if they want to downsize. With higher housing costs, they may be unable to afford a smaller, higher-priced unit once they move out of a home they have owned for many years.
- Unconscious bias and discrimination against people who are not white or people who speak Spanish impacts access to rental housing. For example, landlords may refuse to give people a tour or other information about a unit or to let them apply to live there, even though the unit is available.
- There is discrimination and bias against African Americans and Latinos in the for-sale market. Even with the same housing criteria, the list of properties a Black family would be shown is often different than the list a white family would be shown.
- Race and ethnicity also impacts mortgage loan approvals. While redlining is illegal, mortgage lenders look at the zip code you are coming from or buying in to measure risk, which can impact your loan approval or your interest rate.
- There is discrimination against the LGBTQ community, including in housing supported through government funding. Trans people may be turned away from housing shelters. For people with HIV/AIDS, housing providers may provide lower levels of service once they found out about someone's HIV status. If people are to live in an integrated community, we need landlords who understand HIV stigma and discrimination.
- Georgia's state laws do not protect for housing based on sexual orientation or gender identity. The trans community has no protection at state or federal level.
- There is a big need for landlord education and education of other organizations about fair housing law and what discrimination looks like. There is also a need to educate the public, particularly groups most vulnerable to housing discrimination, about their rights. Still, when people are desperately trying to find a place to live, filing a discrimination claim is secondary to that.
- Some interviewees (about 7) said they are not aware of any housing discrimination or do not think that housing discrimination is an issue in Atlanta or Fulton County.

3. Are people in the area segregated in where they live? What causes this segregation to occur?

- Yes, segregation is impacted by historical factors – particularly, segregation, redlining that intentionally impacted Black households' ability to build wealth, and highway placement in the 1960s that created barriers between the Black community and downtown Atlanta. These and other historical barriers continue today as structural racism that contributes to ongoing segregation.

- Yes, income and economics are driving segregation. Housing affordability is the biggest determinant of where people live. Fulton is diverse but the majority of people with low or moderate incomes live below I-20.
  - Yes, access to resources, particularly high performing schools is impacting segregation. Conversely, segregation also impacts people's ability to access resources. There is an assumption in Fulton County that opportunity is the same for everyone, but when you look at economic opportunity / mobility, you can see that it is not the same.
  - Yes, limited public transportation contributes to segregation.
  - Yes, there is interconnectedness between segregation and gentrification. People who have lived in intown neighborhoods are being pushed to the suburbs by rising housing costs. This is happening with African American communities in intown neighborhoods, particularly around the BeltLine, and with immigrant communities living in the northeast Atlanta. Entire communities are being displaced.
  - Yes, people want to be in communities where they feel comfortable / safe and are near family and friends, which reinforces segregation. Families do not want to live somewhere their kids will be stigmatized or judged. Perceptions about crime and safety also impact segregation.
  - Yes, segregation has to do with people's preferences of where to live.
  - Yes, there is a Black / white divide in Atlanta and Fulton County, with white residents more typically living in north Atlanta and north Fulton County and Black residents more typically living in south Atlanta and south Fulton County.
  - On their own, some communities may not be particularly segregated. For example, Roswell is relatively integrated within its city limits.
  - Integration of affordable housing throughout the city and county could help encourage more integration.
  - Two interviewees said they do not think the city or county are segregated or do not know.
4. What types of fair housing services (education, complaint investigation, testing, etc.) are offered in the area? How well are they coordinated with the work of other organizations in the community?
- Interviewees most frequently identified Metro Fair Housing Services as a provider of fair housing education and complaint investigation services. A few noted that they seem relatively well coordinated with other agencies in the county.
  - Several interviewees also noted Atlanta Legal Aid as a provider of fair housing services, including to people with HIV/AIDS. A couple also mentioned the Atlanta Volunteer Lawyers Foundation and noted that they serve Spanish-speaking clients.
  - HUD and DCA offer fair housing training at various points during the year. HUD's fair housing office also takes and investigates fair housing complaints.
  - Other providers noted by at least one interviewee include the Georgia Justice Project, the City of Atlanta Human Relations Commission, the Housing Authority, and possibly United Way.
  - Some respondents (about 8) noted that they are aware fair housing activities occur or are considered by cities and the county, but did not name a provider.
  - Several interviewees (about 13) did not know or were not aware of any agencies providing fair housing services.

5. Are public resources (e.g., parks, schools, roads, police and fire services, etc.) available evenly throughout all neighborhoods?
- Good schools are not evenly available. Struggling schools are more likely to be in economically depressed areas with lower property values, while wealthier neighborhoods have nicer, higher performing schools.
  - Some neighborhoods have better access to parks than others. The further south you go, the fewer parks and recreation centers there are. Buckhead has fewer parks than other parts of the city. Parks and recreation are often lowest in funding priority relative to other needs such as public safety, however they have a big impact on quality of life. There is some recognition of this among staff, with plans to develop more parks.
  - Public transit is very limited in North Fulton. Additionally, infrastructure for biking is not evenly distributed throughout the city and county. Bike lanes are most common in Midtown and southeast Atlanta.
  - Fire coverage is pretty good city and countywide. Police response time is better in north Atlanta compared to south Atlanta. Some areas need more policing because crime rates are higher, so it makes sense to allocate resources in that way.
  - There are language barriers between some residents and the police department that must be addressed and overcome to make sure everyone is served equally if they are a victim of crime.
  - There could be more attention given to the placement of homeless shelters.
  - Immigrant communities, particularly those with limited English proficiency, often have reduced access to resources because they do not have a framework to voice their needs.
  - Some interviewees (about 8) did not give specific examples of varying availability of resources but noted that they have a general sense that they are not evenly distributed. Two thought that south Fulton and lower income areas are likely to have less access to resources. Additionally, two noted that even access to resources seems to be improving.
  - The distribution of resources within cities themselves were often seen as relatively even. Respondents noted that the cities of East Point, Fairburn, South Fulton, and Roswell seem to have balanced availability of resources within their city limits. However, resources are not necessarily evenly available across the county.
  - Two interviewees felt that resources are evenly available throughout the city and county, and another two did not know.

### Meetings and Focus Groups

1. What parts of the city or county are generally seen as areas of opportunity? What makes them attractive places to live? What barriers might someone face in moving to one of these high opportunity areas?
- Schools are a top priority and people often choose where to live based on school quality.
  - Access to a variety of resources – grocery stores, pharmacies, schools, hospitals, safety, and friendly neighbors who will help you out – are important for good opportunities.

- Access to public transit makes a place attractive. This is particularly true for seniors and people with disabilities. Wide and navigable sidewalks, safe pedestrian crossings, and MARTA bus shelters matter too.
  - Areas near jobs are attractive, although can also be expensive. Affordable housing should be in areas with jobs.
  - Affordable housing should be available throughout the city to better enable choice. There needs to be integration of affordable units into different neighborhoods with schools, playgrounds, grocery stores, sidewalks, lighting, and other opportunities. Inman Park and Reynoldstown are two examples.
  - Along the BeltLine is an attractive place to live and requirements for affordable housing in that area should be enforced.
  - North Fulton has strong resources, however there is little affordable housing there. It may not be accessible due to costs.
  - There is a need to provide opportunities in place. People want to stay within their communities and should have access to the same resources as residents in other neighborhoods.
2. Do residents of similar incomes generally have the same range of housing options? Are there any barriers other than income/savings that might impact housing choices? Are you aware of any housing discrimination?
- Mortgage lenders discriminate against African Americans. Even though redlining is illegal, risk assessments make it more difficult to buy homes in some areas.
  - Landlords discriminate against Latinos, including those with children. Landlords and property managers repeatedly ask residents to monitor their children and threaten them with eviction. Property managers may also say a unit can only have two kids in it, but then they see other people in the community who have more than two children. Families lie about how many children they have so they can get a unit they can afford.
  - Landlords discriminate against Latino immigrants and Spanish speakers. They may say an apartment complex has no vacancies, but then show American/English speakers available units. Sometimes management companies ask for additional paperwork or higher incomes for them. Once they have an apartment, they are often afraid to ask for repairs to be made.
  - Homeownership is more difficult for immigrants without social security numbers. They can buy a home using a tax ID number but downpayments and interest rates are higher. They would like to be able to put the money they are spending on rent towards purchasing a home, but there are significant barriers without a social security number.
  - In Atlanta, communication with people who speak Spanish is generally not good. They can wait a long time to speak with someone who speaks Spanish.
  - There is discrimination against the LGBTQ community.
  - There is discrimination against people with HIV/AIDS. It is an endemic stigma that is exacerbated by the affordable housing crisis as HOPWA organizations work with only a few housing providers.
  - There is discrimination against people with substance abuse issues.
  - The lack of availability of housing for people with disabilities – physical or mental – impacts housing choice. There is a need for more permanent supportive housing.

- Screening tenants based on rental history and arrest records can impact ability to access housing. No tolerance policies bar people from housing even if their legal issues are over ten years ago. There are also barriers for people leaving incarceration to obtain housing.
  - A lack of affordable housing in some neighborhoods impacts choice. There are very few Section 8 rentals in north Fulton, so voucher holders are unable to access that area. Some communities refuse to have affordable housing.
  - There is also a lack of affordable housing for large families.
  - Housing decisions are impacted by what resources people are looking for in a community balanced against cost. Parents are concerned about schools and there are big disparities in schools across the city and county. Supportive services for students with disabilities are better in north Fulton, and families drive there or choose to live there based on that factor.
  - Housing costs plus costs for other necessities impact where people live. Brown and Black families live south of I-20 and outside I-285 to be somewhere they can afford housing and groceries and medicine.
  - Access to shopping and retail is a huge issue. People make housing decisions based on an ability to access grocery and other shopping.
  - People do not want to leave their communities to seek affordable housing. It should be provided throughout the city and county.
  - There should be more done to make all residents, including immigrants, feel included in the community. There have been some programs and events that reflect Hispanic culture, but more is needed.
  - Transportation is a housing barrier. People without access to a vehicle look for transit access, but these locations are often in food deserts or areas without access to quality schools.
  - People are discriminated against or treated poorly by landlords but do not have information about fair housing rights, tenants rights, and available resources.
  - Landlords are also not educated about fair housing responsibilities. For example, many do not know they need to take emotional support animals. Some may be responsive to education efforts, although some may not be.
3. What types of fair housing services (education, complaint investigation, testing, etc.) are offered in the area? How well are they coordinated with the work of other organizations in the community?
- Metro Fair Housing Services. They could do more if they had more funding.
  - Atlanta Legal Aid. They could also provide more services with more funding.
  - Georgia Justice Project.
  - Citizens Review Board in the City of Atlanta, where you can bring complaints regarding landlords.
  - Latino immigrants often do not talk to agencies for help with fair housing issues in their existing housing for fear that it would result in them having to move. This happened before where people from the City came and residents ended up being moved out.
  - Generally, residents do not have knowledge of fair housing services. Similarly, landlords are not educated on fair housing issues. There is a need for a database of service providers.
  - There is a need for more marketing about fair housing services, affordable housing programs, and other city/county information. Churches, schools, and social media are a good way to reach

people. For Spanish speakers, radio and TV are good communication avenues (La Raza, La Z, La Invasora, Energia Auditiva Radio).

4. Are public resources (e.g., parks, schools, roads, police and fire services, etc.) available evenly throughout all neighborhoods?
  - No, resources are not evenly available.
  - Street, sidewalk, and ADA accessibility improvements are huge needs. Half of the streets in some areas do not have sidewalks.
  - Shelters at MARTA bus stops are needed.
  - Streetlights in low income communities is a need.
  - Communities south of I-20, particularly low income communities, have difficulty accessing grocery stores.
  - Availability of parks and playgrounds is not even. Families may need to go to another neighborhood for their children to play because there are not parks where they live.

## Community Survey

Five hundred and thirty-one people took the Housing and Community Development Survey conducted as part of this project. Several questions specifically queried respondents on fair housing issues; these findings are summarized below. Complete survey results are provided as an appendix to this report.

### *Participant Demographics*

- Of the 531 people who participated in the survey, about 60% live in the City of Atlanta, 18% live in South Fulton County, and 15% live in North Fulton County. Only 6% of survey respondents live outside of Fulton County, typically in surrounding counties.
- Respondents' ages are relatively evenly distributed. About 35% are between ages 25 and 44; one-third (34%) are between ages 45 and 61, and 28% are age 62 or older. Eighteen percent (18%) of participants have someone in their home with a disability.
- One-third of survey takers (33%) have incomes under \$50,000. Another 32% have incomes from \$50,000 to \$99,999, and the remaining 35% have incomes of \$100,000 or more.
- About one-half of respondents (51%) are African American or Black and 42% are white. No other racial or ethnic group comprises more than 4% of survey takers. Ten percent of participants (10%) regularly speak a language other than English in their homes; the most common of these languages is Spanish.
- The majority of survey takers own their homes (72%) and 23% rent. The remaining 5% live with a relative, live in a hotel or motel, or are homeless. About 5% of respondents live in public housing or hold a Housing Choice Voucher.

### *Housing and Community Resources in Atlanta and Fulton County*

- When asked to select housing needs, the following were most frequently identified as high needs by respondents living in Atlanta:



- Construction of new affordable rental units
  - Grants to improve affordable rental housing / apartments
  - Elderly or senior housing
  - Housing for people with disabilities
  - Energy efficiency improvements to housing
- Housing needs most frequently identified as high needs by survey takers living in Fulton County include:
    - Elderly or senior housing
    - Help buying a home / downpayment assistance
    - Energy efficiency improvements to housing
    - Grants to improve affordable rental housing/apartments
    - Help for homeowners to make housing improvements
  - When asked about the distribution of community resources, more than 60% of Atlanta residents said that schools, roads and sidewalks, grocery stores and other shopping, banks and lending, parks and trails, and property maintenance are not equally provided.
  - More than 60% of Fulton County residents said that roads and sidewalks, grocery stores and other shopping, parks and trails, and property maintenance is not equally provided. In both geographies, garbage collection and fire and police protection were most frequently considered to be evenly provided throughout the jurisdiction.

### *Fair Housing in Atlanta and Fulton County*

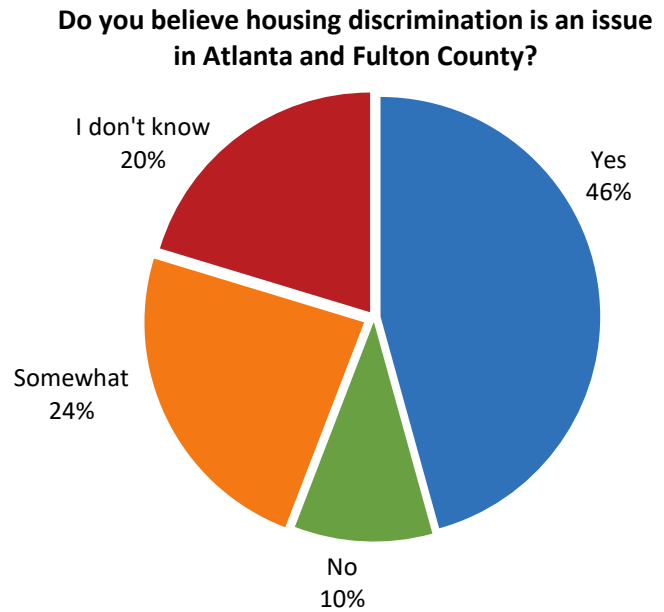
- Relatively large shares of survey participants report knowing or somewhat knowing their fair housing rights (49% and 36%, respectively). While only 15% of respondents do not know their fair housing rights, a larger share – 50% – would not know where to file a fair housing complaint.
- Fifty-seven (57) survey participants experienced housing discrimination while living in Atlanta or Fulton County, most by a landlord or property manager or a mortgage lender. Race and ethnicity were the most frequent bases for discrimination. Gender and familial status were also common.

- Of the 57 respondents who experienced housing discrimination, only 4 filed a report. Most common reasons for not reporting include not know what good it would do and not knowing where to file. Participants also noted that when you are focused on finding a home, you move on to another landlord or lender and do not have time to address discrimination.

- Survey participants were asked whether they think housing discrimination is an issue in Atlanta and Fulton County. Respondents living in Atlanta were more likely to see housing discrimination as an issue than those living in Fulton County.

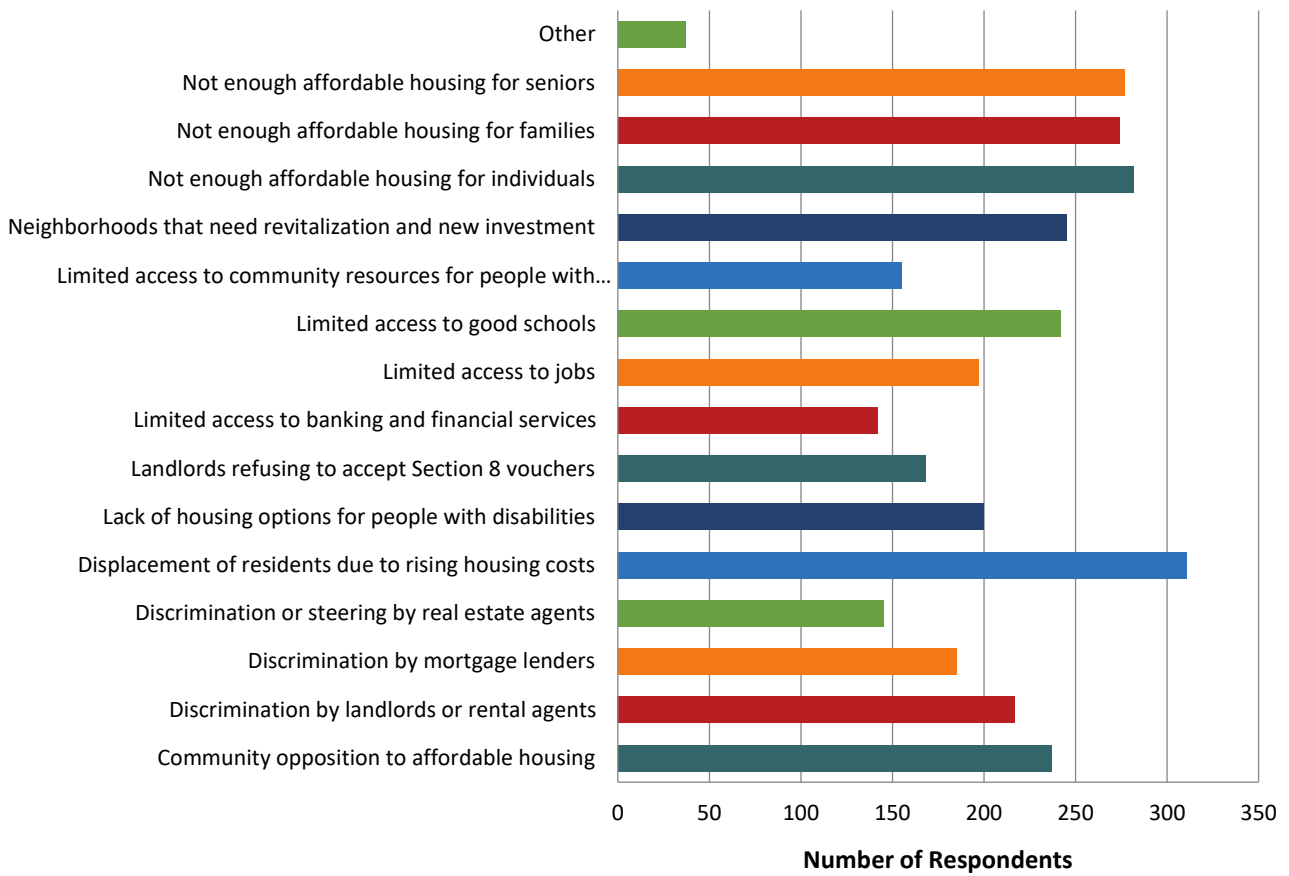
- Asked to select any factors that are barriers to fair housing in Atlanta and Fulton County, respondents in both geographies most commonly identified the following:
  - Displacement of residents due to rising housing costs
  - Not enough affordable housing for individuals, families, and seniors
  - Limited access to good schools
  - Neighborhoods that need revitalization and new investment
  - Community opposition to affordable housing

**FIGURE 1. PERCEPTIONS OF HOUSING DISCRIMINATION IN ATLANTA AND FULTON COUNTY FROM THE COMMUNITY SURVEY**



**FIGURE 2. FAIR HOUSING BARRIERS IN ATLANTA AND FULTON COUNTY FROM THE COMMUNITY SURVEY**

**Do you think any of the following are barriers to fair housing in Atlanta and Fulton County?**



# CHAPTER 3.

## SOCIOECONOMIC PROFILE

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### DEMOGRAPHIC PROFILE

The city of Atlanta’s population is estimated at 465,230 according to the 2013-2017 5-Year American Community Survey (ACS). It has grown modestly from 416,474 in 2000, an increase of about 12%. Fulton County has an estimated 1,010,420 residents according to most recent ACS data. This figure represents a 23.8% increase over the county’s 2000 population of 816,006.

Population in the larger Atlanta-Sandy Springs-Roswell Metropolitan Statistical Area (MSA) grew by about 68% since 1990 to reach about 5.3 million residents per the most recent ACS estimate. This section more closely examines population characteristics and trends in the city of Atlanta and Fulton County using Census and ACS data provided in Tables 1 and 2.

#### Race/Ethnicity

Black residents comprise 53.4% of Atlanta’s current population, following a 13.6% decline from 1990, when two-thirds of the city’s residents were Black. African Americans were the only racial or ethnic group to experience decline since 1990. The white population accounts for more than a third of the city and experienced a 30% increase since 1990. The Hispanic population nearly tripled in absolute numbers during the same time to comprise 5.2% of residents. The Asian population in Atlanta experienced even more significant growth, nearly quadrupling in size, however, the population share remains low at 3.1%. Native Americans also experienced an increase in population but account for less than 1% of Atlanta.

In Fulton County<sup>5</sup>, Black residents make up 46.2% of the population and constitute the largest racial or ethnic group. Unlike in Atlanta, Fulton County’s Black population approximately doubled since 1990; however, the

#### 3-GEOGRAPHY COMPARISON:

In Atlanta, Fulton County, and DeKalb County, Black residents comprise the largest share of the population, ranging from 46% in Fulton County to 57% in DeKalb County.

White residents are the second largest group in each area, ranging from 26% in DeKalb County to 36% in Atlanta and Fulton County.

All geographies became increasingly diverse since 1990, with significant increases in Hispanic or Latino and Asian or Pacific Islander population shares.

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<sup>5</sup> HUD-provided Affirmatively Furthering Fair Housing data for Fulton County covers unincorporated Fulton County as well as the following municipalities: Alpharetta, Chattahoochee Hills, College Park, East Point, Fairburn, Hapeville, Milton, Mountain Park, Palmetto, and Union City. Throughout Chapters 3 through 8, data tables labeled “Fulton County” provide data for the HUD-defined region (unincorporated Fulton and the municipalities listed above), except where otherwise noted. City of Atlanta data is provided separately in this report; the Cities of Roswell and Sandy Springs are also HUD entitlement jurisdictions and prepare their own Analyses of Impediments to Fair Housing Choice.

population share remained roughly the same over those decades. The White population expanded by 43.5% since 1990, but experienced a 13.9 percentage point loss in population share during the same time. All racial and ethnic groups grew in absolute numbers; however, the growth rate of the Asian and Hispanic populations outpaced all other groups by a significant margin. The Asian population expanded exponentially since 1990 growing from a share of just 1.7% to comprising 8.7% of Fulton County currently. The Hispanic population experienced similar growth – from 1.6% of the county in 1990 to 7.0% currently. Native American populations doubled in absolute numbers since 1990, but still account for less than 1% of the county.

Approximately half of the population in the Atlanta-Sandy Springs-Roswell MSA are non-Hispanic white (50.8%). Black residents represent the second largest group comprising nearly a third of the MSA (31.9%). Latinos comprise 10.4% of the MSA, while slightly less than 5% is made up of Asian or Pacific Islander residents. Native American residents account for less than 1% of the MSA population. The racial and ethnic composition of the study area deviates from the population of the Atlanta-Sandy Springs-Roswell MSA and is generally more diverse.

### National Origin

The share of foreign-born residents in Atlanta more than doubled since 1990 to comprise 8.0% currently. In absolute numbers, foreign-born residents grew by 152.9% since 1990 with the largest influx occurring between 1990 and 2000. Both the growth rate and proportion of foreign-born residents in Atlanta is significantly smaller than in the Atlanta-Sandy Springs-Roswell MSA, where 13.6% of residents were born in another country.

### 3-GEOGRAPHY COMPARISON:

About 16% of residents in Fulton and DeKalb Counties were born outside the U.S., compared to 8% in Atlanta.

Limited English proficiency is more common in DeKalb County (9% of the population) than in Fulton County and Atlanta (6% and 4% of the population, respectively).

In all geographies, Mexico is the most common birth country for foreign-born residents and Spanish is the most common language spoken by residents with limited English proficiency.

Top countries of origin for Atlanta’s foreign-born population are Mexico, India, Korea, China, and Jamaica. The population originating from Mexico is the largest, comprising 1.7% of city residents and 20.8% of foreign-born residents. Residents from all other countries each account for less than 1% of the city’s total population. Indian, Korean, Chinese, and Jamaican populations comprise 9.2%, 5.9%, 5.8%, and 3.3% of the foreign-born population, respectively.

Foreign-born residents account for 15.8% of the current population in Fulton County. The foreign-born population in Fulton County grew by nearly 700% in absolute numbers and 11.9% percentage points in population share since 1990. The top countries of origin for Fulton County’s foreign-born population are Mexico, India, Korea, China, Jamaica, Iran, Nigeria, Russia, Canada, and Pakistan. Residents originating from Mexico account for 2.5% of the total population and 15.0% of the foreign-born

population, a slightly smaller proportion compared to Atlanta. The population from India is a close second

comprising 2.4% of the total population and 14.7% all foreign-born residents. Residents originating from Korea and China make up 8.4% and 6.4% of the foreign-born population, respectively.

## LEP

The demographics of the population with limited English proficiency (LEP) typically resembles the patterns of the foreign-born population in most communities. The population trends of the LEP population in the Atlanta-Sandy Springs-Roswell MSA follow a similar trajectory as the foreign-born population, however, LEP populations in the city of Atlanta and Fulton County deviate slightly from these patterns.

The LEP population in the city of Atlanta accounts for 3.5% of the current population after growing at a rate of 74.7% since 1990. The greatest change occurred between 1990 and 2000 when the population more than doubled leading to a peak in population share of 4.6%. Despite the increase in foreign-born population, growth was followed by a 17.9% decline in 2010 and continued to decrease to current numbers. The majority (59.2%) of the LEP population speak Spanish and the second and third most common languages spoken among the LEP population are Chinese and Korean, respectively.

The change in the LEP population in Fulton County generally followed the growth patterns of the foreign-born population. The LEP population has grown to five times its size since 1990 and comprises 6.4% of the current population. Growth of the LEP population slowed between 2000 and 2010 and did not reflect the same exponential rate as the foreign-born population, which could indicate disproportionate change in the number of foreign-born residents from countries where English is the primary language or commonly used and/or improved English language skills for existing foreign-born residents. Compared to the LEP population in the city of Atlanta, a lower percentage of LEP residents (42.0%) speak Spanish. The second most common language among the LEP population is Korean and is spoken by 13.5% of the population. Chinese is the third most common language and spoken by 11.3% of the LEP population.

## Disability

According to 2017 ACS, approximately 11.0% of the population living in the city of Atlanta have a disability, slightly higher than the population share in the Atlanta-Sandy Springs-Roswell MSA (9.6%). The population with disabilities in the city of Atlanta and the MSA have similar distributions by disability type. The most common disability type in the city of Atlanta is difficulty with ambulatory movement. People experiencing ambulatory difficulties comprise 6.9% of the city's total population. People with disabilities that may require extensive assistance, including independent living or self-care difficulties, make up 4.3% and 2.3% of Atlanta's population, respectively. The population of people with hearing and vision difficulties make up 2.0% and 2.5% of the city's population, respectively. For all of these disability types, the share of the population with these difficulties is slightly higher in the city of Atlanta compared to the Atlanta-Sandy Springs-Roswell MSA.

### 3-GEOGRAPHY COMPARISON:

About 11% of Atlanta residents have a disability, compared to 10% of DeKalb County and 8% of Fulton County.

In all geographies, the most common disability types are difficulties with ambulatory movement, cognitive difficulties, and independent living difficulties.

The population share of residents with disabilities in Fulton County (8.2%) is slightly lower compared to the Atlanta and the MSA. The distribution by disability types in Fulton County follow general patterns found in the MSA, but are also slightly lower in shares of the population. The most common disability type is ambulatory difficulty, which impacts 4.8% of residents in Fulton County. Cognitive difficulty is the second-most-common disability type affecting 3.4% of residents. Disabilities that require extensive assistance, such as difficulties with independent living or self-care, make up 3.3% and 1.9% of the population, respectively. Hearing difficulties affect nearly 2% of the population and vision difficulties impact 1.5% of Fulton County residents.

## Age

Age distribution in all three jurisdictions loosely resemble population shares found in the Atlanta-Sandy Springs-Roswell MSA. People between the ages of 18 and 64 comprise a slightly larger percentage 70.9% in the city of Atlanta compared to the MSA (64.5%). From 1990 to 2010, the population between 18 and 64 in the city of Atlanta grew at a rate of 18.1% and expanded in proportion by 6.3 percentage points. The proportion of residents under the age of 18 (19.3%) is nearly double the share of residents that are 65 and over (9.8%) in the city of Atlanta. The population under 18 declined by 13.6% since 1990 while the 65 and above population declined by 6.9%. Compared to Fulton County, Atlanta experienced the greatest change in population shares since 1990.

The majority of Fulton County's population (63.5%) is between the ages of 18 and 64, however, the population share of residents under the age of 18 (29.2%) is the larger than in Atlanta. Subsequently, the population share of residents age 65 and over at 7.4% is smaller. All age groups experienced growth in absolute numbers since 1990, however, only the group under the age of 18 increased in population share with a 1.8% change in percentage point.

## Sex

In all three geographies, the share of female is greater than the share of male residents. Atlanta's population is relatively equal – 50.3% of residents are female and 49.8% are male. Although changes in population share by sex have been minor, the Atlanta's population has become more balanced with a 2% swing since 1990.

Gender distribution in Fulton County follows the same pattern, with females comprising 52.6% of the population and males 47.4%. There have been only minor fluctuations since 2000.

### 3-GEOGRAPHY COMPARISON:

Youth under age 18 make up 20% of Atlanta's population compared to 24% of DeKalb County's and 29% of Fulton County's.

Seniors over age 65 comprise 7% of residents in Fulton County and 9-10% of residents in Atlanta and DeKalb County.

Families with children are most common in Fulton County, where 55% of families have children, compared to 44-47% in Atlanta and DeKalb County.

## Family Type

Families with children comprise 44.3% of total families in the city of Atlanta. The number of families with children have declined at a rate of 13.6% and decreased by three percentage points in share since 1990. The proportion of families with children is 6.7 percentage points less than the proportion in the Atlanta-Sandy Springs-Roswell MSA. Atlanta is the only jurisdiction of the three to have experienced a decline in the number of families with children since 1990.

The percentage of families with children in Fulton County is higher than in Atlanta. After experiencing steady growth since 1990, the number of families with children doubled in Fulton County and now account for 55.2% of all families. Fulton County is the only jurisdiction to experience an increase in proportion of families with children since 1990.



**TABLE 1. DEMOGRAPHIC OVERVIEW FOR THE CITY OF ATLANTA AND THE ATLANTA-SANDY SPRINGS-ROSWELL MSA**

Demographic Indicator	City of Atlanta		Atlanta-Sandy Springs-Roswell MSA			
	#	%	#	%		
<b>Race/Ethnicity</b>						
Non-Hispanic						
White	152,170	36.2%	2,684,570	50.8%		
Black	224,489	53.4%	1,684,178	31.8%		
Asian or Pacific Islander	13,167	3.1%	254,691	4.8%		
Native American	762	0.2%	10,779	0.2%		
Two or More Races	6,817	1.6%	90,866	1.7%		
Other	743	0.2%	13,749	0.3%		
Hispanic	22,011	5.2%	547,894	10.4%		
<b>National Origin</b>						
#1 country of origin	Mexico	6,962	1.7%	Mexico	174,014	3.5%
#2 country of origin	India	3,077	0.8%	India	50,770	1.0%
#3 country of origin	Korea	1,973	0.5%	Korea	34,848	0.7%
#4 country of origin	China excl. Hong Kong & Taiwan	1,950	0.5%	Jamaica	34,108	0.7%
#5 country of origin	Jamaica	1,107	0.3%	Vietnam	28,037	0.6%
#6 country of origin	Germany	808	0.2%	China excl. Hong Kong & Taiwan	21,114	0.4%
#7 country of origin	Canada	741	0.2%	El Salvador	19,166	0.4%
#8 country of origin	Other UK	717	0.2%	Guatemala	18,337	0.4%
#9 country of origin	Colombia	672	0.2%	Colombia	16,109	0.3%
#10 country of origin	Honduras	616	0.2%	Nigeria	15,061	0.3%
<b>Limited English Proficiency (LEP)</b>						
#1 LEP Language	Spanish	8,619	2.1%	Spanish	224,781	4.5%
#2 LEP Language	Chinese	1,370	0.3%	Korean	21,996	0.4%
#3 LEP Language	Korean	803	0.2%	Vietnamese	21,665	0.4%

**Note:** All % represent a share of the total population within the jurisdiction or region. The most populous places of birth and languages at the city and regional levels may not be the same, and are thus labeled separately.

**Data Source:** HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

**TABLE 1. DEMOGRAPHIC OVERVIEW FOR THE CITY OF ATLANTA AND THE ATLANTA-SANDY SPRINGS-ROSWELL MSA (CONTINUED)**

Demographic Indicator	City of Atlanta		Atlanta-Sandy Springs-Roswell MSA			
	#	%	#	%		
<b>Limited English Proficiency (continued)</b>						
#4 LEP Language	French	607	0.2%	Chinese	17,726	0.4%
#5 LEP Language	African	481	0.1%	African	11,988	0.2%
#6 LEP Language	Japanese	252	0.1%	Other Indic Language	6,935	0.1%
#7 LEP Language	German	249	0.1%	Other Asian Language	6,903	0.1%
#8 LEP Language	Arabic	243	0.1%	French	6,038	0.1%
#9 LEP Language	Russian	207	0.1%	French Creole	5,082	0.1%
#10 LEP Language	Other Indic Language	181	0.0%	Russian	5,051	0.1%
<b>Disability Type</b>						
Hearing difficulty		8,062	2.0%		124,237	2.5%
Vision difficulty		9,826	2.5%		96,741	2.0%
Cognitive difficulty		18,593	4.7%		195,085	3.9%
Ambulatory difficulty		27,649	6.9%		273,305	5.5%
Self-care difficulty		9,208	2.3%		101,952	2.1%
Independent living difficulty		17,133	4.3%		185,645	3.8%
<b>Sex</b>						
Male		209,036	49.8%		2,572,523	48.7%
Female		211,122	50.3%		2,714,205	51.3%
<b>Age</b>						
Under 18		81,235	19.3%		1,400,791	26.5%
18-64		297,713	70.9%		3,411,410	64.5%
65+		41,210	9.8%		474,527	9.0%
<b>Family Type</b>						
Families with children		35,588	44.3%		662,976	50.0%

**Note:** All % represent a share of the total population within the jurisdiction or region, except family type, which is out of total families. The most populous places of birth and languages at the city and regional levels may not be the same, and are thus labeled separately.

**Data Source:** HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

**TABLE 2. DEMOGRAPHIC OVERVIEW FOR FULTON COUNTY AND THE ATLANTA-SANDY SPRINGS-ROSWELL MSA**

Demographic Indicator	Fulton County		Atlanta-Sandy Springs-Roswell MSA			
	#	%	#	%		
<b>Race/Ethnicity</b>						
Non-Hispanic						
White	125,045	35.9%	2,684,570	50.8%		
Black	160,846	46.2%	1,684,178	31.8%		
Asian or Pacific Islander	30,473	8.7%	254,691	4.8%		
Native American	581	0.2%	10,779	0.2%		
Two or More Races	6,191	1.8%	90,866	1.7%		
Other	903	0.3%	13,749	0.3%		
Hispanic	24,440	7.0%	547,894	10.4%		
<b>National Origin</b>						
#1 country of origin	Mexico	8,263	2.5%	Mexico	174,014	3.5%
#2 country of origin	India	8,096	2.4%	India	50,770	1.0%
#3 country of origin	Korea	4,636	1.4%	Korea	34,848	0.7%
#4 country of origin	China excl. Hong Kong & Taiwan	3,527	1.1%	Jamaica	34,108	0.7%
#5 country of origin	Jamaica	2,385	0.7%	Vietnam	28,037	0.6%
#6 country of origin	Iran	1,262	0.4%	China excl. Hong Kong & Taiwan	21,114	0.4%
#7 country of origin	Nigeria	1,183	0.4%	El Salvador	19,166	0.4%
#8 country of origin	Russia	1,177	0.4%	Guatemala	18,337	0.4%
#9 country of origin	Canada	1,086	0.3%	Colombia	16,109	0.3%
#10 country of origin	Pakistan	999	0.3%	Nigeria	15,061	0.3%
<b>Limited English Proficiency (LEP)</b>						
#1 LEP Language	Spanish	9,358	2.8%	Spanish	224,781	4.5%
#2 LEP Language	Korean	2,995	0.9%	Korean	21,996	0.4%
#3 LEP Language	Chinese	2,507	0.8%	Vietnamese	21,665	0.4%

**Note:** All % represent a share of the total population within the jurisdiction or region. The most populous places of birth and languages at the city and regional levels may not be the same, and are thus labeled separately.

**Data Source:** HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

**TABLE 2. DEMOGRAPHIC OVERVIEW FOR FULTON COUNTY AND THE ATLANTA-SANDY SPRINGS-ROSWELL MSA (CONTINUED)**

Demographic Indicator	Fulton County		Atlanta-Sandy Springs-Roswell MSA			
	#	%	#	%		
<b>Limited English Proficiency (continued)</b>						
#4 LEP Language	Other Asian Language	1,232	0.4%	Chinese	17,726	0.4%
#5 LEP Language	Russian	1,064	0.3%	African	11,988	0.2%
#6 LEP Language	Hindi	585	0.2%	Other Indic Language	6,935	0.1%
#7 LEP Language	Persian	485	0.2%	Other Asian Language	6,903	0.1%
#8 LEP Language	Arabic	480	0.1%	French	6,038	0.1%
#9 LEP Language	French	439	0.1%	French Creole	5,082	0.1%
#10 LEP Language	African	416	0.1%	Russian	5,051	0.1%
<b>Disability Type</b>						
Hearing difficulty		6,219	1.9%		124,237	2.5%
Vision difficulty		5,044	1.5%		96,741	2.0%
Cognitive difficulty		11,295	3.4%		195,085	3.9%
Ambulatory difficulty		15,940	4.8%		273,305	5.5%
Self-care difficulty		6,330	1.9%		101,952	2.1%
Independent living difficulty		11,051	3.3%		185,645	3.8%
<b>Sex</b>						
Male		165,295	47.4%		2,572,523	48.7%
Female		183,186	52.6%		2,714,205	51.3%
<b>Age</b>						
Under 18		101,665	29.2%		1,400,791	26.5%
18-64		221,102	63.5%		3,411,410	64.5%
65+		25,714	7.4%		474,527	9.0%
<b>Family Type</b>						
Families with children		49,394	55.2%		662,976	50.0%

**Note:** All % represent a share of the total population within the jurisdiction or region, except family type, which is out of total families. The most populous places of birth and languages at the city and regional levels may not be the same, and are thus labeled separately.

**Data Source:** HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

**TABLE 3. DEMOGRAPHIC TRENDS FOR THE CITY OF ATLANTA, FULTON COUNTY, AND THE ATLANTA-SANDY SPRINGS-ROSWELL MSA**

Demographic Indicator	City of Atlanta							
	1990		2000		2010		Current	
	#	%	#	%	#	%	#	%
<b>Race/Ethnicity</b>								
White, Non-Hispanic	118,886	30.4%	130,090	31.1%	152,170	36.2%	152,170	36.2%
Black, Non-Hispanic	259,810	66.5%	258,023	61.7%	228,767	54.5%	224,489	53.4%
Hispanic	7,439	1.9%	18,761	4.5%	22,011	5.2%	22,011	5.2%
Asian or Pacific Islander, Non-Hispanic	3,356	0.9%	8,702	2.1%	15,023	3.6%	13,167	3.1%
Native American, Non-Hispanic	455	0.1%	1,068	0.3%	1,366	0.3%	762	0.2%
<b>National Origin</b>								
Foreign-born	13,263	3.4%	27,589	6.6%	32,430	7.7%	33,540	8.0%
<b>LEP</b>								
Limited English proficiency	8,336	2.1%	19,369	4.6%	15,887	3.8%	14,559	3.5%
<b>Sex</b>								
Male	186,163	47.7%	206,972	49.5%	209,036	49.8%	209,036	49.8%
Female	204,185	52.3%	210,956	50.5%	211,122	50.3%	211,122	50.3%
<b>Age</b>								
Under 18	94,075	24.1%	96,775	23.2%	81,235	19.3%	81,235	19.3%
18-64	251,919	64.6%	280,036	67.0%	297,713	70.9%	297,713	70.9%
65+	44,281	11.4%	41,117	9.8%	41,210	9.8%	41,210	9.8%
<b>Family Type</b>								
Families with children	41,198	47.3%	28,472	46.1%	35,588	44.3%	35,588	44.3%

**Note:** All % represent a share of the total population within the jurisdiction or region for that year, except family type, which is out of total families.

**Data Source:** HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

**TABLE 3. DEMOGRAPHIC TRENDS FOR THE CITY OF ATLANTA, FULTON COUNTY, AND THE ATLANTA-SANDY SPRINGS-ROSWELL MSA (CONTINUED)**

Demographic Indicator	Fulton County							
	1990		2000		2010		Current	
	#	%	#	%	#	%	#	%
<b>Race/Ethnicity</b>								
White, Non-Hispanic	87,120	49.8%	125,639	47.7%	125,045	35.9%	125,045	35.9%
Black, Non-Hispanic	81,662	46.6%	110,554	42.0%	164,544	47.2%	160,846	46.2%
Hispanic	2,867	1.6%	13,425	5.1%	24,440	7.0%	24,440	7.0%
Asian or Pacific Islander, Non-Hispanic	2,950	1.7%	12,008	4.6%	32,353	9.3%	30,473	8.7%
Native American, Non-Hispanic	274	0.2%	742	0.3%	1,068	0.3%	581	0.2%
<b>National Origin</b>								
Foreign-born	6,895	3.9%	25,499	9.7%	48,791	14.0%	55,038	15.8%
<b>LEP</b>								
Limited English proficiency	4,394	2.5%	13,635	5.2%	20,237	5.8%	22,261	6.4%
<b>Sex</b>								
Male	82,985	47.4%	127,371	48.4%	165,295	47.4%	165,295	47.4%
Female	92,034	52.6%	136,091	51.7%	183,186	52.6%	183,186	52.6%
<b>Age</b>								
Under 18	47,910	27.4%	79,024	30.0%	101,665	29.2%	101,665	29.2%
18-64	113,085	64.6%	167,223	63.5%	221,102	63.5%	221,102	63.5%
65+	14,024	8.0%	17,215	6.5%	25,714	7.4%	25,714	7.4%
<b>Family Type</b>								
Families with children	24,474	52.4%	21,221	54.4%	49,394	55.2%	49,394	55.2%

**Note:** All % represent a share of the total population within the jurisdiction or region for that year, except family type, which is out of total families.

**Data Source:** HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

**TABLE 3. DEMOGRAPHIC TRENDS FOR THE CITY OF ATLANTA, FULTON COUNTY, AND THE ATLANTA-SANDY SPRINGS-ROSWELL MSA (CONTINUED)**

Demographic Indicator	Atlanta-Sandy Springs- Roswell MSA							
	1990		2000		2010		Current	
	#	%	#	%	#	%	#	%
<b>Race/Ethnicity</b>								
White, Non-Hispanic	2,190,381	71.1%	2,575,783	60.4%	2,684,571	50.8%	2,684,570	50.8%
Black, Non-Hispanic	774,022	25.1%	1,234,307	29.0%	1,737,348	32.9%	1,684,178	31.9%
Hispanic	58,434	1.9%	270,338	6.3%	547,894	10.4%	547,894	10.4%
Asian or Pacific Islander, Non-Hispanic	50,607	1.6%	148,647	3.5%	278,025	5.3%	254,691	4.8%
Native American, Non-Hispanic	5,236	0.2%	17,724	0.4%	23,199	0.4%	10,779	0.2%
<b>National Origin</b>								
Foreign-born	117,366	3.8%	424,683	10.0%	689,787	13.1%	720,964	13.6%
<b>LEP</b>								
Limited English proficiency	64,104	2.1%	259,330	6.1%	365,963	6.9%	372,588	7.1%
<b>Sex</b>								
Male	1,498,953	48.6%	2,102,082	49.3%	2,572,523	48.7%	2,572,523	48.7%
Female	1,583,361	51.4%	2,161,363	50.7%	2,714,205	51.3%	2,714,205	51.3%
<b>Age</b>								
Under 18	803,108	26.1%	1,163,223	27.3%	1,400,791	26.5%	1,400,791	26.5%
18-64	2,025,561	65.8%	2,770,277	65.0%	3,411,410	64.5%	3,411,410	64.5%
65+	251,559	8.2%	329,945	7.7%	474,527	9.0%	474,527	9.0%
<b>Family Type</b>								
Families with children	415,234	50.8%	363,160	50.9%	662,976	50.0%	662,976	50.0%

**Note:** All % represent a share of the total population within the jurisdiction or region for that year, except family type, which is out of total families.

**Data Source:** HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

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## RACE, ETHNICITY, AND POVERTY

This study uses a methodology developed by HUD that combines demographic and economic indicators to identify racially or ethnically concentrated areas of poverty (RECAPs). These areas are defined as census tracts that have an individual poverty rate of 40% or more (or an individual poverty rate that is at least 3 times that of the tract average for the metropolitan area, whichever is lower) and a non-white population of 50% or more. Using a metric that combines demographic and economic indicators helps to identify a jurisdiction's most vulnerable communities.

Nationally, the racial and ethnic composition of neighborhoods with concentrations of poverty is disproportionate relative to the U.S. population overall. According to the U.S. Department of Health and Human Services, Black and Hispanic populations comprise nearly 80% of the population living in areas of concentrated poverty in metropolitan areas, but only account for 42.6% of the total poverty population in the U.S.<sup>6</sup> Overrepresentation of these groups in areas of concentrated poverty can exacerbate disparities related to safety, employment, access to jobs and quality education, and conditions that lead to poor health.

Identification of RECAPs is significant in determining priority areas for reinvestment and services to ameliorate conditions that negatively impact RECAP residents and the larger region. Since 2000, the prevalence of concentrated poverty in the U.S. has expanded by nearly 75% in both population and number of neighborhoods. The majority of concentration of poverty is within the largest metro areas, but suburban regions have experienced the fastest growth rate.<sup>7</sup>

There are currently 34 census tracts that are designated as RECAP in the city of Atlanta. The number of RECAP census tracts decreased from a high of 44 in 1990 to a low of 28 in 2010 before increasing to the current number. Most of the RECAP census tracts are located in west and south Atlanta contiguously stretching in southern and northwestern directions from Downtown Atlanta, the densest area of concentration of RECAP communities. At the lowest count in 2010, RECAPs mainly disappeared from Downtown and Midtown neighborhoods. There are no RECAP census tracts north of the Norfolk Southern railroad tracks. Spatial distribution patterns and the location of RECAP census tracts have remained relatively consistent since 1990.

### 3-GEOGRAPHY COMPARISON:

Estimates show 34 RECAP census tracts in Atlanta, including about 24% of the city's population.

There are considerably fewer RECAPs in Fulton and DeKalb County. Fulton County has 3 RECAP tracts that include 3% of its population and DeKalb County has 8 RECAP tracts that include 5% of its population.

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<sup>6</sup> United States, Department of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation. "Overview of Community Characteristics in Areas With Concentrated Poverty." ASPE Issue Brief, May 2014, [https://aspe.hhs.gov/system/files/pdf/40651/rb\\_concentratedpoverty.pdf](https://aspe.hhs.gov/system/files/pdf/40651/rb_concentratedpoverty.pdf).

<sup>7</sup> <sup>3</sup> Kneebone, Elizabeth. "The Growth and Spread of Concentrated Poverty, 2000 to 2008-2012." *The Brookings Institution*, 29 July 2016, [www.brookings.edu/interactives/the-growth-and-spread-of-concentrated-poverty-2000-to-2008-2012/](http://www.brookings.edu/interactives/the-growth-and-spread-of-concentrated-poverty-2000-to-2008-2012/).



The population residing in RECAP census tracts in the city of Atlanta is 97,409, which accounts for nearly one-quarter (23.6%) of the city's total population. Black residents account for a significant majority (84.35%) of the population in RECAP communities. The discrepancy between population share of Black residents in the RECAP census tracts, the city of Atlanta (53.4%) and the Atlanta-Sandy Springs-Roswell MSA (31.9%) clearly indicates disproportionate representation of the Black residents in these communities. Figure 3 also provides clear visual evidence of the location of RECAP census tracts in predominantly Black neighborhoods in the city. All other racial and ethnic groups constitute smaller shares of the RECAP population than their shares of the population citywide. Nearly half (48.6%) of families residing in RECAP census tracts have children, which is a slightly larger proportion compared to the city as a whole.

The foreign-born population make up a small fraction of the population in RECAP census tract in Atlanta. Residents originating from Mexico comprise are the largest and comprise only 1.3% of the RECAP population. The next largest groups are residents from China and India and each make up about 0.4% of the RECAP population.

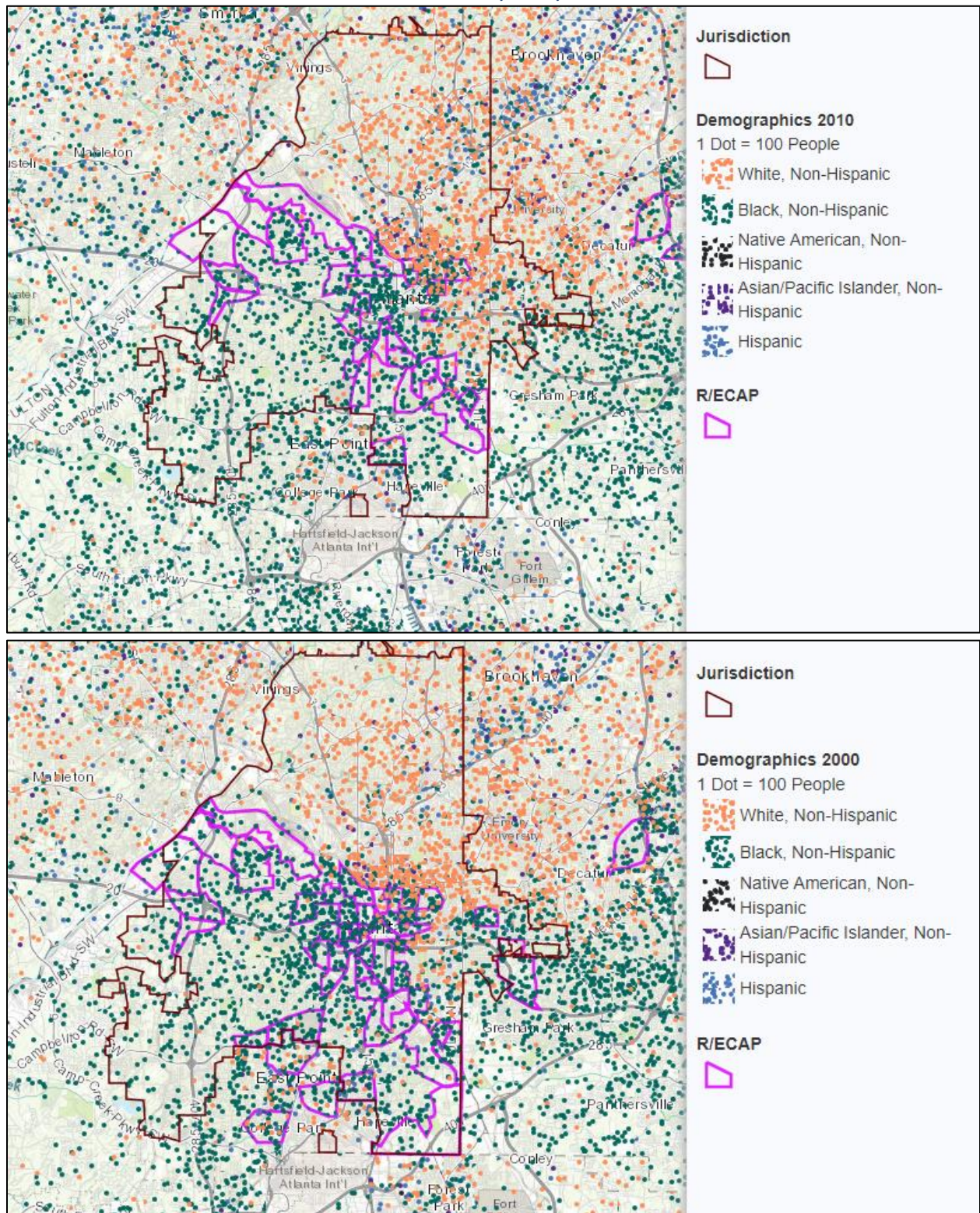
**TABLE 4. DEMOGRAPHIC PROFILE OF CITY OF ATLANTA RECAP CENSUS TRACTS**

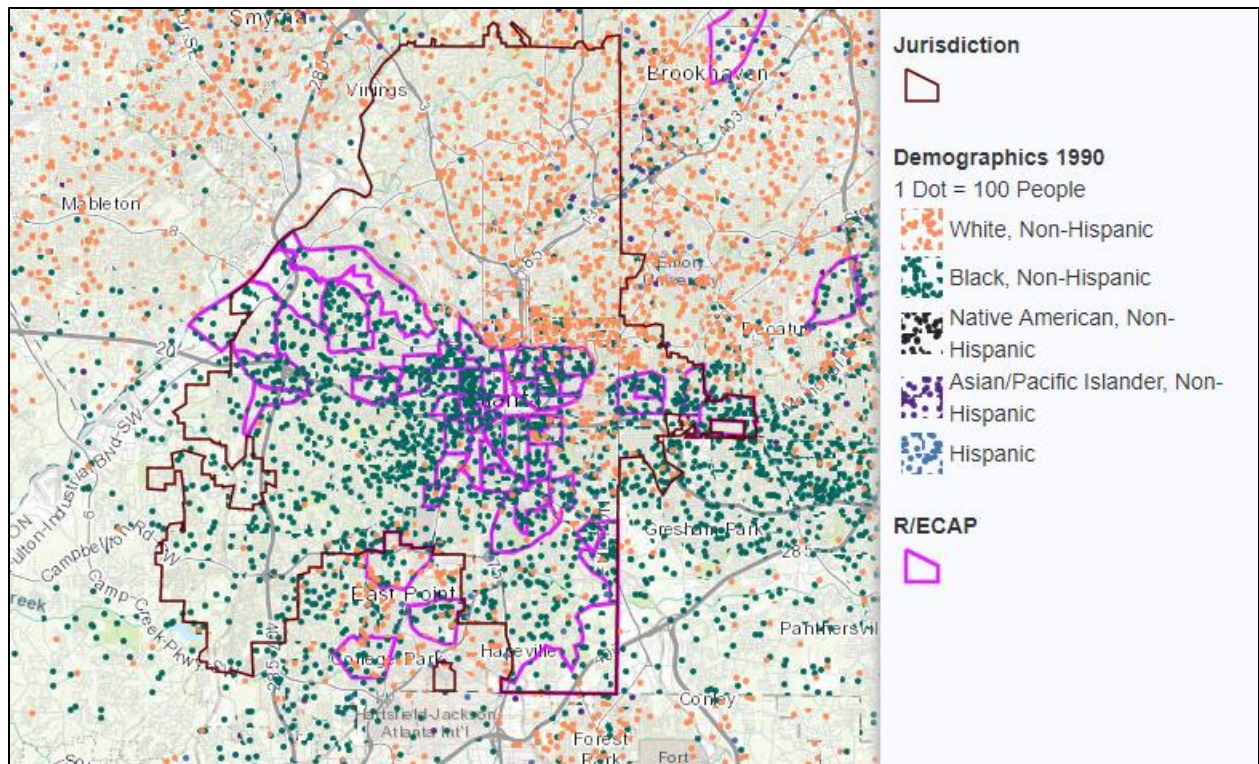
Demographic Indicator	City of Atlanta	
	#	%
<b>Race/Ethnicity</b>		
Total RECAP Population	97,409	--
White, Non-Hispanic	7,541	7.7%
Black, Non-Hispanic	82,165	84.4%
Hispanic	4,010	4.1%
Asian or Pacific Islander, Non-Hispanic	1,914	2.0%
Native American, Non-Hispanic	230	0.2%
Other, Non-Hispanic	138	0.1%
<b>National Origin</b>		
Total RECAP Population	97,409	--
#1 country of origin	Mexico	1,300 1.3%
#2 country of origin	China (excl. Hong Kong & Taiwan)	424 0.4%
#3 country of origin	India	410 0.4%
#4 country of origin	Jamaica	275 0.3%
#5 country of origin	Ethiopia	204 0.2%
#6 country of origin	Germany	188 0.2%
#7 country of origin	Korea	188 0.2%
#8 country of origin	Other Western Africa	147 0.2%
#9 country of origin	Honduras	136 0.1%
<b>Family Type</b>		
Total Families in RECAPs	18,972	--
Families with Children	9,213	48.6%

**Note:** All % represent a share of the total population within the tract, except family type, which is out of total families.

**Data Source:** HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

**FIGURE 3. CITY OF ATLANTA RECAP CENSUS TRACTS IN 1990, 2000, AND 2010**





Fulton County has a lower number of RECAP census tracts compared to Atlanta. The three census tracts that are designated as RECAP are all located in the southern section of the county and more specifically within the cities of East Point and College Park. The location of RECAP census tracts have remained geographically limited to East Point and College Park since 1990.

Only 3% of Fulton County's population reside in RECAP census tracts. Black residents comprise three quarters (75.7%) of the county's RECAP population. There is a significant discrepancy between population shares of Black residents in RECAP census tracts and Fulton County as whole where Black residents comprise less than half of the population. The Hispanic population accounts for 10.3% of the population in RECAP communities and is the only other racial or ethnic group with a population share that is greater than county figures. These discrepancies suggest disproportionate representation of Black and Hispanic populations in Fulton County's RECAP census tracts.

Similar to DeKalb County, more than half (53.2%) of the families residing in RECAP census tracts in Fulton County have children. The proportion of families with children is a couple percentage points lower in RECAP communities than Fulton County as a whole.

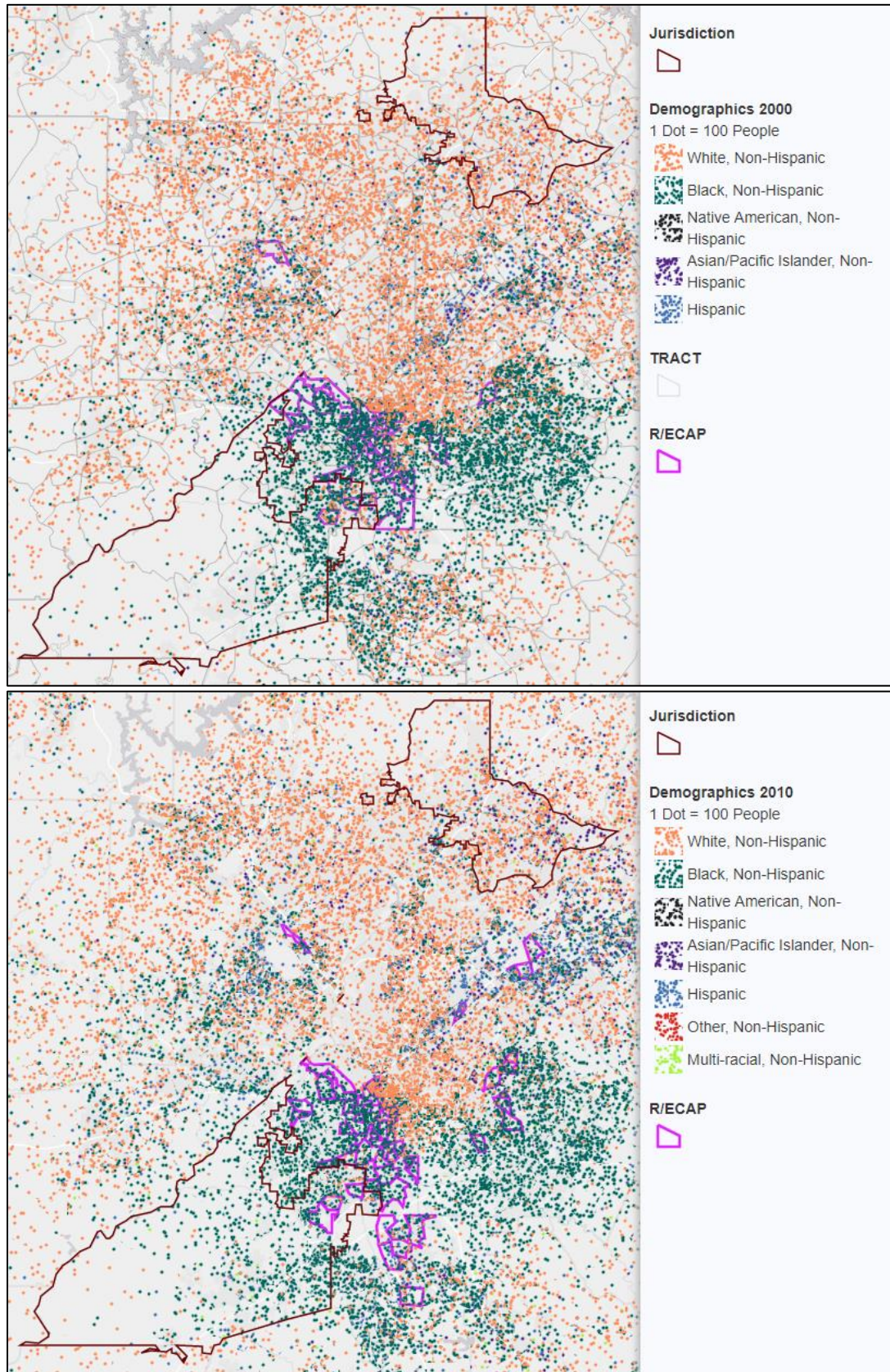
**TABLE 5. DEMOGRAPHIC PROFILE OF FULTON COUNTY RECAP CENSUS TRACTS**

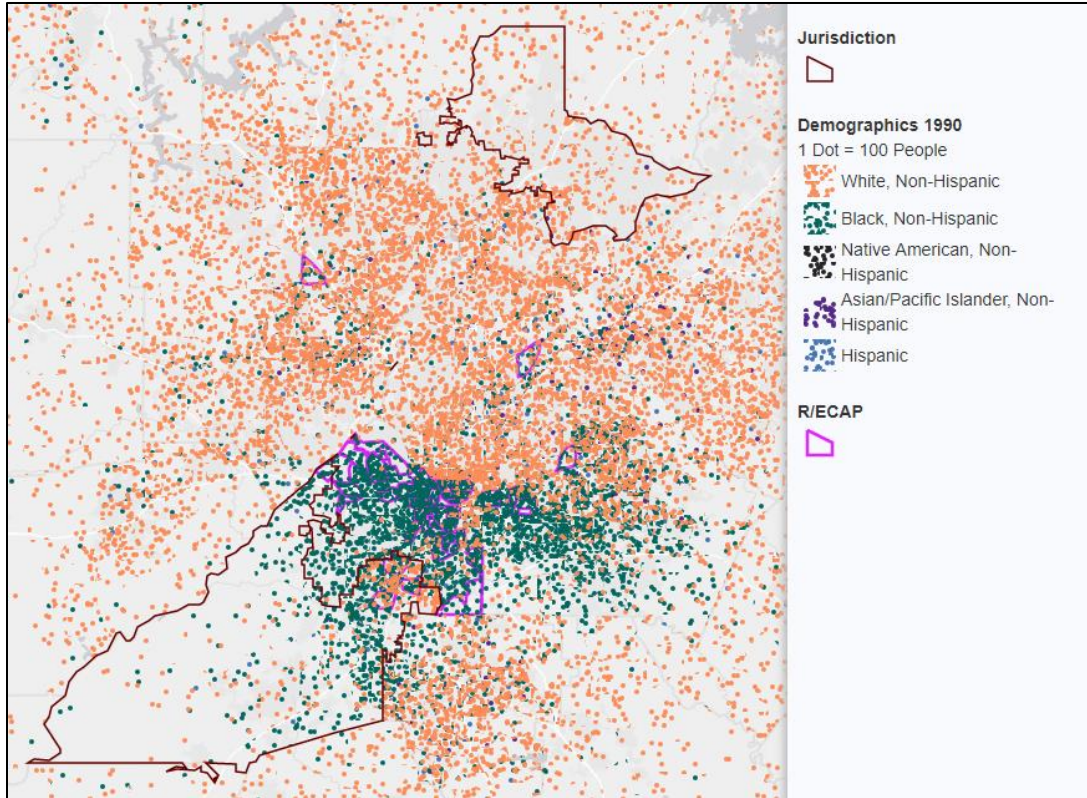
Demographic Indicator	Fulton County	
	#	%
<b>Race/Ethnicity</b>		
Total Tract Population	9,480	--
White, Non-Hispanic	1,083	11.4%
Black, Non-Hispanic	7,172	75.7%
Hispanic	979	10.3%
Asian or Pacific Islander, Non-Hispanic	65	0.7%
Native American, Non-Hispanic	27	0.3%
Other, Non-Hispanic	18	0.2%
<b>National Origin</b>		
Total Tract Population	9,480	-
#1 country of origin	Mexico	646 6.8%
#2 country of origin	Guyana	37 0.4%
#3 country of origin	Philippines	26 0.3%
#4 country of origin	Thailand	26 0.3%
#5 country of origin	Peru	24 0.3%
#6 country of origin	Haiti	20 0.2%
#7 country of origin	Colombia	13 0.1%
#8 country of origin	India	13 0.1%
#9 country of origin	Brazil	10 0.1%
<b>Family Type</b>		
Total Families in Tract	2,153	--
Families with Children	1,145	53.2%

**Note:** All % represent a share of the total population within the tract, except family type, which is out of total families.

**Data Source:** HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

**FIGURE 4. FULTON COUNTY RECAP CENSUS TRACTS IN 1990, 2000, AND 2010**





# CHAPTER 4.

## SEGREGATION AND INTEGRATION

Communities experience varying levels of segregation between different racial, ethnic, and socioeconomic groups. High levels of residential segregation often lead to conditions that exacerbate inequalities among population groups within a community. Increased concentrations of poverty and unequal access to jobs, education, and other services are some of the consequences of high residential segregation.<sup>8</sup>

Federal housing policies and discriminatory mortgage lending practices prior to the Fair Housing Act of 1968 not only encouraged segregation, but mandated restrictions based on race in specific neighborhoods. The Fair Housing Act of 1968 outlawed discriminatory housing practices, but did little to address the existing segregation and inequalities. Other federal housing policies and programs, like Section 8 and HOPE VI, have been implemented in an effort to ameliorate the negative effects of residential segregation and reduce concentrations of poverty. Despite these efforts, the repercussions of the discriminatory policies and practices continue to have a significant impact on residential patterns today.

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### RACE AND ETHNICITY

The spatial distribution patterns shown in Figure 5 provide strong visual evidence of severe segregation by race and ethnicity in Atlanta and Fulton County. Population distribution by race and ethnicity also show concentrations of White populations in northern areas and Black populations in the southern areas, a common pattern in both the city and county. Population density increases in centrally located neighborhoods closer Downtown Atlanta, but there is no visual indication of any correlation between population density, race, and ethnicity. Spatial patterns only indicate minor shifts in population distribution and segregation among racial and ethnic groups between 1990 and 2010.

The overall population distribution in the city of Atlanta in 2010 is similar to residential patterns in 1990 shown in Figure 7. Population density appears to have shifted slightly since 1990 as northern areas of the city have increased in density while southern areas have become less dense. The city's population has also become more racially and ethnically diverse and integrated since 1990, however, there are still strong patterns of segregation. Figures 5 through 7 show a clear line of segregation that runs from northwest to southeast bisecting the city into halves that are either predominantly White or Black. Downtown Atlanta and its surrounding neighborhoods appear to be the most racially and ethnically integrated areas in the city of Atlanta. However, neighborhoods that appear integrated based on current residential patterns may be in stages of gentrification and amidst changes in racial and ethnic composition that will eventually make them less diverse.

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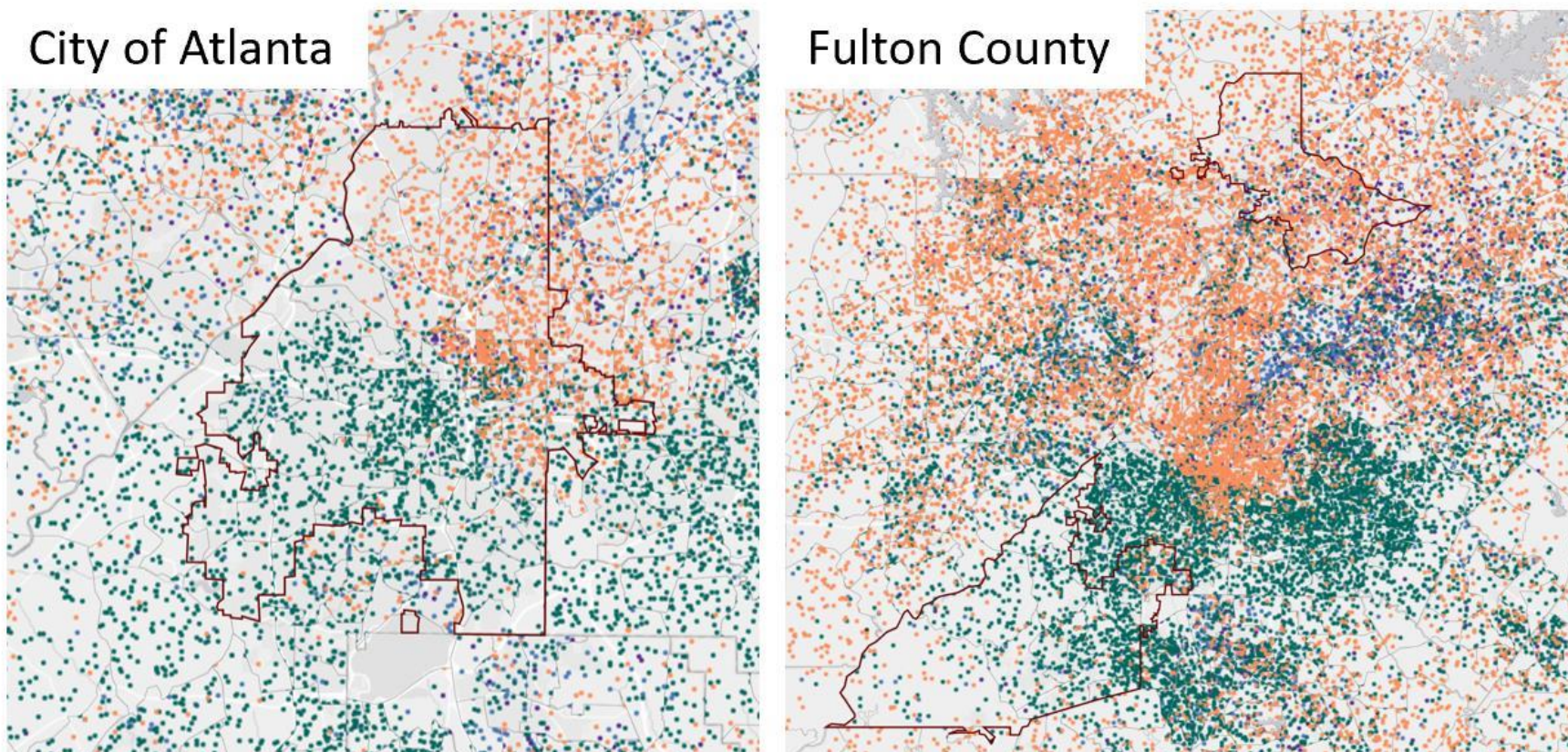
<sup>8</sup> Massey, D. (1990). American Apartheid: Segregation and the Making of the Underclass. *American Journal of Sociology*, 96(2), 329-357. Retrieved from <http://www.jstor.org/stable/2781105>



The northern and southern parts of Fulton County are drastically different in population density and racial and ethnic composition. Compared to the southern portion, the northern section of Fulton County is more densely populated and more racially and ethnically diverse. Residential patterns also show more integration among racial and ethnic groups compared to other neighborhoods. Although the northern part of Fulton County has become more diverse and integrated with a sharp influx of Hispanic and Asian populations, there is a noticeable absence of Black residents in this section. Prior to the racial and ethnic diversification of this area, the population was almost exclusively white in 1990 as evidenced by Figure 7.

In contrast to the northern portion, the southern segment of Fulton County is less densely populated with a homogeneous racial composition primarily made up of Black residents. There are neighborhoods with high residential density in East Point and College Park, however, most of the southwest area has maintained a relatively low-density residential pattern. It is difficult to discern if the southward geographic expansion of the Black population in this segment of Fulton County had any effect on segregation levels.

FIGURE 5. POPULATION BY RACE AND ETHNICITY IN CITY OF ATLANTA AND FULTON COUNTY, 2010



**Demographics 2010**  
 1 Dot = 100 People

- White, Non-Hispanic
- Black, Non-Hispanic
- Native American, Non-Hispanic
- Asian/Pacific Islander, Non-Hispanic
- Hispanic

**Jurisdiction**

**TRACT**

**Map Source:** HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

FIGURE 6. POPULATION BY RACE AND ETHNICITY IN CITY OF ATLANTA AND FULTON COUNTY, 2000

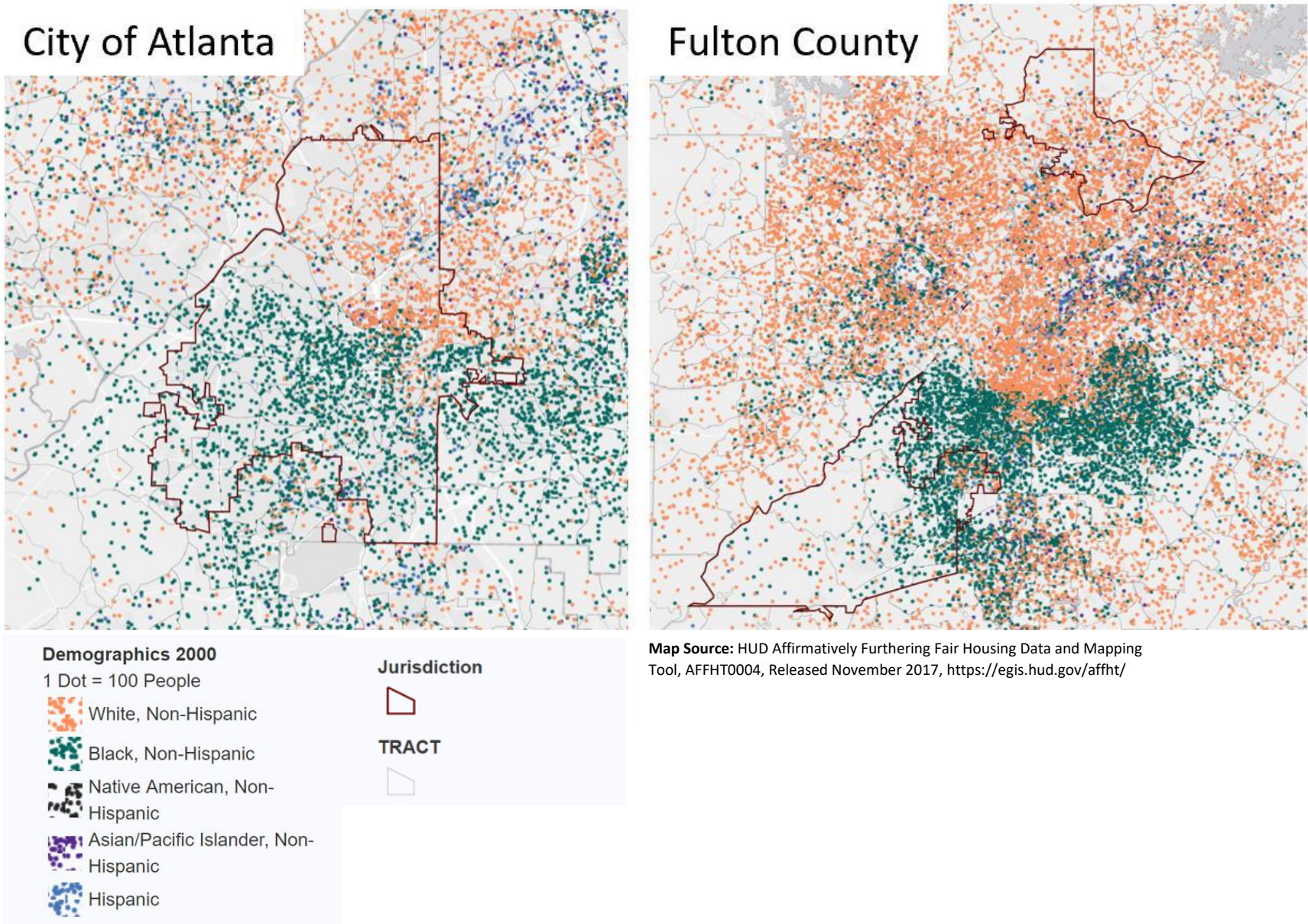
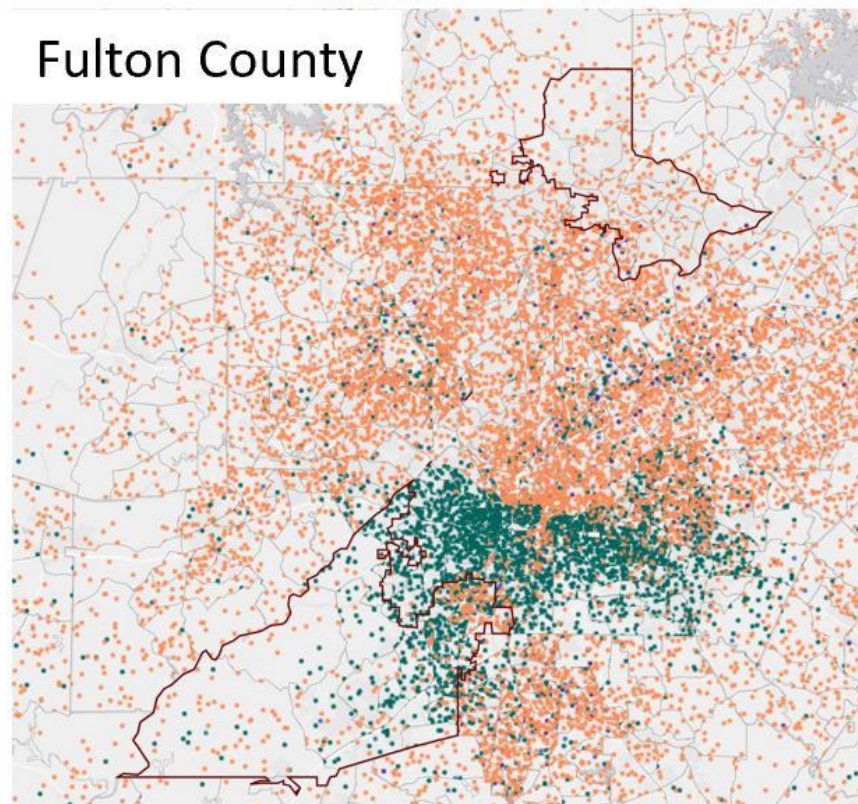


FIGURE 7. POPULATION BY RACE AND ETHNICITY IN CITY OF ATLANTA AND FULTON COUNTY, 1990



**Demographics 1990**

1 Dot = 100 People

-  White, Non-Hispanic
-  Black, Non-Hispanic
-  Native American, Non-Hispanic
-  Asian/Pacific Islander, Non-Hispanic
-  Hispanic

**Jurisdiction**



**TRACT**



Map Source: HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

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## SEGREGATION LEVELS

In addition to visualizing racial and ethnic compositions of Atlanta and Fulton County with the preceding maps, this study also uses a statistical analysis – referred to as dissimilarity – to evaluate how residential patterns vary by race and ethnicity, and how these patterns have changed since 1990. The Dissimilarity Index (DI) indicates the degree to which a minority group is segregated from a majority group residing in the same area because the two groups are not evenly distributed geographically. The DI methodology uses a pair-wise calculation between the racial and ethnic groups in the region. Evenness, and the DI, are maximized and segregation minimized when all small areas have the same proportion of minority and majority members as the larger area in which they live. Evenness is not measured in an absolute sense, but is scaled relative to the other group. The DI ranges from 0 (complete integration) to 100 (complete segregation). HUD identifies a DI value below 40 as low segregation, a value between 40 and 54 as moderate segregation, and a value of 55 or higher as high segregation.

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

### 3-GEOGRAPHY COMPARISON:

In all three geographies, segregation levels are high between Black and white residents. In Atlanta, the dissimilarity index that measures segregation decreased slightly since 1990. In Fulton and DeKalb Counties segregation between Black and white residents increased from 1990 to 2010.

Segregation between Hispanic or Latino and white residents has increased significantly since 1990 in Fulton and DeKalb Counties but remained about the same in Atlanta.

The table on the following page shares the dissimilarity indices for four pairings in the city of Atlanta, Fulton County, and the region. This table presents values for 1990, 2000, and 2010, all calculated using census tracts as the area of measurement. The “current” figure is calculated using block groups. Because block groups are typically smaller geographies, they measure segregation at a finer grain than analyses that use census tracts and, as a result, often indicate slightly higher levels of segregation than tract-level calculations.<sup>9</sup> This assessment begins with a discussion of segregation at the tract-level from 1990 through 2010, and then examines the “current” figures calculated using block groups.

The 2010 dissimilarity indices calculated for each pairing in the city of Atlanta show very high levels of segregation between Black and White populations. Even after a

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<sup>9</sup> Iceland, John and Erika Steinmetz. 2003. *The Effects of Using Block Groups Instead of Census Tracts When Examining Residential Housing Patterns*. U.S. Census Bureau, Washington DC: US. Accessed via [https://www.census.gov/hhes/www/housing/resseg/pdf/unit\\_of\\_analysis.pdf](https://www.census.gov/hhes/www/housing/resseg/pdf/unit_of_analysis.pdf).

This study of the effect of using census block groups instead of tracts to examine housing pattern in 331 metropolitan areas throughout the U.S. indicated that index scores were modestly higher when using block groups, by an average of 3.3 points for all metro area dissimilarity scores.

significant drop in DI value from 1990, the highest DI value of 74.0 was calculated for the Black/White pairing in 2010. The Asian or Pacific Islander/White pairing resulted in the lowest DI of 35.8, a decrease from moderate levels of segregation in 1990 and 2000. After a spike in 2000 that indicated high segregation, the DI value for the Hispanic/White pairing dropped back to moderate levels (46.5) in 2010.

The dissimilarity indices calculated for each pairing in Fulton County show very high levels of segregation among Black and White populations. The DI value for the Black/White pairing increased by nearly 7.6 points since 1990 to a value of 75.5 in 2010. The DI value of 44.5 calculated for the Hispanic/White pairing indicate an increase segregation from low to moderate. The opposite is true for the Asian or Pacific Islander/White pairing which moved from borderline moderate levels of segregation (40.2) to low levels of segregation (32.3). The DI value for non-White/White pairing also decreased but remained above the threshold for high segregation.

The “current” figures for dissimilarity indices show slightly higher levels of segregation for all pairings in all three jurisdictions. The Black/White pairing has the highest DI (76.0) in the city of Atlanta indicating very high segregation. The most significant difference in DI occurs with the Asian or Pacific Islander/White pairing where the 5.7-point discrepancy between “current” and 2010 figures pushes the pairing from low to moderate segregation.

“Current” figures for pairing in Fulton County indicate the highest level of segregation among Black and White populations for all three jurisdictions. The Asian or Pacific Islander/White pairing in Fulton County is the only pairing in all three jurisdictions to have a DI value calculated in the low segregation range. Block-level calculations for the all pairings yielded DI values all within four points of the 2010 census tract level calculations.

**TABLE 6. DISSIMILARITY INDICES FOR THE CITY OF ATLANTA, FULTON COUNTY, AND THE ATLANTA-SANDY SPRINGS-ROSWELL MSA**

Race/Ethnicity	Trends (Segregation at Census Tract Level)			2010 (Segregation at Block Group Level)
	1990	2000	2010	
<b>City of Atlanta</b>				
Non-White/White	78.5	77.0	66.5	69.1
Black/White	80.9	81.5	74.0	76.0
Hispanic/White	46.5	57.5	46.5	49.0
Asian or Pacific Islander/White	46.9	47.8	35.8	41.5
<b>Fulton County</b>				
Non-White/White	64.3	64.8	59.3	62.3
Black/White	67.9	75.3	75.5	77.5
Hispanic/White	30.1	48.6	44.5	47.1
Asian or Pacific Islander/White	40.2	28.1	32.3	35.9
<b>Atlanta-Sandy Springs-Roswell MSA</b>				
Non-White/White	60.0	56.1	50.5	53.8
Black/White	66.1	63.8	58.3	61.4
Hispanic/White	35.5	51.6	49.5	52.6
Asian or Pacific Islander/White	42.9	45.5	46.4	51.4

**Data Source:** HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

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## NATIONAL ORIGIN AND LIMITED ENGLISH PROFICIENCY POPULATION

Settlement patterns of immigrants significantly impact the composition and landscape of communities across the United States. Large central cities have the largest population of foreign-born residents, but suburban areas are experiencing rapid growth of foreign-born populations recently.<sup>10</sup> Clusters of immigrants of the same ethnicity form for a variety of reasons. Social capital in the form of kinship ties, social network connections, and shared cultural experiences often draw new immigrants to existing communities. Settling in neighborhoods with an abundance of social capital is less financially burdensome for immigrants and provides opportunities to accumulate financial capital through employment and other resources that would otherwise be unattainable.<sup>11</sup>

Populations with limited English proficiency (LEP) are typically composed of foreign-born residents that originate from countries where English is not the primary language, however, a substantial portion (19%) of the national LEP population is born in the United States. Nationally, the LEP population has lower levels of education and is more likely to live in poverty compared to the English proficient population.<sup>12</sup> Recent studies have also found that areas with high concentrations of LEP residents have lower rates of homeownership.<sup>13</sup>

Communities of people sharing the same ethnicity and informal networks are able to provide some resources and opportunities, but numerous barriers and limited financial capital influence residential patterns of foreign-born and LEP populations.

Figure 8 shows significant concentrations of foreign-born residents in several neighborhoods throughout the city of Atlanta. There are strong concentrations of residents originating from India, Korea, and China in Midtown neighborhoods surrounding Georgia Tech University. Clusters of residents from Mexico are found in the neighborhoods of Lindbergh, Woodland Hills, Boulevard Heights, and north of Hapeville. Residents from Jamaica mostly reside in the southern half of the city with a strong concentration in the Ormewood Park neighborhood.

Similar to the difference in racial and ethnic composition of the two areas of Fulton County, the distribution of the foreign-born population shows different residential patterns in each section. Residents from India, Korea, and China almost exclusively reside in the northern portion of Fulton County. Residents originating from Jamaica reside almost exclusively in loose concentrations in the southern part of the county. Residents from Mexico deviate from this pattern and reside in clusters in both the northern and southern sections of Fulton County.

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<sup>10</sup> James, F., Romine, J., & Zwanzig, P. (1998). The Effects of Immigration on Urban Communities. *Cityscape*, 3(3), 171-192.

<sup>11</sup> Massey, D. (1999). Why Does Immigration Occur?: A Theoretical Synthesis. In Hirschman C., Kasinitz P., & DeWind J. (Eds.), *Handbook of International Migration, The: The American Experience* (pp. 34-52). Russell Sage Foundation.

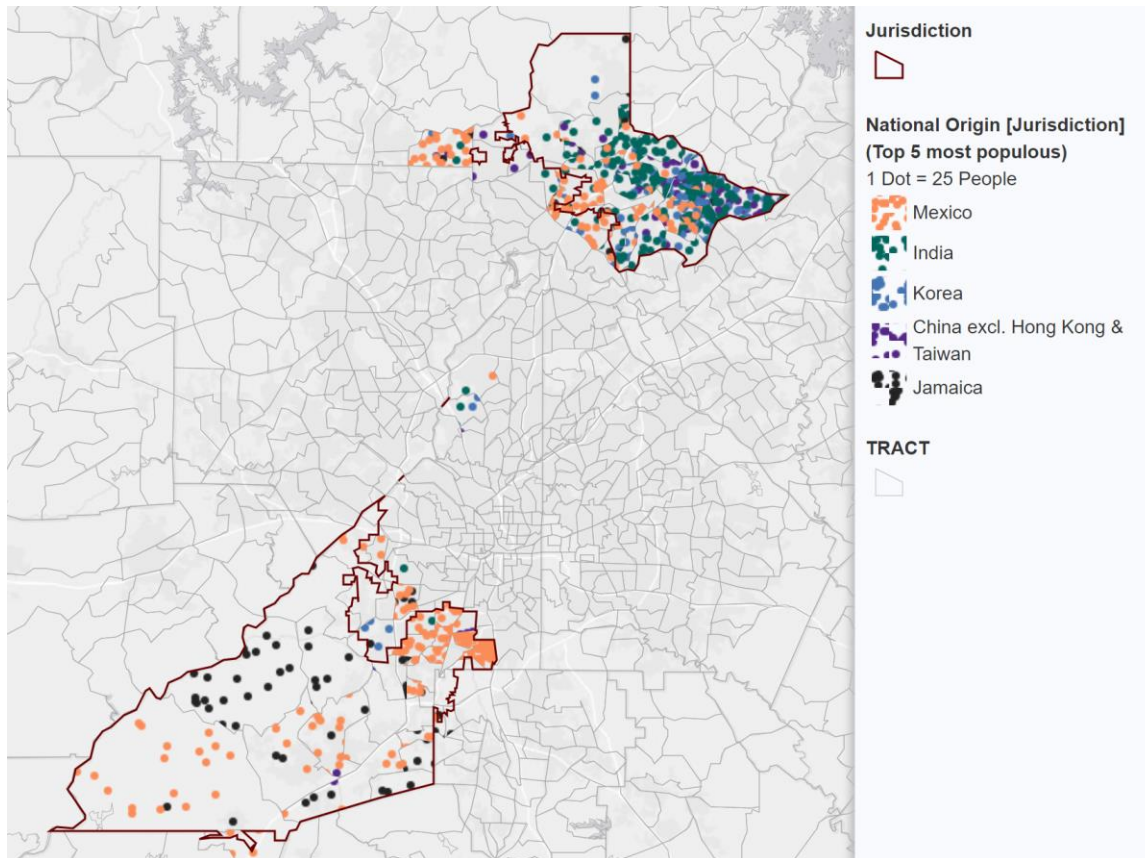
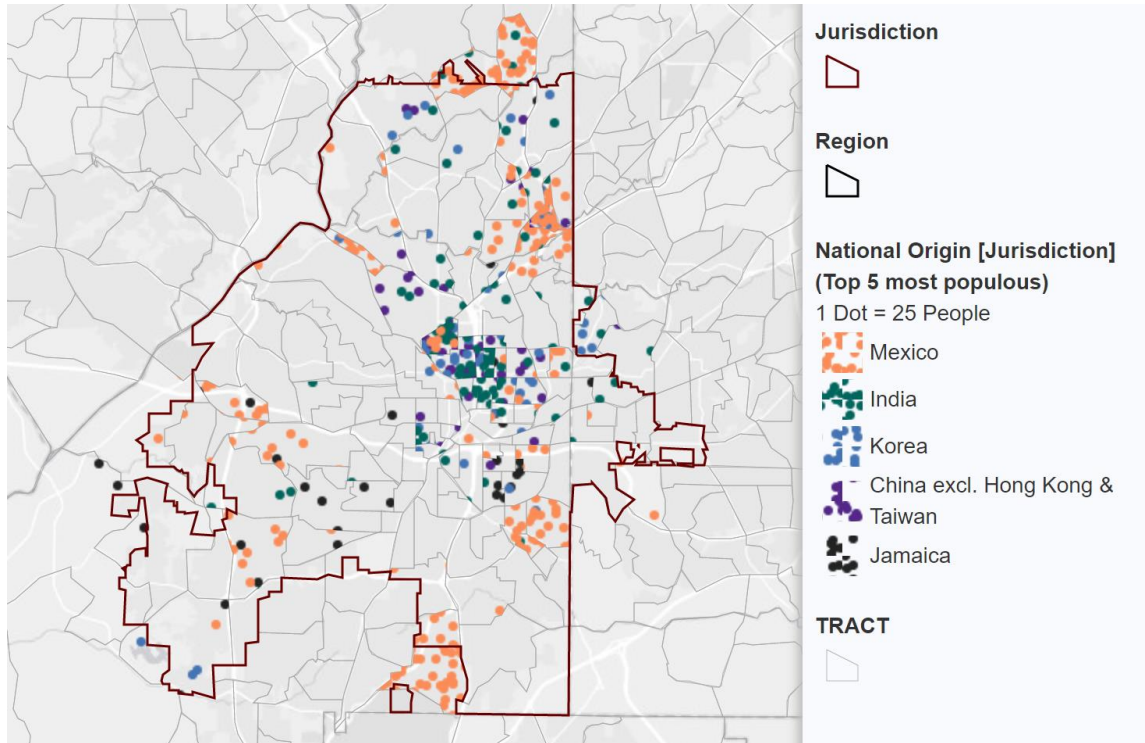
<sup>12</sup> Zong, J. & Batalova, J. (2015). "The Limited English Proficient Population in the United States" *Migration Information Source*. Retrieved: <http://www.migrationpolicy.org/article/limited-english-proficient-population-united-states>

<sup>13</sup> Golding, E., Goodman, L., & Strohack, S. (2018). "Is Limited English Proficiency a Barrier to Homeownership." Urban Institute. Retrieved: <https://www.urban.org/research/publication/limited-english-proficiency-barrier-homeownership>



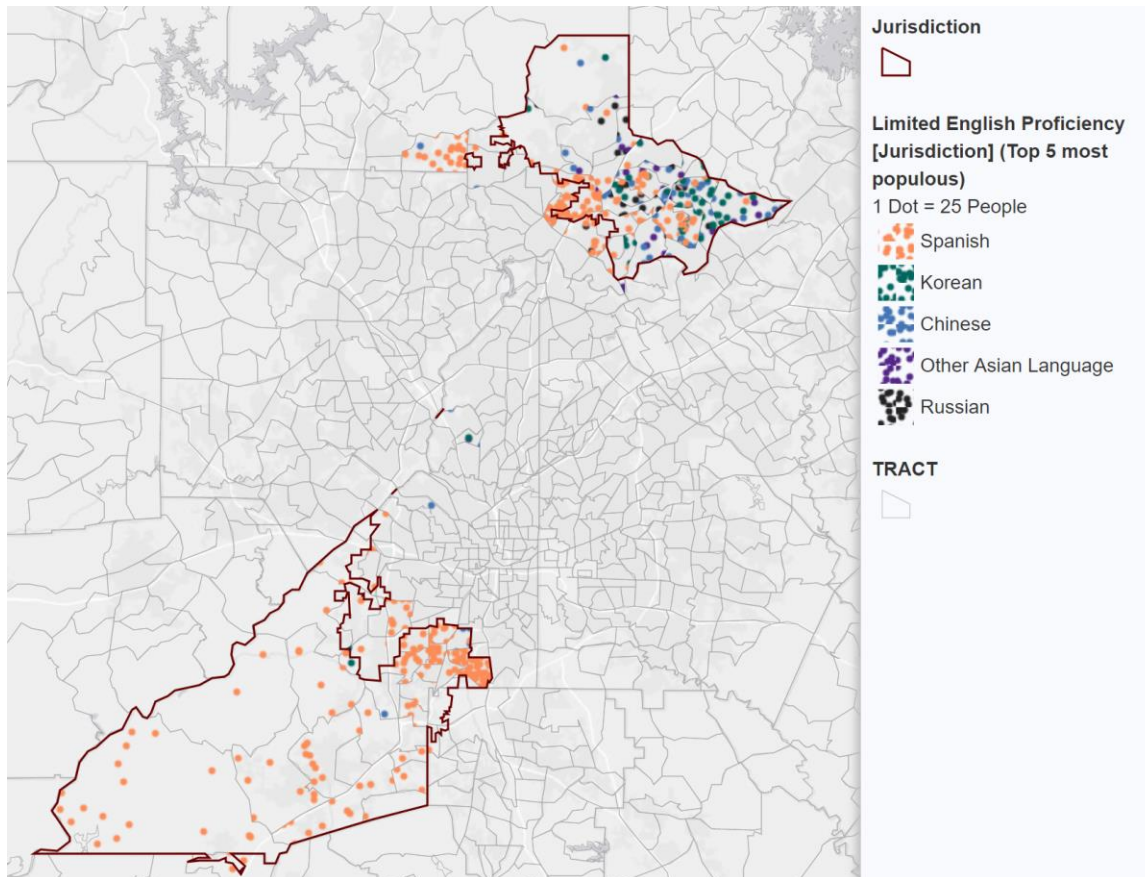
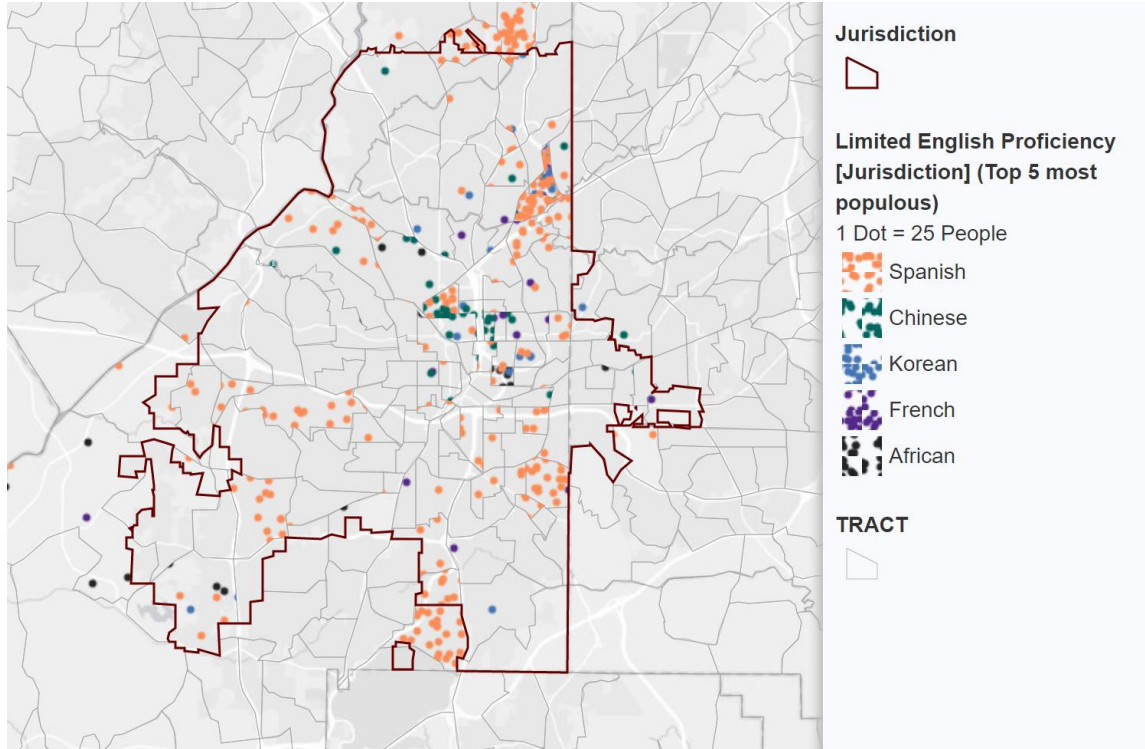
The geographic distribution of residents with limited English proficiency (LEP) coincide with the locations of the foreign-born population in both jurisdictions. The residential patterns of the Spanish-speaking LEP populations closely mirror that of foreign-born residents originating from Mexico and Guatemala. The lack of an LEP population that coincides with the concentrations of foreign-born residents from India and Jamaica is an indication of the population's proficiency with the English language.

**FIGURE 8. FOREIGN-BORN POPULATION BY NATIONALITY IN CITY OF ATLANTA AND FULTON COUNTY**



**Map Source:** HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

**FIGURE 9. FOREIGN-BORN POPULATION BY NATIONALITY IN CITY OF ATLANTA AND FULTON COUNTY**



**Map Source:** HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

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## GENTRIFICATION AND DISPLACEMENT

Atlanta and Fulton County residents, housing advocates, and public officials have pointed to increasing housing values and rents, gentrification, and the displacement of residents unable to afford to stay in their neighborhoods due to rising costs.<sup>14</sup> These concerns have been particularly notable in recent years with trends of movement of population back to the city center and investments in amenities such as the Atlanta BeltLine. Renters, particularly those living in in-town neighborhoods accessible to transit and amenities such as the BeltLine, have seen large increases in rental costs, while low-income homeowners in these areas often experience increases in property taxes due to rising home values, making remaining in their homes increasingly unaffordable. Drivers of increased housing values and rents in Atlanta include increasing population and demand for housing, the focus of new construction on luxury and high-end market-rate housing, and reinvestment in the city's neighborhoods through amenities such as the Atlanta BeltLine. Consequences of gentrification and displacement create concerns that low- and moderate-income households cannot afford to remain in their neighborhoods or move into neighborhoods with access to opportunities such as public transportation, jobs, and needed services and resources.

Population growth in the city and county and associated demand for housing are a primary driver of increasing housing values and rents. The City of Atlanta's population increased by 15% from 2010 to 2017, to more than 486,000 residents, and Fulton County's population grew by 12% to more than 1 million residents over the same time period.<sup>15</sup> Increased demand for housing over that time period, particularly in the city's in-town neighborhoods, has led to rises in housing costs and reduced affordability. The City of Atlanta's 2018 performance audit on affordable housing noted that nearly half of the over 99,000 households who rent in the city are cost-burdened, paying more than 30% of income on rent, and that rising housing prices will likely result in an increase in cost-burdened renters if there is not also an increase in housing supply.<sup>16</sup> While housing supply has increased in recent years, almost all new development of multifamily rental housing in the Atlanta metro has been luxury apartments.<sup>17</sup>

Increases in housing values and costs have also been driven by reinvestment in areas of the city and county that previously experienced high levels of disinvestment. The Atlanta BeltLine is the largest-scale example of this investment, but others exist as well, including other parks and greenways, such as the Westside Reservoir Park and Proctor Creek Greenway, among others, and sports stadiums and associated redevelopment, including the Mercedes Benz stadium and the redevelopment of Turner Field. Both the announcement and implementation of the BeltLine has been associated with increase in housing prices

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<sup>14</sup> Housing Justice League and Research Action Cooperative. (2017). Beltlining: Gentrification, broken promises, and hope on Atlanta's Southside.; Immergluck, D., & Balan, T. (2018). Sustainable for whom? Green urban development, environmental gentrification, and the Atlanta Beltline. *Urban Geography*, 39(4), 546-562. City of Atlanta. (2019). ONE Atlanta Housing Affordability Action Plan.

<sup>15</sup> American Community Survey 1-Year Estimates, 2010 and 2017. Total Population. Table B01003.

<sup>16</sup> City of Atlanta Auditor's Office. (2018). *Performance audit: Affordable housing*.

<sup>17</sup> RentCafe. (2018). 8 Out of 10 New Apartment Buildings Were High-End in 2017, Trend Continues in 2018. Retrieved from: <https://www.rentcafe.com/blog/apartmentliving/luxury-apartments/8-out-of-10-new-apartment-buildings-were-high-end-in-2017-trend-carries-on-into-2018/>

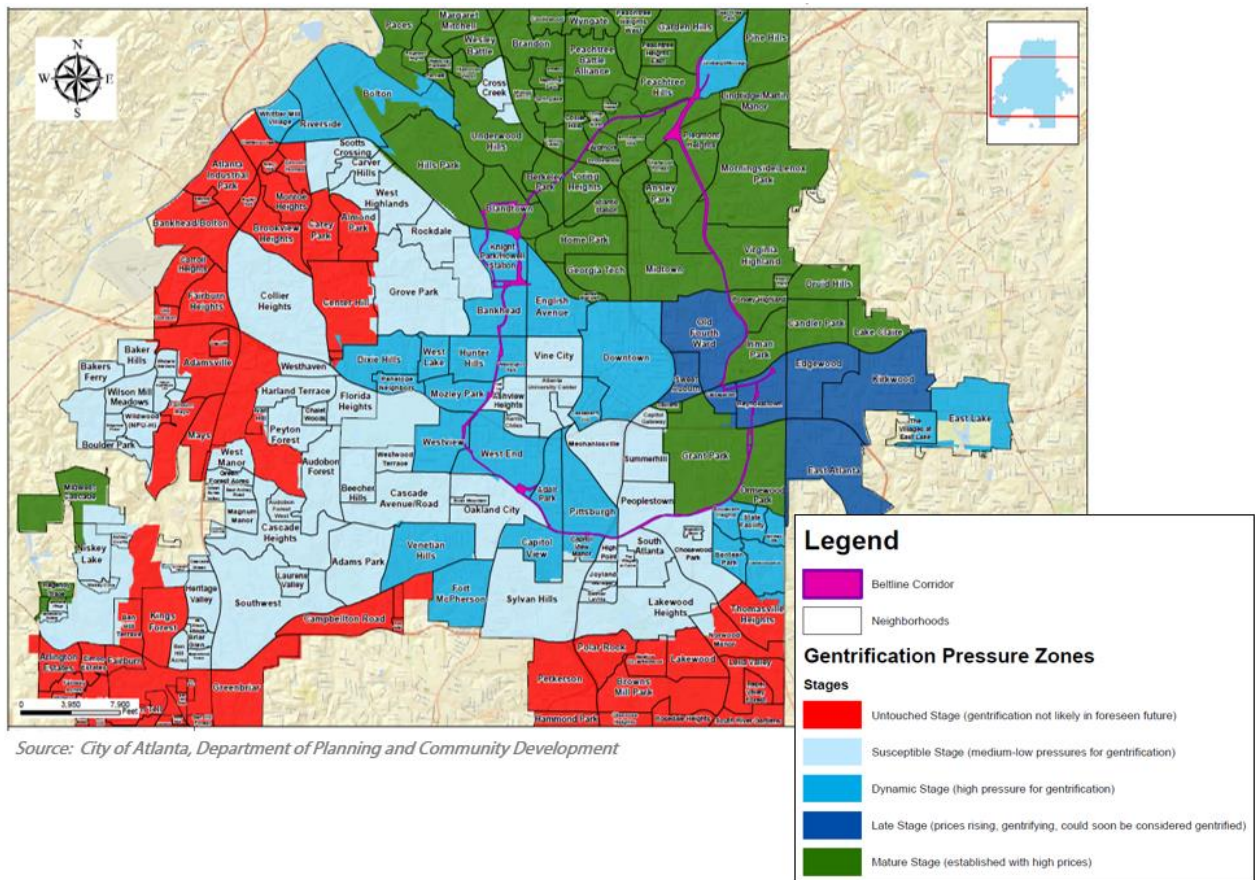
and rents. Indeed, from 2011 to 2015, home values rose between 17.9 percent and 26.6 percent more for homes within a half-mile of the BeltLine than for properties elsewhere in the city.<sup>18</sup>

As a result of rising housing costs, residents and housing advocates have emphasized concerns associated with gentrification and displacement. In Figure 10, a map developed by the City of Atlanta Department of Planning and Community Development codes neighborhoods at varying stages of gentrification, including:

- Untouched stage (red), areas in which gentrification is not likely in the foreseen future;
- Susceptible stage (light blue), areas which have medium-low pressures for gentrification;
- Dynamic stage (medium blue), areas which are experiencing high pressure for gentrification;
- Late stage (dark blue), areas in which prices are rising and that could soon be considered gentrified;
- And mature stage (green), areas which are established with high prices.

Notably, many of the neighborhoods in the dynamic and late stages of gentrification are those surrounding the Atlanta BeltLine.

**FIGURE 10. NEIGHBORHOOD GENTRIFICATION PRESSURE AREAS IN THE CITY OF ATLANTA**

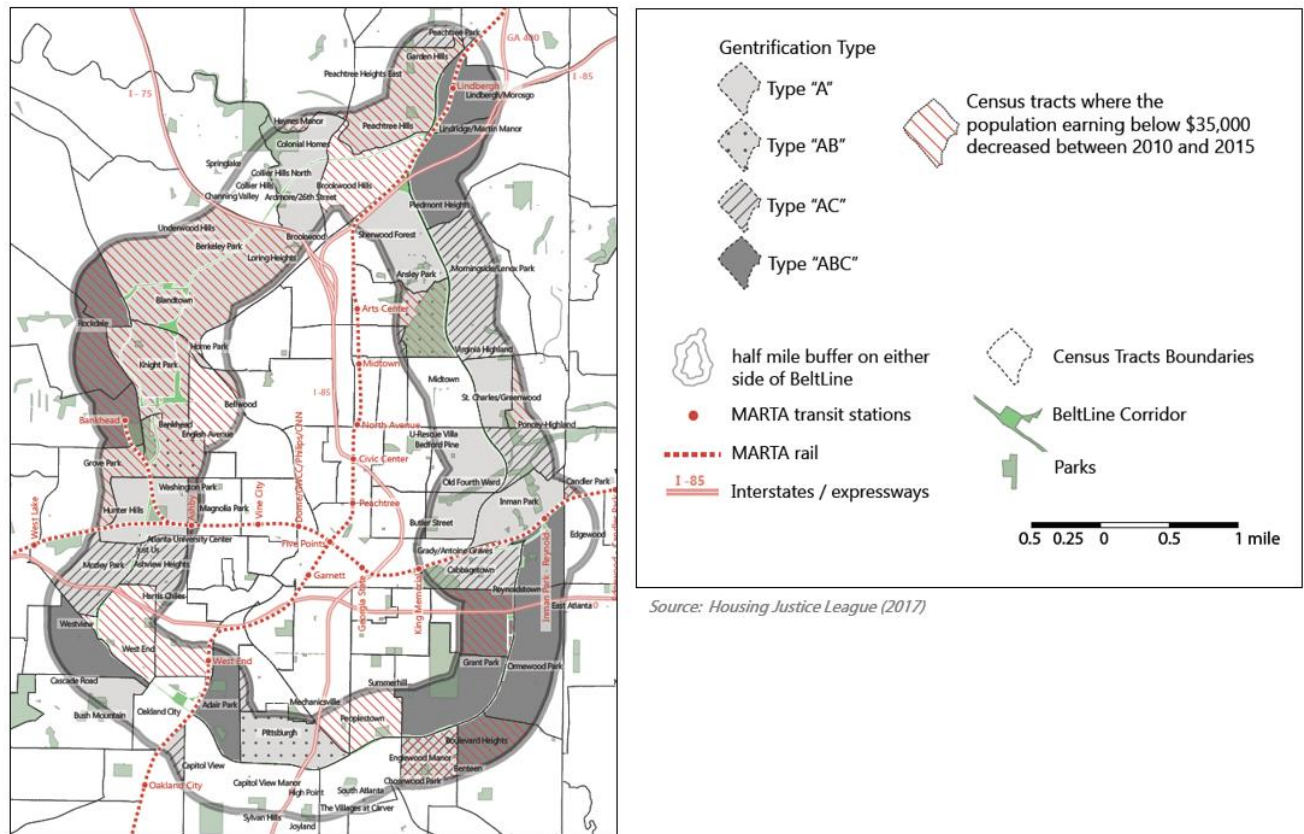


Source: City of Atlanta, Department of Planning and Community Development

<sup>18</sup> Immergluck, D., & Balan, T. (2018). Sustainable for whom? Green urban development, environmental gentrification, and the Atlanta Beltline. *Urban Geography*, 39(4), 546-562.

Similarly, in Figure 11, a map developed by the Housing Justice League (2017) displays three measures of gentrification in areas surrounding the BeltLine, including areas in which the median income grew faster than the City as a whole from 2010 to 2015 (labeled type A), areas which had that income surge and the shares of white-only householders grew more than in the city as a whole (labeled type AB), and areas which had that income surge and the growth of college educated householders grew more than in the city as a whole (labeled type C).<sup>19</sup> Areas labeled Type ABC saw above average increase in all three indicators.

**FIGURE 11. GENTRIFICATION AND THE ATLANTA BELTLINE**



The map also details areas in which the population earning below \$35,000 declined between 2010 and 2015, showing that many neighborhoods surrounding the BeltLine are not only gaining higher-income residents, but also losing those who are lower-income. At the same time, the report notes that other neighborhoods in the city, such as Mechanicsville and Pittsburgh, had increases in low income and minority residents, indicating that displaced residents are moving to find more affordable housing. However, these neighborhoods are increasingly losing their affordability as well, pointing to a need for investments in the development and preservation of affordable housing in these neighborhoods, as well as the implementation of policy tools to increase housing affordability, such as a citywide mandatory

<sup>19</sup> Housing Justice League and Research Action Cooperative. (2017). *Beltlining: Gentrification, broken promises, and hope on Atlanta's Southside*.

inclusionary zoning ordinance and further zoning changes to support the development of ‘missing middle’ housing.<sup>20</sup>

The Mayor’s Office of Immigrant Affairs directly interacts with residents of multiple neighborhoods that have high foreign-born population percentages as well as high risk of gentrification. In Lindridge-Martin Manor (census tract 92), about 19.3% of residents are foreign-born and 20.9% are Hispanic or Latino, according to 2013-2017 ACS 5-Year Estimates. In Bolton (census tract 89.03), about 20.2% of residents are foreign-born and 39.2% are Hispanic or Latino. Both neighborhoods are in later stages of gentrification pressure shown in Figure 10, with Lindridge-Martin Manor in the Mature Stage (established with high prices) and Bolton being mixed in the Mature and Dynamic (high pressure for gentrification) stages. According to the Office of Immigrant Affairs, many of the foreign-born and Hispanic or Latino residents in these neighborhoods have endured code violations or predatory landlords and/or have seen their apartments purchased by developers and are at risk of displacement. The Office’s engagement team regularly provides support services for residents being displaced.

Additionally, Chosewood Park (census tract 64), has a population that is 21.9% foreign-born and 28.7% Hispanic or Latino, according to the 2013-2017 ACS, and is currently in the Susceptible Stage of gentrification. While there are opportunities to preserve affordable housing and protect residents in this neighborhood from displacement, without appropriate policy decisions, it will likely follow the same gentrification patterns as neighborhoods to the north and west.

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<sup>20</sup> Steuteville, R. (2019). Atlanta zoning update addresses parking, ADUs, missing middle. Retrieved from *Public Square: A CNU Journal*: [https://www.cnu.org/publicsquare/2019/02/11/atlanta-zoning-update-addresses-parking-adus-missing-middle?fbclid=IwAR3xpMQL5ttzoPqaL4XSPRTmnoP8PfeN-wSZD5SXMqheLvz7G\\_a1oOXSCM](https://www.cnu.org/publicsquare/2019/02/11/atlanta-zoning-update-addresses-parking-adus-missing-middle?fbclid=IwAR3xpMQL5ttzoPqaL4XSPRTmnoP8PfeN-wSZD5SXMqheLvz7G_a1oOXSCM)

# CHAPTER 5.

## ACCESS TO OPPORTUNITY

Housing discrimination and residential segregation have limited access to opportunity for specific population groups and communities. It is important to understand opportunity, as used in this context, as a subjective quality. Typically, it refers to access to resources like employment, quality education, healthcare, childcare, and other services that allow individuals and communities to achieve a high quality of life. However, research shows that perceptions of opportunity follow similar themes but are prioritized differently by different groups. One study showed that racial and ethnic minorities, low-income groups, and residents of distressed neighborhoods identified job access, employment, and training as important opportunities while white residents, higher income groups, and residents of wealthier neighborhoods more often identified sense of community, social connections among neighbors, freedom of choice, education, and retirement savings.<sup>21</sup> According to the Mayor's Office of Immigrant Affairs, residents they work with choose to live in their neighborhoods primarily because of proximity to work, access to public transit, diversity, and educational options for their children.

Proximity is often used to indicate levels of access to opportunity; however, it would be remiss to consider proximity as the only factor in determining level of access. Access to opportunity is also influenced by social, economic, and cultural factors, thus making it difficult to accurately identify and measure. HUD conducted research regarding Moving to Opportunity for Fair Housing (MTO) to understand the impact of increased access to opportunity. Researchers found residents who moved to lower-poverty neighborhoods experienced safer neighborhoods and better health outcomes, but there was no significant change in educational outcomes, employment, or income.<sup>22</sup> However, recent studies show the long-term effects of MTO on the educational attainment of children who were under the age of 13 are overwhelmingly positive with improved college attendance rates and higher incomes. On the other hand, children who were over the age of 13 show negative long-term impacts from MTO.<sup>23</sup>

The strategy to improve access to opportunities has been two-pronged with different housing and community development programs. Tenant-based housing vouchers allow mobility of recipients to locate in lower-poverty areas while programs like the Community Development Block Grant and Choice Neighborhoods Initiative provide funds to increase opportunities in disadvantaged neighborhoods.

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<sup>21</sup> Lung-Amam, Willow S., et al. "Opportunity for Whom? The Diverse Definitions of Neighborhood Opportunity in Baltimore." *City and Community*, vol. 17, no. 3, 27 Sept. 2018, pp. 636-657, doi:10.1111/cico.12318.

<sup>22</sup> *Moving to Opportunity for Fair Housing Demonstration Program: Final Impacts Evaluation*. U.S. Department of Housing and Urban Development, Office of Policy Development and Research, [www.huduser.gov/portal/publications/pdf/MTOFHD\\_fullreport\\_v2.pdf](http://www.huduser.gov/portal/publications/pdf/MTOFHD_fullreport_v2.pdf).

<sup>23</sup> Chetty, Raj, Nathaniel Hendren, and Lawrence F. Katz. 2016. "The Effects of Exposure to Better Neighborhoods on Children: New Evidence from the Moving to Opportunity Experiment." *American Economic Review*, 106 (4): 855-902. [https://scholar.harvard.edu/files/hendren/files/mto\\_paper.pdf](https://scholar.harvard.edu/files/hendren/files/mto_paper.pdf)



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## OVERVIEW OF HUD-DEFINED OPPORTUNITY FACTORS

Among the many factors that drive housing choice for individuals and families are neighborhood factors including access to quality schools, jobs, and transit. To measure economic and educational conditions at a neighborhood level, HUD developed a methodology to quantify the degree to which a neighborhood provides such opportunities. For each block group in the U.S., HUD provides a score on several “opportunity dimensions,” including school proficiency, poverty, labor market engagement, jobs proximity, transportation costs, transit trips, and environmental health. For each block group, a value is calculated for each index and results are then standardized on a scale of 0 to 100 based on relative ranking within the metro area, state, or nation. For each opportunity dimension, a higher index score indicates more favorable neighborhood characteristics.

Average index values by race and ethnicity for the City of Atlanta and Fulton County are provided in Table 7 for the total population and the population living below the federal poverty line. These values can be used to assess whether some population subgroups tend to live in higher opportunity areas than others and will be discussed in more detail by opportunity dimension throughout the remainder of this chapter. The Opportunity Index Disparity measures the difference between the scores for the white non-Hispanic group and other groups. A positive score indicates that the particular subgroup has a lower score on that dimension than the white non-Hispanic group. A negative score indicates that the subgroup has a higher score than the white non-Hispanic Group.

Figures 12-23 map each of the opportunity dimensions along with demographic information such as race and ethnicity.

**TABLE 7. DISPARITY IN ACCESS TO NEIGHBORHOOD OPPORTUNITY IN THE CITY OF ATLANTA, FULTON COUNTY, AND THE ATLANTA-SANDY SPRINGS-ROSWELL MSA**

Opportunity Dimension	Race / Ethnicity					Opportunity Index Disparity between White Non-Hispanic Population and Other Groups			
	Non-Hispanic				Hispanic	Black	Asian	Native American	Hispanic
	White	Black	Asian or Pacific Islander	Native American					
<b>City of Atlanta – Total Population</b>									
School Proficiency Index	62.8	21.4	45.2	34.9	44.7	41.4	17.6	27.8	18.0
Jobs Proximity Index	66.7	52.1	69.4	58.8	64.2	14.6	-2.7	7.9	2.5
Labor Market Engagement Index	84.5	29.3	74.2	49.3	63.9	55.2	10.3	35.3	20.7
Transit Index	87.3	83.4	88.3	85.8	86.5	3.8	-1.1	1.4	0.8
Low Transportation Cost Index	72.0	62.3	77.5	68.1	71.1	9.6	-5.5	3.9	0.9
Low Poverty Index	65.4	21.0	58.8	34.9	44.1	44.3	6.6	30.5	21.3
Environmental Health Index	12.2	15.8	9.1	13.7	12.4	-3.6	3.1	-1.5	-0.2
<b>City of Atlanta – Population below the Poverty Line</b>									
School Proficiency Index	56.6	18.7	43.0	32.6	40.2	37.9	13.5	24.0	16.3
Jobs Proximity Index	67.3	52.1	73.2	60.2	66.1	15.2	-5.9	7.2	1.2
Labor Market Engagement Index	79.0	22.8	69.7	44.9	56.1	56.2	9.4	34.1	22.9
Transit Index	88.6	83.6	89.2	82.7	84.7	5.0	-0.6	5.9	3.9
Low Transportation Cost Index	74.0	63.3	78.3	61.8	67.8	10.7	-4.3	12.2	6.2
Low Poverty Index	57.3	13.7	54.2	31.8	30.4	43.7	3.2	25.5	27.0
Environmental Health Index	10.8	14.7	9.5	16.7	12.4	-3.9	1.3	-5.9	-1.6

**Data Source:** HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

**TABLE 7. DISPARITY IN ACCESS TO NEIGHBORHOOD OPPORTUNITY IN THE CITY OF ATLANTA, FULTON COUNTY, AND THE ATLANTA-SANDY SPRINGS-ROSWELL MSA (CONTINUED)**

Opportunity Dimension	Race / Ethnicity					Opportunity Index Disparity between White Non-Hispanic Population and Other Groups			
	Non-Hispanic				Hispanic	Black	Asian	Native American	Hispanic
	White	Black	Asian or Pacific Islander	Native American					
<b>Fulton County – Total Population</b>									
School Proficiency Index	80.8	29.4	87.1	46.5	52.9	51.4	-6.3	34.3	27.9
Jobs Proximity Index	53.8	49.5	56.4	53.8	58.1	4.3	-2.6	0.0	-4.3
Labor Market Engagement Index	81.6	45.4	85.8	56.3	58.5	36.3	-4.1	25.3	23.2
Transit Index	72.5	68.9	77.2	71.8	74.5	3.6	-4.7	0.7	-2.0
Low Transportation Cost Index	41.0	43.0	43.0	45.2	49.1	-2.0	-2.0	-4.2	-8.1
Low Poverty Index	77.1	41.9	78.0	50.5	49.9	35.2	-0.9	26.6	27.3
Environmental Health Index	36.0	24.3	35.6	27.3	27.0	11.7	0.4	8.8	9.0
<b>Fulton County – Population below the Poverty Line</b>									
School Proficiency Index	60.3	26.0	80.2	34.5	37.4	34.4	-19.9	25.8	23.0
Jobs Proximity Index	59.5	51.1	55.4	45.5	64.1	8.4	4.1	14.0	-4.6
Labor Market Engagement Index	64.8	37.1	79.7	49.2	42.0	27.6	-14.9	15.5	22.8
Transit Index	72.0	73.2	79.2	69.2	78.5	-1.2	-7.2	2.8	-6.5
Low Transportation Cost Index	45.2	49.1	45.7	42.3	57.2	-3.9	-0.5	2.9	-12.0
Low Poverty Index	58.7	30.5	67.6	48.8	27.6	28.2	-9.0	9.8	31.1
Environmental Health Index	30.7	20.1	33.1	28.9	19.5	10.6	-2.4	1.8	11.3

**Data Source:** HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

**TABLE 7. DISPARITY IN ACCESS TO NEIGHBORHOOD OPPORTUNITY IN THE CITY OF ATLANTA, FULTON COUNTY, AND THE ATLANTA-SANDY SPRINGS-ROSWELL MSA (CONTINUED)**

Opportunity Dimension	Race / Ethnicity					Opportunity Index Disparity between White Non-Hispanic Population and Other Groups			
	Non-Hispanic				Hispanic	Black	Asian	Native American	Hispanic
	White	Black	Asian or Pacific Islander	Native American					
<b>Atlanta-Sandy Springs-Roswell MSA – Total Population</b>									
School Proficiency Index	66.6	37.6	66.9	54.8	54.4	29.1	-0.3	11.8	12.3
Jobs Proximity Index	50.0	46.0	54.7	50.2	52.3	4.1	-4.6	-0.2	-2.2
Labor Market Engagement Index	61.5	41.6	66.7	52.0	51.5	19.9	-5.2	9.5	10.0
Transit Index	58.3	68.3	71.1	61.8	70.8	-10.0	-12.8	-3.5	-12.5
Low Transportation Cost Index	34.9	43.7	45.3	39.0	48.3	-8.8	-10.5	-4.2	-13.4
Low Poverty Index	59.3	38.4	57.6	48.5	38.9	20.9	1.8	10.8	20.5
Environmental Health Index	36.2	25.3	27.8	32.0	27.3	10.9	8.4	4.2	8.9
<b>Atlanta-Sandy Springs-Roswell MSA – Population below the Poverty Line</b>									
School Proficiency Index	59.6	31.9	58.7	50.6	49.5	27.7	0.9	9.0	10.1
Jobs Proximity Index	50.5	47.6	56.8	54.2	53.2	2.9	-6.4	-3.7	-2.7
Labor Market Engagement Index	49.8	33.3	59.5	43.3	45.6	16.6	-9.7	6.6	4.3
Transit Index	57.2	71.4	74.5	63.5	73.8	-14.3	-17.4	-6.3	-16.6
Low Transportation Cost Index	36.9	48.9	52.7	42.3	52.5	-12.0	-15.8	-5.5	-15.6
Low Poverty Index	47.5	27.6	48.4	37.8	28.1	19.8	-0.9	9.7	19.3
Environmental Health Index	36.3	23.2	23.9	29.3	25.0	13.1	12.4	7.0	11.3

**Data Source:** HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

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## EDUCATION

School proficiency is an indication of the quality of education that is available to residents of an area. High quality education is a vital community resource that can lead to more opportunities and improve quality of life. HUD's school proficiency index is calculated based on the performance of 4th grade students on state reading and math exams. For each block group, the index is calculated using test results in up to the three closest schools within 1.5 miles. Results are then standardized on a scale of 0 to 100 based on relative ranking within the state. A higher index score indicates greater access to high-performing elementary schools.<sup>24</sup>

**SCHOOL PROFICIENCY INDEX:  
BASED ON 4<sup>TH</sup> GRADE STUDENTS'  
PERFORMANCE ON STATE  
READING AND MATH TESTS AT  
ELEMENTARY SCHOOLS IN OR  
NEAR EACH BLOCK GROUP**

The map on the following page shows HUD-provided opportunity scores related to education for block groups within the city of Atlanta and Fulton County, along with the demographic indicators of race and ethnicity. In each map, lighter shading indicates areas of lower opportunity and darker shading indicates higher opportunity.

There are significant disparities in the levels of access to proficient schools among block groups in the city of Atlanta. The majority of block groups have school proficiency index scores under 50. Block groups in the northern and eastern portions of the city, areas with high concentrations of white residents, have the highest school proficiency index scores. School proficiency index scores are lowest in the southern and western portions of the city, areas with high concentrations of Black/African American residents.

The spatial distribution of racial and ethnic groups and school proficiency index scores in the city of Atlanta shown in Figure 12 indicate high levels of correlation between race, ethnicity, and access to proficient schools. There is visual indication of the overrepresentation of racial and ethnic minority groups in the lowest scoring block groups in the southern and western portions of the city.

Table 7 shows the disparity in access to proficient schools for racial and ethnic groups in the city of Atlanta. All non-white groups have less access to proficient schools when compared to the white population. Black/African American populations have the least access to proficient schools and experience the greatest disparity compared to other populations, for both total population and the population below the poverty line. The Native American population has the second lowest access to proficient schools. Additionally, the Mayor's Office of Immigrant Affairs notes that gentrification pressure is impacting access to educational opportunities, because as low-income residents face displacement they are also at risk of being pushed from their schools of choice.

The range of school proficiency index scores among racial and ethnic groups in Fulton County is the largest of all three jurisdictions. The Asian population in Fulton County has the best access to proficient schools,

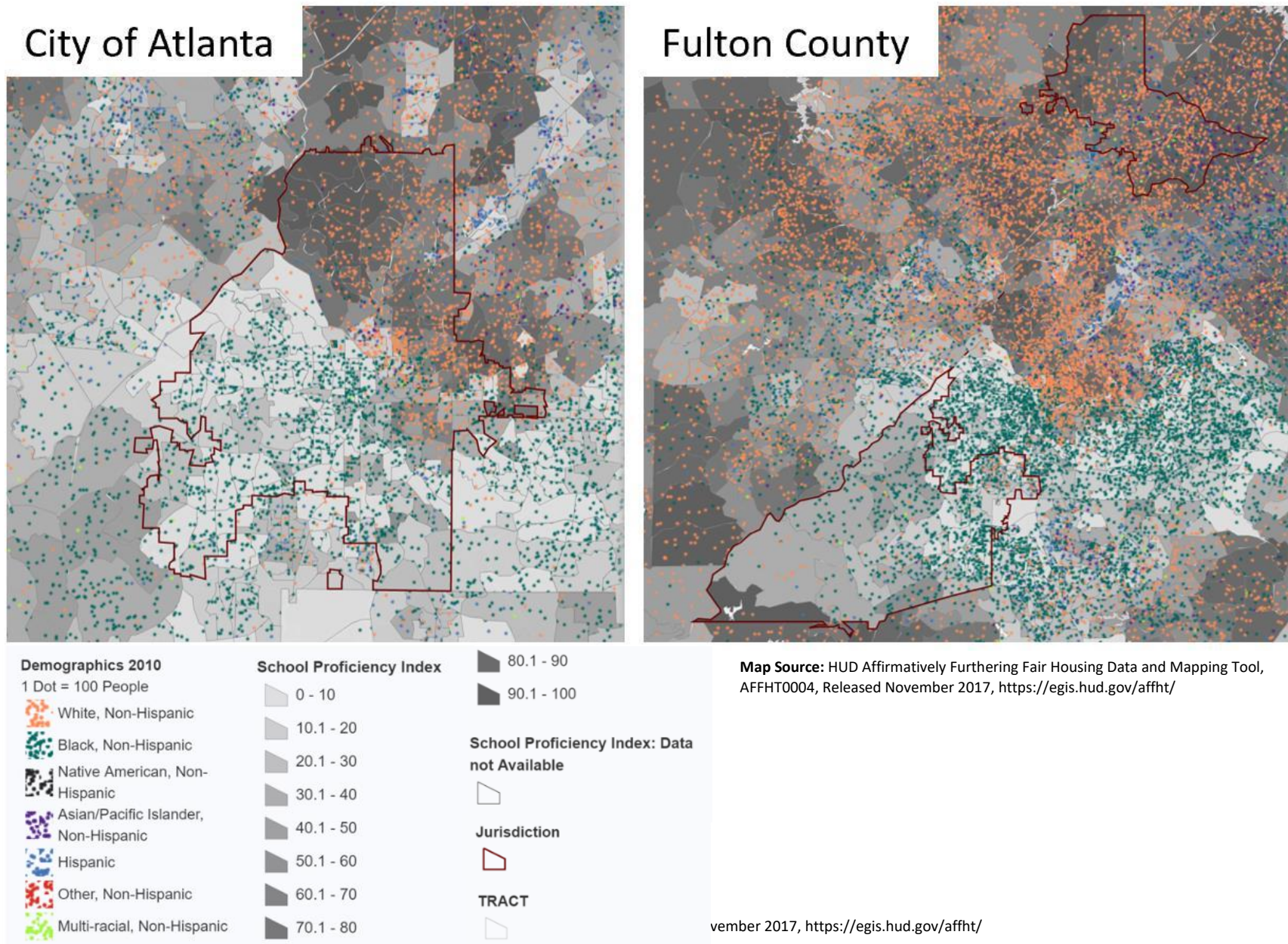
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<sup>24</sup> HUD's data sources for its school proficiency index include attendance area zones from School Attendance Boundary Information System (SABINS) and Maponics, school proficiency data from Great Schools, and school addresses and attendance from Common Core of Data. For a more detailed description of HUD's methodology and data sources, please see HUD's Affirmatively Furthering Fair Housing Data and Mapping Tool Data Documentation appended to this report.

with a school proficiency index score of 87.1, while the Black/African American population has the lowest access to proficient schools with an index score of 29.4. Most of the lowest scoring block groups are located in the southern portion of the county, while the higher-scoring block groups are primarily in the northern portion. Figure 12 shows disproportionate representation of non-white racial and ethnic groups residing in block groups that have low school proficiency index scores. Specifically, white and Asian populations are clustered in the higher-scoring northern portion of Fulton county, while the Black/African American population is most prevalent in the lower-scoring southern portion of the county.

Considering the wider Atlanta region as a whole, school proficiency index scores for all population groups are generally less unequal than in the city of Atlanta and Fulton County. White and Asian residents have significantly better access than other racial and ethnic groups. Black/African American populations below the poverty line are the lowest-scoring group in the MSA.

FIGURE 12. SCHOOL PROFICIENCY INDEX IN THE CITY OF ATLANTA AND FULTON COUNTY



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## EMPLOYMENT

Neighborhoods with jobs in close proximity are often assumed to have good access to jobs. However, distance alone does not capture any other factor such as transportation options, the type of jobs available in the area, or the education and training necessary to obtain them. There may be concentrations of jobs and low-income neighborhoods in urban centers, but many of the jobs are unattainable for residents of low-income neighborhoods. Therefore, this section analyzes both the labor market engagement and jobs proximity indices which, when considered together, offer a better indication of how accessible jobs are for residents of a specific area.



### **JOBS PROXIMITY INDEX: BASED ON DISTANCE TO REGIONAL EMPLOYMENT CENTERS AND THE LABOR SUPPLY SERVING THOSE CENTERS**

The Jobs Proximity Index measures the physical distance between place of residence and job locations, with employment centers weighted more heavily. It also takes into account the local labor supply (i.e., competition for jobs) near such employment centers. Block group results are then standardized on a scale of 0 to 100 based on relative ranking within the metro area. A higher index score indicates greater access to job locations.<sup>25</sup>

The Jobs Proximity Index scores of block groups in the city of Atlanta and Fulton County are mapped in Figure 13 along with the population distribution by race and ethnicity. Job proximity is highest in the northern portion of each jurisdiction, with high scores also occurring in the northern part of south Fulton County, and immediately west of the city of Atlanta.

The Labor Market Engagement Index is based on unemployment rate, labor force participation rate, and the percent of the population age 25 and over with a bachelor's degree or higher. Block group results are standardized on a scale of 0 to 100 based on relative ranking nationally. A higher index score indicates greater labor market engagement.<sup>26</sup> Figure 14 maps Labor Market Engagement Index scores for block groups in the city of Atlanta and Fulton County. Again, lighter shading indicates areas of lower opportunity and darker shading indicates higher opportunity.



### **LABOR MARKET ENGAGEMENT INDEX: BASED ON EMPLOYMENT LEVELS, LABOR FORCE PARTICIPATION RATES, AND EDUCATIONAL ATTAINMENT**

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<sup>25</sup> HUD's data source for its jobs proximity index includes the Longitudinal Employer-Household Dynamics (LEHD) database. For a more detailed description of HUD's methodology and data sources, please see HUD's Affirmatively Furthering Fair Housing Data and Mapping Tool Data Documentation appended to this report.

<sup>26</sup> HUD's data source for its labor market engagement index is the American Community Survey. For a more detailed description of HUD's methodology and data sources, please see HUD's Affirmatively Furthering Fair Housing Data and Mapping Tool Data Documentation appended to this report.



The spatial distribution of labor market engagement throughout the city of Atlanta and Fulton County in Figure 14 shows a noticeable pattern or correlation between race, ethnicity, and labor market engagement.

The Jobs Proximity Index scores by race and ethnicity listed in Table 7 indicate that, while job access is generally higher in the city of Atlanta relative to Fulton County, there are significant disparities among racial and ethnic groups. Asian populations have the best access to jobs, with a Job Proximity Index score of 69.4, while Black/African American populations have the lowest levels of access at 52.1. Disparities in the levels of access to jobs among populations below the poverty line are slightly greater with a disparity of about 21 points between the highest and lowest scoring groups. The Asian population below the poverty line have the best access to jobs, and Black/African American residents below the poverty line tend to live the furthest from job locations.

The city of Atlanta shows more disparities among racial and ethnic groups in labor market engagement than in jobs proximity. White and Asian populations have the highest level of engagement with the labor market with index scores of 84.5 and 74.2, respectively. Black and Native American populations have the lowest labor market engagement, with a disparity of 55 points between Black and white populations, and a disparity of 35 points between Native American and white populations. Disparities between population groups below the poverty line are similar to those in the total population.

Disparities in Job Proximity Index scores are lower in Fulton County than in the city of Atlanta, with scores ranging from 49.5 for Black/African American populations to 58.1 for Hispanic populations. The white population has just slightly more access to jobs than the Black/African American population in Fulton County, with a score of 53.8.

Labor Market Engagement Index scores of population groups in Fulton County indicate less-extreme disparities among racial and ethnic groups relative to those in the city of Atlanta. The greatest disparity in labor market engagement is between white and Black populations. The white population has the highest level of engagement with the labor market among all groups. The Black population below the poverty line has the lowest labor market engagement among all populations followed by the Hispanic population below the poverty line.

The Atlanta MSA has overall lower disparities in access to jobs among racial and ethnic groups for both total population and the population below the poverty line. With the exception of the Asian population below the poverty line, Jobs Proximity Index scores of all groups are within a 5-point range. The Asian population below the poverty line has the best access to jobs while the Black/African American population has the lowest levels of access to jobs. Labor market engagement is also generally more even in the region compared to the city of Atlanta and Fulton County.

FIGURE 13. JOBS PROXIMITY INDEX IN THE CITY OF ATLANTA AND FULTON COUNTY

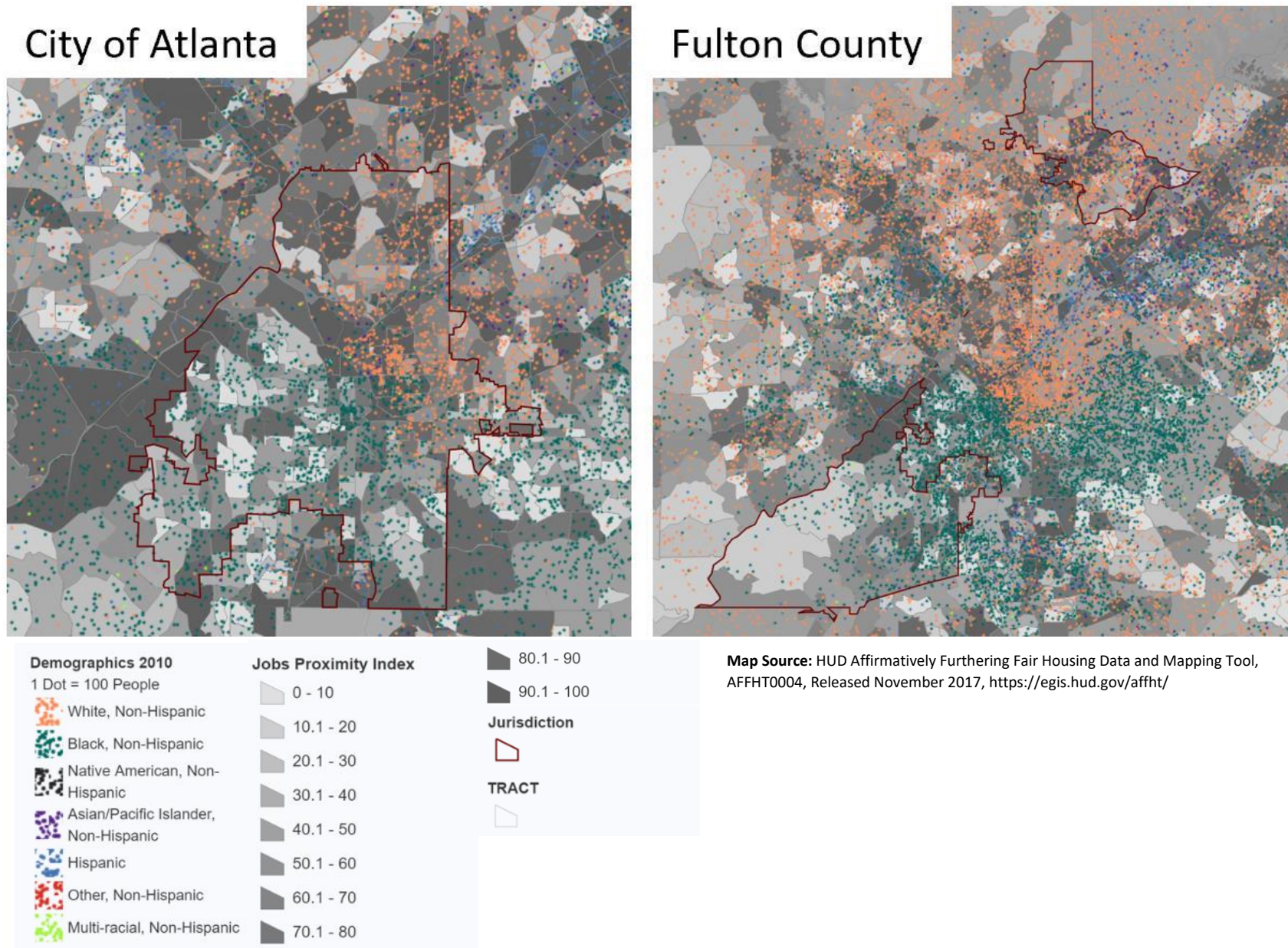
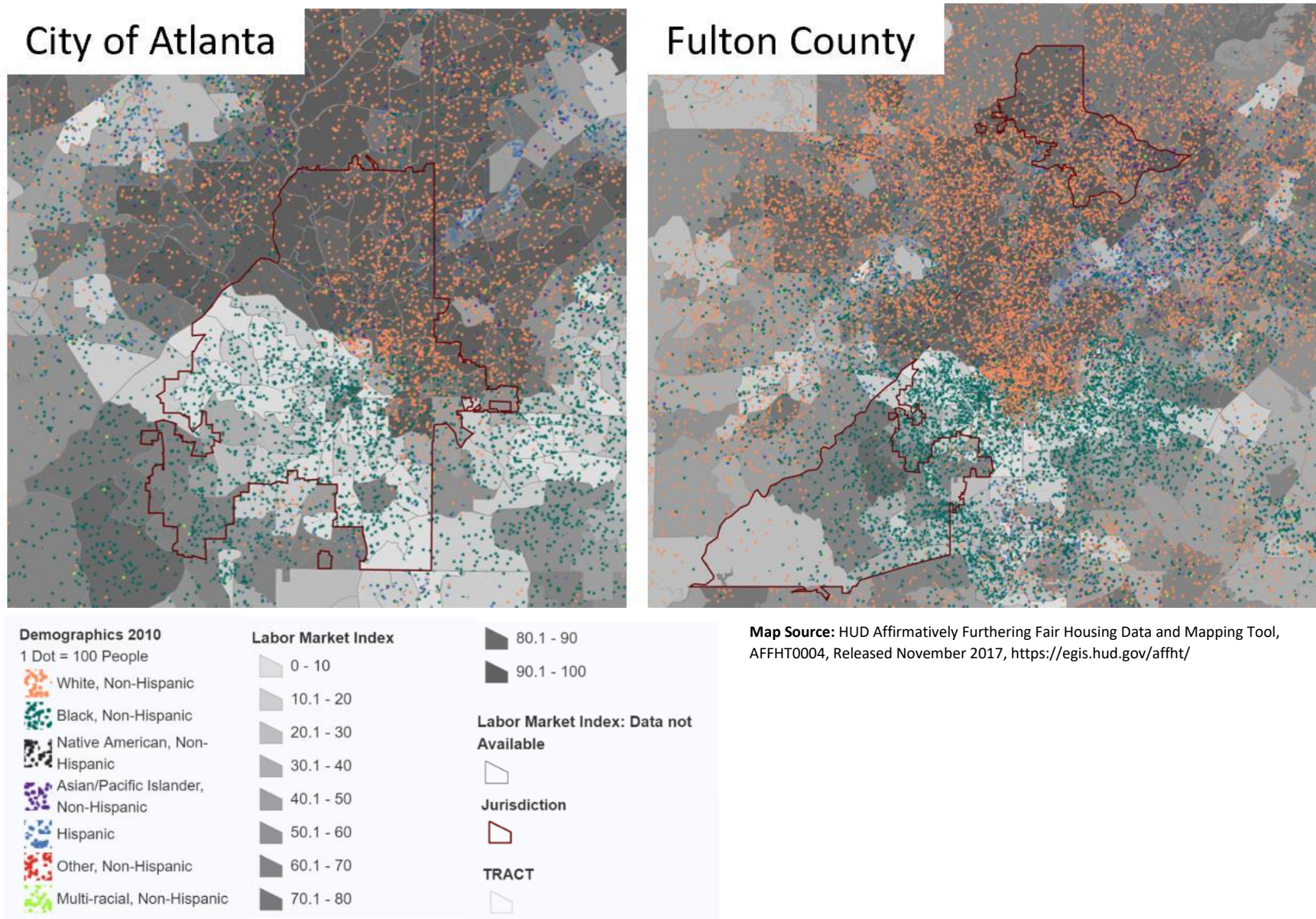


FIGURE 14. LABOR MARKET INDEX IN THE CITY OF ATLANTA AND FULTON COUNTY



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## TRANSPORTATION


The Transit Trip Index measures how often low-income renter families in a neighborhood use public transit. Values are then standardized on a scale of 0 to 100 based on relative ranking nationally. The higher the index value, the more likely residents in that neighborhood use public transit. The index controls for income such that a higher index value will often reflect better access to public transit.

The Low Transportation Cost Index is based on estimates of transportation costs as a percentage of income for low-income renter families in a given neighborhood. Results are standardized on a scale of 0 to 100 based on relative ranking nationally. The higher the Low Transportation Cost Index, the lower the cost of transportation in that neighborhood.<sup>27</sup> Figures 15 and 16 map Transit Trip and Low Transportation Cost Index values for the city of Atlanta and Fulton County. Lighter shading indicates areas of lower opportunity (i.e., less transit use and higher transportation costs) and darker shading indicates higher opportunity (i.e., higher transit use and lower transportation costs).

The map of the Transit Trips Index data in Figure 15 shows higher transit usage in the city of Atlanta relative to Fulton County, with the highest levels of usage in central Atlanta. The map of the Low Transportation Cost Index in Figure 16 shows that the city of Atlanta also has a greater prevalence of communities with low-cost transportation than Fulton County, although access is uneven across block groups.

Transit Trip Index scores for population groups in the city of Atlanta indicate similar levels of transit usage across racial and ethnic groups. Transit Trip Index scores show that white, Asian, and Hispanic households in the city of Atlanta use public transportation slightly more often than other households. Transit Trip Index scores are slightly higher for white, Black, and Asian or Pacific Islander households living below the poverty line. Asian households living below the poverty line use transit at the highest rates.

Low Transportation Cost Index scores for population groups in the city of Atlanta indicate that across the total population, Asian households have the greatest access to low-cost transportation, while Black households have the least access. For the population below the poverty line, Asian families have the greatest access to low-cost transportation, and Black and Native American households have the lowest levels of access.



**TRANSIT TRIP INDEX: BASED ON ESTIMATED NUMBER OF TRANSIT TRIPS TAKEN BY FAMILIES WITH INCOMES AT 50% OF MEDIAN INCOME FOR RENTERS IN THE REGION**

**LOW TRANSPORTATION COST INDEX: BASED ON TRANSPORTATION COSTS AS A SHARE OF INCOME FOR FAMILIES WITH INCOMES AT 50% OF MEDIAN INCOME FOR RETNERS IN THE REGION**

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<sup>27</sup> HUD's data source for its transit trip and low transportation costs indices is Location Affordability Index (LAI) data. For a more detailed description of HUD's methodology and data sources, please see HUD's Affirmatively Furthering Fair Housing Data and Mapping Tool Data Documentation appended to this report.

Transit Trip Index scores for Fulton County indicate that transit usage is relatively even across racial and ethnic groups for low-income renter households. Asian households use transit at the highest rates, while Black households have the lowest levels of usage across low-income renter households. For the population below the poverty line, Asian and Hispanic households have the highest levels of transit usage, while Native American households use transit at the lowest levels.

Low Transportation Cost Index scores for population groups in Fulton County indicate that Hispanic low-income renter households have slightly greater access to communities with low-cost transportation. For the population living below the poverty line, Hispanic households also have higher levels of access to low-cost transportation than other racial and ethnic groups, which all have lower – but similar – levels of access.

Across the Atlanta-Sandy Springs-Roswell metro area, white households use transit at lower rates than households of other racial and ethnic groups. Hispanic and Asian households use transit at the highest rates. Transit usage is higher for households living below the poverty line for all racial and ethnic groups with the exception of white households. In the metro as a whole, Asian, Hispanic, and Black households below the poverty line use transit at the highest levels.

FIGURE 15. TRANSIT TRIPS INDEX IN THE CITY OF ATLANTA AND FULTON COUNTY

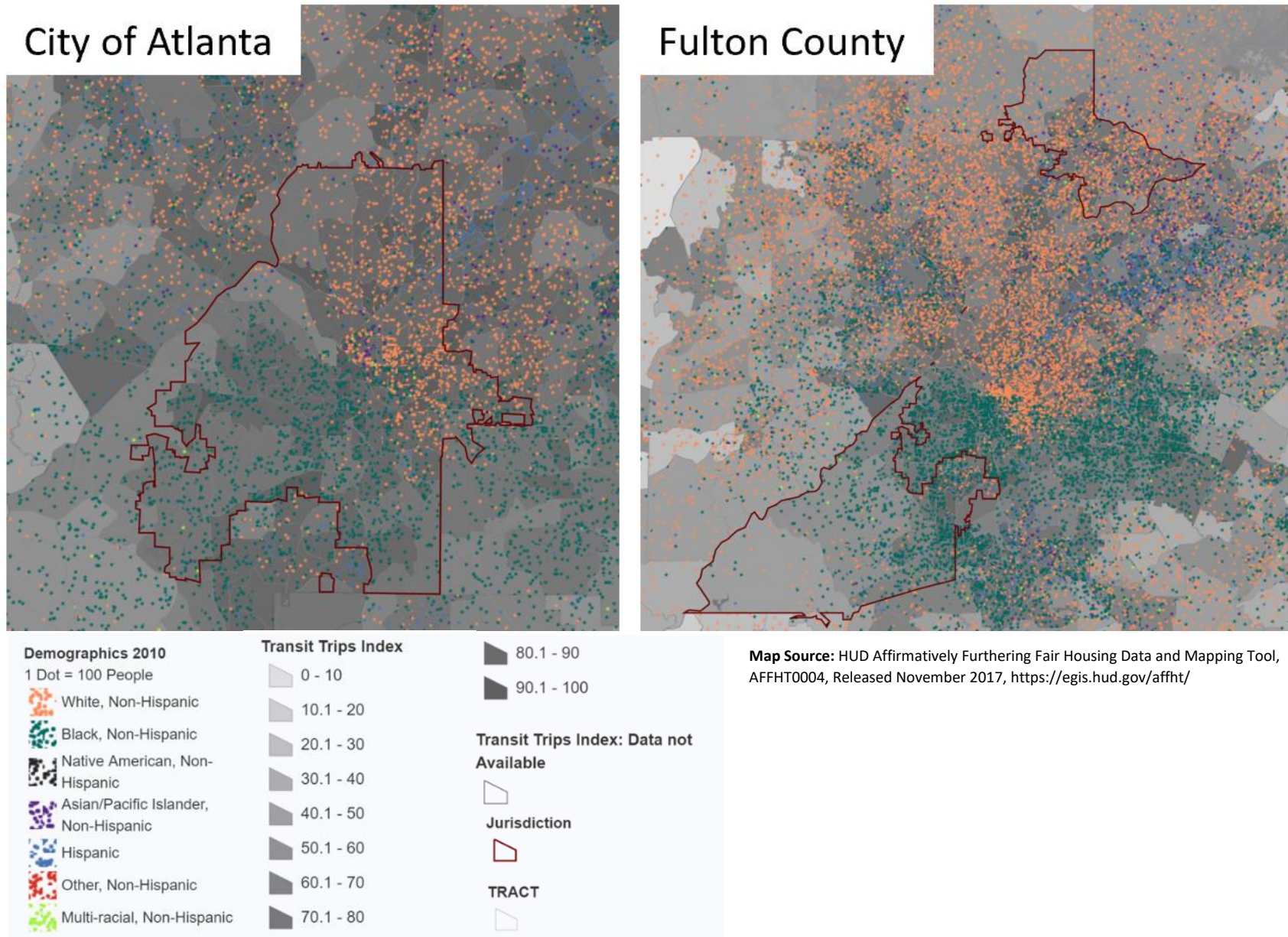
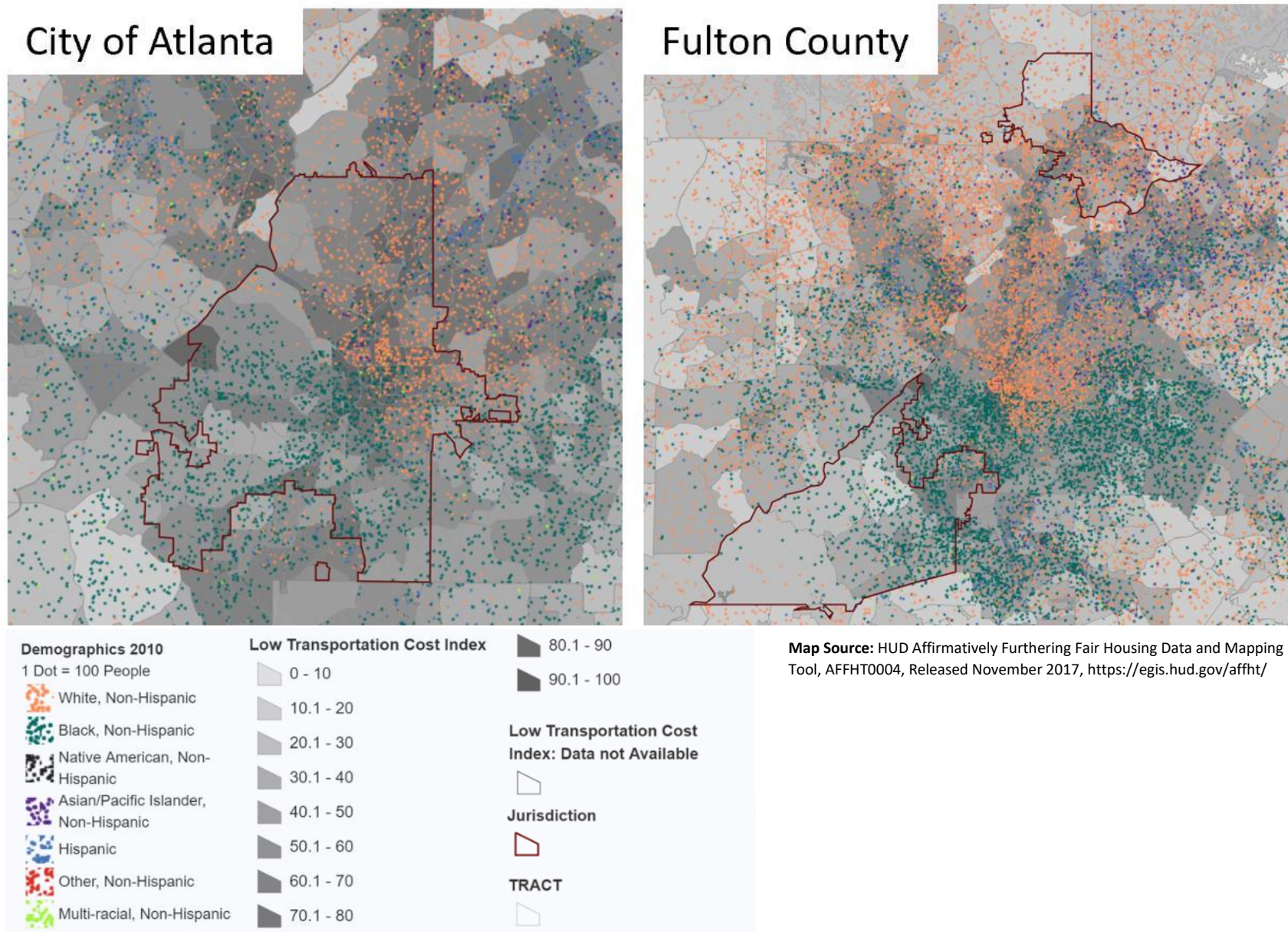


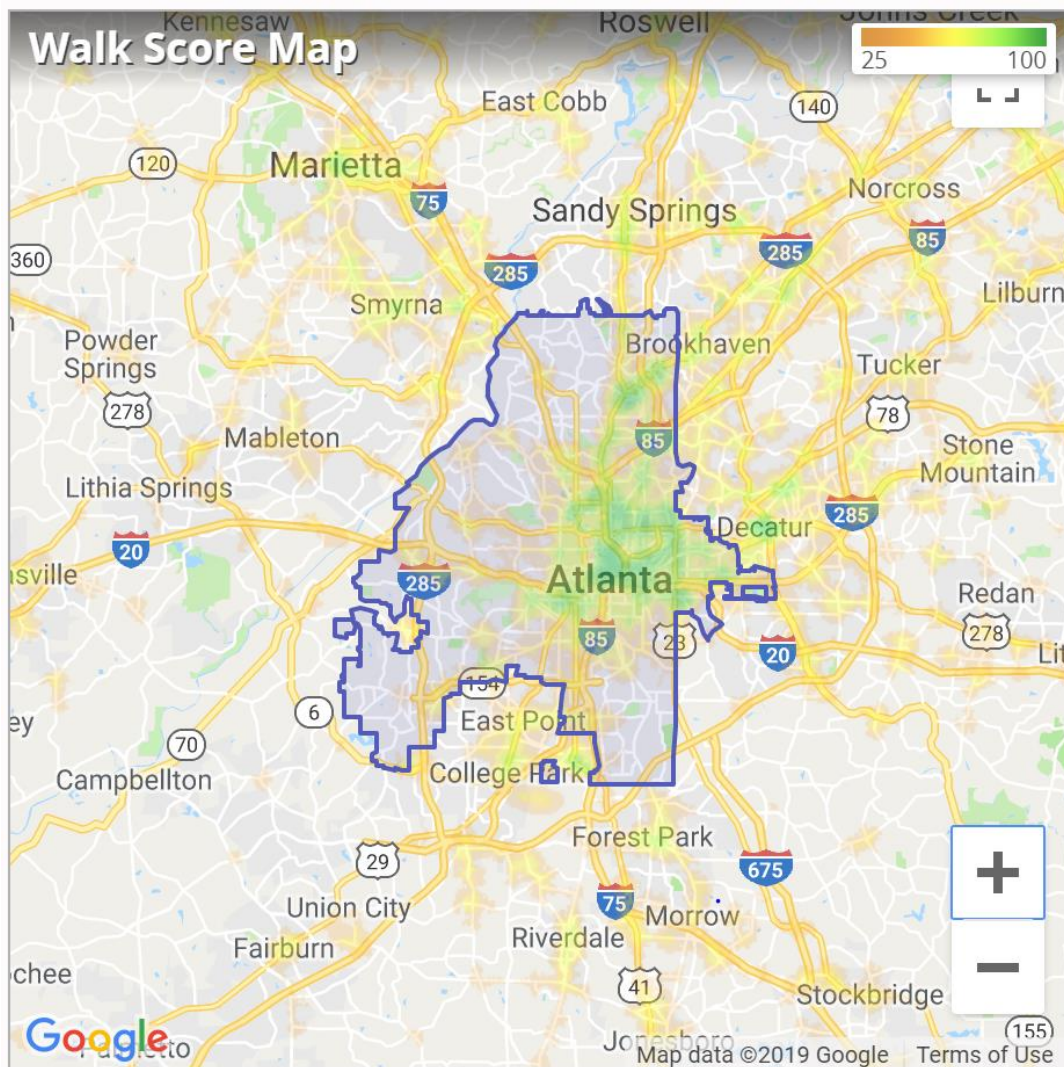
FIGURE 16. LOW TRANSPORTATION COST INDEX IN THE CITY OF ATLANTA AND FULTON COUNTY



Walk Score measures the walkability of any address by analyzing hundreds of walking routes to nearby amenities using population density and road metrics such as block length and intersection density. Data sources include Google, Education.com, Open Street Map, the U.S. Census, Localeze, and places added by the Walk Score user community.

Points are awarded based on the distance to amenities in several categories including grocery stores, parks, restaurants, schools, and shopping. Not only is the measure useful for showing walkability but also access in general to critical facilities. The most walkable neighborhoods in the City of Atlanta and Fulton County are in or around central Atlanta, although small pockets of walkability exist outside of the city center, such as those in Buckhead, Hapeville, and College Park. The most walkable areas are also the most densely populated.

**FIGURE 17. WALKABILITY IN ATLANTA AND SURROUNDING AREAS**



Map Source: Walkscore, Retrieved from: <https://www.walkscore.com/>



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## POVERTY

Residents in high poverty areas tend to have lower levels of access to opportunity due to the absence of critical resources and disinvestment in their communities. As poverty increases, disparities in access to opportunities often increase among population groups and disadvantaged communities become even more isolated. HUD's Low Poverty Index uses family poverty rates (based on the federal poverty line) to measure exposure to poverty by neighborhood. Values are standardized based on national ranking to produce scores ranging from 0 to 100 where a higher score indicates less exposure to poverty.<sup>28</sup> Figure 18 maps Low Poverty Index scores for the city of Atlanta and Fulton County. Lighter shading indicates areas of higher poverty and darker shading indicates lower levels of poverty.



### LOW POVERTY INDEX: BASED ON NEIGHBORHOOD POVERTY RATES

Figure 18 shows that the southern and western portions of the city of Atlanta have higher exposure to poverty relative to other parts of the jurisdictions. The southern portion of Fulton County also has relatively high exposure to poverty. The contrasts between the northern and southern portions of the city of Atlanta and Fulton County are highly visible. Low Poverty Index scores in Table 7 show the levels of exposure to poverty for each population group in the city of Atlanta and Fulton County.

In the city of Atlanta, all other racial and ethnic groups examined have more exposure to poverty than the white population, with Black and Native American populations experiencing the highest levels of exposure to poverty. Disparities decrease slightly for populations below the poverty level. A large disparity in exposure to poverty exists between the white population and Black, Native American, and Hispanic populations for both the total population and the population living below the poverty line. The disparity in exposure to poverty between white households, the racial/ethnic group with the lowest exposure to poverty, and Black households, the group with the highest exposure, is 44.3 points.

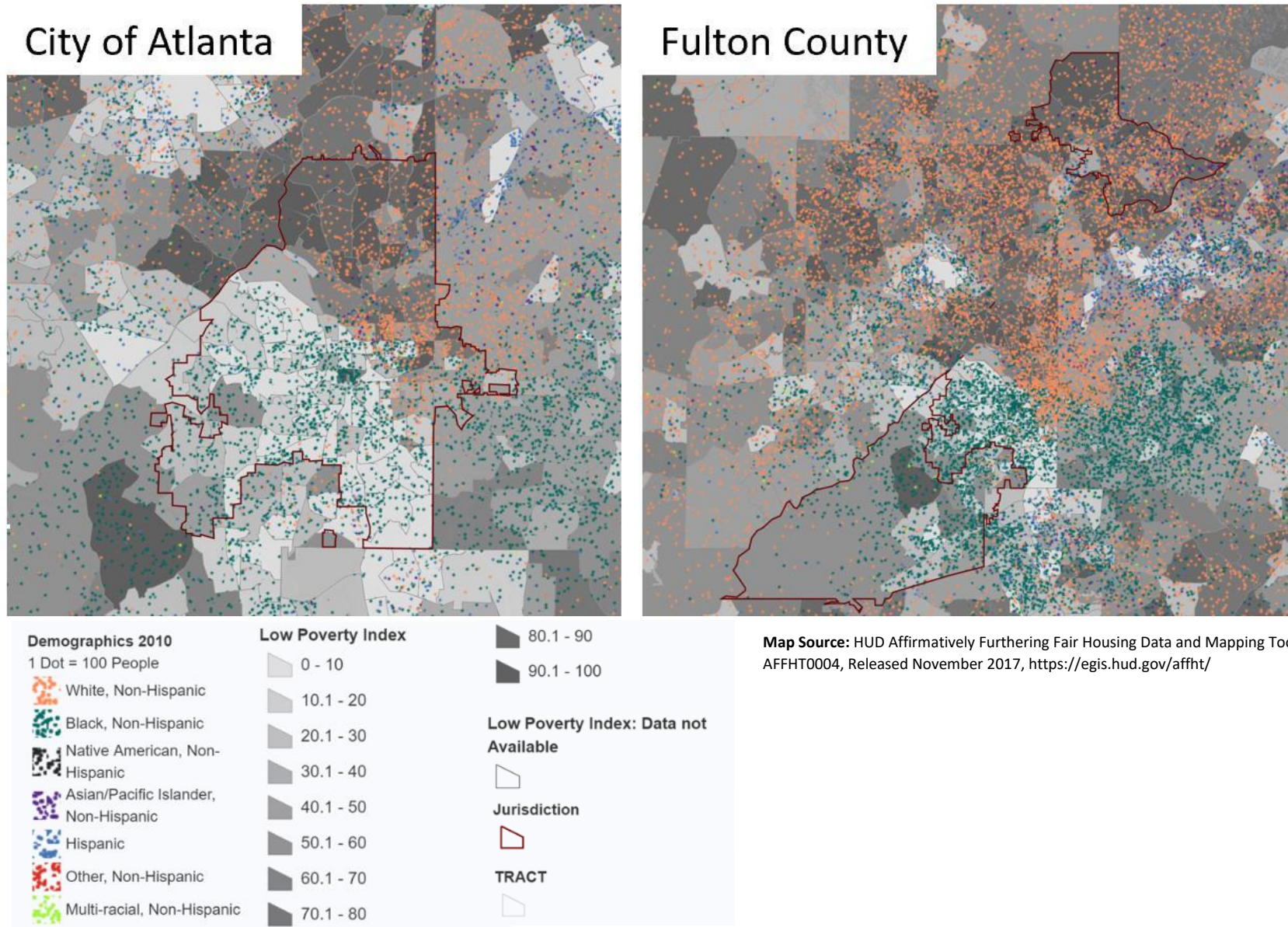
In Fulton County, Black households have the greatest exposure to poverty, while white and Asian households have the lowest levels of exposure. The disparity in exposure to poverty between Black and white households is 35.2 points.

Low Poverty Index scores calculated for the Atlanta-Sandy Springs-Roswell MSA indicate smaller disparities among racial and ethnic population groups throughout the region relative to the three individual jurisdictions. The white population is the least exposed to poverty in the MSA. Black and Hispanic populations experience the highest levels of exposure to poverty. The discrepancy in scores between the white and Black populations in the region is 20.9 points.

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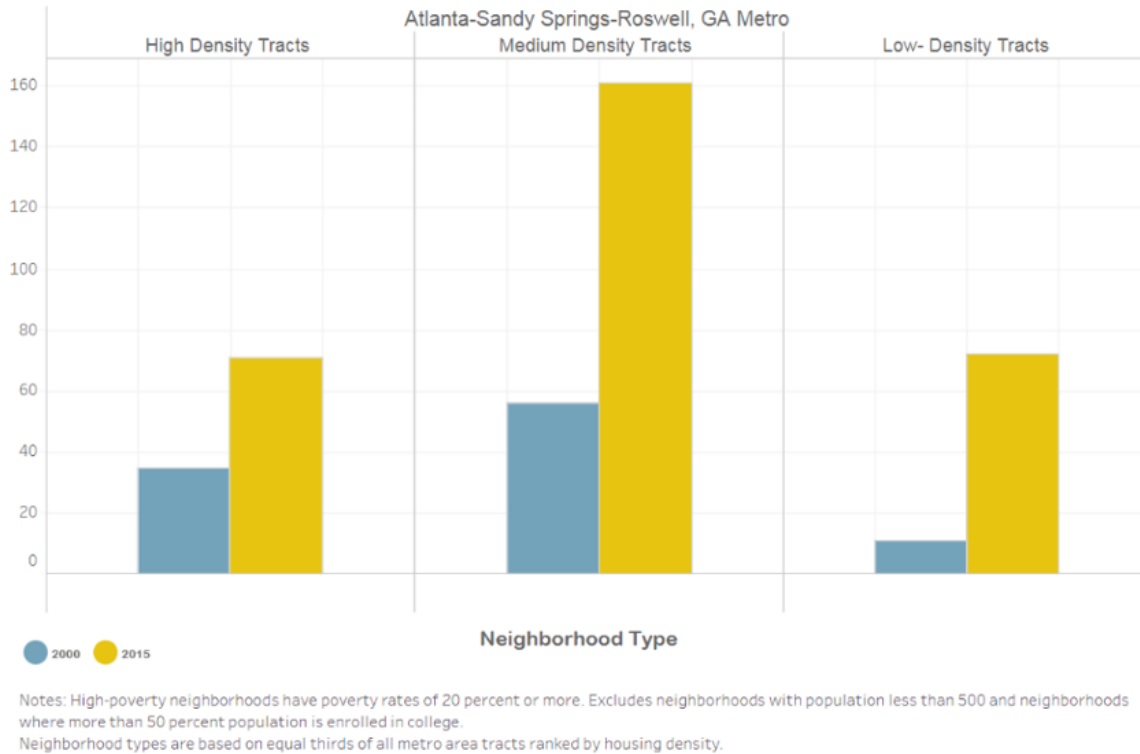
<sup>28</sup> HUD's data source for its low poverty index is the American Community Survey. For a more detailed description of HUD's methodology and data sources, please see HUD's Affirmatively Furthering Fair Housing Data and Mapping Tool Data Documentation appended to this report.

FIGURE 18. LOW POVERTY INDEX IN THE CITY OF ATLANTA AND FULTON COUNTY



Along with increasing housing costs and rents in the city of Atlanta, lower-income residents increasingly live in suburban areas outside of the city, which typically provide less access to transportation, employment, and needed services and resources. Indeed, the number of low-density, high-poverty, exurban tracts in the Atlanta metro rose from only 11 in 2000 to 72 in 2015 (see Figure 19).<sup>29</sup>

**FIGURE 19. NUMBER OF HIGH-POVERTY TRACTS BY NEIGHBORHOOD TYPE IN THE ATLANTA-SANDY SPRINGS-ROSWELL METRO, 2000 AND 2015**



Source: Joint Center for Housing Studies, Harvard University

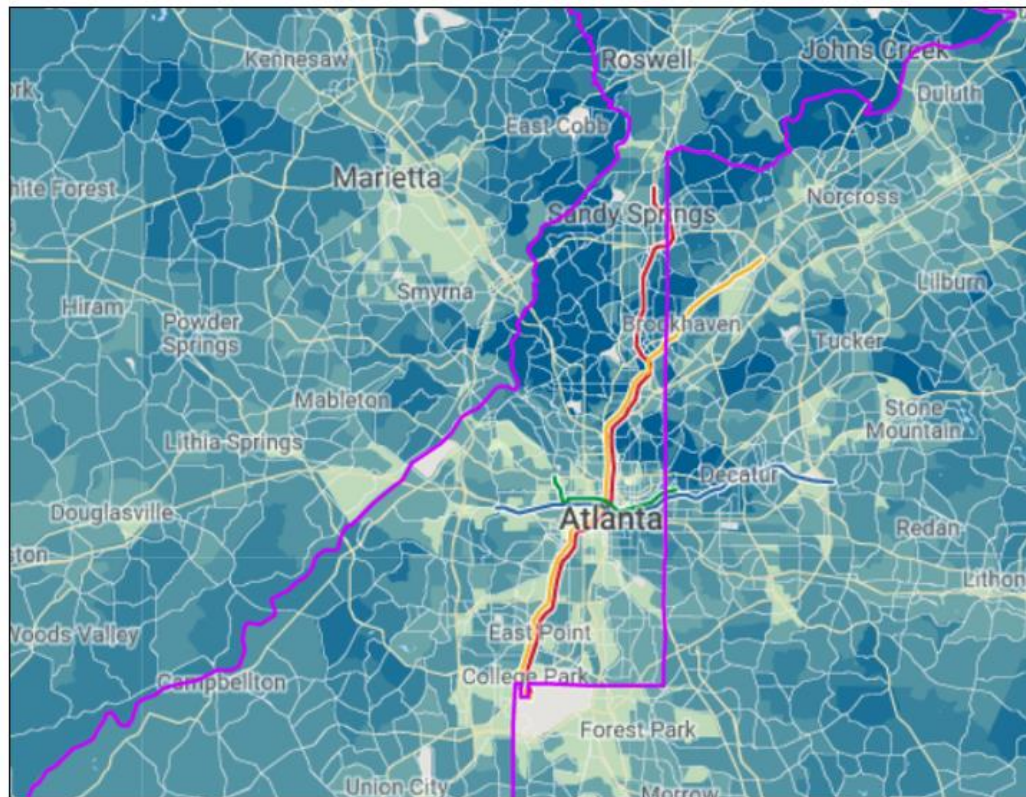
While housing is often more affordable in these outlying areas, for low and moderate-income households, these areas may be less affordable when both housing and transportation costs are taken into consideration. As seen in Figure 20, combined housing and transportation costs as a percentage of household income are often lower in more central areas with access to public transportation.

The increase in concentration of poverty in suburban areas and the associated potential for higher cost of living in these areas due to high transportation costs point to the need to direct investments in affordable housing to areas accessible to public transportation and with access to other opportunity factors, such as quality schools and job centers. The City of Atlanta’s 2018 performance audit on affordable housing noted that much of the housing that the City has subsidized in recent years is located in areas that lack access to transit and contain below-average schools, arguing that future subsidies should support the

<sup>29</sup> LaJeunesse, E. (2017). The rise of poverty in suburban and outlying areas. Joint Center for Housing Studies at Harvard University. Retrieved from: <https://www.jchs.harvard.edu/blog/the-rise-of-poverty-in-suburban-and-outlying-areas/>

development of affordable housing in areas with greater access to opportunity, including public transportation, quality schools, and job centers.<sup>30</sup>

**FIGURE 20. HOUSING AND TRANSPORTATION COSTS AS PERCENT OF HOUSEHOLD INCOME IN THE CITY OF ATLANTA AND FULTON COUNTY**



**Housing + Transportation Costs as Percent of Income**

< 24% 24-36% 36-45% 45-54% 54-66% 66-78% 78-87% 87%+

*For moderate-income households with 1.2 workers, income of \$45,600, and household size of 2.77 people*

*Source: Center for Neighborhood Technology Housing + Transportation Affordability Index*

A lack of economic mobility for people living in poverty presents another important concern for the city and county. According to work done by the Equality of Opportunity Project,<sup>31</sup> children born into the bottom 20 percent of the income distribution in Atlanta have just a 4.5% chance of making it to the top 20 percent of the income distribution.<sup>32</sup> Fulton County ranked 89<sup>th</sup> of the 100 most populous counties in the country in a ranking of counties' impacts on income in adulthood, with a projected 10.9% reduction in income for children growing up in the county from birth, relative to growing up in the average county.<sup>33</sup> Key factors that drive low economic mobility in urban areas include racial segregation and concentrations

<sup>30</sup> City of Atlanta Auditor's Office. (2018). *Performance audit: Affordable housing*.

<sup>31</sup> Equality of Opportunity Project. (2017). New website located at: <https://opportunityinsights.org/>

<sup>32</sup> The Atlantic. (2017). Why it's so hard to get ahead in the South. <https://www.theatlantic.com/business/archive/2017/04/south-mobility-charlotte/521763/>

<sup>33</sup> Chetty, R., & Hendren, N. (2018). The impacts of neighborhoods on intergenerational mobility II: County-level estimates. *The Quarterly Journal of Economics*, 133(3), 1163-1228.

of poverty, income inequality, sprawl, low school quality and reduced access to higher education, , and low social capital.<sup>34</sup> For these reasons efforts to increase economic mobility should focus on reducing concentrations of poverty by investing in high-poverty neighborhoods; providing access to affordable housing in high-opportunity areas with access to transportation, jobs, and quality schools; and improving overall school quality and access to education.

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## ENVIRONMENTAL HEALTH

HUD’s Environmental Health Index measures exposure based on EPA estimates of air quality (considering carcinogenic, respiratory, and neurological toxins) by neighborhood. The index only measures issues related to air quality and not other factors impacting environmental health. Values are standardized based on national ranking to produce scores ranging from 0 to 100 where a higher score indicates less exposure to environmental hazards.<sup>35</sup> Figure 21 maps Environmental Health Index scores for the city of Atlanta and Fulton County. Lighter shading indicates areas of higher potential exposure to hazards, and darker shading indicates lower levels of environmental hazards.



**ENVIRONMENTAL HEALTH INDEX:  
BASED ON STANDARDIZED EPA  
ESTIMATES OF AIR QUALITY  
HAZARDS**

According for Figure 21, the city of Atlanta has a disproportionate number of block groups with lower air quality compared to the rest of the region. The wider view on the Fulton County map shows how air quality improves as one moves further away from Atlanta’s city center. Figure 21 also shows the population distribution by race and ethnicity, but there is no clear correlation between the racial composition of block groups and air quality.

The Environmental Health Index scores in the city of Atlanta reiterate the similar levels of exposure to low air quality among all racial and ethnic groups. The Asian or Pacific Islander residents in the city are exposed to slightly lower air quality compared to others. The Native American population below the poverty line is exposed to marginally higher air quality.

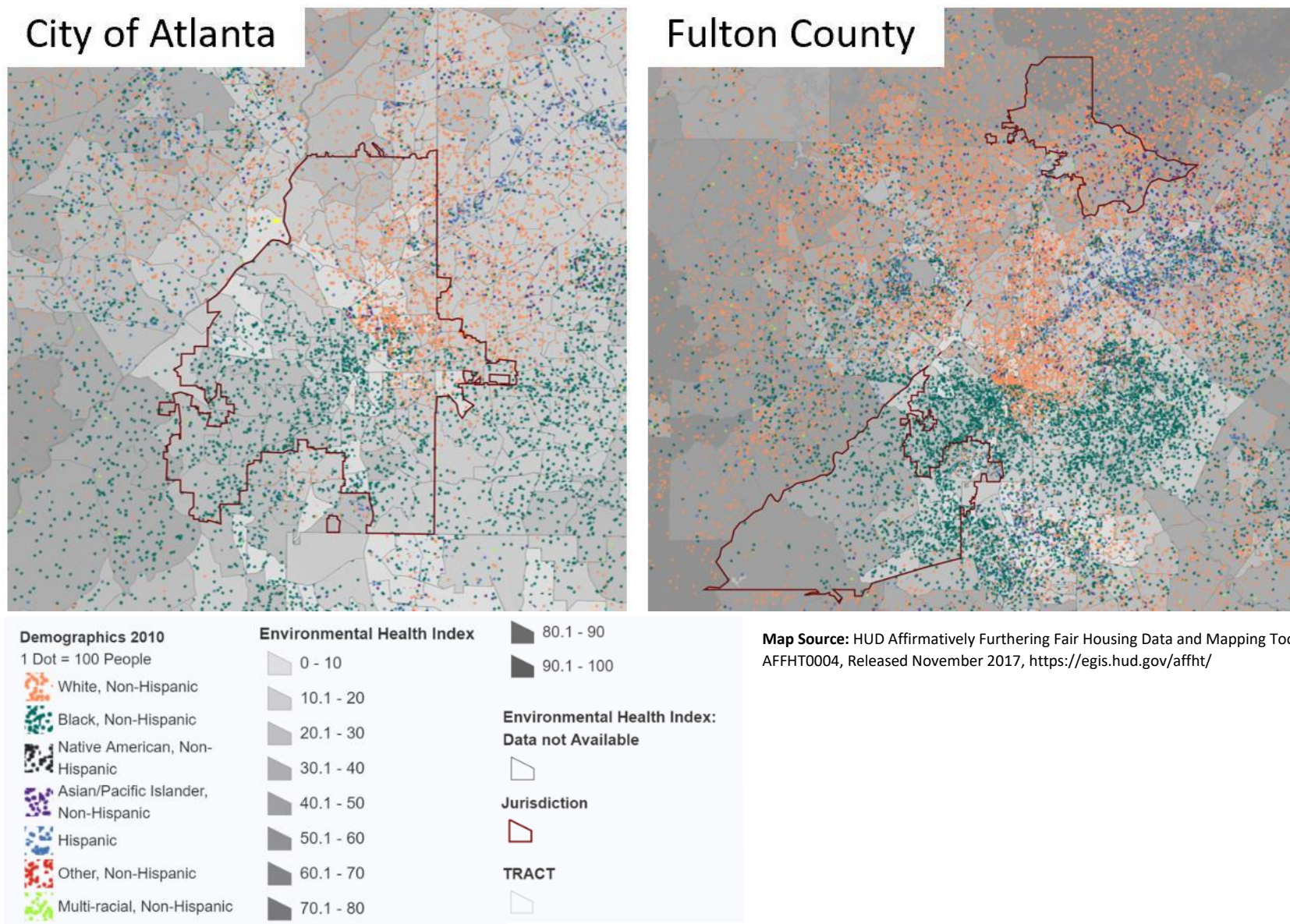
The Environmental Health Index scores among population groups in Fulton County are higher than those found among population groups in the city of Atlanta. However, some racial and ethnic minority groups experience greater disparities in air quality than in the other two jurisdictions. White and Asian residents both above and below the poverty line tend to live in block groups that experience better air quality. The Hispanic population below the poverty line scored the lowest at 19.5 points.

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<sup>34</sup> Ibid.

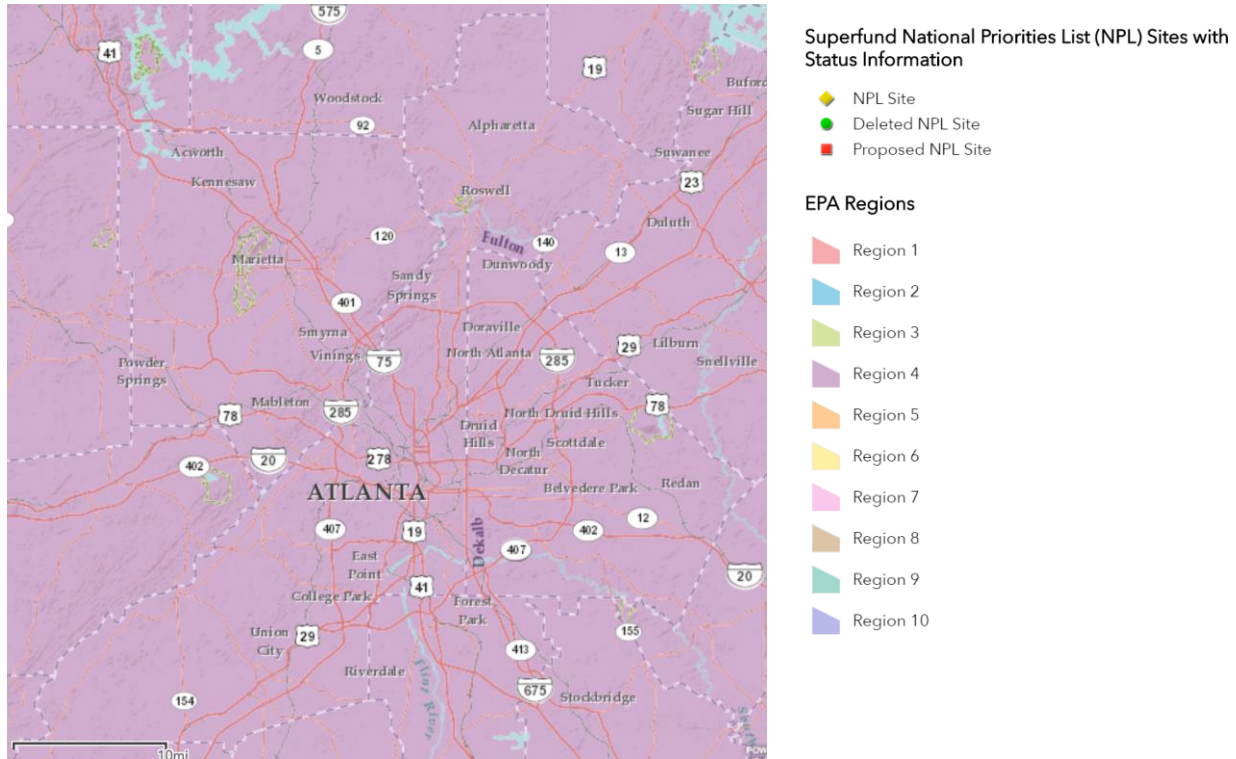
<sup>35</sup> HUD’s data source for its environmental health index is the EPA’s National Air Toxins Assessment (NATA) data. For a more detailed description of HUD’s methodology and data sources, please see HUD’s Affirmatively Furthering Fair Housing Data and Mapping Tool Data Documentation appended to this report.

FIGURE 21. ENVIRONMENTAL HEALTH INDEX IN THE CITY OF ATLANTA AND FULTON COUNTY



A Superfund site is any land in the United States that has been contaminated by hazardous waste and identified by the EPA as a candidate for cleanup because it poses a risk to human health and/or the environment. These sites are placed on the National Priorities List (NPL). There are currently no Superfund sites in the city of Atlanta, Fulton County, or the region.

**FIGURE 22. SUPERFUND NATIONAL PRIORITIES LIST (NPL) SITES IN THE CITY OF ATLANTA AND FULTON COUNTY**



**Map Source:** Environmental Protection Agency GIS Data, Retrieved from: <https://www.epa.gov/superfund/search-superfund-sites-where-you-live>

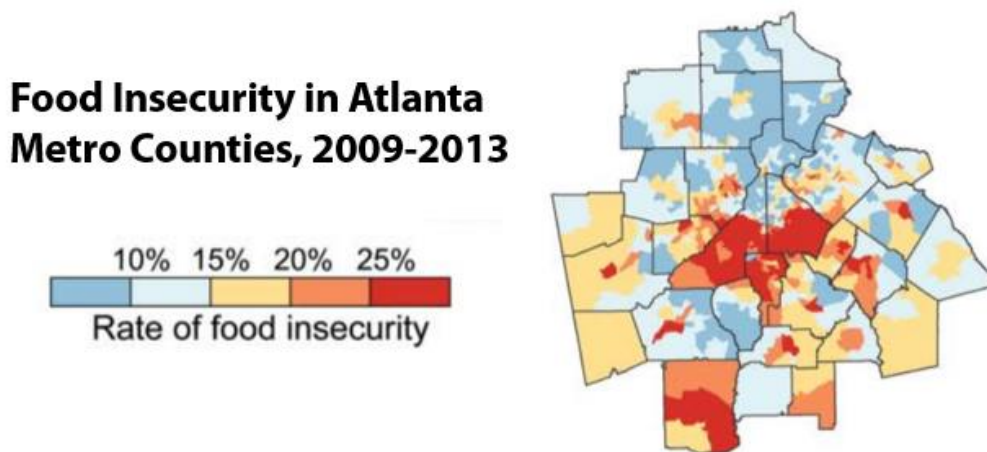
## FOOD ACCESS

Food access is another important component of access to opportunity, as access to food that is both affordable and nutritious is a challenge for many individuals and families in the United States. According to the USDA, food security refers to access by all people at all times to enough food for an active, healthy life.<sup>36</sup> In neighborhoods in which the nearest grocery store is many miles away, transportation costs and lack of vehicle access may present particular challenges for low-income households, which may be forced to rely on smaller stores that are often not affordable and may not offer a full range of healthy food choices.

<sup>36</sup> USDA. (n.d.) Food Security in the U.S. Retrieved from: <https://www.ers.usda.gov/topics/food-nutrition-assistance/food-security-in-the-us/>

In their study on food security in the Atlanta metropolitan area, Shannon, Hauer, and Shannon (2017) note that food insecurity is highest in southern sections of the city of Atlanta and its neighboring suburbs.<sup>37</sup> However, projections to 2020 show that food insecurity rates will increase in outer-ring suburbs east and west of the city while decreasing in the urban core. Current and projected trends in food insecurity highlight the need to further adapt antihunger efforts for the metro’s suburban communities in which poverty rates are increasing and lack of access to transportation may hinder food access. In this way, there is a need for continued efforts to improve food access in the urban core while also focusing on the increasing food access challenges in suburban areas. To address these challenges, the City and County should build upon recent innovations in supporting food access in food insecure areas, such as the Urban Food Forest at Browns Mill in South Atlanta.

**FIGURE 23. FOOD INSECURITY IN ATLANTA METRO COUNTIES**



*Source:* Shannon, J., Hauer, M. E., Weaver, A., & Shannon, S. (2017). The suburbanization of food insecurity: An analysis of projected trends in the Atlanta metropolitan area. *The Professional Geographer*, 70(1), 84-93. Map based on American Community Survey 5-Year Estimates, 2009-2013.

## SUMMARY

Levels of access to schools, employment, jobs transit, and environmental health were compared among different racial and ethnic populations in the city of Atlanta and Fulton County. Spatial distribution patterns of racial composition and index scores indicate disproportionate representation of Black, Hispanic, Asian, and Native American residents in block groups that have low school proficiency index scores in both jurisdictions, with the exception of Asian populations in Fulton County and the MSA as a whole.

## 3-GEOGRAPHY COMPARISON:

In all three geographies, the most significant gaps in access to opportunity by race and ethnicity are related to school proficiency, labor market engagement, and low poverty neighborhoods. Black, Hispanic, and Native American residents have, on average, less access to these opportunity factors than white residents.

<sup>37</sup> Shannon, J., Hauer, M. E., Weaver, A., & Shannon, S. (2018). The suburbanization of food insecurity: An analysis of projected trends in the Atlanta metropolitan area. *The Professional Geographer*, 70(1), 84-93.



The Jobs Proximity Index scores of block groups in all three jurisdictions indicate minor disparities among most racial and ethnic groups in the city of Atlanta and Fulton County. In contrast, Labor Market Engagement Index scores by population group indicate significant disparities among racial and ethnic groups in each jurisdiction. There is a strong pattern of labor market engagement by block groups and racial/ethnic groups in the three jurisdictions, with greater levels of engagement in the northern portion of each jurisdiction, which have higher proportions of white households.

Transit Trip Index scores in the city of Atlanta are higher than those in Fulton County. There are minor disparities in usage of public transportation among population groups in each jurisdiction. Low Transportation Cost Index scores provided in Table 7 indicate slightly lower transportation costs on average in the city of Atlanta compared to Fulton County. Low Transportation Cost scores vary somewhat across racial and ethnic groups in each jurisdiction.

The southern portions of Atlanta and Fulton County have more exposure to poverty. Block groups that are exposed to more poverty have a higher percentage of Black, Hispanic, and Native American residents, while block groups with low levels of poverty appear to be predominantly white. The city of Atlanta has the highest exposure to poverty compared to Fulton County and the region as a whole. Non-white populations in each jurisdiction are exposed to significantly more poverty than the white population.

While the city of Atlanta scores lower on the Environmental Health Index compared to the rest of the region, Fulton County also has low scores on this opportunity dimension. Scores across racial and ethnic groups are relatively even in the city of Atlanta, while in Fulton County, Black and Hispanic households have greater levels of exposure to poor air quality.

# CHAPTER 6.

## HOUSING PROFILE

The availability of quality affordable housing plays a vital role in ensuring housing opportunities are fairly accessible to all residents. On the surface, high housing costs in certain areas are exclusionary based solely on income. But the disproportionate representation of several protected class groups in low and middle income levels can lead to unequal access to housing options and neighborhood opportunity in high-cost housing markets.

Beyond providing fair housing options, the social, economic, and health benefits of providing quality affordable housing are well-documented. National studies have shown affordable housing encourages diverse, mixed-income communities, which result in many social benefits. Affordable housing also increases job accessibility for low and middle income populations and attracts a diverse labor force critical for industries that provide basic services for the community. Affordable housing is also linked to improvements in mental health, reduction of stress, and decreased cases of illnesses caused by poor-quality housing.<sup>38</sup> Developing affordable housing is also a strategy used to prevent displacement of existing residents when housing costs increase due to economic or migratory shifts.

Conversely, a lack of affordable housing eliminates many of these benefits and increases socioeconomic segregation. High housing costs are linked to displacement of low-income households and an increased risk of homelessness.<sup>39</sup> Often lacking the capital to relocate to better neighborhoods, displaced residents tend to move to socioeconomically disadvantaged neighborhoods where housing costs are most affordable.<sup>40</sup>

This section discusses the existing supply of housing in the city of Atlanta and Fulton County as well as the region. It also reviews housing costs, including affordability and other housing needs by householder income. Homeownership rates and access to lending for home purchases and mortgage refinancing are also assessed.

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### HOUSING SUPPLY SUMMARY

According to the most recent American Community Survey, there are 235,900 housing units in the city of Atlanta, a 26.2% increase since 2000. The vacancy rate is 18.2%, up from 10% in 2000.

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<sup>38</sup> Maqbool, Nabihah, et al. "The Impacts of Affordable Housing on Health: A Research Summary." *Insights from Housing Policy Research*, Center for Housing Policy, [www.rupco.org/wp-content/uploads/pdfs/The-Impacts-of-Affordable-Housing-on-Health-CenterforHousingPolicy-Maqbool.etal.pdf](http://www.rupco.org/wp-content/uploads/pdfs/The-Impacts-of-Affordable-Housing-on-Health-CenterforHousingPolicy-Maqbool.etal.pdf).

<sup>39</sup> "State of the Nation's Housing 2015." Joint Center for Housing Studies of Harvard University, <http://www.jchs.harvard.edu/sites/default/files/jchs-sonhr-2015-full.pdf>

<sup>40</sup> Deirdre Oakley & Keri Burchfield (2009) Out of the Projects, Still in the Hood: The Spatial Constraints on Public-Housing Residents' Relocation in Chicago." *Journal of Urban Affairs*, 31:5, 589-614.

Fulton County saw the greatest increase in units by both numbers and percent increase. The 2013-2017 ACS estimate of 456,265 units represents a 30.9% increase since 2000. The vacancy rate is 14.1%, up 6.2% from 2000.

Notably, both jurisdictions have higher vacancy rates than the MSA as a whole, indicating that vacancy is a greater issue in these jurisdictions than elsewhere in the region. The vacancy rates, all calculated from ACS data, include housing that is available for sale or rent, housing that has been rented or sold but not yet occupied, seasonal housing, and other vacant units. Thus, the actual number of rental and for-sale units that are available for occupancy are likely lower than these figures indicate.

**TABLE 8. HOUSING UNITS BY OCCUPANCY STATUS IN THE CITY OF ATLANTA AND FULTON COUNTY**

	2000	2010	2013-2017	2000-2017 Change
<b>City of Atlanta</b>				
Total Housing Units	186,925	224,573	235,900	26.2%
Occupied Housing Units	168,147	185,142	192,929	14.7%
Vacant Housing Units	18,778	39,431	42,971	128.8%
Vacancy Rate	10.0%	17.6%	18.2%	+8.2 points
<b>Fulton County</b>				
Total Housing Units	348,632	437,105	456,265	30.9%
Occupied Housing Units	321,242	376,377	391,850	22.0%
Vacant Housing Units	27,390	60,728	64,415	135.2%
Vacancy Rate	7.9%	13.9%	14.1%	+6.2 points

**Data Sources:** U.S. Census 2000 SF1 Table H003 and 2010 SF1 Table H3 and 2013-2017 5-Year American Community Survey Table B25002

### 3-GEOGRAPHY COMPARISON:

In DeKalb County, about 11% of housing units are vacant, compared to 14% in Fulton County and 18% in Atlanta.

In all three geographies, detached single-family homes predominate, making up 40% of the stock in Atlanta, 48% in Fulton County, and 56% in DeKalb County. Large multifamily buildings (50+ units) make up a quarter of units in Atlanta, 15% in Fulton County, and 7% in DeKalb County.

Variety in terms of housing structure type is important in providing housing options suitable to meet the needs of all residents, including different members of protected classes. Multifamily housing, including rental apartments, are often more affordable than single-family homes for low- and moderate-income households, who are disproportionately likely to be minorities. Multifamily units may also be the preference of some elderly and disabled householders who are unable or do not desire to maintain a single-family home.

The table that follows shows housing units by structure type in each geography. Overall, patterns vary by location. In each jurisdiction, single-family detached homes make up the largest share of units, ranging from 39.9% in the city of Atlanta to 48.4% in Fulton County, compared to 67.1% in the region. Duplex, triplex, and quadraplex properties

make up relatively small shares of units in each area. Small multifamily properties with 5 to 15 units per structure make up about 18 to 19 percent of housing units in the city of Atlanta and Fulton County, while constituting only about 12% of units in the region. Larger multifamily properties with 50 or more units make up 24.2% of units in the city of Atlanta and 14.9% in Fulton County, while making up smaller shares of total units in the region. Mobile homes and other housing make up very small shares of housing in all jurisdictions.

**TABLE 9. HOUSING UNITS BY STRUCTURE TYPE IN THE CITY OF ATLANTA AND FULTON COUNTY**

Units in Structure	City of Atlanta		Fulton County	
	#	%	#	%
1, detached	94,011	39.9%	220,644	48.4%
1, attached	10,628	4.5%	27,739	6.1%
2-4	15,370	6.5%	24,075	5.3%
5-19	43,246	18.3%	90,068	19.7%
20-49	14,340	6.1%	23,021	5.0%
50 or more	57,012	24.2%	68,187	14.9%
Mobile home	1,182	0.5%	2,353	0.5%
Other (RV, boat, van, etc.)	111	0.0%	178	0.0%
<b>Total</b>	<b>235,900</b>	<b>100.0%</b>	<b>456,265</b>	<b>100.0%</b>

Data Source: 2013-2017 5-Year American Community Survey Table B25024

Availability of housing in a variety of sizes is important to meet the needs of different demographic groups. Neighborhoods with multi-bedroom detached, single-family homes will typically attract larger families, whereas dense residential developments with smaller unit sizes and fewer bedrooms often accommodate single-person households or small families. But market forces and affordability impact housing choice and the ability to obtain housing of a suitable size, and markets that do not offer a variety of housing sizes at different price points can lead to barriers for some groups. Rising housing costs can, for example, lead to overcrowding as large households with lower incomes are unable to afford pricier, larger homes and are forced to reside in smaller units. On the other hand, people with disabilities or seniors with fixed incomes may not require large units but can be limited by higher housing costs in densely populated areas where most studio or one-bedroom units are located.

As the table below shows, two-bedroom units make up the largest share of housing in the city of Atlanta and Fulton County, while three-bedroom units make up the largest share in the region. The region has the lowest shares of both studio/one bedroom housing, while the city

### 3-GEOGRAPHY COMPARISON:

Studio and one-bedroom housing units are more common in Atlanta than in Fulton and DeKalb Counties. About 27% of units there are studios or one bedrooms compared to 20% in Fulton County and 14% in DeKalb County.

Large units (4+ bedrooms) make up about one-quarter of housing in Fulton and DeKalb County compared to 13% in Atlanta.

of Atlanta has the lowest share of housing with four plus bedrooms. Fulton County has the most even mix of housing with regard to number of bedrooms.

**TABLE 10. HOUSING UNITS BY NUMBER OF BEDROOMS IN THE CITY OF ATLANTA AND FULTON COUNTY**

Number of Bedrooms	City of Atlanta		Fulton County	
	#	%	#	%
Studio or one	64,317	27.3%	91,406	20.0%
Two	81,201	34.4%	133,531	29.3%
Three	59,617	25.3%	116,592	25.6%
Four or more	30,756	13.0%	114,736	25.1%
<b>Total</b>	<b>235,900</b>	<b>100.0%</b>	<b>456,265</b>	<b>100.0%</b>

**Note:** All % represent a share of the total housing units within the jurisdiction or region.

**Data Source:** 2013-2017 5-Year American Community Survey Table B25041

Table 11 provides information for households living in publicly supported housing, including unit size and presence of children by housing program type. Assuming households with children would need two-bedroom or larger units, comparing the number of two- and three-plus bedroom units with the number of households with children does not immediately indicate overcrowding in assisted housing. For example, the 2,374 households with children who live in project-based Section 8 housing in the city of Atlanta could theoretically be housed in the 2,858 units with two or more bedrooms.

However, because data about households with children by household size is not available, precise conclusions regarding the suitability of the existing publicly supported housing stock cannot be drawn. There may be a mismatch between large family households and the availability of three bedroom or larger units, but such a situation is not discernible without information about household size. Additionally, smaller households may reside in units with more bedrooms (a 2-person household without children living in a 2-bedroom unit, for example), reducing the availability of larger units for households with children.

**TABLE 11. PUBLICLY SUPPORTED HOUSING BY PROGRAM CATEGORY: UNITS BY NUMBER OF BEDROOMS AND PRESENCE OF CHILDREN IN THE CITY OF ATLANTA AND FULTON COUNTY**

Housing Type	Households in 0-1 Bedroom Units		Households in 2 Bedroom Units		Households in 3+ Unit Bedrooms		Households with Children	
	#	%	#	%	#	%	#	%
<b>City of Atlanta</b>								
Public Housing	2,250	56.9%	1,080	27.3%	541	13.7%	2,250	56.9%
Project-Based Section 8	3,181	51.8%	1,965	32.0%	893	14.5%	3,181	51.8%
Other Multifamily	500	100.0%	0	0.0%	0	0.0%	500	100.0%
HCV Program	4,512	35.8%	4,343	34.5%	3,647	28.9%	4,512	35.8%
<b>Fulton County</b>								
Public Housing	194	32.1%	206	34.1%	188	31.1%	194	32.1%
Project-Based Section 8	394	76.7%	100	19.5%	18	3.5%	394	76.7%
Other Multifamily	104	94.6%	0	0.0%	0	0.0%	104	94.6%
HCV Program	625	15.4%	1,132	27.9%	2,250	55.5%	625	15.4%

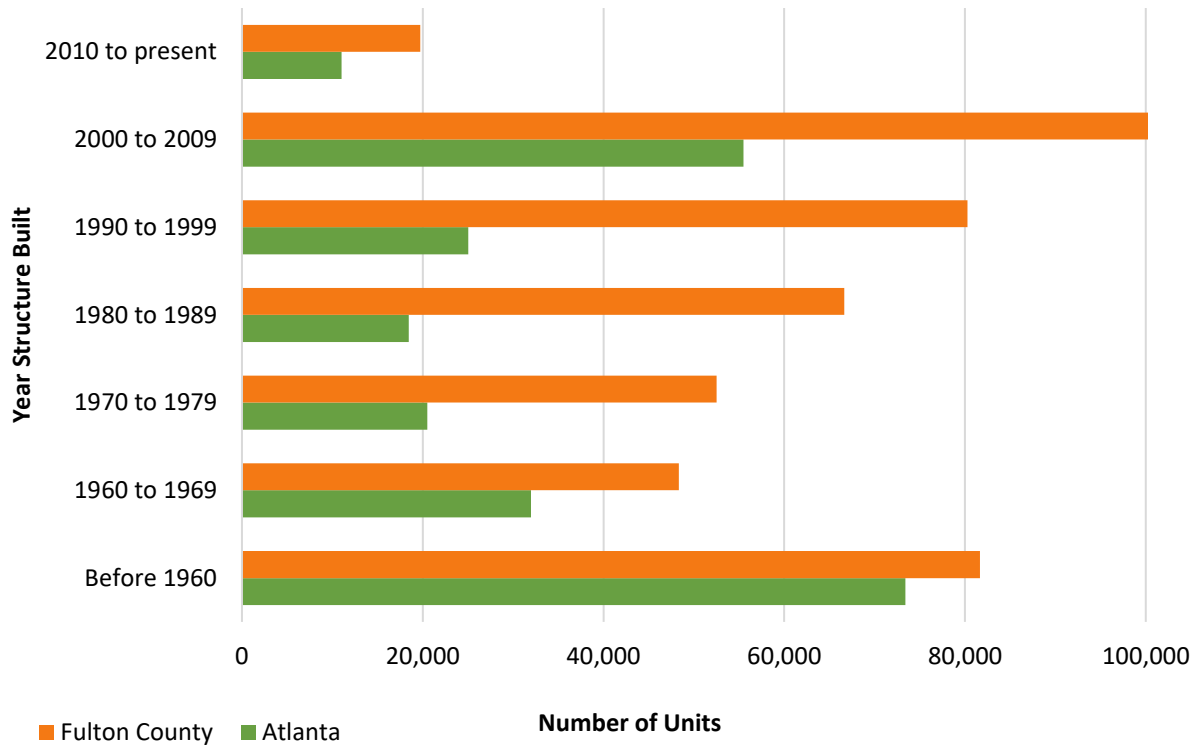
**Note:** All % represent a share of the total households living in publicly supported housing units by program category within the jurisdiction.

**Data Source:** HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

Assessing housing conditions in an area can provide a basis for developing policies and programs to maintain and preserve the quality of the housing stock. The age of an area’s housing can have substantial impact on housing conditions and costs. As housing ages, maintenance costs rise, which can present significant affordability issues for low- and moderate-income homeowners. Aging rental stock can lead to rental rate increases to address physical issues or deteriorating conditions if building owners defer or ignore maintenance needs. Deteriorating housing can also depress neighboring property values, discourage reinvestment, and eventually impact the quality of life in a neighborhood. Additionally, homes built prior to 1978 present the potential for lead exposure risk due to lead-based paint.

Age of housing in the city of Atlanta and Fulton County are shown below. In the city of Atlanta, the largest shares of homes were built over 50 years ago, prior to 1960. A large portion of homes were also built between 2000 and 2009. In Fulton County, the largest share of housing was constructed between 2000 and 2009 and prior to 1960. In the region, the number of housing units has grown every decade since 1960, with the largest share of units constructed between 2000 and 2009. Compared to previous decades, much fewer units have been constructed since 2010.

**FIGURE 24. AGE OF HOUSING IN ATLANTA AND FULTON COUNTY**

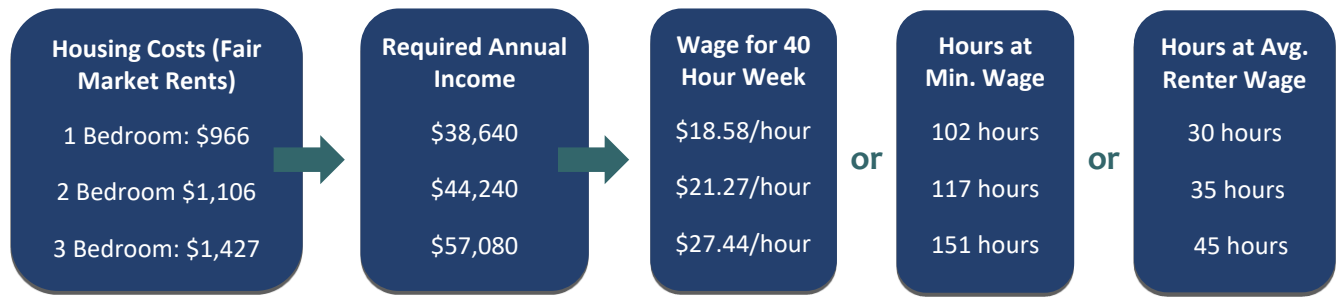


Data Source: 2013-2017 5-Year American Community Survey Table B25034

## HOUSING COSTS AND AFFORDABILITY

The availability of housing that is both affordable and in good condition was a common need identified by stakeholders, particularly for low- and moderate-income households. The National Low Income Housing Coalition’s annual *Out of Reach* report examines rental housing rates relative to income levels for counties throughout the U.S. The figure below shows annual household income and hourly wages needed to afford Fair Market Rents in Fulton County, including the city of Atlanta.

**FIGURE 25. REQUIRED INCOME, WAGES, AND HOURS TO AFFORD FAIR MARKET RENTS IN FULTON COUNTY, 2019**



**Note:** Required income is the annual income needed to afford Fair Market Rents without spending more than 30% of household income on rent. Minimum wage in Fulton County is \$7.25 and average renter wage is \$24.66. Average renter wages are derived by the National Low Income Housing Coalition from Bureau of Labor Statistics' Quarterly Census of Employment and Wages.

**Source:** National Low Income Housing Coalition *Out of Reach* 2018, Accessed from <http://nlihc.org/oor/>

Fair Market Rent (FMR) is a standard set by HUD at the county or regional level for use in administering its Section 8 rental voucher program. FMRs are typically the 40<sup>th</sup> percentile gross rent (i.e., rent plus utility costs) for typical, non-standard rental units in the local housing market.

To afford a one-bedroom rental unit at the FMR of \$966 without being cost burdened (i.e., spending more than 30% of income on housing) would require an annual income of at least \$38,640. This amount translates to a 40-hour work week at an hourly wage of \$18.58. It would take a 102-hour work week at the minimum wage of \$7.25 to afford the unit. In Fulton County, this translates to a 30-hour work week at the average renter wage. Note that average renter wages were derived by the National Low Income Housing Coalition from the Bureau of Labor Statistics' Quarterly Census of Employment and Wages data for the purpose of evaluating local housing affordability.

A household could afford the 2-bedroom FMR of \$1,106 with an annual income of \$44,240 or higher, or a 40-hour work week at an hourly wage of \$21.27. A minimum wage employee would need to work 117 hours per week to afford the unit. Someone earning the average renter wage would have to work 35 hours per week in Fulton County to afford the unit.

Overall, this data indicates that low minimum wages make housing at fair market rents unaffordable to individuals earning the minimum wage in Fulton County. Individuals earning average renter wages and working a 40-hour work week can afford one-bedroom and two-bedroom units at FMR in Fulton County. Note that Housing Choice Voucher payment standards vary by submarket within the city of Atlanta and Fulton County, while HUD's Fair Market Rents are set at the metro level and do not take into account rental rate variations by submarket within a metro area or county.

Concerns around housing affordability in the city have spurred the formation of multiple coalitions of actors focused on the issue, including the Transformation Alliance, a partnership of government agencies, businesses, and nonprofits whose goals include supporting affordable housing surrounding transit in the Atlanta metro, and HouseATL, a coalition of government agencies, corporations, nonprofit organizations, and grassroots groups focused on advancing affordable housing policy in the city. The Transformation Alliance has focused efforts on promoting policies and facilitating deals that accomplish equitable transit-oriented development, including affordable housing, transit funding, job access and other community



strategies. HouseATL developed a set of recommendations to support affordable housing in the city, including the \$1 billion in public and private investment in the preservation and development of 20,000 or more housing units affordable to those making between 0 and 120 percent of the metro's area median income. The Housing Justice League, an advocacy organization focused on housing affordability, formed in 2015 and has focused a large part of its efforts on issues of housing affordability related to the Atlanta Beltline, including advocacy and protests, research, and recommendations for policy change.

A focus on housing affordability in the 2017 mayoral election led candidate (now Mayor) Keisha Lance Bottoms to make a \$1 billion commitment to housing affordability as part of her campaign. To provide additional strategy surrounding this commitment, Mayor Bottoms and the City released the ONE Atlanta Housing Affordability Action Plan in 2019, detailing goals for the creation or preservation of 20,000 affordable homes; investment of \$1 billion from public, private, and philanthropic sources in the production and preservation of affordable housing; and minimizing displacement of current residents. Recommendations include evaluating the use of Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME), and the Emergency Solutions Grants (ESG) programs to create the greatest impact for low-income residents.

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## HOUSING NEEDS

Housing cost and condition are key components to housing choice. Housing barriers may exist in a jurisdiction when some protected class groups have greater difficulty accessing housing in good condition and that they can afford. To assess affordability and other types of housing needs, HUD defines four housing problems:

1. A household is *cost burdened* if monthly housing costs (including mortgage payments, property taxes, insurance, and utilities for owners and rent and utilities for renters) exceed 30% of monthly income.
2. A household is *overcrowded* if there is more than 1.0 people per room, not including kitchen or bathrooms.
3. A housing unit *lacks complete kitchen facilities* if it lacks one or more of the following: cooking facilities, a refrigerator, or a sink with piped water.
4. A housing unit *lacks complete plumbing facilities* if it lacks one or more of the following: hot and cold piped water, a flush toilet, or a bathtub or shower.

HUD also defines four severe housing problems, including a severe cost burden (more than 50% of monthly housing income is spent on housing costs), severe overcrowding (more than 1.5 people per room, not including kitchens or bathrooms), lack of complete kitchen facilities (as described above), and lack of complete plumbing facilities (also as described above).

To assess housing need, HUD receives a special tabulation of data from the U. S. Census Bureau's American Community Survey that is largely not available through standard Census products. This data, known as Comprehensive Housing Affordability Strategy (CHAS) data, counts the number of households that fit certain combination of HUD-specified criteria, such as housing needs by race and ethnicity. CHAS data for the City of Atlanta, Fulton County, and the region is provided in the tables that follow.

In the City of Atlanta, there are 75,620 households with at least one problem, making up 42% of households citywide. About one-in-four City of Atlanta households have a severe housing need (43,095 households or 24%). Looking at need by householder race and ethnicity shows that 30.4% of non-Latino White households have a housing need and 15.4% have a severe housing need. HUD defines a group as having a disproportionate need if its members experience housing needs at a rate that is ten percentage points or more above that of White households. In the City of Atlanta, all racial and ethnic groups examined except the Asian or Pacific Islander population have a disproportionate rate of housing needs relative to White households. Shares with needs range from 32.1% for Asian or Pacific Islander households to 54.2% for Black or African American households. The four racial and ethnic groups outside of the Asian or Pacific Islander population also have a disproportionate rate of severe needs: Black (31.4% with a severe housing need), Other (28.4% with a severe need), Hispanic (28% with a severe need), and Native Americans (27.6% with a severe need).

In Fulton County, 37.1% of households face a housing need and 19.1% face a severe housing need. Three groups have a disproportionate rate of housing needs (Other households at 35.9%, Black households at 48.1%, and Hispanic households at 53.8%) relative to White households (23.8% with a housing need). Four groups face disproportionate severe needs (Black households at 25.3%, Other households at 25.9%, Native American households at 27.3%, and Hispanic households at 37.6%) compared to 10.3% of White households.

At the regional level, 36.8% of the households have a housing problem and 19% have a severe housing problem.

Tables 12 and 13 also compare housing need rates for households by size and familial status. In both jurisdictions, housing need rates are lowest for small family households (i.e., those with fewer than five people). These rates are 32.9% in Fulton County and 38.3% in the City of Atlanta. Large family and non-family households face higher rates of need as one another in each geography (42 to 58 percent experiencing one of the four housing needs).

Tables 14 and 15 examine only one dimension of housing need – severe cost burdens (defined as spending more than 50% of income on housing). In the City of Atlanta, 21.4% of households have a severe cost burden, and three groups are disproportionately impacted. 24.5% of Other, Non-Hispanic households, 27.6% of Native American households, and 28.4% of Black households have a severe cost burden compared to 14.2% of White households. Small family households have the lowest rates of severe cost burdens (19.6%) relative to those with more than five persons, which have the highest rates of severe cost burdens (24.6%).

### 3-GEOGRAPHY COMPARISON:

In both Atlanta and DeKalb County, about 42% of households have a housing need. In Fulton County, the rate is somewhat lower at 37%.

In all geographies, Black, Hispanic, and other race householders are significantly more likely to have a housing need than white householders.

In DeKalb County, Asian or Pacific Islander and Native American householders also have housing needs at disproportionately higher rates than white householders.

In Fulton County, three groups are disproportionately impacted. 23.3% of Black households, 24.9% of Other, Non-Hispanic households, and 25% of Hispanic households have a severe cost burden compared to 9.7% of White households. Large family households have the lowest rates of severe cost burdens (15.3%). Nonfamily households have the highest rates of severe cost burdens (22.1%).

Figure 22 maps the prevalence of housing needs by census tract, along with population by race and ethnicity. Tracts with the highest rate of housing problems are located the southern portions of the city of Atlanta and Fulton County. Tracts with the highest housing need rates generally have lower White population shares than the city overall. These patterns echo the findings in the data tables which show that Black and Hispanic households are more likely to face housing needs.

**TABLE 12. DEMOGRAPHICS OF HOUSEHOLDS WITH HOUSING NEEDS IN THE CITY OF ATLANTA AND THE ATLANTA-SANDY SPRINGS-ROSWELL MSA**

Disproportionate Housing Needs	City of Atlanta			Atlanta-Sandy Springs-Roswell MSA		
Households Experiencing any of the Four Housing Problems	# with problems	# of households	% with problems	# with problems	# of households	% with problems
<b>Race/Ethnicity</b>						
White, Non-Hispanic	23,130	76,055	30.4%	295,526	1,060,274	27.9%
Black, Non-Hispanic	46,070	87,870	52.4%	290,077	610,123	47.5%
Hispanic	3,165	6,659	47.5%	76,061	135,669	56.1%
Asian or Pacific Islander, Non-Hispanic	1,813	5,641	32.1%	31,618	81,647	38.7%
Native American, Non-Hispanic	125	290	43.1%	1,863	4,442	41.9%
Other, Non-Hispanic	1,305	2,919	44.7%	10,668	25,383	42.0%
<b>Total</b>	<b>75,620</b>	<b>179,460</b>	<b>42.1%</b>	<b>705,860</b>	<b>1,917,580</b>	<b>36.8%</b>
<b>Household Type and Size</b>						
Family households, <5 People	26,495	69,169	38.3%	348,585	1,105,657	31.5%
Family households, 5+ People	5,510	9,685	56.9%	93,825	200,309	46.8%
Non-family households	43,615	100,605	43.3%	263,395	611,579	43.1%
Households Experiencing any of the Four Severe Housing Problems	# with problems	# of households	% with Problems	# with problems	# of households	% with Problems
<b>Race/Ethnicity</b>						
White, Non-Hispanic	11,710	76,055	15.4%	137,309	1,060,274	12.9%
Black, Non-Hispanic	27,565	87,870	31.4%	155,374	610,123	25.5%
Hispanic	1,864	6,659	28.0%	47,671	135,669	35.1%
Asian or Pacific Islander, Non-Hispanic	1,047	5,641	18.6%	17,382	81,647	21.3%
Native American, Non-Hispanic	80	290	27.6%	724	4,442	16.3%
Other, Non-Hispanic	829	2,919	28.4%	5,767	25,383	22.7%
<b>Total</b>	<b>43,095</b>	<b>179,460</b>	<b>24.0%</b>	<b>364,295</b>	<b>1,917,580</b>	<b>19.0%</b>

**Note:** All % represent a share of households with housing problems by race, ethnicity, or household type.

**Data Source:** HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

**TABLE 13. DEMOGRAPHICS OF HOUSEHOLDS WITH HOUSING NEEDS IN FULTON COUNTY AND THE ATLANTA-SANDY SPRINGS-ROSWELL MSA**

Disproportionate Housing Needs	Fulton County			Atlanta-Sandy Springs-Roswell MSA		
Households Experiencing any of the Four Housing Problems	# with problems	# of households	% with problems	# with problems	# of households	% with problems
<b>Race/Ethnicity</b>						
White, Non-Hispanic	11,666	49,018	23.8%	295,526	1,060,274	27.9%
Black, Non-Hispanic	28,663	59,598	48.1%	290,077	610,123	47.5%
Hispanic	3,319	6,163	53.8%	76,061	135,669	56.1%
Asian or Pacific Islander, Non-Hispanic	2,495	9,390	26.6%	31,618	81,647	38.7%
Native American, Non-Hispanic	39	143	27.3%	1,863	4,442	41.9%
Other, Non-Hispanic	524	1,461	35.9%	10,668	25,383	42.0%
<b>Total</b>	<b>46,695</b>	<b>125,784</b>	<b>37.1%</b>	<b>705,860</b>	<b>1,917,580</b>	<b>36.8%</b>
<b>Household Type and Size</b>						
Family households, <5 People	24,869	75,550	32.9%	348,585	1,105,657	31.5%
Family households, 5+ People	5,381	12,711	42.3%	93,825	200,309	46.8%
Non-family households	16,468	37,514	43.9%	263,395	611,579	43.1%
Households Experiencing any of the Four Severe Housing Problems	# with problems	# of households	% with Problems	# with problems	# of households	% with Problems
<b>Race/Ethnicity</b>						
White, Non-Hispanic	5,067	49,018	10.3%	137,309	1,060,274	12.9%
Black, Non-Hispanic	15,101	59,598	25.3%	155,374	610,123	25.5%
Hispanic	2,316	6,163	37.6%	47,671	135,669	35.1%
Asian or Pacific Islander, Non-Hispanic	1,308	9,390	13.9%	17,382	81,647	21.3%
Native American, Non-Hispanic	39	143	27.3%	724	4,442	16.3%
Other, Non-Hispanic	379	1,461	25.9%	5,767	25,383	22.7%
<b>Total</b>	<b>24,209</b>	<b>125,784</b>	<b>19.3</b>	<b>364,295</b>	<b>1,917,580</b>	<b>19.0%</b>

**Note:** All % represent a share of households with housing problems by race, ethnicity, or household type.

**Data Source:** HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

**TABLE 14. DEMOGRAPHICS OF HOUSEHOLDS WITH SEVERE HOUSING COST BURDENS IN THE CITY OF ATLANTA AND THE ATLANTA-SANDY SPRINGS-ROSWELL MSA**

Households with Severe Cost Burdens	City of Atlanta			Atlanta-Sandy Springs-Roswell MSA		
	# with problems	# of households	% with Problems	# with problems	# of households	% with problems
<b>Race/Ethnicity</b>						
White, Non-Hispanic	10,775	76,055	14.2%	125,145	1,060,274	11.8%
Black, Non-Hispanic	24,925	87,870	28.4%	139,938	610,123	22.9%
Hispanic	1,125	6,659	16.9%	33,513	135,669	24.7%
Asian or Pacific Islander, Non-Hispanic	814	5,641	14.4%	14,136	81,647	17.3%
Native American, Non-Hispanic	80	290	27.6%	644	4,442	14.5%
Other, Non-Hispanic	715	2,919	24.5%	5,162	25,383	20.3%
<b>Total</b>	<b>38,434</b>	<b>179,460</b>	<b>21.4%</b>	<b>318,538</b>	<b>1,917,580</b>	<b>16.6%</b>
<b>Household Type and Size</b>						
Family households, <5 People	13,550	69,169	19.6%	154,875	1,105,657	14.0%
Family households, 5+ People	2,385	9,685	24.6%	30,682	200,309	15.3%
Non-family households	22,489	100,605	22.4%	133,040	611,579	21.8%

**Note:** All % represent a share of households with severe housing cost burdens by race, ethnicity, or household type.

**Data Source:** HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

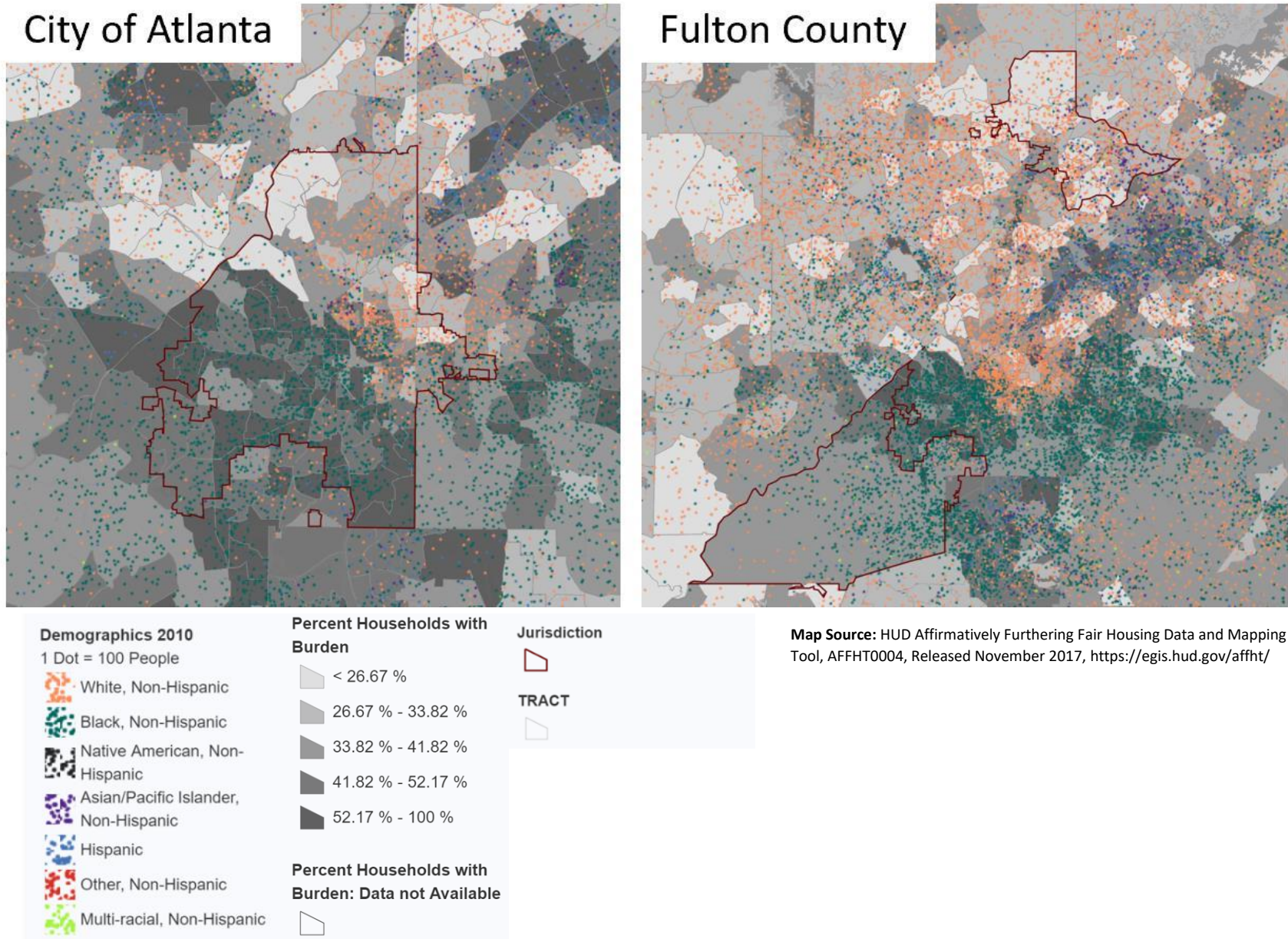
**TABLE 15. DEMOGRAPHICS OF HOUSEHOLDS WITH SEVERE HOUSING COST BURDENS IN FULTON COUNTY AND THE ATLANTA-SANDY SPRINGS-ROSWELL MSA**

Households with Severe Cost Burdens	Fulton County			Atlanta-Sandy Springs-Roswell MSA		
	# with problems	# of households	% with Problems	# with problems	# of households	% with problems
<b>Race/Ethnicity</b>						
White, Non-Hispanic	4,768	49,018	9.7%	125,145	1,060,274	11.8%
Black, Non-Hispanic	13,899	59,598	23.3%	139,938	610,123	22.9%
Hispanic	1,542	6,163	25.0%	33,513	135,669	24.7%
Asian or Pacific Islander, Non-Hispanic	1,085	9,390	11.6%	14,136	81,647	17.3%
Native American, Non-Hispanic	24	143	16.8%	644	4,442	14.5%
Other, Non-Hispanic	364	1,461	24.9%	5,162	25,383	20.3%
<b>Total</b>	<b>21,682</b>	<b>125,784</b>	<b>17.2%</b>	<b>318,538</b>	<b>1,917,580</b>	<b>16.6%</b>
<b>Household Type and Size</b>						
Family households, <5 People	11,585	75,550	15.3%	154,875	1,105,657	14.0%
Family households, 5+ People	1,799	12,711	14.1%	30,682	200,309	15.3%
Non-family households	8,279	37,514	22.1%	133,040	611,579	21.8%

**Note:** All % represent a share of households with severe housing cost burdens by race, ethnicity, or household type.

**Data Source:** HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

FIGURE 26. HOUSING PROBLEMS AND RACE / ETHNICITY IN THE CITY OF ATLANTA, DEKALB COUNTY, AND FULTON COUNTY





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## HOMEOWNERSHIP AND LENDING

Homeownership is vital to a community's economic well-being. It allows the opportunity to build wealth, is generally associated with higher levels of civic engagement,<sup>41</sup> and is correlated with positive cognitive and behavioral outcomes among children.<sup>42</sup>

Federal housing policies and discriminatory mortgage lending practices prior to the Fair Housing Act of 1968, along with continuing impediments to access, have had significant impacts on the homeownership rates of racial and ethnic minorities, particularly Black and Hispanic populations. The gap between the White and Black homeownership rate is the largest among racial and ethnic groups. In 2017, the U.S. Census Bureau reported a 21.6 percentage point gap in homeownership rate between White and Black households; just a 2.9 percentage point decrease since 1997.<sup>43</sup>

Homeownership trends have changed in recent years because of significant events in the housing market and labor force. The homeownership rate for Millennials (the generation born between 1981 and 1997) is 8 percentage points lower than the two previous generations, controlling for age. This discrepancy can be attributed to a multitude of factors ranging from preference to urban areas, cost of education and associated debt, changes in marriage and childbearing patterns, rising housing costs, and the current supply of affordable houses.<sup>44</sup>

### 3-GEOGRAPHY COMPARISON:

Homeownership is most common in Fulton County, where about two-thirds of households own their homes. About 56% of DeKalb County households and 45% of Atlanta households are homeowners.

In all geographies, white households are more likely to own their homes than Black, Hispanic, and Asian or Pacific Islander households. Gaps in homeownership rates range from 10 percentage points (between white and Asian households in Fulton County) to 45 percentage points (between white and Hispanic households in DeKalb County).

The table that follows shows the number of owner and renter households, as well as the homeownership rate, by race and ethnicity for Atlanta and Fulton County. Overall, tenure data indicates that Black, Hispanic, Asian or Pacific Islander, Native American, and other households are less likely to be homeowners than white households. About 60% of white households in the city own their homes, compared to 31-38% for all other racial and ethnic groups. In the county, about 78% of white households own their homes, compared to 56% of African Americans and 46% of Latinos. Hispanic households are least likely to own homes in both geographies.

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<sup>41</sup> Manturuk K, Lindblad M, Quercia R. "Homeownership and civic engagement in low-income urban neighborhoods: a longitudinal analysis." *Urban Affairs Review*. 2012;48(5):731-60.

<sup>42</sup> Haurin, Donald R. et al. "The Impact of Homeownership on Child Outcomes." *Low-Income Homeownership Working Paper Series*. Joint Center for Housing Studies of Harvard University. October 2001, <http://www.jchs.harvard.edu/sites/default/files/liho01-14.pdf>.

<sup>43</sup> U.S. Census Bureau. Homeownership Rates by Race and Ethnicity of Householder: 1994 to 2017.

<sup>44</sup> Choi, Jung et al. "Millennial Homeownership: Why Is It So Low, and How Can We Increase It?" The Urban Institute. February 2000. [https://www.urban.org/sites/default/files/publication/98729/millennial\\_homeownership\\_0.pdf](https://www.urban.org/sites/default/files/publication/98729/millennial_homeownership_0.pdf)

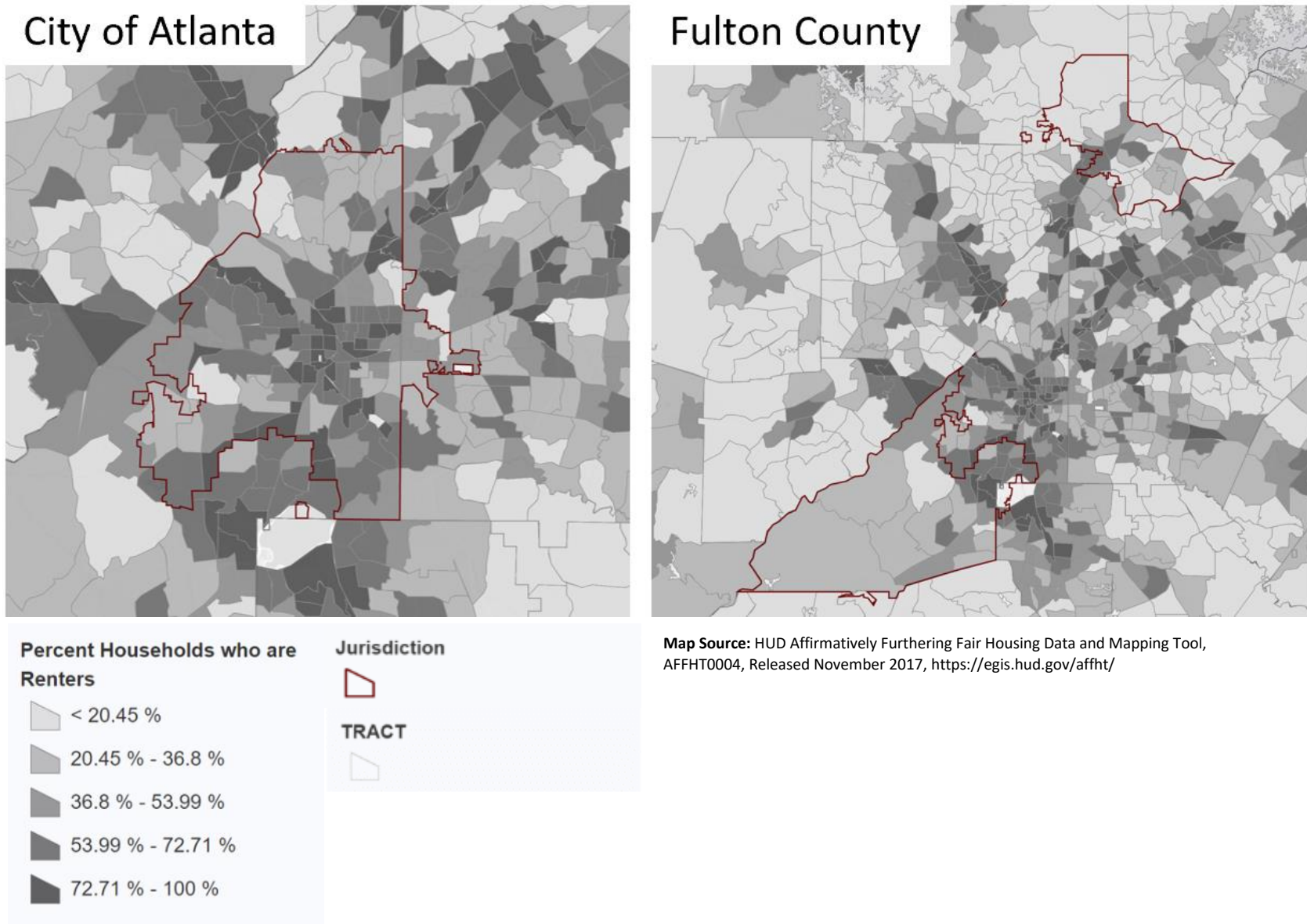
**TABLE 16. HOMEOWNERSHIP AND RENTAL RATES BY RACE AND ETHNICITY IN THE IN CITY OF ATLANTA, FULTON COUNTY, AND ATLANTA-SANDY SPRINGS-ROSWELL MSA**

Race/Ethnicity	Owners		Renters		Homeownership Rate
	#	%	#	%	
<b>City of Atlanta</b>					
White, Non-Hispanic	45,350	55.6%	30,695	31.4%	59.6%
Black, Non-Hispanic	31,065	38.1%	56,805	58.0%	35.4%
Hispanic	2,080	2.5%	4,590	4.7%	31.2%
Asian or Pacific Islander, Non-Hispanic	1,915	2.3%	3,730	3.8%	33.9%
Native American, Non-Hispanic	110	0.1%	180	0.2%	37.9%
Other, Non-Hispanic	1,020	1.3%	1,915	2.0%	34.8%
<b>Total</b>	<b>81,540</b>	<b>100%</b>	<b>97,920</b>	<b>100%</b>	<b>45.4%</b>
<b>Fulton County</b>					
White, Non-Hispanic	38,099	46.5%	10,930	24.9%	77.7%
Black, Non-Hispanic	33,540	40.9%	26,070	59.4%	56.3%
Hispanic	2,833	3.5%	3,324	7.6%	46.0%
Asian or Pacific Islander, Non-Hispanic	6,334	7.7%	3,050	6.9%	67.5%
Native American, Non-Hispanic	124	0.2%	19	0.0%	86.7%
Other, Non-Hispanic	1,000	1.2%	464	1.1%	68.3%
<b>Total</b>	<b>81,924</b>	<b>100%</b>	<b>43,860</b>	<b>100%</b>	<b>65.1%</b>
<b>Atlanta-Sandy Springs-Roswell MSA</b>					
White, Non-Hispanic	821,800	65.3%	238,545	36.1%	77.5%
Black, Non-Hispanic	308,060	24.5%	302,019	45.8%	50.5%
Hispanic	58,475	4.7%	77,169	11.7%	43.1%
Asian or Pacific Islander, Non-Hispanic	51,456	4.1%	30,187	4.6%	63.0%
Native American, Non-Hispanic	2,844	0.2%	1,584	0.2%	64.2%
Other, Non-Hispanic	14,939	1.2%	10,449	1.6%	58.8%
<b>Total</b>	<b>1,257,610</b>	<b>100%</b>	<b>659,970</b>	<b>100%</b>	<b>65.6%</b>

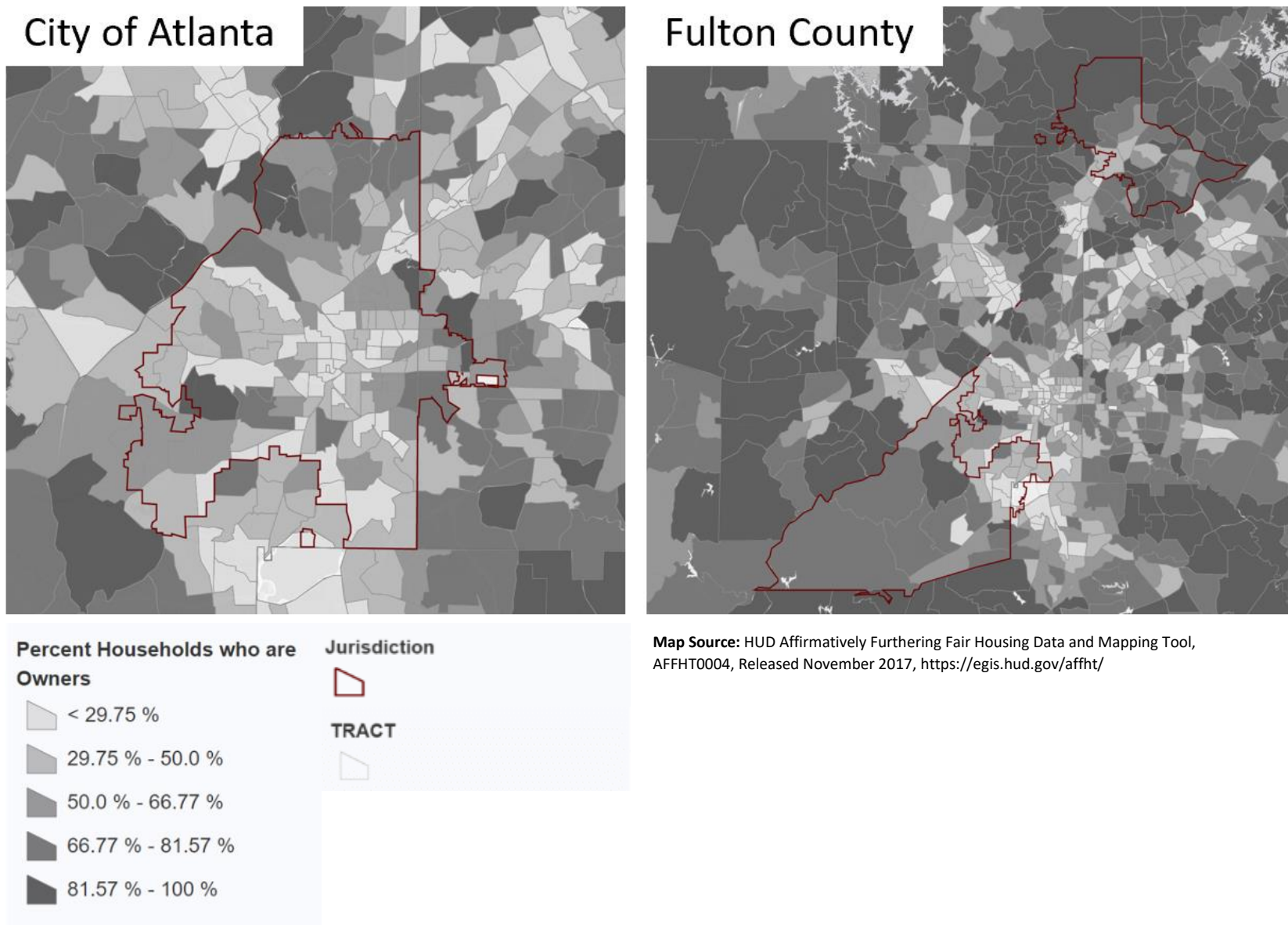
**Note:** Data presented are number of households, not individuals.

**Data Source:** HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

FIGURE 27. SHARE OF HOUSEHOLDS THAT ARE RENTERS IN THE CITY OF ATLANTA, DEKALB COUNTY, AND FULTON COUNTY



**FIGURE 28. SHARE OF HOUSEHOLDS THAT ARE OWNERS IN THE CITY OF ATLANTA AND FULTON COUNTY**



## Mortgage Lending

Prospective homebuyers need access to mortgage credit, and programs that offer homeownership should be available without discrimination. The proceeding data and analysis assesses the degree to which the housing needs of local residents are being met by home loan lenders.

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

The national 2017 HMDA data consists of information for 12.1 million home loan applications reported by 5,852 home lenders, including banks, savings associations, credit unions, and mortgage companies.<sup>45</sup> HMDA data, which is provided by the Federal Financial Institutions Examination Council (FFIEC), includes the type, purpose, and characteristics of each home mortgage application that lenders receive during the calendar year. It also includes additional data related to those applications including loan pricing information, action taken, property location (by census tract), and information about loan applicants such as sex, race, ethnicity, and income.

### 2-GEOGRAPHY COMPARISON:

In both Fulton County and DeKalb County, Home Mortgage Disclosure Act data shows disparity in access to loans by race and ethnicity. About 7-8% of mortgage loan applications by white applicants were denied compared to 21-23% by Black applicants, 14% by Latino applicants, and 16-18% by other race applicants. Disparities persisted even when segmenting applications by applicant income.

The source for this analysis is tract-level HMDA data for census tracts in Fulton County (including the city of Atlanta tracts located in Fulton County) for the years 2013 through 2017, which includes a total of 94,542 home purchase loan application records.<sup>46</sup> Within each record, some data variables are 100% reported: “Loan Type,” “Loan Amount,” and “Action Taken,” for example, but other data fields are less complete. According to the HMDA data, these records represent applications taken entirely by mail, Internet, or phone in which the applicant declined to identify their sex, race and/or ethnicity. Missing race, ethnicity, and sex data are potentially problematic for an assessment of discrimination. If the missing data are non-random there may be adverse impacts on the accuracy of the analysis. Ideally, any missing data for a specific data variable would affect a small proportion of the total number of loan records and therefore would have only a minimal effect on the results.

Of these applications 10.5% were denied by the lending institution. There is no requirement for reporting reasons for a loan denial, and this information was not provided for about 23.0% of home purchase loan denials. Further, the HMDA data does not include a borrower’s total financial qualifications such as an actual credit score, property type and value, loan-to-value ratio, or loan product choices. Research has

<sup>45</sup> Consumer Financial Protection Bureau. “FFIEC Announces Availability of 2017 Data on Mortgage Lending.” May 7, 2018. <https://www.consumerfinance.gov/about-us/newsroom/ffiec-announces-availability-2017-data-mortgage-lending/>

<sup>46</sup> Includes applications for the purchase of one-to-four family dwellings (not including manufactured housing) in which the property will be occupied as the owner’s principal dwelling and in which the mortgage will be secured as first lien. Includes applications for conventional, FHA-insured, VA-guaranteed, and FSA/RHS-guaranteed loans.

shown that differences in denial rates among racial or ethnic groups can arise from these credit-related factors not available in the HMDA data.<sup>47</sup> Despite these limitations, the HMDA data play an important role in fair lending enforcement. Bank examiners frequently use HMDA data in conjunction with information from loan files to assess an institution's compliance with fair lending laws.

Complete information regarding applicant race, ethnicity, and income is available for 78,762 purchase loan applications, about 83.3% of all applications. Over one-half of applicants were white (58.6%); African American applicants made up 26.4% of the applicant pool, Asian applicants made up 9.0%, and Latino applicants comprised 5.0%. In contrast, the largest share of Fulton County (including Atlanta)'s population is African American (43.6%), 7.4% is Latino, and 40.0% is white. These figures indicate that white households are considerably more likely to apply for home purchase mortgage loans than African American and Latino households.

The table below shows loan approval rates for completed loan applications by race and ethnicity at various income levels.<sup>48</sup> Not included in these figures are applications that were withdrawn or closed due to incompleteness such that no decision was made regarding approval or denial.

At each income level, minority applicants have higher purchase loan denial rates than white applicants. At low incomes, loan denial rates range from 14.4% for white households to rates of 25.4% for Black applicants and 30.0% for applicants of other races. At middle incomes, white applicants again had the lowest denial rate (7.9%) followed by Asian applicants (10.5%), other race applicants (14.3%), and Latino applicants (13.6%). Black applicants faced the highest denial rate (18.4%).

At higher incomes, disparities between loan approval rates for white and African American borrowers persisted. About 7% of white households were denied a home loan compared to 16.8% of Black households. For other groups, denial rates were in the 9-12% range. Overall, disregarding income, about 8.4% of white applicants were denied a home loan compared to 21.2% of Black applicants, 14.7% of Latinos and 10.5% of Asians. These gaps indicate that African American and other minority households continue to have reduced access to homeownership – they are less likely to apply for mortgage loans than white households and less likely to have those loan applications approved. HMDA data also indicates that African American applicants withdraw loan applications or do not complete them at higher rates than white borrowers.

Overall, lending patterns in Fulton County as evidenced by the Home Mortgage Disclosure Act data indicate significant differences in access to homeownership by race and ethnicity. The data also suggests avenues for expanding access to homeownership, including homebuyer readiness classes or other assistance, downpayment assistance programs, and support for households in the process of applying for a loan. Fulton County and the City of Atlanta can also meet with local lenders to inform them of the goals for furthering fair housing and discuss lending patterns related to homeownership identified in this AI.

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<sup>47</sup> R. B. Avery, Bhutta N., Brevoort K.P., and Canne, G.B. 2012. "The Mortgage Market in 2011: Highlights from the Data Reported Under the Home Mortgage Disclosure Act." Board of Governors of the Federal Reserve System. Federal Reserve Bulletin, Vol. 98, No. 6.

<sup>48</sup> The low-income category includes applicants with a household income at or below 80% of area median family income (MFI). The middle income range includes applicants with household incomes from 81% to 150% MFI, and the upper income category consists of applicants with a household income above 150% MFI.

**TABLE 17. LOAN APPROVAL RATES BY RACE AND ETHNICITY IN FULTON COUNTY, 2013 – 2017**

Applicant Income		Applicant Race and Ethnicity					All Applicants
		Non-Latino				Latino	
		White	Black	Asian	Other		
<b>Home Purchase Loans</b>							
Low Income	Completed Applications	4,660	6,859	594	150	949	13,212
	Denial Rate	14.4%	25.4%	18.9%	30.0%	21.5%	12.0%
Middle Income	Completed Applications	11,241	6,304	2,052	238	1,107	20,942
	Denial Rate	7.9%	18.4%	10.5%	14.3%	13.6%	11.7%
High Income	Completed Applications	22,671	3,287	3,107	242	1,207	30,514
	Denial Rate	7.2%	16.8%	8.6%	12.4%	10.1%	8.6%
All Applicants	Completed Applications	38,960	16,560	5,836	640	3,284	64,668
	Denial Rate	8.4%	21.2%	10.5%	18.0%	14.7%	12.1%

**Note:** “Completed applications” includes applications that were approved but not accepted, denied, and approved with a loan originated. It does not include applications withdrawn by the applicant or closed for incompleteness.

**Data Source:** FFIEC 2013-2017 Home Mortgage Disclosure Act Data, Accessed via [www.consumerfinance.gov/data-research/hmda](http://www.consumerfinance.gov/data-research/hmda)

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## ZONING, AFFORDABILITY, AND HOUSING CHOICE

Comprehensive land use planning is a critical process by which communities address a myriad of public policy issues such as housing, transportation, health, recreation, environmental protection, commercial and retail services, and land values, and address how the interconnection and complexity of these issues can ultimately impact an entire jurisdiction. “The land use decisions made by a community shape its very character – what it’s like to walk through, what it’s like to drive through, who lives in it, what kinds of jobs and businesses exist in it, how well the natural environment survives, and whether the community is an attractive one or an ugly one.”<sup>49</sup> Likewise, decisions regarding land use and zoning have a direct and profound impact on affordable housing and fair housing choice, shaping a community or region’s potential diversity, growth, and opportunity for all. Zoning determines where housing can be built, the type of housing that is allowed, and the amount and density of housing that can be provided. Zoning also can directly or indirectly affect the cost of developing housing, making it harder or easier to accommodate affordable housing.

The following sections will explore (I) how Georgia state law impacts local land use and zoning authority and decision-making and (II) how the zoning and land use codes of the City of Atlanta and Fulton County impact housing affordability and fair housing choice within the region.

### *Zoning and Land Use Laws*

From a regulatory standpoint, local government measures to control land use typically rely upon zoning codes, subdivision codes, and housing and building codes, in conjunction with comprehensive plans. Courts have long recognized the power of local governments to control land use, and the Georgia Constitution authorizes all counties and local municipalities to regulate land use and zoning within their respective jurisdictions. This general grant of home-rule authority is limited by four state statutes governing land use and development in Georgia. The Zoning Procedures Law (O.C.G.A. § 36-66-1 *et seq.*) contains the minimum due process procedures and standards—mostly related to notice, advertisement, and a meaningful opportunity to be heard at a public hearing—that a local zoning authority must follow when regulating the uses of property (specifically re-zonings, text amendments, adoption of zoning ordinances, special use permits, and annexations) within its jurisdiction. If the municipality fails to follow the technical standards, the zoning decision could be invalidated.

Secondly, the Steinberg Act (O.C.G.A. § 36-67-1 *et seq.*) requires jurisdictions that meet a certain population threshold (counties with a population of least 625,000 and municipalities within those counties with a population of 100,000 or more according to U.S. Census data) to consider six criteria in the exercise of zoning power:

1. whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property;
2. whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property;

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<sup>49</sup> John M. Levy. *Contemporary Urban Planning, Eighth Edition*. Upper Saddle River, NJ: Pearson Prentice Hall, 2009.



3. whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;
4. whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools;
5. whether the zoning proposal is in conformity with the policy and intent of the adopted land use plan, if any; and
6. whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.

Both Atlanta and Fulton County meet the population thresholds necessary to make these standards a mandatory part of zoning decisions and have incorporated these six standards into their respective zoning codes, requiring their consideration in reviewing all proposed amendments to the official zoning code or zoning maps or rezoning requests. (See City of Atlanta Land Development Code, Sec. 16-27.004 et seq.; Zoning Resolution of Fulton County, Sec. 28.4 et seq.)

The Georgia Development Impact Fee Act (DIFA) was enacted in 1990 to establish uniform standards for counties and municipalities that seek to charge new development for a portion of the additional public facilities and infrastructure systems needed to serve that new growth and development. Local governments that want to impose development impact fees must have adopted a Comprehensive Plan that meets the Minimum Standards and Procedures for Local Comprehensive Planning, including a Capital Improvements Element. The City of Atlanta has adopted a development impact fees ordinance to help fund additional transportation projects, public safety, and parks and recreation facilities necessitated by the new land developments for which the fees are levied. Fulton County addresses the need for new growth and development to share the cost of new public facilities through its impact fee ordinance. (See City of Atlanta Development Impact Fee Ordinance, Sec 19-1000 et seq.; Development Impact Fee of Fulton County, Sec. 58-161 et seq.)

Lastly, the Georgia Planning Act of 1989 (O.C.G.A. § 36-70-1 *et seq.*) is an attempt by the state to coordinate planning at the local, regional, and state levels. The Georgia Planning Act (“GPA”) authorizes, but does not mandate, local governments to develop and implement their own long-range comprehensive plan to guide growth and development within the jurisdiction, to develop and implement land use regulations consistent with the comprehensive plan, and to establish a capital improvements plan consistent with the comprehensive plan. A local government must maintain classification as a “Qualified Local Government” in order to be eligible for certain state funding and permitting programs. Under authority granted by the GPA, the Department of Community Affairs (“DCA”) has established the “minimum planning standards” that must be included in a local comprehensive plan to maintain QLG status. The policy guides found in the City of Atlanta 2016 Comprehensive Development Plan (CDP) and Fulton County’s 2035 Comprehensive Plan preserve the respective jurisdiction’s status as a Qualified Local Government.<sup>50</sup> Although comprehensive plans do not have binding legal effect, the housing elements

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<sup>50</sup> City of Atlanta 2016 Comprehensive Development Plan, available at: <https://www.atlantaga.gov/government/departments/city-planning/office-of-zoning-development/zoning/2016-comprehensive-development-plan-cdp>; Fulton County 2035 Comprehensive Plan, available at: <http://www.fultoncountyga.gov/fcpcsd-comprehensive-planning/2035-comp-plan>.

should influence the local zoning authority's decision-making as to whether to grant or deny a zoning proposal.

### *Local Zoning Authority*

In the City of Atlanta, the Office of Zoning and Development is responsible for interpreting and enforcing the zoning code. The Zoning Review Board makes recommendations on rezonings to the Zoning Committee of City Council. The Board of Zoning Adjustment considers applications for variances and special exceptions from the zoning ordinance.

In Fulton County, up until 2017, the Planning Division was tasked with overseeing the land use map, the comprehensive plan, zoning applications and procedures and making recommendations to the Board of Commissioners who decides applications for use permits, variances, rezonings, and zoning ordinance text amendments. However, as of July 3, 2017, the Department of Planning and Community Services ceased to exist as a stand-alone department. All functions of the department (planning, zoning, permitting, building inspections and land development/inspections) for all of South Fulton except the Fulton Industrial Business District became the responsibility of the newly incorporated City of South Fulton. Planning, zoning, permitting, building inspections and land development/inspections for the Fulton Industrial Business District are now provided by the County's Department of Public Works located in Suite 6001 at 141 Pryor Street SW, Atlanta, GA 30303.

### **Intersection of Local Zoning with Federal and State Fair Housing Laws**

One goal of zoning is to balance individual property rights with the power of government to promote and protect the health, safety, and general welfare of the overall community. Zoning codes regulate how a parcel of land in a community may be used and the density of development. Local governments may divide their jurisdiction into zoning districts by adopting a zoning map consistent with the comprehensive plan; define categories of permitted and special/conditional uses for those districts; and establish design or performance standards for those uses. Zoning may regulate the height, shape, and placement of structures and lot sizes or shapes. Jurisdictions also can expressly prohibit certain types of uses within zoning districts.<sup>51</sup> In this way, local ordinances may define the type and density of housing resources available to residents, developers, and other organizations within certain areas, and as a result influence the availability and affordability of housing.

While local governments have the power to enact zoning and land use regulations, that power is limited by state and federal fair housing laws (e.g., the Georgia Fair Housing Act (GFHA), the federal FHAA, the Americans with Disabilities Act, constitutional due process and equal protection). The FHAA prohibits both private individuals and government authorities from denying a member of a protected class equal access to housing, including through the enforcement of a local zoning ordinance that disproportionately limits housing choice for protected persons. In *Texas Department of Community Affairs v. The Inclusive Communities Project*, a 2015 landmark disparate impact case under the FHA, the Supreme Court affirmed

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<sup>51</sup> Local government power to regulate land use derives from the State's expressly delegated police power, first to municipal governments and then to counties, as found in the various enabling statutes of the state constitution and Official Code of Georgia Annotated. See O.C.G.A. § 36-66-1 *et seq.* (zoning authority cities). State law grants local municipalities authority to adopt and enact local comprehensive plans, but such plans are not intended to limit or compromise the right of the governing body of any county or municipality to exercise the power of zoning. See O.C.G.A § 36-70-5.

that part of the FHA's central purpose is to eradicate discriminatory housing practices, including specifically unlawful zoning laws and other housing restrictions.

Besides intentional discrimination and disparate impact, discrimination on the basis of disability also includes:

*[A] refusal to make reasonable accommodations in rules, policies, practices, or services, when such accommodations may be necessary to afford such person equal opportunity to use and enjoy a dwelling. FHA § 804(f)(3)(b).*

This provision has been held to apply to zoning and land use decisions by local governments.

The Georgia Fair Housing Act permits political subdivisions to adopt local ordinances against discriminatory housing practices, but despite Georgia state law generally leaving zoning and land use regulations to local decision-making, O.C.G.A. § 8-3-220 explicitly precludes the expansion (or limitation) of fair housing rights by local jurisdictions beyond what is provided for in the state law.<sup>52</sup> Accordingly, Fulton County has not expanded on the rights and obligations guaranteed by the state law to, for example, other classes of protected persons or other types of housing or discriminatory acts. On the other hand, the City of Atlanta has adopted its own specific nondiscrimination ordinance (Code of Ordinances, § 94-91 et seq.), which, in addition to the seven protected classes found in the FHAA and Georgia Fair Housing Act, also protects persons from discrimination based on age, domestic relationship status, parental status, gender identity or sexual orientation. Because state law prohibits local governments from expanding rights beyond those already granted by the state Fair Housing Act, Atlanta's ordinance could face legal challenge.

A person who believes his or her rights under Atlanta's local ordinance have been violated may file a complaint with the City's Human Relations Commission or seek prosecution in Atlanta's Municipal Court within 180 days of the discriminatory occurrence. The Human Relations Commission may seek conciliation between the parties. If after investigation and a hearing, the Commission makes a finding of discrimination, the mayor may (i) issue a letter asking the alleged offender to desist from the actions complained of, (ii) inquire whether due cause exists to revoke a professional or business license held by the offender, (iii) mayor may request that any city agency conduct an investigation into whether the alleged offender has complied with any other city ordinance which applies to the alleged discriminatory conduct, or (iv) may request that any appropriate community agency conduct an investigation into whether the alleged offender has complied with any state or federal law which applies to the alleged discriminatory conduct.

### **Atlanta Zoning Ordinance Updates and Rewrite**

In 2015, the City of Atlanta's Department of City Planning commissioned a team of consultants to conduct a comprehensive assessment of the City's Zoning Ordinance and to make recommendations for amending the zoning code to better accommodate the City's ever-growing population. The task force completed its

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<sup>52</sup> "A political subdivision of this state may adopt verbatim the laws against discriminatory housing practices cited in Code Section 8-3-202, 8-3-203, 8-3-204, 8-3-205, or 8-3-222 of this article as a local ordinance but may not expand or reduce the rights granted by this article." O.C.G.A. § 8-3-220.

assessment and submitted a Diagnostic Report in late 2016 with a series of recommended code changes, both short-range fixes and those that would require a comprehensive rewrite of the current zoning ordinance and other land use codes into a unified development code.<sup>53</sup> The Diagnostic Report identified the following main zoning issues related to affordable/fair housing needs: incentivizing affordable housing; incentivizing assisted living housing; allowing accessory dwelling units; allowing “missing middle” housing types such as duplexes, triplexes, townhouses, cottage housing, and live work units; and reducing off-street parking ratios.

The City Council approved and adopted Phase I Quick Fixes in May 2018, which included changes to multi-family zoning and single-family minimum lot sizes, unused zoning districts, and master plan provisions. In January 2019, the City Council approved and adopted Phase II Medium Fixes, which included provisions regarding accessory dwellings, MRC-2 residential density, “missing middle” housing, neighborhood design standards, among others.

In June 2019, Mayor Keisha Lance Bottoms released her administration’s policy proposals to invest \$1 billion in public and private financing to combat rising housing costs and the displacement of longtime residents. The affordable housing plan, titled the One Atlanta Housing Affordability Action Plan, sets a goal of creating or preserving 20,000 “affordable” homes by 2026 and increasing overall supply. Among other strategies, the plan includes recommendations for revising the zoning ordinance to: expand inclusionary zoning; expand the ADU ordinance to more residential zones; expand use of “missing middle” housing; reduce off-street parking requirements; and allow higher density in transit oriented development areas. The policies recommended aim to “make it easier and cheaper to build or preserve different types of housing – such as single-family, multifamily, micro units, accessory dwelling units, senior, and assisted living” to meet the housing needs of a growing population while preserving neighborhood character.<sup>54</sup>

A request for proposals for a complete rewrite of the City’s Zoning Ordinance was opened in December 2018 and closed in March 2019. The zoning rewrite will be a multiyear project as the City looks to incorporate the recommendations of the Diagnostic Report, best practices and progressive planning approaches from other urban jurisdictions, and community input. The Department expects the rewrite will respect the full range of suburban to urban character areas of the city; address affordable housing and “missing middle” housing; and encourage public transportation and walkability to enable more people to not have to rely so heavily on automobiles.

## **Zoning Ordinance Reviews**

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

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<sup>53</sup> *Zoning Ordinance Diagnostic for the City of Atlanta*, Nov. 2016, available at: <https://www.atlantaga.gov/home/showdocument?id=39207>.

<sup>54</sup> *One Atlanta Housing Affordability Action Plan*, June 2019, available at: <https://www.atlantaga.gov/home/showdocument?id=42220>.

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

The City’s and County’s treatment of these types of issues, mainly through their respective zoning and land use ordinances, are explored and evaluated in the tables and narrative below.

Because zoning codes present a crucial area of analysis for a study of impediments to fair housing choice, the latest available zoning and land use ordinances of Fulton County were reviewed and evaluated against a list of ten common fair housing issues. Taken together, these issues give a picture of (1) the degree to which exclusionary zoning provisions may impact affordable housing opportunities within the jurisdiction and (2) the degree to which the zoning code may impact housing opportunities for persons with disabilities. The zoning ordinance was assigned a risk score of either 1, 2, or 3 for each of the ten issues and was then given an aggregate score calculated by averaging the individual scores, with the possible scores defined as follows:

1 = low risk – the provision poses little risk for discrimination or limitation of fair housing choice, or is an affirmative action that intentionally promotes and/or protects affordable housing and fair housing choice;

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

3 = high risk – the provision causes or has potential to result in systematic and widespread housing discrimination or the limitation of fair housing choice, or is an issue where the jurisdiction could take affirmative action to further affordable housing or fair housing choice but has not.

The following chart lists the ten issues reviewed and the scores for each issue for City of Atlanta and Fulton County. Complete reports, including citations to relevant statutes, code sections, and explanatory comments, are included as an appendix to this document.

The City’s recently adopted ordinances related to ADUs, inclusionary zoning, and the “missing middle” (MR-MU) district designation; recent affordable housing studies and policy recommendations; and the Planning Department’s steps to re-evaluate and overhaul the entire zoning code illustrate Atlanta’s commitment to affirmatively address its fair and affordable housing shortfall through its land use regulations. However, for purposes of this AI, the zoning code and other land use ordinances effective as of October 2019 were reviewed and evaluated to address current impediments to fair housing choice. (Recommendations for reducing zoning impediments to fair and affordable housing may incorporate some of the same ideas from the City’s Diagnostic Report and its Affordability Action Plan mentioned above.)

**TABLE 18. ZONING CODE RISK SCORES**

Issue	Risk Scores	
	City of Atlanta	Fulton County
1a. Does the jurisdiction’s definition of “family” have the effect of preventing unrelated individuals from sharing the same residence? Is the definition unreasonably restrictive?	2	2
1b. Does the definition of “family” discriminate against or treat differently unrelated individuals with disabilities (or members of any other protected class)?		
2a. Does the zoning code treat housing for individuals with disabilities (e.g. group homes, congregate living homes, supportive services housing, personal care homes, etc.) differently from other single family residential and multifamily residential uses? For example, is such housing only allowed in certain residential districts, must a special or conditional use permit be granted before siting such housing in certain residential districts, etc.?	3	2
2b. Does the zoning ordinance unreasonably restrict housing opportunities for individuals with disabilities who require onsite supportive services? Or is housing for individuals with disabilities allowed in the same manner as other housing in residential districts?		
3a. Do the jurisdiction’s policies, regulations, and/or zoning ordinances provide a process for persons with disabilities to seek reasonable modifications or reasonable accommodations to zoning, land use, or other regulatory requirements?		
3b. Does the jurisdiction require a public hearing to obtain public input for specific exceptions to zoning and land-use rules for applicants with disabilities? If so, is the public hearing process only required for applicants seeking housing for persons with disabilities or required for all applicants?	2	2
4. Does the ordinance impose spacing or dispersion requirements on certain protected housing types?	2	2
5. Does the jurisdiction restrict any inherently residential uses protected by fair housing laws (such as residential substance abuse treatment facilities) only to non-residential zones?	3	1
6. Does the jurisdiction’s zoning and land use rules constitute exclusionary zoning that precludes development of affordable or low-income housing by imposing unreasonable residential design regulations (such as high minimum lot sizes, wide street frontages, large setbacks, low FARs, large minimum building square footage or large livable floor areas, restrictions on number of bedrooms per unit, and/or low maximum building heights)?	2	3

**TABLE 18. ZONING CODE RISK SCORES (CONTINUED)**

Issue	Risk Scores	
	City of Atlanta	Fulton County
7. Does the zoning ordinance fail to provide residential districts where multi-family housing is permitted as of right? Are multifamily dwellings excluded from all single family dwelling districts?	1	2
7b. Do multi-family districts restrict development only to low-density housing types?		
8. Are unreasonable restrictions placed on the construction, rental, or occupancy of alternative types of affordable or low-income housing (for example, accessory dwellings or mobile/manufactured homes)?	2	2
9a. Are the jurisdiction’s design and construction requirements (as contained in the zoning ordinance or building code) congruent with the Fair Housing Amendments Act’s accessibility standards for design and construction?	1	1
9b. Is there any provision for monitoring compliance?		
10. Does the zoning ordinance include an inclusionary zoning provision or provide any incentives for the development of affordable housing or housing for protected classes?	1	3
<b>Average Risk Score</b>	<b>1.9</b>	<b>2.0</b>

Atlanta’s and Fulton County’s total average risk score (calculated by taking the average of the 10 individual issue scores) is 1.9 and 2.0, respectively, indicating that overall for both jurisdictions there is moderate risk of the zoning regulations contributing to discriminatory housing treatment or impeding fair housing choice on some issues. In most cases, the zoning and other land use code sections are neither the most restrictive nor most permissive as to the most common fair housing issues. In 7 out of 10 issues reviewed for Atlanta and in 8 out of 10 issues reviewed for Fulton County, the jurisdictions received a “2/medium risk” or “3/high risk” score, indicating that the zoning resolution has the potential to negatively impact fair and affordable housing, or is an issue where the jurisdiction could take stronger, affirmative action to remove barriers or promote affordable housing or fair housing choice but has not. The medium-risk scores indicate that though the cited regulations may be facially neutral, the jurisdiction may be vulnerable to fair housing complaints where the ordinance is applied in a way that disproportionately impacts a protected class of persons. In such cases, improvements to the regulations and policies could be made to more fully protect the fair housing rights of all Atlanta and Fulton County’s residents and to better fulfill the mandate to affirmatively further fair housing.

The restriction of housing choice for certain historically/socio-economically disadvantaged groups and protected classes can happen in any number of ways and should be viewed on a continuum. The zoning analysis matrix developed for this report and the narrative below are not designed to assert whether the jurisdictions’ codes create a per se violation of the Fair Housing Act or HUD regulations, but are meant as

a tool to highlight significant areas where zoning and land use ordinances may otherwise jeopardize the spirit and intent of fair housing protections and HUD's AFFH standards for its entitlement communities.

The issues chosen for discussion show where zoning ordinances and policies could go further to protect fair housing choice for protected and disadvantaged classes, and yet still fulfill the zoning objective of protecting the public's health, safety, and general welfare. Specifically, the issues highlighted by the review inform, first, the degree to which the zoning ordinance may be overly restrictive and exclusionary to the point of artificially limiting the affordable housing inventory and directly contributing to higher housing and rental costs. And secondly, the review helps inform the impact the local regulations may have on housing opportunities for persons with disabilities, a protected class under state and federal fair housing law.

### **Impact of Zoning Provisions on Affordable Housing**

Academic and market research have proven what also is intuitive: land use regulations can directly limit the supply of housing units within a given jurisdiction, and thus contribute to making housing more expensive, i.e. less affordable.<sup>55</sup> Exclusionary zoning is understood to mean zoning regulations which impose unreasonable residential design regulations that are not congruent with the actual standards necessary to protect the health and safety of current average household sizes and prevent overcrowding. Zoning policies that impose barriers to housing development by making developable land and construction costlier than they are inherently can take different forms and may include: high minimum lot sizes, low density allowances, wide street frontages, large setbacks, low floor area ratios, large minimum building square footage or large livable floor areas, restrictions on number of bedrooms per unit, low maximum building heights, restrictions against infill development, restrictions on the types of housing that may be constructed in certain residential zones, arbitrary or antiquated historic preservation standards, minimum off-street parking requirements, restrictions against residential conversions to multi-unit buildings, lengthy permitting processes, development impact fees, and/or restrictions on accessory dwelling units.

Although these land use regulations may not be in direct violation of fair housing laws, or facially discriminatory, they may have the effect of artificially limiting the supply of housing units in a given area and disproportionately reducing housing choice for moderate to low-income families, minorities, persons with disabilities on fixed incomes, families with children, and other protected classes by making the development of affordable housing cost prohibitive. Legitimate public objectives, such as maintaining the residential character of established neighborhoods, environmental protection, or public health, must be balanced with housing needs and availability.

According to Fulton County's 2016-2035 Comprehensive Plan, as of 2015, 18% of the acreage of Fulton County is unincorporated. A majority of that acreage falls into the Rural Neighborhood category,

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<sup>55</sup> See Gyourko, Joseph, Albert Saiz, and Anita A. Summers, *A New Measure of the Local Regulatory Environment for Housing Markets: The Wharton Residential Land Use Regulatory Index* (2007), available at [real.wharton.upenn.edu](http://real.wharton.upenn.edu); Randal O'Toole, *The Planning Penalty: How Smart Growth Makes Housing Unaffordable* (2006), available at [independent.org/pdf/policy\\_reports/2006-04-03-housing.pdf](http://independent.org/pdf/policy_reports/2006-04-03-housing.pdf); Edward L. Glaeser and Joseph Gyourko, *The Impact of Zoning on Housing Affordability* (2002), available at [law.yale.edu/system/files/documents/pdf/hier1948.pdf](http://law.yale.edu/system/files/documents/pdf/hier1948.pdf); The White House's *Housing Development Toolkit*, 2016, available at [whitehouse.gov/sites/whitehouse.gov/files/images/Housing\\_Development\\_Toolkit%20f.2.pdf](http://whitehouse.gov/sites/whitehouse.gov/files/images/Housing_Development_Toolkit%20f.2.pdf).



characterized by low- to medium density residential zones, with established single-family homes on large lots and newer traditional style subdivisions. The residential district regulations, which apply to all single-family dwelling districts, all apartment districts, R-6, TR, MHP and residential portions of a PUD, allow for a range of minimum lot size and dimensional requirements. However, the regulations also introduce some artificial barriers to more affordable housing by restricting the majority of residential districts to only single-family detached units and requiring minimum floor sizes of dwellings. The largest housing type in unincorporated Fulton County is the single-family detached unit, covering 83% of the housing stock as of 2015. In the single family districts, minimum lot sizes are as follows: 2 acres in R-1; 1 acre in R-2; 27,000 sq. ft. in R-2A; 18,000 sq. ft. in R-3 and R-3A; 9,000 sq. ft. in R-4; 12,000 sq. ft. in R-4A; 7,500 sq. ft. in R-5; 4,000 sq. ft. in R-5A; 9,000 sq. ft. in R-6; 12,000 sq. ft. in A-1; and 2,000 sq. ft. in TR. Minimum floor areas are 1,800 sq. ft. (or 2,000 sq. ft. for 2+ stories) in R-1; 1,600 sq. ft. (or 1,800 sq. ft. for 2+ stories) in R-2; 1,700 sq. ft. (or 1,800 sq. ft. for 2+ stories) in R-2A; 1,200 sq. ft. (or 1,320 sq. ft. for 2+ stories) in R-3; 1,600 sq. ft. (or 1,800 sq. ft. for 2+ stories) in R-3A; 1,000 sq. ft. (or 1,100 sq. ft. for 2+ stories) in R-4; 1,200 sq. ft. (or 1,320 sq. ft. for 2+ stories) in R-4A; 650 sq. ft. in R-5; and 850 sq. ft. in R-5A. Minimum floor areas may protect the existing character of the neighborhoods but also arbitrarily increase the cost of developing new moderate- or lower income housing. These restrictions limit housing diversity within a given neighborhood, limit modest-sized and modest-priced homes, limit density and infill development, and limit conversion of large single-family homes to more affordable multi-unit or clustered housing types compatible in scale with single-family dwellings.

Although only a small portion of unincorporated residential acreage in the County provides for 2-family, 3-family, or multifamily dwellings, where permitted the zoning resolution makes possible reasonable development of multifamily units. Multifamily housing is permitted by right at varying maximum density allowances in specified apartment and mixed-use zoning districts. For example, in the TR District, townhomes, triplex, and quadruplex developments are permitted up to 9 u/a and no more than 20 units per structure; and the medium density Apartment District permits multifamily (and single-family, two-family, triplex, and quadplex dwellings) at a maximum density of 14 u/a, minimum lot size of 2,000 sq. ft. /unit, and maximum height of 3 stories. Greater maximum densities are permitted in the A-1 and A-L districts, but maximum height is limited to 4 stories (or higher with use permit approval). The zoning code also regulates the minimum floor area of dwelling units: 700 sq. ft. / multifamily unit in the A District; 700 – 400 sq. ft. in the A-L District depending on the number of bedrooms; and 600-400 sq. ft. in the A-1 District depending on number of bedrooms. Multifamily also may be a component of a Planned Unit Development, which requires rezoning and a development plan, and density is limited to 9 u/a.

A determination of whether a sufficient portion of the zoning map permits multifamily development to meet demand, or a determination of whether the land zoned for multifamily is already built out to capacity or has vacant, developable acreage available to meet future needs and demand was not made. Availability of land may impact the feasibility of developing new multifamily housing as well as other considerations like housing prices and rents, market conditions, existing land-use patterns, the provision of public services and infrastructure, demand for “luxury” units, and other planning goals also have an impact on the quantity of multifamily and affordable housing. On the other hand, however, the code’s regulation of maximum height limitations and minimum floor areas (rather than leaving unit size to market demand or as a matter of safety regulated by the building codes) adds to the cost of development and thus higher rental and ownership costs and may artificially limit the potential density of multifamily

structures, especially compared to DeKalb and City of Atlanta. (If the goal is to provide for adequate unit sizes for larger families with children, design regulations could be amended to require in a percentage of multifamily units a certain number of bedrooms rather than a certain total unit size).

According to Atlanta's 2016 Comprehensive Plan, 65% of the City's acreage is designated for residential uses. Of that, the largest land use designation is Single Family Residential, which makes up 77% of all residential acreage in the City (or 50% of all land use designations), and consists entirely of detached single family homes with one house per lot and a maximum height of 35 feet. Low-density and medium-density land uses designations, which include what planners deem the "missing middle" housing types like duplexes, townhomes, triplexes, quadplexes, and smaller-scale 3-4 story multifamily developments, along with single-family dwellings, make up only 7.7% and 5%, respectively, of the City's land uses. The dominance of single-family detached land designations limits the supply of housing overall and the potential for urban density, causing an increase in costs for renters and homebuyers. In a city where the population is projected to continue growing rapidly, single-family housing designations mean senior housing, student housing, and low-income housing are all constrained.

The zoning code divides residential zones into 13 districts, 10 of which are single family only, with minimum lot sizes ranging from 2 acres to 2,800 sq. ft. Three R districts also allow two-family dwellings (or conversion from single-family to two-family) with minimum lot sizes ranging from 7,500 sq. ft. to 1,000 sq. ft. Single-family, two-family, and multifamily dwellings also are permitted by right in 8 mixed office/commercial/light industrial districts, some with no minimum lot sizes as long as setbacks, yard requirements, and bulk limitations are followed. The zoning code also carves out 17 "special public interest districts" which supplant or modify the underlying zoning requirements to protect the existing or proposed character and buildings of the district. All building permits in these special districts require a special administrative permit (SAP). There also are six Planned Development districts and at least 21 historic or landmark overlay districts, 14 neighborhood commercial subdistricts, a Live Work district, a Mixed Residential Commercial (MRC) district, a Multifamily Residential (MR) district, and the Beltline and Westside Overlay Districts—all of which have their own development controls to preserve the existing character of these neighborhoods. While the zoning code permits smaller lots and some housing type diversity in some residential and mixed use zones, the vast majority of land is devoted to single-family detached dwellings, with development controls related to setbacks, lot coverage, height restrictions, historical preservation, etc. that limit housing diversity, density, and socioeconomic integration within many desirable neighborhoods.

As the City goes through its zoning and land use controls update and re-write, it wants to consider adopting means to allow more flexibility in density and affordable housing development in the predominately single-family zones by providing alternatives to large lot sizes such as cluster developments, density blending, and transfer of development rights in appropriate locations. It has made some changes in the interim. For example, in January 2019, the City Council eased off-street parking requirements in all zoning districts if a property is within half a mile of high transit. Permitting or incentivizing conversion of large single-family dwellings in additional high-opportunity neighborhoods to 2-family, 3-family, or small multifamily dwellings compatible in scale with single-family dwellings also is a strategic way to address the need for more density and infill development in established neighborhoods (as is permitted and encourage in the R-G district). To alleviate concerns about changing the established

character of a neighborhood, general requirements about height and yard space can remain unchanged in those zones, making duplexes and triplexes less daunting for neighbors.

Even more radical approaches are taking place in some cities and states grappling with their own affordable housing crises. In an historic move, Minneapolis became the first city to end single-family zoning at the municipal level in December 2018, where 70% of its residential land had been designated for single-family only development. Minneapolis upzoned all single-family districts to permit duplexes and triplexes, which has the potential to effectively triple housing capacity in many neighborhoods. Seattle followed in March 2019 by eliminating single-family zoning in 27 neighborhoods. In August 2019, Oregon enacted a statewide law that requires cities of at least 10,000 residents to allow duplexes on parcels that had been reserved for single-family homes; and in cities with populations greater than 25,000 residents, lots that had been limited to single-family dwellings must also allow multifamily units up to fourplexes.

The housing-type diversity and density allowances in the medium and high-density districts should support the feasibility of developing affordable and low-income housing in mixed-residential districts where allowed. However, as the vast majority of residential land is single-family with medium to large minimum lot sizes and yard requirements, these neighborhoods have become increasingly exclusionary and an artificial barrier to developing affordable housing.

The latest available data from the City's Comprehensive Plan indicates that approximately 7.11% of the City's acreage is available for medium, high, and very high density residential uses which include multifamily, and 6.7% of land is designated for mixed-use development which may have a multifamily/residential component. The zoning ordinance carves out an "MR" multifamily residential district with nine subdistricts where multifamily developments—as well as single family, two-family, and zero lot line single-family dwellings—are permitted by right in medium to high densities. Multifamily (and, in some cases, conversion to multifamily) also is permitted by right in some other residential districts (non-single family districts) and mixed-use zones: R-G; R-LC; the mixed office /commercial / light industrial districts; some subareas of the 17 Special Public Interest Districts; 21 neighborhood commercial districts; designated subareas within some landmark and historic districts; and the LW, MRC, and Beltline and Westside Overlay districts. The zoning code was amended in January 2019 to add the MR-MU subdistrict meant to target the City's "missing middle" housing needs in areas shown as Low Density Residential and Medium Density Residential in the City's Comprehensive Plan. The MR-MU zoning designation permits two to three story multi-unit buildings, with a minimum of 4 units and maximum of 12 units per building, minimum parking requirements at 0.5 spaces per unit, and minimum lot size of 2,000 sq. ft. An ordinance change also eliminated minimum off-street parking requirements for new developments built within a half mile of transit lines, such as MARTA's heavy rail or streetcar systems. A determination of whether a sufficient portion of the zoning map permits multifamily development to meet demand was not made, but the growth in luxury/high-end condos and apartment developments suggests that although more units of any kind will help put downward price pressure on other available units, just permitting by right multifamily development is not enough to get affordable units to market where demand still outpaces supply and existing affordable units are replaced with luxury units.

Overall and compared with other jurisdictions in the region, Atlanta's zoning code provides for reasonable development of multifamily units in terms of density, height allowances, parking, and other site requirements, although this zoning review does not ultimately assess whether the land zoned for

multifamily is already built out to capacity or still has developable areas available to meet future needs and demand.

Exclusionary zoning can happen on a continuum and there is more the County and City can do to use zoning and land use policies to further remove artificial barriers to development of and access to affordable housing across all residential zones. For example, to allow more flexibility in density and affordable/workforce housing development the jurisdictions could upzone all residential districts and decrease minimum lot size requirements in the single-family, two-family, and triplex districts; allow for subdivision of large lots in the low density districts into smaller infill lots; allow cottage or “tiny home” communities; and permit or incentivize conversion of large single-family dwellings in high opportunity neighborhoods to 2-family, 3-family, or multifamily dwellings with the same footprint. The County should repeal the minimum unit size requirements (and instead leave these standards as a matter of safety governed by the applicable building codes). None of these tools alone will make more than an incremental dent in the affordable housing gap, but easing zoning restrictions and adopting a more flexible approach can help turn the tide. Atlanta scored a “2” (medium risk) on issue 6 and a “1” (low risk) on issue 7 regarding exclusionary zoning and restrictive development standards. The County scored a “3” (high risk) on issue 6 and a “2” (medium risk) on issue 7.

For Issue 8 regarding alternative affordable housing types, Fulton County scored a “2” (medium risk). In the Agricultural District AG-1, a mobile home may be approved by administrative permit for a 3 year period as an accessory dwelling, but only for the exclusive occupancy of a member of the family of the primary dwelling, which only serves to preserve the status quo in terms of the racial diversity of a given community. Under the zoning code’s Planned Unit District Regulations, the County sets forth requirements for a Mobile Home Park District, which may be developed on sites of at least 20 contiguous acres and with a maximum density of 5.5 units per acre. There is opportunity for the County to expand alternative and low-impact affordable housing options by permitting accessory dwelling units for rent in other residential zones, especially in low density areas where large lot sizes would easily accommodate accessory dwellings and additional off-street parking.

Atlanta scored a “1” (low risk) on Issue 8 because of its recent ordinance update to allow accessory dwelling units. In May 2017, Atlanta City Council approved an ordinance allowing accessory dwelling units as a permitted use on lots zoned R-5, which includes many properties in the Grant Park, Inman Park, Old Fourth Ward, Edgewood, and Candler Park neighborhoods. In January 2019, City Council passed another ADU ordinance to also allow ADU’s in R-4 and R-4A zoning districts. The ADU regulations require that accessory dwellings be a maximum of 750 sq. ft. (or in the Bonaventure-Somerset Historic District, the ADU cannot exceed the lesser of 1,200 sq. ft. or 50% of the area of the principal dwelling) and otherwise conform with all existing zoning and development regulations related to lot coverage, setbacks, height, etc., but no additional off-street parking is required. However, there is opportunity for the City to expand the option of ADUs for rent in other residential zones, especially in low density areas where large lot sizes would easily accommodate accessory dwellings with other lot coverage and setback requirements, and advocates of ADUs and “tiny houses” are pushing for this expansion in the upcoming zoning rewrite.

Mobile/ manufactured homes for occupancy are prohibited within the City (other than nonconforming uses that existed prior to enactment of the zoning code). However, factory-built “modular” housing is permitted by state law and the authority of the Department of Community Affairs and is to be treated

equally with site-built housing as long as it otherwise complies with the relevant zoning and building codes.

As for Issue 10 regarding inclusionary zoning efforts, inclusionary zoning can both help boost the number of affordable units and act as a desegregation tool to help maintain neighborhood diversity and keep high-opportunity areas affordable for a greater socioeconomic swath of the population. In recent years, Atlanta has adopted incentive (voluntary) inclusionary zoning rules applicable to some residential and mixed-use districts and mandatory inclusionary zoning in several landmark and overlay districts to help boost the number of affordable housing units through the private market. The effectiveness of IZ is limited by the difficulty in finding the right balance of how much affordable housing can be demanded from private developers to actually put a dent in the great need for these units without making new housing construction economically infeasible to those developers. Voluntary incentives like density bonuses also are only effective where developers do not already max out their ordinarily allowed densities.

Developments in the Midtown Special Public Interest District SPI-16 are eligible for a density bonus of 3.0 FAR where a minimum of 10% of the total number of units are provided at or below 60% of AMI or a minimum of 15% of the total number of units are provided at or below 80% of AMI. Importantly, affordable requirements must be in place for a minimum of 30 years from the date of issuance of the occupancy permit and must include deed restrictions governing the resale value or rental rate placed on the affordable units. Also, six subareas of the Mechanicsville Special Public Interest District SPI-18 are eligible for a FAR bonus for set-asides of 20% or more affordable workforce housing units for sale or rent. Deed restrictions must protect the affordable workforce units for a minimum of 15 years. In Subarea 3 of the Inman Park Historic District, residential uses are permitted a floor area bonus of 0.5 times gross lot area, provided that 30% or more affordable sales housing units or rental housing units are provided for that portion of residential units resulting from the bonus and protected for 20 years. Residential developments in the Live Work District are eligible for a floor area bonus of one and three tenths times net lot area, provided that a minimum of 20% of the total floor area developed is used for affordable sales housing units or affordable rental housing units. In the MRC District, developments containing residential uses can be permitted a floor area bonus of one times net lot area, provided that a minimum of 20% of the total floor area developed shall be used for affordable sales housing units or affordable rental housing units. Some subareas of the Lindbergh Transit Station Special Public Interest District, SPI-15, are eligible for increased FAR provided affordable housing sales units or rental housing units comprise 20% of the portion of residential units that may be built and are protected as affordable for a minimum of 20 years. Affordable housing units also are eligible for exemption from development impact fees if they meet certain criteria enumerated in the Development Impact Fee Ordinance. (Code of Ordinances § 19-1016.)

Atlanta also has adopted some mandatory inclusionary zoning provisions for certain areas of the city. In the Pratt-Pullman Landmark District, at least 10% of the total residential rental units in the District must be leased to households having an income that does not exceed 80% AMI, and the monthly rent amount (including utilities and mandatory fees) for each affordable housing unit can be no more than 30% of the household's monthly gross income. Also, effective January 29, 2018, all residential rental developments of ten or more units in the BeltLine Overlay District (roughly ½ mile of the BeltLine corridor) or the Westside Overlay District must set aside at least: 10% of their units for incomes at or below 60% of AMI; or 15% of their units for incomes at or below 80% of AMI; or pay a one-time in-lieu fee (\$70-180K) into a

trust fund that will be used for developing, rehabilitating, and/or reconstructing additional affordable housing units. Projects that include the required number of affordable units may be eligible for additional incentives such as 15% FAR increase, reduced minimum parking space requirements, transfer of development rights, or priority development approval procedures. To protect long-term affordability, the affordability requirement must apply for at least 20 years from the date of the issuance of the certificate of occupancy.

Atlanta's inclusionary zoning is more than many jurisdictions offer or require and accordingly Atlanta received a "1/low risk" score for Issue 10. But Atlanta's IZ policies also are complicated from a development perspective because of how the requirements vary by geographic area or project type. With the current affordable housing crises that is only expected to get worse, and considering more equitable policymaking, the City should consider an economic feasibility study to drive a decision about whether in the upcoming zoning rewrite to apply IZ citywide, or in additional transit-oriented zones, or continue to vary affordable housing requirements by neighborhood or construction type.

Fulton County does not currently provide any voluntary or mandatory zoning incentives for set-asides of affordable/workforce housing. In 2007, the County adopted one of the first voluntary inclusionary zoning programs in Georgia, however the ordinance contained a sunset provision such that the program expired after a 24-month period. During its implementation, developers were offered incentives for residential projects of 20 units or more where at least 5% of the units were restricted to occupancy of moderate-income households and 5% of the units were restricted to occupancy of low and/or very low income households, or where the developer paid a fee in lieu. Incentives included density bonuses, fee waivers or reductions, planning and building standards waivers or reductions, regulatory incentives or concessions, and Federal, State, and local public funding.

The ordinance contemplated that the BOC would assess the effectiveness of the program and determine conditions for its future re-implementation. A public report on the effectiveness of the program for the 2007-2009 period, or regarding proposed changes or legislative intent to re-implement the program, could not be found. Inclusionary zoning programs are becoming standard for jurisdictions facing affordable housing crises, but with Fulton County's program expiring it earned a "3" score on Issue 10 as it is an issue where the jurisdiction could take affirmative action to further affordable housing or fair housing choice but has not.

In the past several years, the City of Atlanta has adopted several other ordinances that, while not affecting developers, renters, or homebuyers directly, are part of the City's multifaceted approach to evaluating, protecting, and promoting its affordable and workforce housing stock. For example, an ordinance requires any multi-family residential property that receives a grant, incentive, or subsidy through a sale lease-back or other written agreement involving a development authority doing business in the City of Atlanta must include affordable housing, as approved by the development authority. (Code of Ordinances § 54.1(c).) The Affordable Housing Impact Statement (Code of Ordinances § 54.2) requires a statement quantifying number of units impacted at certain levels of affordability over the 30-year period following the enactment of the legislation be attached to and made publicly available for any legislation that might impact the housing stock, with the goal of increasing transparency and lobbying power for affordable units. Atlanta could strengthen this policy by considering a measure which would mandate an equal number of new units of public housing (or private affordable/workforce units) be constructed for every

public/affordable unit demolished or lost, or that developers pay a fee in lieu into a fund for public development of affordable units. In 2017, Atlanta also established by ordinance a Housing Commission to review the City's housing policies, permitting procedures, and financing of affordable units and make recommendations at least annually to the City Council and Mayor. (Code of Ordinances § 54.3.)

All together, these zoning tools could potentially help dismantle some of the entrenched exclusionary zoning districts and allow for more supply of housing, which helps put downward pressure on rental and sale prices, so that moderate and low-income families have access to higher opportunity areas and all the congruent benefits that come with living in those zones such as access to better jobs, schools, public transportation, and cultural amenities and public accommodations.

# CHAPTER 7.

## PUBLICLY SUPPORTED HOUSING

Publicly supported housing encompasses several strategies and programs developed since the 1930s by the federal government to ameliorate housing hardships that exist in neighborhoods throughout the country. The introduction and mass implementation of slum clearance to construct public housing projects during the mid-1900s signified the beginning of publicly supported housing programs. Government-owned and managed public housing was an attempt to alleviate problems found in low-income neighborhoods such as overcrowding, substandard housing, and unsanitary conditions. Once thought of as a solution, the intense concentration of poverty in public housing projects often exacerbated negative conditions that would have lasting and profound impact on their communities.

Improving on public housing's model of high-density, fixed-site dwellings for very low-income households, publicly supported housing programs have since evolved into a more multi-faceted approach overseen by local housing agencies. The Housing and Community Development Act of 1974 created Section 8 rental assistance programs. Section 8, also referred to as the Housing Choice Voucher (HCV) program, provides two types of housing vouchers to subsidize rent for low-income households: project-based and tenant-based. Project-based vouchers can be applied to fixed housing units in scattered site locations while tenant-based vouchers allow recipients the opportunity to find and help pay for available rental housing on the private market.

The Tax Reform Act of 1986 created the Low-Income Housing Tax Credit (LIHTC) program to incentivize development of affordable, rental-housing development. Funds are distributed to state housing finance agencies that award tax credits to qualified projects to subsidize development costs. Other HUD Programs including Section 811 and Section 202 also provide funding to develop multifamily rental housing specifically for disabled and elderly populations.

The now-defunct HOPE VI program was introduced in the early 1990s to revitalize and rebuild dilapidated public housing projects and create mixed-income communities. Although HOPE VI achieved some important successes, the Choice Neighborhoods Initiative program was developed to improve on the lessons learned from HOPE VI. The scope of Choice Neighborhoods spans beyond housing and addresses employment access, education quality, public safety, health, and recreation.<sup>56</sup>

Current publicly supported housing programs signify a general shift in ideology toward more comprehensive community investment and de-concentration of poverty. However, studies have shown a tendency for subsidized low-income housing developments and residents utilizing housing vouchers to continue to cluster in disadvantaged, low-income neighborhoods. Programmatic rules and the point allocation systems for LIHTC are thought to play a role in this clustering and recent years have seen many states revising their allocation formulas to discourage this pattern in new developments.<sup>57</sup> The reasons for clustering of HCVs is more complicated since factors in decision-making vary greatly by individual

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<sup>56</sup> Department of Housing and Urban Development. *Evidence Matters: Transforming Knowledge Into Housing and Community Development Policy*. 2011. [www.huduser.gov/portal/periodicals/em/EM-newsletter\\_FNL\\_web.pdf](http://www.huduser.gov/portal/periodicals/em/EM-newsletter_FNL_web.pdf).

<sup>57</sup> Dawkins, Casey J. *Exploring the Spatial Distribution of Low Income Housing Tax Credit Properties*. US Department of Housing and Urban Development, [www.huduser.gov/publications/pdf/dawkins\\_exploringliht\\_assistedhousingrcr04.pdf](http://www.huduser.gov/publications/pdf/dawkins_exploringliht_assistedhousingrcr04.pdf).



household. However, there are indications that proximity to social networks, difficulties searching for housing, and perceived or actual discrimination contribute to clustering.<sup>58</sup> This section will review the current supply and occupancy characteristics of publicly supported housing types and its geographic distribution within the study area.

## SUPPLY AND OCCUPANCY

Atlanta Housing administers all publicly supported housing types in the City of Atlanta. Within Fulton County there are several housing authorities, including the Housing Authority of Fulton County, the Housing Authority of the City of East Point, the Housing Authority of the City of College Park, the Housing Authority of the City of Fairburn, the Housing Authority of the City of Union City, and the Housing Authority of the City of Palmetto. The City of Roswell also has a housing authority, however, its data is not included in the numbers in this section, as Roswell is not included in the Fulton County entitlement jurisdiction.

Of the 224,996 total housing units in the City of Atlanta, 10.4% of all units are publicly supported housing operated by Atlanta Housing. In Fulton County, a smaller percentage of housing units are publicly supported: 2.7% of Fulton County’s 143,991 housing units are administered by one of the county’s housing authorities.

### 3-GEOGRAPHY COMPARISON:

Atlanta Housing manages the most public housing units and housing choice vouchers (HCVs) (14,700 units combined). Housing authorities in Fulton County have a combined total of about 3,200 public housing units and HCVs and DeKalb County housing authorities have about 6,000.

**TABLE 19. HOUSING UNITS SUPPORTED THROUGH HUD FUNDING BY PROGRAM CATEGORY**

Housing Units	City of Atlanta		Fulton County	
	#	%	#	%
Total housing units	224,996	-	143,991	-
Public housing	3,741	1.6%	635	0.4%
Project-based Section 8*	6,162	2.7%	533	0.4%
Other multifamily	2,673**	1.1%	122	0.1%
HCV program	10,973	4.8%	2,560	1.8%

\*Includes units with project-based Section 8 vouchers in properties that may be owned by public agencies (such as cities or housing authorities), non-profit organizations, or private entities.

\*\*Includes Low Income Housing Tax Credit units blended in with other properties.

**Note:** Data presented are number of housing units or vouchers. All % represent housing units within each housing program as a share of total housing units within that jurisdiction.

**Data Source:** HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

<sup>58</sup> Galvez, Martha M. *What Do We Know About Housing Choice Voucher Program Location Outcomes? A Review of Recent Literature*. What Works Collaborative, 2010. [www.urban.org/sites/default/files/publication/29176/412218-What-Do-We-Know-About-Housing-Choice-Voucher-Program-Location-Outcomes-.PDF](http://www.urban.org/sites/default/files/publication/29176/412218-What-Do-We-Know-About-Housing-Choice-Voucher-Program-Location-Outcomes-.PDF).

In the City of Atlanta, white households constitute 42.4% of all households. However, white households only make up 1.9% of housing choice voucher holders, 6.7% of public housing residents, 12.8% of those with Project-based Section 8 vouchers and 18.2% of households in other family housing. On the other hand, African American households make up 49% of all households, but have far greater representation in publicly supported housing than their share of the population. African American households constitute 80.8% of other family housing, 85.7% of those with Project-based Section 8 vouchers, 88.6% of those in public housing, and 97.3% of all Atlanta households with housing choice vouchers. Asian households are 3.1% of Atlanta households, and represent a nearly equal share in public housing (3.4%). However, Asian households are underrepresented in other publicly supported housing types, as are Hispanic households who make up 3.7% of Atlanta households, but are underrepresented in all publicly supported housing.

Fulton County differs slightly from the City of Atlanta, in that users of project-based Section 8 housing in the county are more diverse than in Atlanta. White households constitute 39% of all Fulton County households and also constitute 39% of project-based section 8 voucher holders. Comparatively, African American households make up 47.4% of all Fulton households, and make up 54.7% of project-based section 8 voucher holders. However, in all other publicly supported housing types, Fulton County demonstrates similar trends to Atlanta. White households make up 1% of public housing residents, 1.7% housing choice voucher holders and 9.8% of residents in other family housing. African American households make up 90.2% of other family housing, 97.7% of housing choice voucher holders and 98.6% of public housing residents. Although the share of Hispanic and Asian households is small (4.9% and 75% respectively), they are underrepresented in all publicly supported housing programs in Fulton County.

These same trends occur within the Atlanta-Sandy Springs-Roswell MSA; white, Hispanic and Asian households tend to be underrepresented in publicly supported housing, while African American households are overrepresented, with one exception. Asian households represent 4.3% of households in the MSA but constitute 10.5% of other family housing residents in the MSA.

**TABLE 20. RESIDENTS BY RACE AND ETHNICITY FOR HOUSING UNITS SUPPORTED THROUGH HUD FUNDING IN THE CITY OF ATLANTA, FULTON COUNTY, AND THE ATLANTA-SANDY SPRINGS-ROSWELL MSA**

Housing Type	Race/Ethnicity							
	White		Black		Hispanic		Asian or Pacific Islander	
	#	%	#	%	#	%	#	%
<b>City of Atlanta</b>								
Public Housing	261	6.7%	3,441	88.6%	50	1.3%	132	3.4%
Project-Based Section 8*	767	12.8%	5,157	85.7%	47	0.8%	40	0.7%
Other Multifamily**	90	18.2%	400	80.8%	3	0.6%	2	0.4%
HCV Program	237	1.9%	12,157	97.3%	86	0.7%	13	0.1%
0-30% AMI	6,105	15.9%	29,270	76.4%	1,360	3.5%	924	2.4%
0-50% AMI	8,805	15.2%	43,405	74.8%	2,180	3.8%	1,369	2.4%
0-80% AMI	15,490	18.8%	59,070	71.5%	3,295	4.0%	2,067	2.5%
<b>Total Households</b>	<b>76,055</b>	<b>42.4%</b>	<b>87,870</b>	<b>49.0%</b>	<b>6,659</b>	<b>3.7%</b>	<b>5,641</b>	<b>3.1%</b>

**TABLE 21. RESIDENTS BY RACE AND ETHNICITY FOR HOUSING UNITS SUPPORTED THROUGH HUD FUNDING IN THE CITY OF ATLANTA, FULTON COUNTY, AND THE ATLANTA-SANDY SPRINGS-ROSWELL MSA (CONTINUED)**

Housing Type	Race/Ethnicity							
	White		Black		Hispanic		Asian or Pacific Islander	
	#	%	#	%	#	%	#	%
<b>Fulton County</b>								
Public Housing	6	1.0%	581	98.6%	1	0.2%	1	0.2%
Project-Based Section 8*	198	39.0%	278	54.7%	9	1.8%	22	4.3%
Other Multifamily**	10	9.8%	92	90.2%	0	0.0%	0	0.0%
HCV Program	70	1.7%	3,928	97.7%	17	0.4%	0	0.0%
0-30% AMI	2,792	19.7%	9,448	66.8%	1,028	7.3%	635	4.5%
0-50% AMI	4,389	17.0%	16,728	65.0%	2,134	8.3%	964	3.7%
0-80% AMI	8,673	20.7%	26,851	64.2%	3,267	7.8%	1,413	3.4%
<b>Total Households</b>	<b>49,018</b>	<b>39.0%</b>	<b>59,598</b>	<b>47.4%</b>	<b>6,163</b>	<b>4.9%</b>	<b>9,390</b>	<b>7.5%</b>
<b>Atlanta-Sandy Springs-Roswell MSA</b>								
Public Housing	520	9.6%	4,634	85.9%	88	1.6%	149	2.8%
Project-Based Section 8*	2,175	22.0%	7,377	74.4%	179	1.8%	168	1.7%
Other Multifamily**	344	25.0%	869	63.2%	18	1.3%	145	10.5%
HCV Program	1,394	3.9%	34,075	94.2%	429	1.2%	246	0.7%
0-30% AMI	84,438	35.9%	111,346	47.4%	25,839	11.0%	9,222	3.9%
0-50% AMI	135,378	30.8%	192,122	43.7%	53,459	12.1%	17,910	4.1%
0-80% AMI	274,738	37.0%	310,128	41.7%	83,585	11.2%	28,926	3.9%
<b>Total Households</b>	<b>1,060,274</b>	<b>55.3%</b>	<b>610,123</b>	<b>31.8%</b>	<b>135,669</b>	<b>7.1%</b>	<b>81,647</b>	<b>4.3%</b>

\*Includes units with project-based Section 8 vouchers in properties that may be owned by public agencies (such as cities or housing authorities), non-profit organizations, or private entities.

\*\*Includes multifamily housing units developed under HUD’s Section 202 Supportive Housing for the Elderly and Section 811 Supportive Housing for Persons with Disabilities programs. These units may be in properties owned by public agencies (such as cities or housing authorities), non-profit organizations, or private entities.

**Note:** Data presented are number of households, not individuals. All % represent the share of households in each racial and ethnic group by housing program or income group. For example, 21.6% of households living in public housing in Davenport are White and 63.4% of households in the 0-30% AMI band in Davenport are White.

**Data Sources:** HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>; HUD’s A Picture of Subsidized Households, <https://www.huduser.gov/portal/datasets/assthsg.html>

In both Atlanta and Fulton County, the racial and ethnic makeup within individual publicly supported housing developments frequently reflects the overall patterns shown in Table 22, specifically an overrepresentation of Black households and underrepresentation of other demographic groups. However, some developments demonstrate variety in occupancy as shown in an appendix to this report.

In the City of Atlanta, nine of the 11 AH-Owned communities have an African American household occupancy at 75% or greater. Of the two exceptions, occupancy at the Marian Road Highrise in Buckhead

is split between African American households (34%), white households (31%) and Asian households (30%) with a small percentage of Hispanic households (5%). The Cheshire Bridge Road Highrise in northeast Atlanta also shows variation in occupancy, with Black households composing 48% of residents, white households 28%, Asian households 20% and Hispanic households 3%. The AH MIXED communities show more uniformity, as African American households make up greater than 95% of all households in these communities.

HomeFlex communities (formerly PBRA) also have high rates of African American occupancy, with the exception of a few complexes. Several HomeFlex communities in north Atlanta have predominantly white occupancy (over 60%), including Calvin Court, Jewish Tower, Cathedral Towers and Campbell Stone Apartments. Other HomeFlex communities with more even racial distribution of residences tend to be centrally located, such as the Lutheran Towers on Juniper Street – which is 36% white, 55% Black, 6% Hispanic, and 3% Asian – and the Booth Residence on Ponce de Leon Avenue – which is 46% white, 48% Black, 3% Hispanic, and 3% Asian.

In Fulton County, all public housing developments and other multifamily projects with available occupancy data serve predominately African American households (80% or greater). However, Fulton County's listed project-based Section 8 locations tend to have more racially mixed occupancy. Four of these locations with nearly an even split of Black and white residents (Garden Terrace Apartments, Sparks Manor, Gene Miller Manor, and the Larry Moore Manor) are associated with Christian City, a 500-acre, non-profit campus serving seniors and youth in Union City. Dogwood Square, located in Alpharetta, is predominantly occupied by white households (60%) but also is 22% Asian, 11% Black and 6% Hispanic.

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## GEOGRAPHY OF SUPPORTED HOUSING

The geography of supported housing in Atlanta and Fulton County is shown on Figure 31 below. The blue markers on the images below indicate the location of public housing units. Dark blue markers indicate single-site developments; light blue markers indicate scattered site developments. In the City of Atlanta, many of the “public housing” developments on the map indicate both AH-Owned communities and MIXED communities that are no longer owned by Atlanta Housing. Of those communities still owned by Atlanta Housing, approximately half are located in northeast Atlanta, following I-85 from North Avenue to Sidney Marcus Blvd. The remaining MIXED communities are primarily redevelopment efforts of former public housing sites that tended to be clustered near the major highways (I-75/I-85 and I-20), particularly where they intersect. Other MIXED communities are scattered throughout the city, with some small clusters in East Lake (East Atlanta) and along Perry Blvd (NW Atlanta). In Fulton County, all public housing sites are located in the southern portion of the county (with the exception of three properties in Roswell and Sandy Springs, all outside of the Fulton County entitlement jurisdiction). Single-site projects are located closer to the city of Atlanta, in municipalities such as East Point, College Park and South Fulton. Scattered-site developments are located further south in Fulton, in jurisdictions such as Union City, Fairburn and Palmetto. While all public housing developments have at least 75% African American residents, single-site developments closer to the city have more than 90% African American occupancy (where information is available). It is important to point out that Atlanta Housing moved from a centralized public housing waiting list format to a site-based waiting list format. Site-based waiting lists give property managers more flexibility on filling vacant units; it improves lease-up times, and provides low-income families with more choice in where they choose to submit an application to live.

The orange markers on the images below indicate the locations of Project Based Section 8 units. HomeFlex communities can be found scattered throughout Atlanta, with small clusters of developments on Fairburn Road in SW Atlanta, along Hank Aaron Drive south of Turner Field, and near the intersection of Boulevard and Ralph McGill Blvd in East Atlanta. In areas south of Perry Blvd/Marietta Street in west Atlanta and south of North Avenue in east Atlanta, the composition of HomeFlex communities is predominantly African American. North of these streets, the composition of HomeFlex communities shows an increase in white households, with a predominance of white households appearing in areas north of the I-75/I-85 split. Fulton County has several Project Based Section 8 sites, most of which are located in the southern portion of the county (four in Union City, one in South Fulton). There is also one Project Based Section 8 development in Alpharetta. Occupancy at the Union City and Alpharetta sites shows a greater percentage of occupancy by white residents than is seen generally throughout the county’s publicly supported housing, typically showing a near-even split of white and Black residents.

The purple markers on the images below indicate the locations of Low Income Housing Tax Credit (LIHTC) developments. The LIHTC program is the primary source of subsidy for development of affordable housing by the private market. Created by the Federal Tax Reform Act of 1986, the LIHTC program makes available an indirect federal subsidy for investors in affordable rental housing. The value of the tax credits awarded to a project may be syndicated by the recipient to generate equity investment, offsetting a portion of the development cost. As a condition of the LIHTC subsidy received, the resulting housing must meet certain affordability conditions. LIHTC developments in Atlanta exist almost exclusively south of the I-75/I-85 split, except for one site near the intersection of Pharr and Peachtree Roads. Most LIHTC sites are clustered

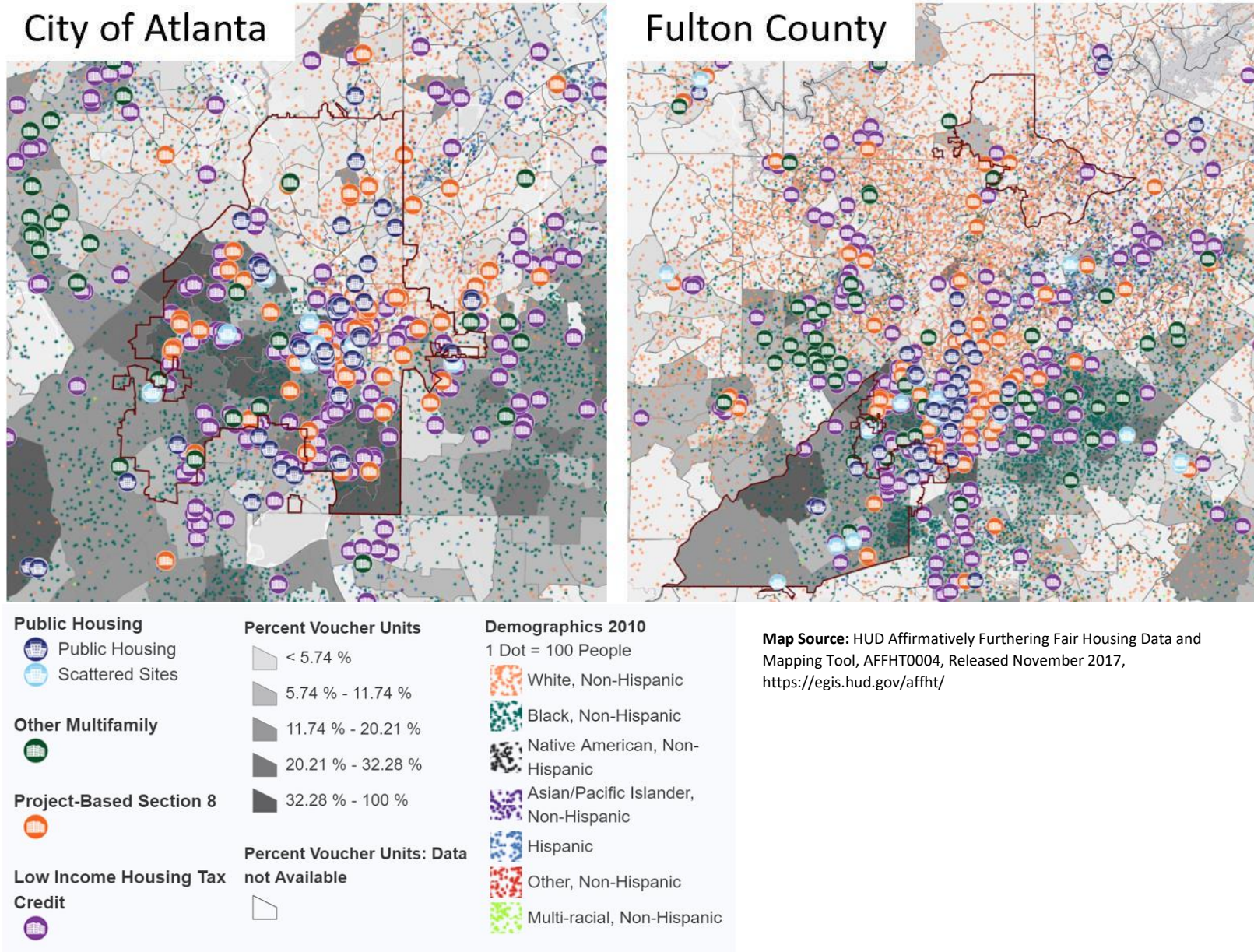
near the junction of I-75/I-85 and I-20, with additional sites along several main streets including Cleveland Avenue and Pryor Road (SE Atlanta), MLK Drive, Fairburn Road, Campbellton Road and 285 (SW Atlanta), Perry Blvd, Hollywood Road and James Jackson Blvd (NW Atlanta), and Hosea L. Williams Drive and Ponce de Leon Ave (East Atlanta). For Fulton County, there are two LIHTC developments on the county's north side: one in Alpharetta and the other in Johns Creek. On the south side, there are nearly two dozen LIHTC properties across several cities, although the majority can be found in the City of East Point.

The green markers on the images below indicate the locations of Other Multifamily housing. These developments may receive funding from HUD Section 202, 811 or HUD PRAC, among other sources; their target audience is low income seniors. In Atlanta, the other multifamily housing units are in SW Atlanta (Providence Manor, QLS Haven, QLS Meadows) and north/northwest Atlanta (Johnnie B. Moore Towers, Zaban Tower and Berean Village). There are three other multifamily developments in south Fulton County – two in the City of South Fulton close to the Atlanta city limit, and one in Union City. There are no other multifamily developments in the north Fulton County service area.

The rates at which Housing Choice Vouchers (HCVs) are used are represented by the shading on the maps. HCVs are issued to households and may be used at a rental unit of the tenant's choosing to reduce the tenant's share of rent payments to an affordable level. Therefore, unlike the publicly supported developments marked on the map, HCVs are portable and their distribution throughout the city is subject to fluctuate over time. The current map shows that in Atlanta, the highest voucher use is found in the southern portions of the city. There are several areas with very high HCV prevalence, including downtown, SE Atlanta, SW Atlanta and the lower portions of NW Atlanta. Approximately 21 census tracts in Atlanta have voucher use which exceeds 35%. In two instances, voucher use exceeds 50%: census tract 86.02 in NW Atlanta has 54% voucher use and census tract 72 in SE Atlanta has 57% voucher use. In Fulton County, the highest voucher use is found in the City of South Fulton. Census tracts 105.08 and 105.16, which cover areas along the Old National Highway corridor, hold vouchers in 38% and 45% of all households, respectively. Census tract 103.01, which covers a large area from Douglas County to South Fulton Parkway hold vouchers in 36% of all households. Areas in north Atlanta and north Fulton County that appear to be shaded white have a very low percentage of HCV use.

When the map of publicly supported housing locations is compared with the maps of opportunity index scores in Chapter 5 of this report, a larger picture of resource distribution appears. Areas of the city and county that are more welcoming to Housing Choice Vouchers tend to be areas with lower school proficiency and less labor force engagement. However, these areas may also have more access to transit, low transportation costs, limited environmental hazards, and lower poverty levels (particularly in south Fulton County). The placement of housing authority owned developments, MIXED Communities, LIHTC developments and project-based Section 8 and HomeFlex developments are dispersed more evenly throughout Fulton County and Atlanta, increasing access to areas of opportunity for publicly supported housing residents.

FIGURE 29. PUBLICLY SUPPORTED HOUSING AND RACE / ETHNICITY IN THE CITY OF ATLANTA AND FULTON COUNTY



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## POLICY REVIEW

Atlanta Housing provides publicly supported housing in the City of Atlanta, serving 23,549 households as shown in Table 21. According to its 2019 Moving to Work Plan, Atlanta Housing utilizes several types of assistance, including public housing, RAD project-based vouchers, housing choice vouchers, low-income housing tax credits, Home-Flex, down payment assistance and supportive housing through Moving to Work. The policies for Atlanta Housing are outlined in the “Amended and Restated Statement of Corporate Policies,” dated March 28, 2018. The Housing Authority of Fulton County (HAFC) operates 2,272 housing units in Fulton County through housing choice vouchers, LIHTC, RAD and port vouchers. The policies for the Housing Authority of Fulton County are outlined in the “Housing Choice Voucher Administrative Plan,” dated March 16, 2017. Four different aspects of each administrative plan are examined here: tenant selection, local preference, tenant screening and subsidy standards.

The process by which applicants are ranked on and selected from a waiting list is guided by a tenant selection policy. Atlanta Housing has several criteria for tenant selection. As a baseline eligibility requirement, applicants to Atlanta Housing must have at least one adult member of the family (aged 18 – 61) who works at least 30 hours per week. All other adults in the household must either work or attend school full time or participate in these activities or an AH training program for a total of 30 hours per week. Atlanta Housing recently reduced this requirement, enterprise wide, to an average of 20 hours per week to align with scheduling practices of industries permeated with many Atlanta Housing program participants and to reduce the number of program terminations for non-compliance with Atlanta Housing’s Work/Program Requirement, while considering more families for its rental assistance programs.<sup>59</sup> Applicants must also demonstrate income eligibility according to HUD’s regulations and the policies of the MTW Plan. For Housing Choice Voucher applicants must also have an income that does not exceed HUD’s “very low income” limit. Half of the applicant admitted to LIHTC properties must earn less than 30% AMI. The other half may earn at or above 30% AMI.

Next, applicants must meet citizenship requirements and keep children in the household under 18 enrolled in school full time. Applicants meeting eligibility conditions are added to AH’s wait list, from which households are selected at random through a lottery. Finally, applicants must maintain their units and have an acceptable criminal background. All households (except those that are elderly and/or disabled) must pay 30% of their adjusted monthly income in rent. Atlanta Housing includes Social Security, SSI, and other fixed sources of income to determine the household’s annual income.

The Housing Authority of Fulton County requires that the applicant submit all required eligibility documentation in order to obtain a housing choice voucher in Fulton County. The family’s household income must not exceed 50% AMI, or the household must already be receiving publicly supported housing. Seventy-five percent (75%) of families admitted to HAFC’s housing choice voucher program must earn between 0-30% AMI. The family applying for assistance is then placed on the HAFC waiting list. Once a family is selected from the waiting list, they must participate in an eligibility interview. All adult members of the household must attend the interview. If the family is determined to be eligible, they are invited to participate in a housing choice voucher briefing. The head of household must participate in a briefing to

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<sup>59</sup> Keenan, Sean. “Atlanta Housing board lowers work requirements for rent assistance.” SaportaReport. Dated November 1, 2019. <https://saportareport.com/atlanta-housing-work-requirements-rent-assistance/>



ensure that they understand the programs' details. After completing the briefing, the family is issued a voucher.<sup>60</sup>

HUD allows public housing authorities to, within narrow boundaries, set local preferences for the selection of applicants from their waiting lists. Local preferences must be constructed carefully to avoid discrimination against protected classes but can be helpful tools to strategically adapt public housing programs to local housing needs and priorities as determined through data-driven planning processes. Atlanta Housing engages site-based waiting lists as the primary tool to select prospective program participants. Site-based waiting lists provide properties greater flexibility to address their vacancies more timely than a centralized waiting list, which decreases lease-up time and site-based waiting list provides prospective residents with greater choice in where they choose to make an application or reside. Atlanta Housing's HCV Program maintains a centralized waiting list with an internal component to address Choice Mobility. The Choice Mobility waiting list is an exclusive protection given to residents of AH-owned public housing sites that converted to long-term Section 8 project-based voucher (PBV) assistance under HUD's Rental Assistance Demonstration (RAD) Program. Therefore, residents may exercise their Choice Mobility and request a tenant-based voucher (TBV) after 12 months of residency in good standing at RAD property. The UFAS waiting list is another exclusive waiting list comprised of current residents needing and properly requesting an accessible unit that may transfer across rental/housing assistance programs. Current residents of Atlanta Housing programs receive priority over eligible applicants on all waiting lists. Prioritization activities may include disposition/demolition of existing parcels/structures, significant rehabilitation/modernization to a structure, where a move out and eventual return of the building is required. Additional priorities include hardship requests related to health issues and medical needs, victim of domestic violence, and other urgent circumstances. Finally, Atlanta Housing may consider prioritization for temporary minor emergencies that may include foreclosure assistance, natural disasters, and pilot programs. The availability of vacant units and available funding affect all of Atlanta Housing's priority preferences.

Waiting lists for AH developments serving elderly use criteria requiring one or more members of the household to match the following categories. The order of selection is as follows:

1. An elderly person;
2. An almost-elderly person, aged 55-61;
3. A disabled person who is either elderly or almost elderly;
4. A non-elderly disabled person aged 18-54.

MIXED Communities and HomeFlex Communities in Atlanta Housing maintain their own site-based waiting lists, to which each applicant must apply onsite. When applicants are selected from an AH waiting list for housing at an AH-Owned, MIXED or HomeFlex Community, the management agency has the authority to choose applicants based on the date and time of their application (depending on bedroom size), or by a random lottery method.

For those applicants who require an accessible unit, the UFAS waiting list uses the following order of selection:

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<sup>60</sup> Housing Authority of Fulton County. "Administrative Plan for the Housing Authority of Fulton County, Georgia – Housing Choice Voucher Program." <https://www.hafc.org/Administrative%20Plan-%20Draft.pdf> p. 107-114

1. Current resident with a disability who was displaced due to revitalization activities;
2. Transfer within the same community from a non-UFAS unit to UFAS;
3. Transfer from another AH community from a non-UFAS unit to a UFAS unit;
4. Applicant on the site's waiting list based on date and time of application;
5. Applicant on another site's waiting list based on date and time of application;
6. A non-disabled person, who must acknowledge that they will move within 30 days' notice if an eligible applicant requires the unit.

Priority over the waiting list is typically given to tenants who are reoccupying a community that has gone through revitalization. For the Housing Authority of Fulton County, families are selected from the waiting list either based on the order of the date and time in which the application was received. Like AH, special preference may be given to applicants who have been displaced from other publicly supported housing or victims of natural disaster.

Tenant screening, specifically policies regarding criminal background checks, is another aspect of this review. Atlanta Housing management agencies screen all household members aged 18 and over. Screening may include previous rental history, apartment upkeep records, credit reports, utility payment records and criminal history. Atlanta Housing may deny potential housing or terminate existing housing for a household in which any member has participated in criminal activity that might endanger residents or AH staff. Offenses which may cause denial include violent offenses (such as homicide, rape, arson), non-violent offenses (child neglect, burglary, vandalism), and drug-related offenses. Prior to being denied or terminated from housing, AH will send the applicant a letter to explain the decision. The applicant is given an opportunity to dispute these decisions by submitting a request in writing within 10 days of the receipt of the denial. Any unsatisfactory screening is subject to the denial of housing or termination of one's lease.

The H AFC performs criminal background checks on all adult members of a household. If a criminal history is suspected, the H AFC will request additional information from the National Crime Information Center and the Dru Sjodin National Sex Offender database. However, the owner of the unit is ultimately responsible for screening prospective tenants on their own. The H AFC does not provide criminal history information to the property owner. The H AFC may deny potential housing to a family based on certain criminal activity, to include drug-related criminal activity, drug use, abuse towards others or lifetime registration on Georgia's sex offender registration program. The H AFC identifies some areas that are taken into admissions considerations, including whether persons using drugs have sought out treatment, and the most recent dates of criminal behavior.

Finally, individual housing authorities are required to include in their policies the criteria by which they determine the number of bedrooms needed to house families of various sizes and compositions. These are known as subsidy standards. Under both Atlanta Housing and H AFC subsidy standards are also referred to as voucher size. Under Atlanta Housing, management agencies develop their own operating procedures in accordance with the AH Statement of Corporate Policies which guides their voucher sizes. The H AFC has a single policy, which allows the following arrangement of persons per units: 1-2 members in a 1-bedroom unit, 2-4 members in a 2 bedroom unit, 3-6 members in a 3-bedroom unit, 4-8 members in a 4-bedroom unit and 6-10 members in a 5-bedroom unit. H AFC voucher size is determined by identifying the smallest number of bedrooms needed for the household without causing overcrowding.

The HAFC also considers live-in aides as household members, and pregnant mothers as two household members.

# CHAPTER 8.

## HOUSING FOR PEOPLE WITH DISABILITIES

According to the Census Bureau, 19% of the U.S. population reported having a disability in 2010. Research has found an inadequate supply of housing that meets the needs of people with disabilities and allows for independent living. The U.S. Department of Housing and Urban Development identified that approximately one third of the nation's housing stock can be modified to accommodate people with disabilities, but less than 1% is currently accessible by wheelchair users.<sup>61</sup>

Identifying and quantifying existing accessible housing for all disabilities is a difficult task because of varying needs associated with each disability type. People with hearing difficulty require modifications to auditory notifications like fire alarms and telecommunication systems while visually impaired individuals require tactile components in design and elimination of trip hazards. Housing for people that have difficulty with cognitive functions, self-care, and independent living often require assisted living facilities, services, and staff to be accessible.

Modifications and assisted living arrangements tend to pose significant costs for the disabled population, which already experiences higher poverty rates compared to populations with no disability. Studies have found that 55% of renter households that have a member with a disability have housing cost burdens, compared with 45% of those with no disabilities.<sup>62</sup>

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### RESIDENTIAL PATTERNS

Approximately 11.6% of the population 5-years-old or older living in the city of Atlanta has a disability. Residents between the ages of 18 and 64 make up the largest share of people with disabilities (6.9% of the city's population) with disabled residents over the age of 65 accounting for 4.1% of the total population. Less than 1% of the total population are children under the age of 18 with a disability.

The population share of residents with disabilities in Fulton County (8.2%) is slightly lower compared to the other two jurisdictions. Similar to the other two jurisdictions, the population between the ages of 18 and 64 makes up the largest share of Fulton County's disabled population (4.8% of the county's residents). Seniors age 65 and over with a disability account for 3.0% of the total population. Children between the ages of 5 and 17 account for less than 1% of Fulton County's total population.

The most common disability type in the city of Atlanta and Fulton County is difficulty with ambulatory movement. The percentage of the population affected by ambulatory disabilities is 6.9% in Atlanta and 4.8% in Fulton County. People with disabilities that may require extensive assistance, including independent living or self-care difficulties, make up a combined 6.6% of Atlanta's population and 5.2% of

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<sup>61</sup> Chan, S., Boshier, L., Ellen, I., Karfunkel, B., & Liao, H. . L. (2015). Accessibility of America's Housing Stock: Analysis of the 2011 American Housing Survey. U.S. Department of Housing and Urban Development: Office of Policy Development and Research.

<sup>62</sup> America's Rental Housing 2017. (2017). Joint Center for Housing Studies of Harvard University.

Fulton County’s population. Hearing, vision, and cognitive difficulties impact between 3-4% of the population in both jurisdictions.

The maps in Figure 30 show the spatial distribution of the population with disabilities in the city of Atlanta and Fulton County. Residents with disabilities are evenly distributed throughout both jurisdictions without any discernible patterns or concentrations.

**TABLE 22. DISABILITY BY TYPE IN THE CITY OF ATLANTA, FULTON COUNTY, AND THE ATLANTA-SANDY SPRINGS MSA**

Disability Type	City of Atlanta		Fulton County		Atlanta-Sandy Springs-Roswell MSA	
	#	%	#	%	#	%
Hearing difficulty	8,062	2.0%	6,219	1.9%	124,237	2.5%
Vision difficulty	9,826	2.5%	5,044	1.5%	96,741	2.0%
Cognitive difficulty	18,593	4.7%	11,295	3.4%	195,085	3.9%
Ambulatory difficulty	27,649	6.9%	15,940	4.8%	273,305	5.5%
Self-care difficulty	9,208	2.3%	6,330	1.9%	101,952	2.1%
Independent living difficulty	17,133	4.3%	11,051	3.3%	185,645	3.8%

**Note:** All % represent a share of the total population within the jurisdiction or region.

**Data Source:** HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

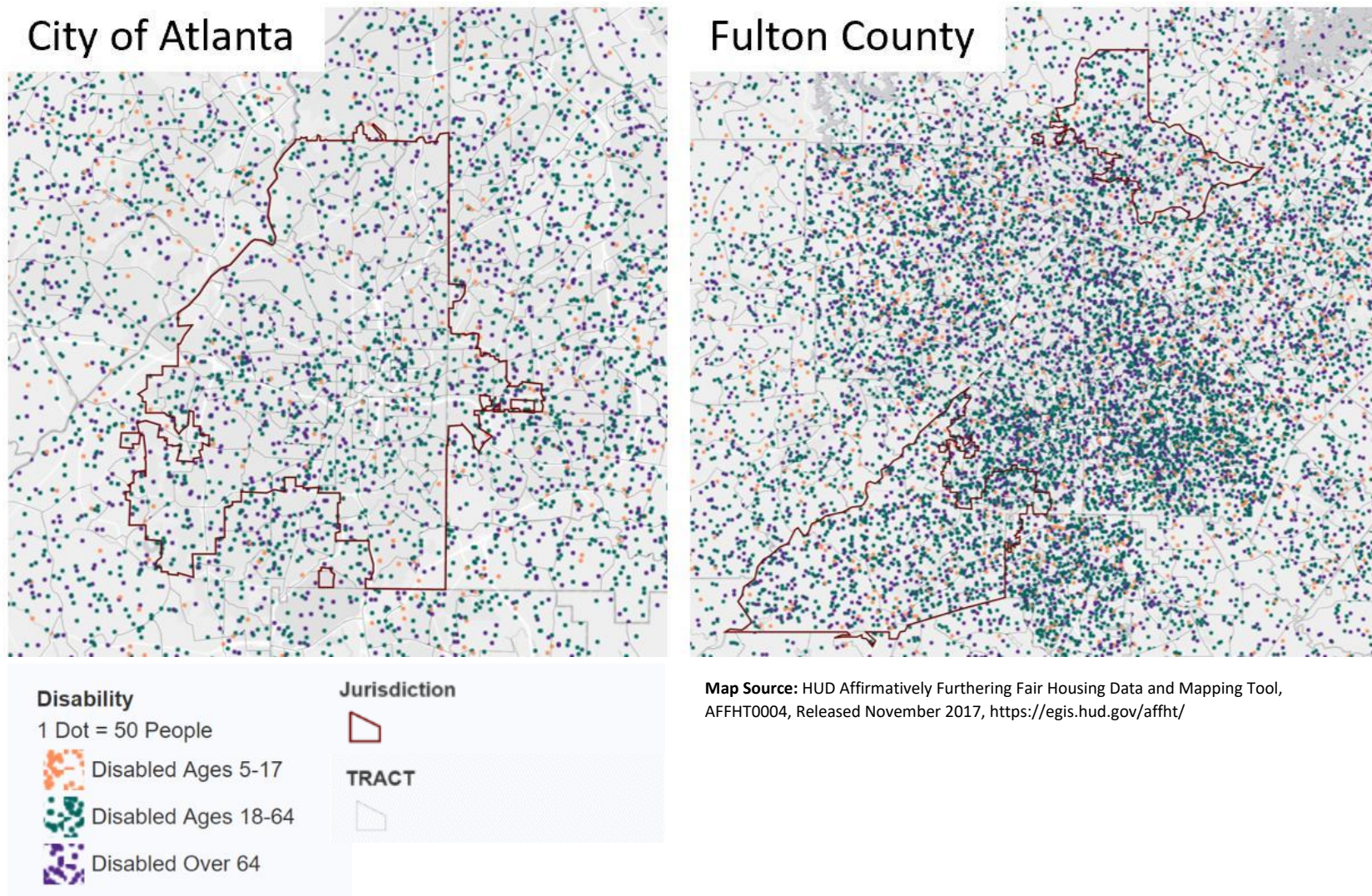
**TABLE 23. DISABILITY BY TYPE IN THE CITY OF ATLANTA, FULTON COUNTY, AND THE ATLANTA-SANDY SPRINGS MSA**

Age of People with Disabilities	City of Atlanta		Fulton County		Atlanta-Sandy Springs-Roswell MSA	
	#	%	#	%	#	%
Age 5-17 with disabilities	2,529	0.6%	2,593	0.8%	43,816	0.9%
Age 18-64 with disabilities	27,448	6.9%	16,024	4.8%	285,608	5.8%
Age 65+ with disabilities	16,238	4.1%	9,960	3.0%	177,645	3.6%

**Note:** All % represent a share of the total population within the jurisdiction or region.

**Data Source:** HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

FIGURE 30. PEOPLE WITH A DISABILITY BY AGE IN THE CITY OF ATLANTA AND FULTON COUNTY



## ACCESSIBLE HOUSING SUPPLY AND AFFORDABILITY

A point-in-time search on socialserve.com for affordable apartments currently for rent in the city of Atlanta returned 79 properties with 72 offering some accessibility features, however, 76 of the 79 units had waiting lists. The search in Fulton County found 77 properties with 75 providing some accessibility features. Only 3 of the 77 properties had waiting lists.

Based on a standard Supplemental Security Income (SSI) payment of \$771 per month (equating to an affordable monthly rent of \$257 or less), it is highly likely that people with disabilities who are unable to work and rely on SSI as their sole source of income face substantial cost burdens and difficulty locating affordable housing. Publicly supported housing is often a key source of accessible and affordable housing for people with disabilities, and in the study area, these subsidized housing options are much more likely to contain households with at least one member with a disability than the housing stock in general. The table below shows the types of publicly-supported housing that persons with disabilities are able to access. Data in the table below also provides insight into which programs are more likely to provide disabled individuals with housing.

**TABLE 24. DISABILITY BY HOUSING PROGRAM CATEGORY IN THE CITY OF ATLANTA, FULTON COUNTY, AND THE ATLANTA-SANDY SPRINGS-ROSWELL MSA**

Housing Type	People with a Disability					
	City of Atlanta		Fulton County		Atlanta-Sandy Springs-Roswell MSA	
	#	%	#	%	#	%
Public Housing	1,499	37.9%	67	11.1%	1,721	31.3%
Project-Based Section 8*	562	9.2%	31	6.0%	941	9.1%
Other Multifamily Housing**	12	2.4%	2	1.8%	83	5.4%
HCV Program	2,737	21.7%	555	13.7%	6,469	17.6%

\*Includes units with project-based Section 8 vouchers in properties that may be owned by public agencies (such as cities or housing authorities), non-profit organizations, or private entities.

\*\*Includes multifamily housing units developed under HUD's Section 202 Supportive Housing for the Elderly and Section 811 Supportive Housing for Persons with Disabilities programs. These units may be in properties owned by public agencies (such as cities or housing authorities), non-profit organizations, or private entities.

**Note:** All % represent the share of total housing units of each housing type occupied by a person with a disability. The definition of "disability" used by the Census Bureau may not be comparable to reporting requirements under HUD programs.

**Data Source:** HUD Affirmatively Furthering Fair Housing Data and Mapping Tool, AFFHT0004, Released November 2017, <https://egis.hud.gov/affht/>

Supportive housing, a typically subsidized long-term housing option combined with a program of wrap-around services designed to support the needs of people with disabilities, is another important source of housing for this population. Unique housing requirements for people with an ambulatory difficulty may include accessibility improvements such as ramps, widened hallways and doorways, and installation of grab bars, along with access to community services such as transit. For low- and moderate-income households, the costs of these types of home modifications can be prohibitive, and renters may face

particular hardships as they could be required to pay the costs not just of the modifications, but also the costs of removing or reversing the modifications if they later choose to move.

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## ZONING AND ACCESSIBILITY

Fair housing laws do not preempt local zoning laws but do apply to municipalities and local government units and prohibit them from making zoning or land use decisions or implementing land use policies that exclude or otherwise discriminate against protected persons. This includes a local government's affirmative obligation to provide reasonable accommodations to land use or zoning policies when such accommodations may be necessary to allow persons with disabilities to have an equal opportunity to use and enjoy housing. It also includes the affirmative obligation not to segregate housing for protected classes into lower-opportunity, less desirable areas of the jurisdiction. Even where a specific zoning decision does not violate a fair housing law, HUD entitlement communities accept an obligation to set and implement standards and policies that protect and advance fair housing choice for all. Conditions of the City of Atlanta's and Fulton County's zoning codes affecting accessibility are assessed in the following sections. Several elements of the following analysis refer back to the scored zoning code review presented in Chapter 6.

### Definition of "Family" and Group Housing for Persons with Disabilities

Often one of the most scrutinized provisions of a municipality's zoning code is its definition of "family." Local governments use this provision to limit the number of unrelated persons who may live together in a single dwelling as a means of preserving the stable, traditional, and residential character of their neighborhoods. Unreasonably restrictive definitions may have the unintended consequence (or intended consequence, depending on the motivations behind the drafting of the jurisdiction's definition) of limiting housing for nontraditional families and for persons with disabilities who reside together in congregate living situations. Fulton County's zoning code limits the definition of "family" to not more than four unrelated persons residing together as a single housekeeping unit:

*"Family means one or more persons related by blood, marriage, adoption, guardianship or other duly authorized custodial relationship, or up to four unrelated persons, occupying a dwelling unit and living as a single housekeeping unit ... A group residence which falls under the definition of a family, but does not require a Use Permit for a Group Residence (Article 19.4.20, 19.4.20(1), and/or 19.4.20(2)), shall comply with applicable federal, state and local licensing requirements and shall not be located closer than a quarter mile to the nearest property line of another group residence."*

Although the definition requires that the group live as functionally equivalent to that of a family related by blood, marriage, adoption, or legal guardianship as a single housekeeping unit, more progressive definitions of family would not then limit the number of unrelated household members just as the zoning code does not limit the number of related household members who function as a single housekeeping unit. Rather, under more permissive land use codes, maximum occupancy per dwelling can be regulated by the jurisdiction's building code's housing occupancy standards as a matter of safety rather than the zoning regulations. Limiting a family to no more than four unrelated individuals is neither the most



permissive nor most restrictive under case precedent, but it does fail to treat nontraditional, but functionally equivalent, household relationships equal with those related by blood, marriage, adoption or legal guardianship and may violate fair housing, privacy, and due process protections if challenged.

The definition of family also restricts households of unrelated individuals who also meet the definition of a “group residence” (i.e. a residential facility providing supportive housing for persons with special needs / disabilities), from being located closer than a quarter mile to the nearest property line of another group residence, but does not place the same restriction on other types of single family housing for non-handicapped persons. In this way, the definition is not facially neutral towards all groups of unrelated persons. However, because there is no limit on the number of persons related by blood / marriage / adoption / guardianship that may reside together, but there is a limit on the number of unrelated persons who may reside together, and a further restriction on unrelated persons in a group residence for persons with disabilities, application of the family definition may have the effect of disproportionately impacting protected groups, such as limiting housing choice for unrelated adults with disabilities seeking to live together in a family-like, integrated household.

Atlanta’s zoning code limits the definition of “family” to persons related by blood, marriage, or adoption, or not more than six unrelated persons, and may include up to four roomers:

One or more persons occupying a single dwelling or lodging unit, provided that, unless all members are related by blood, marriage or adoption, no such family shall contain over six persons, with the following exceptions. Domestic servants employed on the premises may be housed on the premises without being counted as a family. In a dwelling unit, not more than two rooms not containing independent kitchen facilities may be occupied by a total of four or less roomers who may also board with the family. Four or less boarders, including but not necessarily restricted to roomers on the premises, may be accommodated for compensation for any period, including daily, weekly or monthly periods. The term ‘family’ shall not be construed to mean fraternity, sorority, club, student center, group care homes, foster homes and similar uses.

While this definition is not the most restrictive compared to area jurisdictions, it neglects functionally equivalent relationships by foster care or other legal guardianship connections, which is problematic under due process scrutiny. More progressive zoning and planning models define single family in terms of a “functional family” or “single housekeeping unit” sharing common space, meals, and household responsibilities, and/or leave maximum occupancy per dwelling as a matter of safety regulated by the building code rather than the zoning regulations. Limiting a family to no more than six unrelated individuals is more permissive than neighboring jurisdictions like Fulton County and DeKalb County, but it still fails to treat nontraditional, but functionally equivalent, household relationships equal with those related by blood, marriage, or adoption.

Another potential fair housing issue with Atlanta’s definition is that it specifically excludes those residing together in a “group care home,” foster home, or similar uses which means that the definition may be applied in a way to treat persons with disabilities (or other protected status) differently *because of* their disability or protected status, and may have a disproportionate impact on families with children and people with disabilities such as limiting housing choice for unrelated adults with disabilities seeking to live together in a family-like, integrated household.

The disparate effect evident in Atlanta's and Fulton County's codes may make them susceptible to a state due process claim for a functionally-equivalent, though not legally related, family; a violation of privacy claim; or to an FHA discriminatory effect/ disparate impact claim, reasonable accommodation claim, or segregative effect claim. While the Supreme Court has recognized as constitutionally permissible a local government's right to limit the number of unrelated individuals who may live together, the restriction must be reasonable and not exclude a household which in every sense but a biological one is a single family. Accordingly, Fulton County and City of Atlanta received "2/medium risk" scores on Issue 1 of the matrix.

One option is to amend Atlanta's definition to also include foster and other legal guardianship relationships and, for both Atlanta and Fulton, to add an administrative process for rebutting the presumption that a group exceeding the permitted maximum number of unrelated persons is not otherwise residing together as a single housekeeping unit and functional family.

Supportive housing for persons with disabilities that otherwise meets the definition of "family," i.e. for four or fewer unrelated persons in Fulton County or six or fewer unrelated persons in Atlanta, should be permitted in residential districts equally with other single-family housing. However, there is ambiguity under Fulton County's zoning resolution as to how various types of housing for persons with disabilities may be treated. "Personal care home" and "group residence" are defined use categories under the zoning code as state-licensed facilities serving persons with special needs or disabilities; however, they are not expressly permitted in all residential districts. The definition of "family" contemplates a "group residence" for four or fewer unrelated persons (and adds a spacing requirement) but does not also expressly include "personal care homes" for persons with disabilities. Personal care homes are expressly permitted in the MIX-CGA, CUP-CGA, O-I, MIX, C-1, A, and A-L districts, and for 5+ residents may be sited in the R-6 and TR districts with a use permit. A "group residence" is permitted by right in the A, A-L, O-I, MIX, C-1, and C-2 districts, or with a use permit for dwellings with 5+ residents in the R-6 and TR districts. The general provisions of the zoning code establish that "if either a specific use or a class of use is not listed as a permitted use in compliance with the zoning district standards and any zoning conditions, such specific use or class of use shall be prohibited in that district." Because personal care home and group residence are expressly listed as permitted uses in the above cited zoning districts but not expressly included in the permitted uses in all single-family districts, the code creates confusion as to whether even personal care homes or group residences of four or fewer members are allowed uses in those other residential districts, or how unlicensed facilities may be treated. In addition, the code imposes a spacing requirement on these uses even where they are permitted by right.

Atlanta's zoning code definition of "family" and the single-family zoning districts specifically exclude "group care home, foster home, or similar uses" such as personal care homes and supportive housing for persons with disabilities as permitted by right uses. Housing for persons with disabilities who require onsite support services, whether licensed or unlicensed by the state, are regulated under the "personal care home" or "supportive housing" use categories. In most residential districts and subareas, these require a special use permit or are excluded outright regardless of whether the home houses 6 or fewer unrelated residents. (The local and state definition of a personal care home includes a facility for 2 or more residents not related to the owner/ operator.) For example, in the SPI-11 district, single-family dwellings are permitted in all 12 subareas, but "supportive housing" is specifically prohibited from four of

these subareas and “personal care homes” require an SUP in all subareas. In the PD-MU district, “supportive housing” requires an SUP. In the R-G, R-LC, and O-I districts, supportive housing is permitted by right, but personal care homes are excluded.

In Fulton County, the ambiguity of treatment and exclusion from some residential zones, and other regulatory requirements, and in Atlanta the total exclusion from some residential zones, the requirements for a special use permit in other zones, and other regulatory requirements impose additional burdens on housing for persons with disabilities and treat the housing as more of institutional uses rather than residential uses, even where four or fewer residents in Fulton or six or fewer residents in Atlanta live together in a small, family-like setting. This disproportionate treatment limits housing choice for a protected class and is susceptible to legal challenge under federal and state fair housing laws and equal protection rights. The County received a “2/medium risk” score for Issue 2.

Similarly, residential rehabilitation centers for substance abuse recovery or support for the mental, psychological, and occupational or physical rehabilitation of any person, are separately regulated and limited to where they can be sited in the City of Atlanta, even if they otherwise meet the definition of single-family. They are a permitted use in the SPI-15 Lindbergh Transit Station Area Special Public Interest District but otherwise require a special use permit in all other districts where not excluded outright. Under federal law (e.g. FHAA, ADA, Rehabilitation Act), it is discriminatory to deny an individual or entity the right to site a residential treatment program in a residential zone because it will serve individuals with alcohol or other drug problems or mental health disabilities. Accordingly, Atlanta received a “3/high risk” score on Issues 2 and 5.

Spacing requirements for protected classes, like persons with disabilities, are generally inconsistent with the FHAA unless the jurisdiction could make a showing that the ordinance was passed to protect a compelling governmental interest (e.g. over-concentration of supportive housing could adversely affect individuals with disabilities and would be inconsistent with the goal of integrating persons with disabilities into the wider community) and that the spacing requirement is the least restrictive means of protecting that interest.<sup>63</sup> In unincorporated Fulton County, group residences cannot be located closer than a quarter mile to the nearest property line of another group residence. Personal care homes fronting an “urban minor arterial” street cannot be sited closer than 1,000 feet from another personal care home fronting the same street, or if fronting an “urban collector street” or “urban local street” must maintain a distance of at least ½ mile from another facility. The code does not describe an exception for group residences or personal care homes housing 4 or fewer unrelated residents (which should fit the definition of single-family). In Atlanta, residential rehab facilities, personal care homes, and supportive housing, all of which serve persons with disabilities, a protected class, cannot be located within 2,000 feet of any other similar group living facility.

Federal case law goes both ways on minimum spacing requirements—some separation requirements have been upheld by the courts and some have been invalidated as too restrictive or on grounds that the jurisdiction failed to make a reasonable accommodation under the FHAA. How much accommodation is

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<sup>63</sup> See JOINT STATEMENT OF THE DEPT. OF HOUSING AND URBAN DEVELOPMENT AND DEPT. OF JUSTICE, *State and Local Land Use Laws and Practices and the Application of the Fair Housing Act*, Nov. 10, 2016.

“reasonable” may depend on the individual facts of the case, and the impact on both the persons seeking housing versus the impact on the government and community.

Neither Fulton County’s nor Atlanta’s ordinances contain an explicit justification for the spacing requirement and the rules may have the effect of limiting the overall aggregate capacity of housing for persons with disabilities even if the need in the community or region is greater than the thresholds permit. If these jurisdictions maintain the spacing requirements, housing providers for persons with disabilities should be given an opportunity to rebut the presumption of overconcentration by being provided with an administrative process (“reasonable accommodation” process) to show the significant need for more housing for persons with disabilities. (See reasonable accommodation discussion below.) Accordingly, Fulton County and the City of Atlanta each received a “2/medium risk” score on Issue 4 of the matrix.

### **Reasonable Accommodations**

Adopting a reasonable accommodation ordinance is one specific way to address land use regulations’ impact on housing for persons with disabilities. Federal and state fair housing laws require that municipalities provide individuals with disabilities or developers of housing for people with disabilities flexibility in the application of land use and zoning and building regulations, practices, and procedures or even waive certain requirements, when it is reasonable and necessary to eliminate barriers to housing opportunities, or “to afford persons with a disability the equal opportunity to use and enjoy a dwelling.” However, the FHAA does not set forth a specific process that must be used to request, review, and decide a reasonable accommodation. Examples of a reasonable accommodation request may be simple such as a modification of the setback or lot coverage requirements to allow an external mobility ramp; modifying existing indoor space for accessible design features; parking changes; or more complicated like allowing a personal care home in a particular neighborhood or within a restricted distanced to another personal care home without subjecting the applicant to the costly, time-consuming, and unpredictable special use permit or variance process.

Neither Fulton County nor Atlanta has adopted a clear and objective process by which persons with disabilities may request a reasonable accommodation to zoning, land use, and other regulatory requirements. The Fulton County BOC has the authority to hear and decide applications for concurrent variances in conjunction with applications for rezonings, use permits, and/or zoning modifications, following the public notice and hearing process. The Board of Zoning Appeals (BZA) has authority to hear and decide applications for primary variance requests, also after the public notice and hearing process. The department of environment and community development (E&CD) has power to decide administrative and minor variances. There can be no variances to permitted uses or accessory uses. (These processes are required for any applicant seeking a variance or special exception and not limited to housing for persons with disabilities.)

In Atlanta, the Board of Zoning Adjustment (BZA) holds the power to hear and decide applications for variances following the public notice and hearing process. Special Use Permit applications, which are required for many types of supportive housing for persons with disabilities to be able to locate in a residential district, are decided by the City Council after public notice and hearing and recommendation by the Zoning Review Board. (These processes are required for any applicant seeking a variance or SUP and not limited to housing for persons with disabilities.) The purpose of a variance is not always congruent

with the purpose of requesting a reasonable accommodation, as a variance requires a showing of special circumstances or conditions applying to the land through the public notice and hearing process. In contrast, a reasonable accommodation is to allow individuals with disabilities to have equal access to use and enjoy housing.

Whereas simple administrative procedures may be adequate for the granting of a reasonable accommodation, the variance and special use permit procedures subject the applicant to the public hearing process where there is the potential that community opposition based on stereotypical assumptions about people with disabilities and unfounded speculations about the impact on neighborhoods or about threats to safety may impact the outcome. Although the FHAA does not require a specific process for receiving and deciding requests for reasonable accommodation, as a matter of equity, transparency, and uniformity, it is advisable that local jurisdictions adopt a standardized process that protects an applicant's confidentiality and disability information and does not impose undue burdens or fees on persons with disabilities. The jurisdiction does not comply with its duty to provide reasonable accommodation if it applies a standard based on the physical characteristics of the property rather than considering the need for modification based on the disabilities of the residents. Accordingly, Fulton County and Atlanta each received a "2/medium risk" score on Issue #3.

# CHAPTER 9.

## FAIR HOUSING ACTIVITIES

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### FAIR HOUSING RESOURCES

Georgia has adopted a parallel version of Title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, 42 U.S.C. §§ 3601 et seq. (the “FHAA”), known as the Georgia Fair Housing Act (O.C.G.A. §8-3-200 et seq.). Both the federal and state laws prohibit discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on sex, race, color, disability, religion, national origin, or familial status. These laws also protect persons from retaliation for exercising fair housing rights. Although federal law sets the minimum standards for fair housing enforcement and does not preclude local and state laws from expanding protected classes and fair housing rights, Georgia’s FHA does not extend protections to any other class of persons outside of those protected by the FHA. Moreover, O.C.G.A. §8-3-220 prohibits local governments (or “political subdivision[s] of the state”) from adopting fair housing ordinances that extend protected class status to individuals who are not currently protected under the Georgia Fair Housing Act.

Although Georgia’s FHA closely follows the “rights, procedures, remedies, and the availability of judicial review” provided in the FHAA (See 24 C.F.R. § 115.201 et seq.), currently, the state Act is not certified by HUD as “substantially equivalent” to the federal FHAA, and therefore no state agency qualifies to participate in nor receive funding through HUD’s Fair Housing Assistance Program (FHAP). The Georgia Commission on Equal Opportunity (GCEO) formerly partnered with HUD as the state enforcement agency under the “substantial equivalence” criteria, but it ceased to participate in the FHAP in 2012. However, with the appointment of a new Commissioner this year, the agency again is actively seeking re-certification and is partnering with HUD to complete the process, and may receive interim certification later in 2019.

The GCEO has the authority and responsibility to administer and enforce the Georgia Fair Housing Act and to investigate housing discrimination complaints that it receives under state law. The Georgia Fair Housing Act provides that in any case where HUD has initiated an investigation or an action against a person or organization for alleged discriminatory housing practices, the state may not also pursue an investigation or action against that party for the same alleged discriminatory conduct. The law also provides that wherever a local fair housing law grants rights and remedies which are substantially equivalent to the state law, the GCEO must notify the appropriate local agency of an alleged violation and take no further action if the local enforcement official commences proceedings in the matter. A local agency also may institute a civil action, without the need to first exhaust administrative remedies, if it is unable to obtain voluntary compliance with its local fair housing law.

While the Georgia act permits political subdivisions of the state to adopt local fair housing ordinances consistent with the state’s act, Fulton County has not adopted a local nondiscrimination or fair housing ordinance or established a local commission empowered to receive and resolve fair housing complaints. The City of Atlanta codified a fair housing ordinance in 1977 (Code of Ordinance § 94-91 et seq.), and

updated it subsequently to expand the classes of persons protected from housing discrimination to include race, color, creed, religion, sex, domestic relationship status, parental status, familial status, sexual orientation, national origin, gender identity, age, and disability. Atlanta’s Human Relations Commission is tasked with enforcing the local nondiscrimination ordinances.

Although Georgia lacks a HUD certified FHAP agency, Metro Fair Housing Services, Inc., a nonprofit fair housing advocacy organization whose service area includes Fulton County and the City of Atlanta, recently was awarded grant funding under HUD’s Fair Housing Initiatives Program (FHIP). Under the FHIP, HUD awards grant money to local fair housing advocacy organizations who assist persons believed to have been harmed by discriminatory housing practices; to help people identify government agencies that handle complaints of housing discrimination; to conduct preliminary investigation of claims; to carry out testing and enforcement activities to prevent or eliminate discriminatory housing practices; and to educate the public and housing providers about equal opportunity in housing and compliance with the fair housing laws.

Metro Fair Housing Services, Inc. is a nonprofit fair housing advocacy organization serving Atlanta, Fulton County, and DeKalb County. All three geographies dedicate HUD grant funding to fair housing resources.

For FY 2017, HUD awarded Metro Fair Housing Services, Inc. a \$300,000 multiyear grant under the FHIP’s private enforcement initiatives (PEI) grants category. Metro Fair Housing Services has pledged to use its grant award to continue its core fair housing activities in the greater Atlanta MSA; to perform rental, sale, and lending tests based on race, national origin, familial status, and disability; to collaborate with faith-based and community organizations to conduct education events; to assist aggrieved parties in filing bona fide fair housing allegations with HUD; to mediate or conciliate complaints; to recruit and train new testers; and to sponsor Fair Housing Month events in April.

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## FAIR HOUSING COMPLAINTS

An individual in the City of Atlanta, or Fulton County who believes he or she has been the victim of an illegal housing practice may file a complaint with the Georgia Equal Opportunity Commission or with the appropriate HUD Regional Office of Fair Housing and Equal Opportunity (FHEO) within one year of when the discriminatory practice occurred. Typically, once certified, HUD will refer complaints of housing discrimination that it receives back to the state or local FHAP agency for investigation, conciliation and enforcement activities. HUD policy favors having fair housing professionals based locally where the alleged discrimination occurred because it has found that a state or local agency’s closer proximity to the site of the alleged discrimination provides greater familiarity with local housing stock and trends and may lead to greater efficiency in case processing. Because no Georgia state agency currently is authorized by HUD to administratively enforce and adjudicate federal fair housing complaints, it will retain complaints it receives from a Georgia complainant and begin the investigation process.

For incidences of alleged discrimination occurring within the City of Atlanta, the aggrieved person may submit a written complaint to the Director of the Mayor’s Office of Constituent Services on a form provided by the Human Relations Commission (or “any paper suitable for a complaint”) within 180 days

of the occurrence of the alleged unlawful discriminatory act. The Director of the Mayor's Office of Constituent Services will conduct an initial investigation and report the findings to the HRC. The HRC will then attempt to eliminate the alleged practice by conference, conciliation or persuasion. If a conciliation agreement cannot be reached, the HRC may conduct a hearing and issue findings of fact. If there is a finding of discrimination in violation of the Human Relations Code, the Mayor may seek action to revoke the offender's city license or contract or make a referral to state or federal fair housing enforcement agencies to investigate state and federal claims.

In addition to filing a complaint with the HRC, an aggrieved person may seek prosecution of alleged violations of the Human Relations Code in Atlanta Municipal Court. The filing of a complaint with the HRC does not invalidate, restrict, or deny any right or remedy a person may have under state or federal law or preclude any cause of action in court for the violation of civil rights.

The aggrieved party also may file a lawsuit in federal district court within two years of the discriminatory act (or in the case of multiple, factually-related discriminatory acts, within two years of the last incident). Where an administrative action has been filed with HUD, the two-year statute of limitations is tolled during the period when HUD is evaluating the complaint.

For the federal administrative complaint process, after the FHEO receives a complaint, it will notify the alleged discriminator (respondent) and begin an investigation. During the investigation period, the FHEO will attempt through mediation to reach conciliation between the parties. If no conciliation agreement can be reached, HUD must prepare a final "Determination" report finding either that there is "reasonable cause" to believe that a discriminatory act has occurred or that there is no reasonable cause. If the FHEO finds "reasonable cause," HUD must issue a "Charge of Discrimination." If the FHEO determines that there is no "reasonable cause," the case is dismissed. The advantages of seeking redress through the administrative complaint process are that HUD takes on the duty, time, and cost of investigating the matter for the complainant and conciliation may result in a binding settlement. However, the complainant also gives up control of the investigation and ultimate findings.

If a charge is issued, a hearing/trial will be scheduled before an administrative law judge. The ALJ may award the aggrieved party injunctive relief, actual damages, and also impose civil penalties; but unlike federal district court, the ALJ may not impose punitive damages. Administrative proceedings are generally more expedited than the federal court trial process.

However, the aggrieved party or the respondent may elect to have the administrative proceeding terminated and the case instead adjudicated in federal court. The Department of Justice will prosecute the case on behalf of the aggrieved party. Additionally, the DOJ may bring suit on behalf of individuals based on referrals from HUD in the case of a "pattern or practice" of discriminatory actions, a case of particular importance to the public interest, or when there has been a breach of a conciliation agreement. An aggrieved party may intervene in any action filed by the DOJ.

The investigation, conciliation, reasonable/no reasonable cause findings, and charge procedures under the Georgia Fair Housing Act are substantially similar to the HUD process, including an administrative hearing with the availability of compensatory and injunctive relief. However, where the matter involves



the legality of any state or local zoning or other land use law or ordinance, the GCEO administrator must refer the matter to the Attorney General for appropriate action instead of issuing a charge.

An aggrieved party may bypass the federal and state administrative routes altogether, and instead file a civil action directly in federal district court or state superior court, thus maintaining control of the case and the potential to collect punitive damages. Civil litigation is available without first exhausting administrative remedies unless the parties have already entered a conciliation agreement, or, following a charge of discrimination, an administrative hearing has already commenced.

The advantages of seeking redress through the administrative complaint process are that administrative proceedings are generally more expedited than the federal court trial process, and the enforcement agency takes on the duty, time, and cost of investigating the matter and conciliation may result in a binding settlement. However, the complainant also gives up control of the investigation and ultimate findings and potential remedies are more limited.

Housing discrimination claims may be brought against local governments and zoning authorities and against private housing providers, mortgage lenders, or real estate brokers.

If an individual has evidence that his/her rights under the FHAA or Georgia Fair Housing Law have been violated in a final land use or zoning decision, the aggrieved person may file a complaint with the Commission or with HUD, or file a lawsuit directly in state or federal court within the statute of limitations period. (HUD refers matters involving the legality of state or local zoning or other land use law or ordinance to the Department of Justice for further enforcement. See 42 U.S.C. 3610(g)(2)(C)).

### **Complaints Filed with HUD**

Region IV of the Office of Fair Housing and Equal Opportunity (FHEO) receives complaints by households regarding alleged violations of the Fair Housing Act for cities and counties throughout Georgia (as well as Alabama, Florida, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee). The mission of the FHEO is to eliminate housing discrimination, promote economic opportunity, and achieve diverse, inclusive communities. To achieve this mission, the FHEO receives and investigates complaints of housing discrimination, and leads in the administration, development, and public education of federal fair housing laws and policies.

The Atlanta Regional Office of the FHEO maintains data reflecting the number of complaints of housing discrimination received by HUD, the status of all such complaints, and the basis/bases of all such complaints. The office responded to a request for data regarding complaints received affecting housing units in the City of Atlanta and Fulton County for the five-year period January 1, 2014 through December 31, 2018.

During this time, HUD received a total of 182 formal complaints of alleged housing discrimination occurring within the two jurisdictions: 126 within the City of Atlanta, and 56 within other cities and unincorporated parts of Fulton County. However, the number of complaints filed does not necessarily reflect the true number of acts of unlawful discrimination that may have occurred during the recent 5-year period as, on the one hand, some incidents go unreported and, on the other hand, as further highlighted below, in approximately 40% of the filed cases (72 of 182 cases), HUD made a “no cause”

determination after its investigation revealed a lack of evidence to pursue the alleged unlawful conduct further. The complete data tables provided by HUD are included as an appendix to this report with the HUD case file number, violation city, filing date, closure date, basis of complaint, issues cited, closure reason, and monetary relief provided.

Summary information, including the number of complaints per year for each basis of discrimination, is shown for Atlanta and Fulton County jurisdictions in the table below.

**TABLE 25. COMPLAINTS FILED WITH HUD IN THE CITY OF ATLANTA AND FULTON COUNTY**

Basis	Year					Total
	2014	2015	2016	2017	2018	
<b>City of Atlanta</b>						
Color	0	0	1	0	1	2
Disability	9	9	15	15	12	60
Familial Status	1	3	1	3	4	12
National Origin	0	2	2	3	3	10
Race	5	12	6	8	6	37
Religion	0	0	3	1	1	5
Retaliation	3	1	3	1	3	11
Sex	4	6	2	1	3	16
<b>Fulton County</b>						
Color	0	0	0	0	0	0
Disability	3	0	3	6	14	26
Familial Status	1	1	0	1	1	4
National Origin	1	3	2	0	1	7
Race	3	4	7	4	3	21
Religion	0	0	0	0	1	1
Retaliation	3	0	0	0	0	3
Sex	0	0	0	0	4	4

**Data Source:** FOIA Request to HUD Region IV Office of Fair Housing and Equal Opportunity

More than one basis of discrimination may be cited in a single complaint. Disability was the most often cited basis of discrimination within the two jurisdictions, occurring in nearly 48% of Atlanta cases and 46% of Fulton County cases. Race and/or color was cited as a factor in nearly 30% of Atlanta cases and 38% of Fulton County cases. Regarding Atlanta, of the 126 complaints received and investigated by HUD for the survey period, disability was cited as the basis of discrimination in 60 cases, followed by race in 37 cases; sex in 16 cases; familial status in 12 cases; retaliation in 11 cases; national origin in 10 cases; religion in 5 cases; and color in 2 cases. In Fulton County, disability was once again the most cited basis of discrimination, here in 26 cases. And like in Atlanta and DeKalb, race was again the second most cited

basis of discrimination, with 21 cases reported. National origin was cited in 7 cases; sex and familial status in 4 cases each; retaliation in 3 cases, and religion in 1 case.

Complainants also may cite more than one discriminatory act or practice, recorded as the discriminatory issue. “Discriminatory terms, conditions, privileges, or services and facilities” was cited in 58 cases in Atlanta and in 28 Fulton County cases; failure to make a reasonable accommodation was cited in 40 Atlanta cases and 20 Fulton County cases. Discriminatory refusal to rent was cited in 33 Atlanta cases and 13 Fulton cases. “Otherwise deny or make housing unavailable” also was a frequently cited issue, appearing in 34 Atlanta cases and in 20 Fulton cases. Other issues that were alleged in the two jurisdictions include: false denial or representation of availability; discriminatory acts under Section 818 (coercion, etc.); discrimination in terms/conditions/privileges relating to rental; discriminatory advertising, statements and notice; failure to permit reasonable modification; discrimination in terms/conditions/privileges relating to sale; refusing to provide municipal services or property; and discriminatory financing (includes real estate transactions).

At the time of response, 8 Atlanta cases and 5 Fulton cases were still open pending resolution. Of the closed Atlanta cases, 58 were closed after investigation and a no cause determination (46% of cases); 31 were successfully resolved by conciliation; 17 were withdrawn by the complainant after resolution; 4 were withdrawn by complainant without resolution; and 1 was closed because of failure to locate respondent. Regarding the Fulton County closed cases, 21 cases were successfully resolved by conciliation; 18 were closed after investigation and a no cause determination (32% of cases); 4 cases were closed because the complainant failed to cooperate; 4 were withdrawn by the complainant after resolution; 2 were withdrawn by complainant without resolution; and 2 cases were dismissed for lack of jurisdiction.

In the cases resolved by settlement or conciliation, the respondents did not necessarily admit liability, but may have settled to avoid further expense, time, and the uncertainty of litigation. Monetary damages totaling \$75,443 were awarded for the cases resolved by settlement or conciliation in the City of Atlanta and \$44,129 in Fulton County, though not all settled cases ended in monetary damages being awarded.

### **Complaints filed with the Georgia Equal Opportunity Commission**

The Georgia Commission on Equal Opportunity (GCEO) is under the auspices of the Office of the Governor. The GCEO has a Board of Directors made up of attorneys and community leaders statewide. The GCEO has two divisions: the Equal Employment Division and the Fair Housing Division. The mission of the Fair Housing Division is to promote broader housing choices in Georgia; to promote understanding of the Georgia Fair Housing Act and the federal FHA; to encourage integrated communities/neighborhoods; to secure compliance with state and federal fair housing laws; to eliminate discrimination; and to punish persons who violate fair housing laws.

The GCEO, which maintains complaint data only by county, reported that for the period January 1, 2014, through December 1, 2018, it received or processed 14 complaints regarding housing units within Fulton County. As of June 13, 2019, one Fulton County case which had been referred to the state’s attorney general’s office was still pending.

**TABLE 26. COMPLAINTS FILED WITH THE GEORGIA COMMISSION ON EQUAL OPPORTUNITY IN FULTON AND DEKALB COUNTIES**

Year	Basis	Issues	Closure Type
<b>Fulton County</b>			
2014	Disability	Different terms, conditions, or privileges in the rental of a dwelling; Coercion, intimidation, threats, or interference	Conciliation successful
2014	Familial status	Refusal to Rent	Conciliation successful
2014	Race; Sex; Color; Disability	Different terms, conditions, or privileges in the rental of a dwelling; Discriminatory steering; Coercion, intimidation, threats, or interference	No reasonable cause determination
2014	Race	Refusal to sell; Refusal to negotiate for the sale	Dismissed for lack of jurisdiction
2015	Race; Familial Status	Otherwise make housing unavailable; Different terms, conditions, or privileges in the rental of a dwelling; Coercion, intimidation, threats, or interference	Open / Pending; Referred to Attorney General's Office
2015	Race; Color; Disability	Different terms, conditions, or privileges in the rental of a dwelling; Coercion, intimidation, threats, or interference	Conciliation successful
2015	Race; Sex; Disability	Different terms, conditions, or privileges in the rental of a dwelling; Coercion, intimidation, threats, or interference	Withdrawal with benefits
2015	Race; Sex	False representation of the availability of a dwelling; Different terms, conditions, or privileges in the rental of dwelling	No reasonable cause determination
2017	Disability	Different terms, conditions, or privileges in the rental of dwelling	Conciliation successful
2017	Disability	Otherwise make housing unavailable	No reasonable cause determination
2017	Race; Familial Status	Refusal to rent	No reasonable cause determination
2017	Disability	Otherwise make housing unavailable; Different terms, condition, and privileges; Failure to make reasonable accommodation	Dismissed for lack of jurisdiction
2017	Race; Disability	Refusal to rent; False representation in dwelling	Conciliation successful
2017	Race	Different terms, conditions, or privileges in the rental of dwelling	Dismissed for lack of jurisdiction

Source: GCEO on June 13, 2019

Again, more than one basis of discrimination may be alleged in a single complaint. Race was the most often basis of discrimination alleged in 9 cases, followed by disability in 8 cases, familial status in 3 cases, sex in 3 cases, and color in 2 cases. Five of the Fulton County cases were successfully conciliated / mediated, 4 were closed after investigation and a no reasonable cause finding, 3 were administratively dismissed for lack of jurisdiction, and 1 case was withdrawn with benefits. No monetary damages were reported.

### **Complaints filed with the Metro Fair Housing Services, Inc.**

Metro Fair Housing Services, Inc., headquartered in Atlanta, uses the FHIP funding it receives to conduct education and outreach, complaint intake and processing, and fair housing testing (systemic and complaint-based) in areas that include metro Atlanta and Fulton County. Through the most recent multiyear FHIP funding grant, Metro Fair Housing may receive and investigate complaints of alleged housing discrimination, conduct mediation and conciliation efforts; and refer meritorious claims to HUD.

The City of Atlanta and Fulton County also contract with Metro Fair Housing Services to receive and investigate housing discrimination complaints; mediate or conciliate valid complaints; provide referrals for administrative or judicial actions; provide landlord/tenant counseling; provide multilingual counseling on fair housing and predatory lending issues; provide multilingual property owner, manager and realtor training sessions; and presents educational seminars and workshops on fair housing.

For the period January 2014 through December 2018, Metro Fair Housing Services received and processed 24 cases originating in the City of Atlanta and 75 cases from Fulton County. Metro provided data showing a tally for each basis of alleged discrimination, the type of housing related transaction, and the outcome of the cases as shown in the following tables.

**TABLE 27. COMPLAINTS FILED WITH METRO FAIR HOUSING SERVICES IN THE CITY OF ATLANTA AND FULTON COUNTY**

Basis	Year					Total
	2014	2015	2016	2017	2018	
<b>City of Atlanta</b>						
Color	0	0	0	0	0	<b>0</b>
Disability	4	4	2	2	3	<b>15</b>
Familial Status	0	0	1	0	0	<b>1</b>
National Origin	0	1	0	0	1	<b>2</b>
Race	0	0	1	2	1	<b>4</b>
Religion	0	0	0	0	0	<b>0</b>
Retaliation	0	0	0	0	0	<b>0</b>
Sex / Gender	2	0	0	0	1	<b>3</b>
<b>Fulton County</b>						
Color	1	1	0	0	0	<b>2</b>
Disability	10	13	14	4	2	<b>43</b>
Familial Status	2	1	2	0	1	<b>6</b>
National Origin	0	2	3	1	2	<b>8</b>
Race	3	4	10	0	6	<b>23</b>
Religion	0	0	1	0	0	<b>1</b>
Retaliation	0	0	0	0	0	<b>0</b>
Sex	1	0	1	1	2	<b>5</b>

**Data Source:** Metro Fair Housing Services, Inc.

For the complaints reported to Metro Fair Housing, disability was again the most frequently cited basis of discrimination followed by race. In Atlanta, nearly 63% of complainants alleged that they were discriminated against based on their disability or perceived disability. For Fulton County, 57% of cases alleged disability as the basis of housing discrimination. Race was an issue in 17% of Atlanta complaints and 31% of Fulton County complaints.

Metro Fair Housing also reported the type of housing related transaction (i.e., rental, sale, lending, insurance, appraisal) at issue in the complaints it received. The City of Atlanta cases all involved rental housing. In Fulton County, 64 complaints involved rental housing, 2 cases stemmed from for sale housing, and 9 complaints involved alleged discriminatory lending practices.

At the time of response, 15 Atlanta cases had been closed, 2 were resolved between the parties, 2 had been referred to HUD and were still pending, and 1 had been successfully mediated and conciliated by HUD. Regarding the Fulton County complaints, 52 had been closed, 7 resolved through Metro Fair Housing, 4 were still open/pending after a referral to HUD, 5 dismissed by HUD after a no cause determination, and 2 successfully mediated/conciliated by HUD.

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## FAIR HOUSING LAWSUITS AND LITIGATION

For the five-year period 2014 through 2018 several noteworthy lawsuits were found regarding alleged housing discrimination practices in lending in the metro-Atlanta area resulting in federal litigation, a HUD/DOJ negotiated settlement against a housing provider for discriminatory practices, and three lawsuits against local housing authorities.

- *Cobb County, DeKalb County, and Fulton County v. Bank of America Corp.*, Civil Action No. 1:15-cv-04081 (N.D. Ga.); *DeKalb County v. HSBC N. Am. Holdings Inc.*, No. 12-cv-03640 (N.D. Ga.).

Three metro counties filed a lawsuit against Bank of America and its subsidiaries, Countrywide Financial and Merrill Lynch, under the Fair Housing Act seeking damages purportedly caused by mortgage loan discrimination dating back to 2000 and exacerbated by the 2008 financial crisis. The municipalities claim that the defendants steered borrowers into high-cost “subprime” mortgages, stripped borrowers of their equity with high fees and interest charges, which caused tens of thousands of foreclosures in the metro area, resulting in huge economic costs to local governments, including lost tax revenues due to falling property values and the costs of dealing with vacant homes and higher crime in blighted areas. The Counties filed a substantially identical lawsuit in the Northern District against certain HSBC entities.

The Court stayed the cases on May 16, 2017, pending the status of the 11th Circuit’s consideration of controlling issues of law in similar cases filed by the City of Miami against Bank of America and Wells Fargo (No. 14-14543 and No. 14-14544). Portions of the City of Miami’s case went before the U.S. Supreme Court on the issue of whether municipal governments can sue banks for alleged predatory lending practices that violate the Fair Housing Act. In a 5-3 mixed ruling, the Supreme Court said that cities do have standing to sue banks for the harm alleged, but remanded the case for the lower courts to evaluate whether the city’s complaint alleges “some direct relation between the injury asserted and the injurious conduct alleged.” *Bank of America Corp. v. City of Miami*, 137 S. Ct. 1296, 1306 (2017). The 11th Circuit has been petitioned en banc by defendants in the Miami cases to evaluate the proximate-cause connection under the FHA and how much financial harm the city could claim.

As of the writing of this report, the Metro Counties cases are still on hold pending resolution of controlling issues of law in the City of Miami cases.

- *Horne v. Harbour Portfolio VI, LP*, Civil Action No. 1:17-cv-00954, 304 F.Supp.3d 1332 (N.D. Ga. 2018) (order on defendant’s motion to dismiss).

This case arises out of contract for deed (“CFD”) home purchase transactions extended by Harbour Portfolio VI, LP and associated companies to the 17 named Plaintiffs represented by Atlanta Legal Aid. During the fallout of the housing crisis and massive foreclosures, the Harbour Defendants purchased distressed properties from Fannie Mae’s portfolio of “real estate owned” properties. Defendants would mark up the sale price of the homes to four or five times their purchase price, and, under the terms of the CFDs charge interest rates at 9.9% or 10% over a 30-year period. Buyers had the obligation of home repairs, maintenance, property taxes, and homeowner’s insurance without the benefit of accumulating equity because the buyer was purchasing an agreement for the deed rather than buying the deed itself. Plaintiffs claim Harbour misled them with the false impression that they were becoming homeowners

when they signed the CFDs that effectively only made them renters. Each CFD contained a forfeiture clause giving the Harbour Defendants the right, upon default or missed payment, to elect to cancel the contract, keep all amounts paid, and evict the buyer.

Plaintiffs' complaint alleges the Harbour Defendants engaged in reverse redlining (the practice of issuing subprime loans to minority communities), targeted Plaintiffs because of their race with predatory loan products and abusive credit terms, and that Harbour Defendants' actions had a disparate impact on Plaintiffs because they are African-American. The complaint seeks remedies and damages for the Defendants' alleged violations of the Fair Housing Act, the Equal Credit Opportunity Act, the Georgia Fair Housing Act, and truth-in-lending laws among other federal and state law claims.

Plaintiffs rely in large part on statistics to show both that the Harbour Defendants intentionally targeted African-American buyers and that their actions had a disparate impact on African-Americans, citing a University of Texas study that found about 45% of contract for deed purchasers defaulted during a 20-year period and fewer than 20% ever received a deed for the property.

Defendants filed a motion to dismiss the case, however, the district judge ruled that most of the Plaintiffs' claims in the case, including the Fair Housing Act claim, could go forward. Following a settlement conference, the parties reached a confidential settlement agreement and filed a voluntary stipulation of dismissal. The case was terminated on January 7, 2019, with the parties permitted to reopen the case if settlement is not effectuated.

- *Loveless v. Euramex Management Group, LLC*, HUD Case No. 04-13-0855-8 (DOJ settlement Oct. 20, 2017)

Complainant, an African-American male, filed a complaint with HUD after the property manager of the apartment where he resided refused to renew his lease and filed eviction proceedings against him after it was disclosed that decades earlier he had two nonviolent criminal convictions for forgery. The property management company manages 13 different multifamily complexes in the metro-Atlanta area. HUD charged Respondents with engaging in discriminatory housing practices on the basis of race and color, because they refused to rent, or to continue to rent, to applicants or tenants who had been convicted of any felony at any time in their lives which had a disproportionate impact based on race and color. Complainant and the Respondents timely elected to have the case heard in federal district court, and the matter was referred to the U.S. Department of Justice.

On October 20, 2017, the DOJ entered into a settlement agreement resolving the Fair Housing Act claim. The settlement requires the owner and property manager to adopt and implement non-discriminatory procedures for screening tenants and applicants, and to train employees who interact with tenants and applicants on the Fair Housing Act.

- *Boone v. Atlanta Housing Authority*, Civil Action No. 1:16-CV-03713 (N.D. Ga.)

Plaintiff and her two sons became eligible to participate in the City's Housing Choice Voucher Program in 2013, and were initially approved for a two-bedroom unit. Plaintiff then requested and was approved for a three-bedroom unit as a reasonable accommodation for one son who needed his own room due to a disability. At the time of the request, this son was in a private foster care placement, and though Plaintiff



moved into the three-bedroom unit, her son did not and instead continued to reside in foster care. Plaintiff asserts that she made good faith efforts to move her son to Atlanta as soon as was safely practicable. However, failure to report that an authorized resident is not living in the assisted unit is a violation of AHA's voucher and federal regulatory law, and the AHA initiated termination of Plaintiff's housing benefits. Following a hearing at which Plaintiff denied having intentionally violated program rules, the proposed termination was upheld. Plaintiff requested reinstatement of her benefits as a reasonable accommodation of her son's disability, but Defendant AHA denied the request. Plaintiff then filed a FHAA lawsuit alleging the AHA violated the family's housing rights on the basis of disability by terminating the family's participation in the Housing Choice Voucher Program, denying her request for reinstatement as a reasonable accommodation to her son's disability, and not offering an alternative accommodation.

The parties reached a settlement based on the Defendants' agreement to reinstate Plaintiff as a recipient of a Housing Choice (Section 8) Voucher in exchange for the Plaintiff's agreement to repay to Defendant AHA \$750 in additional rent it paid when Plaintiff's son was not living in the unit. Following the Court's approval of the confidential settlement agreement, the Court dismissed the case on July 5, 2017.

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## PAST FAIR HOUSING GOALS AND ACTIVITIES

The City of Atlanta last completed an Analysis of Impediments to Fair Housing Choice in 2013. That AI identified several impediments for the city and recommended remedial actions to address each. The impediments and recommended activities from the 2013 AI are shown in the table that follows, along with progress made toward addressing them over the last five years. Actions included in the table are current as of the City's 2018 CAPER report.

In addition to the activities presented in the table on the following pages, the City of Atlanta highlights the following recent fair housing initiatives:

- Under an ongoing contract with the City, Metro Fair Housing Services, Inc. facilitated two fair housing training sessions entitled "Fair Housing Laws & AFFH - Local Jurisdictional Staff Overview". Two options were provided for City staff, federal grant user departments, all city departments and the federal grant awardees using Go to Webinar virtual format. One session was offered during the National Fair Housing Month 2020 on April 29, 2020 at 1:00 pm to 5:00 pm. The other session was conducted on June 23, 2020 at 1:00 PM- 4:00 PM. Participants included project sponsors, long-term compliance entities, Invest Atlanta, the housing authorities of Atlanta and Fulton County, the City's Section 8 Moderate Rehabilitation Program property owners and their staff, and internally included Public Works, Capital Projects, Constituent Services, the Atlanta Police Department Code Enforcement Division, the Mayor's Office of Immigration Affairs, municipal courts, City Planning's Zoning and Development Office, City Planning's Office of Housing and Community Development, and the staff in the Department of Grants and Community Development.
- The City is currently developing a study of racial inequities in housing. The Department of Grants and Community Development plans to tentatively begin this work the last quarter of 2020 by providing information to expand cultural responsiveness in working with communities of diverse racial and ethnic backgrounds; providing context on systemic inequities disproportionately

affecting communities of color and their correlation with homelessness; beginning dialogues between housing and homeless service providers, educators, policymakers, citizens, researchers, and other stakeholders on racial inequities that link to homelessness and housing; and eliciting action to increase diversity, access and opportunity, and inclusion and reduce implicit bias. DGCD will increase communication using methods such as flyers, websites, surveys, or other materials, coordination with area minority Agencies that are inclusive of underrepresented populations.

- The Office of Housing commissioned the City's first landmark residential parcel survey, known as the Strategic Community Investment (SCI) Report. It consists of a comprehensive overview of observed housing vacancy, parcel conditions and neighborhood analysis of over 200 communities in the City of Atlanta and provides the framework for developing a housing strategy based on data. Nearly every residential property with one to four housing units was observed and documented using teams of workers who canvassed streets in the City of Atlanta. DPCD is providing unprecedented access of the data to government officials, community organizations, businesses, and citizens.
- In early 2018, the City's Office of Housing and Community Development website was updated to include a fair housing landing page. The landing page has now been moved to the DGCD website: <https://www.atlantaga.gov/government/departments/grants-and-community-development/fair-housing>.
- The Mayor's Office of Immigrant Affairs creates a connected and inclusive community on behalf of the City. The office offers iSpeakATL (city-wide interpretation service), which is a free, timely, and efficient language service available to the City's Limited English Proficient (LEP) population. Constituents will be able to receive service in all City buildings and offices, no matter what language they speak.

**TABLE 28. ACTIONS TAKEN TO ADDRESS IMPEDIMENTS IDENTIFIED IN CITY OF ATLANTA AND FULTON COUNTY ANALYSIS OF IMPEDIMENTS TO FAIR HOUSING CHOICE**

Impediment	Goals	Actions Taken Since 2013
<b>City of Atlanta</b>		
<p>1. Lack of compliance with Federal, State, and local fair housing laws within the jurisdiction</p>	<ul style="list-style-type: none"> <li>• Enforce the City’s existing 1977 fair housing ordinance, as amended, 1984 and 2000, providing protections to the seven protected classes covered under federal and state fair housing law and extending additional protections to “domestic relationship status, parental status, sexual orientation, gender identity and age.” ATLANTA GA CODE 94-91 et seq. Take steps to make the local law “substantially equivalent” to the Federal Fair Housing Act, or, in the alternative, repeal the local ordinance and enact and ordinance that is substantially equivalent to the federal fair housing law, as proposed in the 2006 AI.</li> <li>• Develop referral process for Fair Housing Complaints that includes contact information to all private and public enforcement agencies.</li> </ul>	<ul style="list-style-type: none"> <li>• <u>Enforcement</u>: The City of Atlanta continued enforcement of its 1977 fair housing ordinance, providing protections to the seven protected classes covered under federal and state fair housing law and extending additional protections to “domestic relationship status, parental status, sexual orientation, gender identity and age” (Atlanta GA Code §94-91 et seq...).</li> <li>• <u>Substantially Equivalent</u>: In May 2017, Metro hired a legal consultant who began researching the enforceability of the City’s fair housing ordinance (given the timing of the passage of its subsequent revisions in 1984 and 2000 in light of the 1981 passage of the state’s law). A legal opinion was requested from the City Law Department and recommendations were provided to establish appropriate enforcement protocols/training for city entities responsible for intaking and processing complaints as required in the ordinance. A determination of the feasibility of making the ordinance substantially equivalent to the federal Fair Housing Act “on its face” is still under review. Metro has been working with the Mayor’s Office of Constituent Services (OCS)/Human Relations Commission (HRC) which has authority to address complaints under the municipal ordinance. Metro found that the HRC Specialist, in 2017, had established initial protocols and procedures to raise housing complaints to the HRC. Metro will continue working with the HRC to streamline protocols and procedures and develop training module(s) for the HRC on fair housing case law and on finalized protocols.</li> <li>• The City continues to utilize the Mayor’s Office of Constituent Services as its entry point for fair housing complaints. Callers are then referred to the Human Relations Commission (HRC), the Atlanta Housing Authority, the Office of Housing and Community Development, or HUD depending on the nature of the complaint. The HRC has the statutory authority to make recommendations on the resolution of fair housing complaints in the City.</li> </ul>

Impediment	Goals	Actions Taken Since 2013
<p>2. Lack of knowledge of fair housing protections and redress under fair housing laws</p>	<ul style="list-style-type: none"> <li>• Conduct a public relations campaign promoting knowledge of fair housing laws and assistance programs, including, but not limited to, print ads, public service announcements, and community forums.</li> <li>• Provide fair housing training/materials at all housing-related workshops in English and Spanish to address the need for on-going education and outreach to consumers, advocates, and the jurisdiction’s growing, diverse population.</li> <li>• Provide comprehensive fair housing education and training to housing providers and funded grant recipients to foster compliance with federal, state, and local laws.</li> <li>• Provide fair housing training to all relevant City employees. Develop mandatory fair housing training modules and schedules to ensure the education of new employees and re-training/updating of existing employees.</li> <li>• Dedicate a portion of the City’s website to Fair Housing, with homepage links to websites and information about filing fair housing complaints and compliance (federal, state, and local entities).</li> <li>• Continue an online survey to determine the public’s knowledge of fair housing laws, means of redress, and levels of perceived discriminatory practices by providers.</li> <li>• Communicate key aspects of the completed, approved AI document, particularly publicizing the conclusions and action steps to the general public in alternative languages and formats appropriate for persons with disabilities.</li> </ul>	<ul style="list-style-type: none"> <li>• Through its Joint Ventures in Fair Housing contracts with the HCD, Metro conducted 19 workshops and trainings for 403 participants to educate residents on fair housing laws, rights and responsibilities. Of the 19 workshops conducted, nine workshops/outreach activities were conducted for persons with disabilities and LEP. Brochures are provided in both Spanish and English.</li> <li>• Metro provided fair housing training to its grant recipients in March 2018 and it will be offered on an annual basis.</li> <li>• HCD is in contact with Human Resources to develop a fair housing training for all relevant City employees.</li> <li>• Metro conducted 36 housing discrimination tests in the City of Atlanta during the 2018 calendar year. Tests conducted were on the basis of race (18) and familial status (18). Of the 18 tests conducted on the basis of race, nine test or 50% revealed no evidence of differential treatment and were substantially in compliance with the Fair Housing Act. Three tests showed differential and six tests were determined inconclusive and recommended retesting. Of the 18 tests conducted on familial status, 11 tests or 61% revealed no significant differential treatment and were substantially in compliance with the Fair Housing Act; one test indicated significant differential treatment, one test was incomplete due to site construction activity and five tests were inconclusive and recommend further testing.</li> <li>• The HCD website was updated to include a fair housing landing page and the AI. In addition, iSpeakATL which is a city-wide interpretation service was implemented.</li> </ul>

Impediment	Goals	Actions Taken Since 2013
<p>3. Issues affecting persons with disabilities and the homeless</p>	<ul style="list-style-type: none"> <li>• Support and monitor on-going efforts/requirements to comply with Section 504 requirements to increase the quality and quantity of accessible facilities and programs receiving federal funding.</li> <li>• Collaborate with surrounding county jurisdictions and advocates in an effort to eliminate homelessness and increase supportive housing alternatives.</li> <li>• Research, standardize, and reconcile local ordinances and procedures with federal and state laws regarding accessibility in construction, permitting, inspections, code enforcement, etc., of single-family and multi-family housing. Establish comprehensive, mandatory accessibility training and monitoring mechanisms for all relevant City employees.</li> <li>• Continue enforcement of the City’s existing ordinance, ATLANTA GA CODE 8-2182, regarding accessibility requirements, particularly for construction of new single-family dwellings receiving city funds. Update the established system to ensure compliance with all applicable federal, state, and local accessibility laws.</li> </ul>	<ul style="list-style-type: none"> <li>• Metro met with the Office of Buildings and the Office of Housing and Community Development to develop training opportunities on accessibility requirements under federal, state and local laws. The Office of Buildings was made aware of free online webinars available from First Accessibility on two occasions that addressed various technical areas of the federal Fair Housing Act.</li> <li>• A training module was developed early 2018 by Metro and included input from the State ADA Coordinator’s office as well as the State Fire Marshal’s office. This training demonstrated the interconnected federal, state and local accessibility requirements for multi-family housing. Due to scheduling difficulties a training for the Office of Buildings personnel was conducted on April 27, 2018 from 1pm to 5pm with 4 presenters (2 attorneys from Metro, the State ADA Coordinator and the State Fire Marshal).</li> <li>• In June 2013, the Atlanta City Council approved the creation of a new nonprofit entity to manage the continuum of care for homeless services – The Atlanta Continuum of Care (CoC). The CoC is responsible for administering local HUD grants and overseeing the City’s coordinated strategy on homelessness. The Atlanta Homeless Continuum-of-Care unites the various organizations in Atlanta interested in fighting homelessness. The Atlanta CoC follows principles and practices required by HUD in order to receive federal funding. Its activities include recommending funding priorities, drafting policies and standards, setting performance targets, and creating long-term strategic plans. Additionally, the Atlanta CoC hosts training sessions for homelessness service providers to align themselves with criteria for HUD funding. The Atlanta CoC and member organizations operate in a way that minimizes the time a homeless person remains homeless. From 2015 to 2018, the homeless population was reduced by 29%, from 4,317 to 3,076. From 2017 to 2018, there was a reduction of 14%, from 3,572 to 3,076. Chronically homeless individuals are housed through the permanent supportive housing program, and the rapid rehousing program serves those who have only recently become homeless.</li> </ul>

Impediment	Goals	Actions Taken Since 2013
<p>4. Shortage of/ barriers to affordable housing and homeownership</p>	<ul style="list-style-type: none"> <li>• Require and monitor affirmative marketing plans for all affordable housing providers.</li> <li>• Support and fund down payment assistance and closing cost assistance mechanisms for residents.</li> <li>• Establish definitive, quantitative goals for increasing the number of affordable housing units in the City.</li> <li>• Identify funding for the demolition of abandoned/blighted properties. Utilize “in rem” authority to remove strategically abandoned/neglected properties. To the extent allowable by law, aggressively enforce the vacant property registry requirements, fining owners who fail to register.</li> <li>• Determine the feasibility of funding the remainder of the original \$70 million Housing Opportunity Fund commitment. Target funding for redevelopment of neighborhoods impacted by the foreclosure crisis, transit-oriented development (TOD) housing investments and preservation of at-risk affordable housing.</li> <li>• Research and implement measures to reduce housing costs that impact housing affordability for renters and homeowners (i.e., providing incentives for low-flow fixtures).</li> <li>• Establish Inclusionary Housing Policy with zoning and funding mechanisms to encourage the development of affordable housing in high opportunity areas.</li> </ul>	<ul style="list-style-type: none"> <li>• DGCD includes language in all of its relevant contracts that require developers and subrecipients to submit an affirmative fair housing marketing plan. DGCD also continues to monitor fair housing compliance during its annual monitoring.</li> <li>• DGCD funded down payment assistance and closing cost assistance for 26 new homeowners through its contract with the Atlanta Affordable Housing Opportunity Program, Habitat Atlanta and other entities in 2018. The AAHOP program is ongoing.</li> <li>• In June 2019, the City of Atlanta adopted the <i>One Atlanta Housing Affordability Action Plan</i>, which established a goal of creating or preserving 20,000 affordable homes by 2026. Additionally, the City’s Consolidated Plan for 2015-2019 established definitive, quantitative goals for increasing the number of affordable housing units in the City using HUD grant funds.</li> <li>• The City’s Code Enforcement Office has continued to aggressively respond to issues of blight and vacancy. In Rem activity for FY19 included the demolition of 20 properties, 17 properties awarded for demolition and 68 demolition projects identified and pending. demolition activity included several large, multi-family structures in priority areas where concentrations of blight are above 30% residential and commercial parcels.</li> <li>• The Housing Opportunity Bond was authorized in 2007 to provide \$75 million in financial resources to support the creation and preservation of affordable housing in the City of Atlanta through the issuance of bonds. In 2007, the City authorized a \$35 million bond issuance, and in 2017 the City authorized the remaining \$40 million bond issuance. Invest Atlanta is responsible for issuing the bonds and carrying out the affordable housing activities. The City guarantees payment of the debt service and authorizes changes in the budget allocations for categories of activities. To date, the City has committed/closed on 1,638 units across all program uses. In 2018, the City passed legislation (18-O-1691) to reallocate \$3 million in FY2017 Housing Opportunity Bond Program funds to be used for owner-occupied rehabilitation loans and additional workforce rental units.</li> </ul>

Impediment	Goals	Actions Taken Since 2013
		<ul style="list-style-type: none"> <li>• The City’s Department of Watershed Management manages the Care &amp; Conserve program. This program helps residents prevent future high water bills by providing assistance with plumbing problems and with the installation of water efficiency devices. This benefits all customers by helping to reduce the burden of outstanding debt on the system and by reducing the costs of water for low-income residents.</li> <li>• DCP hosts a working group with the City Council, Atlanta Housing, Invest Atlanta, the City’s Law Department, Enterprise Community Partners, and other stakeholders to develop, evaluate, and enhance an inclusionary housing policy for the BeltLine Overlay District and the Westside neighborhoods of English Avenue, Ashview Heights, Vine City, and the Atlanta University Center. The Atlanta BeltLine is a former railway corridor around the core of Atlanta that is under development in stages as a multi-use trail. It has been a source of gentrification in the City, making it an ideal place to begin inclusionary housing policy. Additionally, the Westside neighborhoods have experienced significant investment in the form of revitalization efforts like University Choice Neighborhoods and the reconstruction of the Mercedes Benz Stadium. The Affordable Workforce Housing BeltLine and Westside Inclusionary Zoning ordinance went into effect January 28, 2018. To date, the ordinance has applied to roughly 82 units of affordable housing.</li> </ul>
5. Concentrations of vacant and abandoned residential properties	<ul style="list-style-type: none"> <li>• Develop a plan to reduce the number of vacant and abandoned residential properties within the jurisdiction.</li> </ul>	<ul style="list-style-type: none"> <li>• In 2018, the Atlanta Police Department-Code Enforcement Section expended \$2,519,386.29 on the demolition of 78 blighted structures. This is done through the Administrative In Rem process. This process also allows the City to clean and close a property rather than demolish. In 2018, Code Enforcement cleaned and closed 23 properties and expended \$186,081.53 on this process. Code Enforcement has implemented proactive enforcement in neighborhoods with the highest number of Open and Vacant properties, including Pittsburgh, Vine City, English Avenue, Ashview Heights, and the Atlanta University Center neighborhoods. This includes sweeps of streets or entire blocks, in coordination with other city departments and Zone Quality of Life Officers. Code Enforcement has partnered with the Atlanta Housing Authority who have committed \$350,000 for the demolition of blighted structures through their University</li> </ul>

Impediment	Goals	Actions Taken Since 2013
6. Fair and equal lending disparities	<ul style="list-style-type: none"> <li>Educate residents through first-time homebuyer and other workshops on the identification of predatory lending practices, foreclosure and modification scams, mortgage fraud, etc. and where to receive assistance if victimized by predatory lending/ fraudulent practices.</li> <li>Continue to evolve and require affirmative marketing efforts to reach additional residents in various languages.</li> <li>Initiate and support mass media campaigns promoting fair lending, including but not limited to print ads, public service announcements, and community forums on cable TV and the City's website.</li> </ul>	<p>Choice Neighborhoods Program. Four structures were demolished in 2018 through this program. The City also executed a new contract in 2018 which will incorporate demolition and asbestos abatement into one contract, performed by the same Citywide contractor. This will be cost-effective and time-effective for the City.</p> <ul style="list-style-type: none"> <li>Metro is educating residents through its workshops on the identification of predatory lending practices, foreclosure and modification scams, and mortgage fraud and where to receive assistance if victimized by predatory lending/fraudulent practices. All nineteen workshops conducted by Metro with City funds in 2018 addressed this topic. Print collateral that is handed out at these workshops address these topics specifically. All homebuyers receiving downpayment and closing cost assistance from the HCD are required to participate in HUD-certified homebuyer education counseling in which these topics are also discussed.</li> <li>DGCD formerly HCD worked with the Office of Immigrant Affairs to evolve its affirmative marketing efforts to reach additional residents in various languages including a recent PSA campaign that will be launched in early 2019.</li> <li>DGCD will continue to work with Metro Fair Housing and the Mayor's Office to create a media campaign promoting fair lending.</li> </ul>
<b>Fulton County</b>		
1. Lack of knowledge about fair housing laws and resources.	<ul style="list-style-type: none"> <li>Continue to provide information on tenant/landlord laws to the general public during the Housing Information Sessions.</li> <li>Continue to distribute fair housing material including HUD's "It's Your Right" pamphlets, and federal fair housing brochures during the County's informational Housing Sessions.</li> <li>Continue to fund a Community Development Project Manager position based on funding availability to provide counselor-to-client</li> </ul>	<ul style="list-style-type: none"> <li>The County awards funding annually to Metro Fair Housing Services, Inc to support its community wide fair housing efforts. As the county's sub-recipient, Metro Fair Housing provides fair housing educational outreach including training for individuals, real estate professional, housing providers, and organizations under Title VII of the Fair Housing Act along with Georgia Fair Housing Laws as well as Georgia Landlord-Tenant Laws. Metro Fair Housing also provides complaint investigation and conducts systemic and complaint-based testing. Complaints are filed with HUD and/or Georgia Equal Opportunity Office. In PY2019, Metro Fair Housing Services provided fair housing services to 233 Fulton County residents.</li> </ul>



Impediment	Goals	Actions Taken Since 2013
	<p>assistance to address unique financial and housing issues to achieve a housing goal.</p> <ul style="list-style-type: none"> <li>• Continue providing the Southeast Energy Assistance (SEA) weatherization assistance information during housing information sessions and ensure that the flyers are available.</li> <li>• Continue to make available the FDIC brochure entitled “Beware of Foreclosure Rescue and Loan Modification Scams” and the FDIC Foreclosure Prevention Website (<a href="http://www.fdic.gov/consumers/loans/prevention">www.fdic.gov/consumers/loans/prevention</a>).</li> <li>• Continue working with Metro Fair Housing Services to provide fair housing services and promoting fair housing based on funding capacity.</li> <li>• Expand educational activities for Fulton citizens in order to educate prospective borrowers to recognize predatory lending practices.</li> </ul>	<ul style="list-style-type: none"> <li>• The County employs a full-time Community Development Specialist to provide one-on-one housing counseling for citizens. The Community Development Specialist assists clients with reaching specific housing goals, including credit repair, home purchase, locating resources for down payments, addressing rental disputes, understanding fair housing laws and predatory lending practices, avoiding foreclosure, finding accessible units, and other financial assistance.</li> <li>• The County makes fair housing literature available to the public, including HUD “It’s Your Right” pamphlets and FDIC Consumer News</li> <li>• The County partners with Atlanta Legal Aid to provide legal assistance and scam prevention information.</li> <li>• County staff attended the Fair Housing and Civil Rights Conference sponsored by Metro Fair Housing Services and the Georgia Commission on Equal Opportunity in 2017. The conference helps attendees to understand their rights and responsibilities under Title VII of the Fair Housing Act.</li> <li>• The HOME program monitors Affirmative Marketing Plans developed by HOME recipients to ensure full compliance with the County’s affirmative marketing goals.</li> <li>• The County provides service information and makes referrals to the Center for Pan Asian Community Services and the Friends of Disabled Adults and Children (FODAC).</li> <li>• The Fulton County Office of Diversity and Civil Rights Compliance provides trainings, certifications, workshops and monitoring to assist the organizations with adhering to Fair Housing Compliance.</li> <li>• Fair Housing Training Workshops were held in March 2015 and April 2016 to inform Fulton County residents of housing law and housing programs in the county. Participants were able to obtain information in alternative format, e.g. languages other than English, by request.</li> <li>• The Housing Authority of Fulton County, a Fulton County agency, hosted a national fair housing event in April 2017. The HAFC also comments on fair housing action plans created by the county, and conducts other fair housing</li> </ul>

Impediment	Goals	Actions Taken Since 2013
		activities including affirmative marketing with bilingual information, and workshops with residents.
2. People with disabilities have difficulty finding suitable and accessible housing.	<ul style="list-style-type: none"> <li>• Continue using Friends of Disabled Adults and Children (FODAC) as an information and referral agency providing Fulton County’s Housing and Human Service information and advertisement of public notices and meetings.</li> <li>• Continue participating in the forums and/or meetings sponsored by Money Follows the Person a Medicaid Program.</li> <li>• Continue to participate in any Fulton County Government celebration of Americans with Disabilities Act/Disability Awareness Month.</li> <li>• The Housing Authority of Fulton County will continue utilizing GoSection8.com to provide more affordable housing choices for its program participants.</li> <li>• The Fulton County Housing Authority will continue to encourage property owners and managers, and private landlords to utilize the Georgia Department of Community Affairs sponsored by GeorgiaHousingSearch.org.</li> <li>• Understand and make clear that recommendations concerning fair housing are, by their nature, recommendations concerning the racial and social integration of Fulton County, including persons with disabilities.</li> </ul>	<ul style="list-style-type: none"> <li>• Through its full-time staff person, the county assists clients with disabilities with finding accessible units.</li> <li>• The County makes referrals to Friends of Disabled Adults and Children (FODAC), an organization that provides low-cost medical equipment to persons with disabilities.</li> </ul>

Impediment	Goals	Actions Taken Since 2013
<p>3. In the realm of zoning, implement mandatory set-asides for low-income housing throughout the County.</p> <p>Because many African American and Hispanic households also fall into category of low-income, such a zoning change would have the double effect of promoting affordable housing and integrated communities.</p>	<ul style="list-style-type: none"> <li>• Limit development and renovation of subsidized housing to census tracts with a minority population of less than 30 percent.</li> <li>• Create tax incentives to encourage the rental, under the Housing Choice Voucher Programs, of properties that are located in census tracts with a minority population of less than 30 percent.</li> <li>• Work with the state Attorney General to create a legal mechanism to target “reverse redlining.”</li> <li>• Establish a county-level fair housing ordinance that mirrors those in effect at the state and federal levels.</li> <li>• Establish a mechanism that insures that any builder receiving a certificate of occupancy for new construction of multi-unit apartments constructs facilities that conform to the HUD design and construction requirements for persons with disabilities.</li> </ul>	<ul style="list-style-type: none"> <li>• In compliance with federal regulation, each HOME-funded rental project sets aside units for persons with physical and visual challenges.</li> </ul>

# CHAPTER 10.

## IDENTIFICATION OF IMPEDIMENTS

Described below are the fair housing impediments identified in this Analysis of Impediments, along with associated contributing factors. Contributing factors are issues leading to an impediment that are likely to limit or deny fair housing choice or access to opportunity. Recommended activities to address the contributing factors are contained within a table in this section. As local government entities, there are limitations in what Atlanta and Fulton County are able to do to actually correct the named impediments. In some cases, and particularly when a private-sector actor (such as a developer or landlord or mortgage lender) is involved, the jurisdictions' roles may be primarily in the realm of advocacy and convening, yet in other cases (such as zoning code amendments or investment decisions regarding public funds), Atlanta and Fulton County are able to take significant and direct action themselves. Each jurisdiction annually prepares a Consolidated Annual Performance Evaluation Report (CAPER) that serves as an opportunity for the City and County to evaluate progress toward the recommended activities contained in this section.

In the spirit of their collaboration on this joint Analysis of Impediments report, the City and Fulton County will coordinate quarterly fair housing assessment check-in meetings. These quarterly discussions will cover, but not be limited to, best practices; shared operational protocols; examining performance impacts and benefits; evaluating data, metrics, methods, and tools; and seeking ways to be flexible in creating a broader approach for partnership in the future.

### **Impediment 1: Affordable Housing Options are Limited in Areas of Opportunity**

The geographic distribution of neighborhood opportunity, as indicated in this analysis by measures such as school proficiency, labor market participation, transit access, and poverty rates, is uneven across both the City of Atlanta and Fulton County. Residents in north Fulton County and in the Buckhead and West Paces Ferry areas of Atlanta live in neighborhoods with sharply better access to high-performing schools, low poverty rates, and high rates of labor market participation. These are also areas with some of the region's most expensive housing. As a result, low- and moderate-income households (who, in the Atlanta region, are disproportionately minority households) have diminished access to some important types of neighborhood-based opportunity. Over 28% of Black households in Atlanta are severely cost burdened, that is, spend 50% or more of their incomes on housing expenses. The rate of severe cost burdening among white households in Atlanta is half this rate. In Fulton County, the disparity in severe cost burdens is even greater. While 25% of Hispanic households and 23% of Black households in the county are severely cost burdened, the issue affects less than 10% of white households. Thus, the lack of affordable housing options in areas of opportunity not only keeps away low-income households, it effectively limits racial and ethnic diversity in these areas as well. High levels of racial and ethnic segregation in Atlanta and Fulton County confirm this effect.

Fulton County's jurisdiction is carved up into over a dozen incorporated communities, each with separate zoning and land use regulations. This leads to what is frequently a fragmented approach to affordable housing across the county. Some communities are more permissive and others more restrictive. In unincorporated Fulton County, zoning regulations limit the ability to develop homes of modest size in

many areas, limit density, infill development, and conversion of large single-family homes to multi-unit housing types. In general, Atlanta’s zoning code is more permissive toward small lots and diverse housing types, but typical single-family zoning district regulations such as setbacks, lot coverage maximums, and height restrictions remain pervasive.

Efforts to incorporate affordable housing into some of the region’s areas of opportunity where existing housing prices are high are frequently met with a variety of forms of resistance. Many members of the public who provided input into this report described extreme difficulty using Housing Choice Vouchers in the region’s high opportunity areas. Many times this difficulty was related to multifamily rental housing being a small share of these markets or to the higher cost of housing in these areas leaving an affordability gap that even a voucher may not be able to cover, but also was due to landlords refusing to rent to tenants using a voucher. Atlanta’s City Council passed an ordinance in February 2020 to add source of income as a protected class under the City’s fair housing law. This ordinance is intended to prevent landlords from refusing to accept tenants who will use a voucher as all or part of their rent payment. The City and legal counsel are determining appropriate approaches in how to proceed with the ordinance. Additionally, the City expects to kick off a “Don’t Discrimin8” campaign in 2020-2021 that will include press releases, social media posts, and coordination with existing nonprofit organizations to counter discrimination against Section 8 voucher holders.

In 2020, the Fulton County Department of Community Development began a process of collaborating with housing authorities throughout the county – including the Housing Authority of Fulton County, Roswell Housing Authority, Palmetto and Union City Housing Authorities, East Point and Fairburn Housing Authorities, and College Park Housing Authority – to better coordinate affordable housing access, including access to Housing Choice Vouchers, for low-income and homeless households in Fulton County. One goal of this improved coordination is to expand geographic options for individuals and families with housing subsidies, enabling them to live in areas throughout Fulton County.

Finally, City of Atlanta’s staff are expected to participate in the annual training sessions and comment periods on the Qualified Allocation Plan (QAP) released by the Georgia Department of Community Affairs in order to identify opportunities for City policies or actions that may positively impact the competitiveness of developers’ and nonprofits’ applications. Fulton County staff will also review draft and final QAPs released by DCA and, as necessary, provide input on encouraging LIHTC development in areas of opportunity.

## **Impediment 2: Loss of Affordable Housing, Lack of Increase in Affordable Housing Supply, and Displacement of Residents**

A primary barrier to fair housing in the City of Atlanta and Fulton County is the combination of the continued loss of affordable housing units and a lack of increase in supply of affordable housing units. These trends, combined with increases in population in the city and county, have led to increases in housing costs and displacement of residents, particularly in City of Atlanta neighborhoods surrounding the Atlanta BeltLine. A high proportion of renters in the city and county are cost-burdened, paying more than 30% of income on rent, and rising housing prices will likely result in an increase in cost-burdened renters. While housing supply has increased in recent years, almost all new development of multifamily rental housing in the Atlanta metro has been of high-end, luxury apartments. Aggressive investors may also contribute to displacement of long-time residents by targeting residents with below-market offers.

Residents and stakeholders interviewed as part of this planning process described a particular need for affordable housing accessible to transit, particularly for populations with special needs, such as people with disabilities and people living with HIV/AIDs; more diverse housing options, such as accessory dwelling units and other ‘missing middle’ housing; and for programs to support residents in remaining in their homes, such as rehab and repair programs or programs to reduce property tax burdens for homeowners in neighborhoods experiencing gentrification. To support housing affordability and minimize displacement, the City and County will need to implement strategies to increase the supply of affordable housing, reduce the loss of affordable housing units, and minimize displacement of neighborhood residents.

### **Impediment 3: Continued Need for Investment in Neighborhoods and Human Capital in Areas with High Racial and Ethnic Concentrations of Poverty**

Another impediment to fair housing in the city and county is the combined concentrations of poverty and low levels of economic mobility in south and west Atlanta and south Fulton County. High levels of segregation by race and income have persisted in the city and county over time, and several racially and ethnically concentrated areas of poverty (RECAPs) exist in the southern portions of Atlanta and Fulton County. Opportunity Index data in Chapter 5 points to gaps in labor market engagement (a HUD-defined index based on labor force participation, educational attainment, and employment) and school proficiency between white, Black, Asian, and Latino residents in Atlanta and Fulton County, with Black, Asian, and Latino residents generally living in areas with lower levels of labor market engagement and school proficiency, primarily in the southern portions of Atlanta and Fulton County. These areas of the city and county also have the highest levels of food insecurity.

Residents and stakeholders interviewed as part of this planning process indicated a high level of need for programs to increase economic mobility, including job training, employment and service navigation, and transportation and childcare services. To address these concerns, there is a need to concentrate investments focused on economic mobility in RECAPs, including workforce development and associated facilities and services, improvements to public facilities, job creation, and efforts to improve school quality and food security. The City is currently developing a study of racial inequities in housing which may be helpful in guiding future investments in this area.

### **Impediment 4: Need for Fair Housing Education and Enforcement**

Atlanta and Fulton County share a need for expanded fair housing education to the general public, as well as the enforcement of fair housing laws. Of the respondents to the survey, less than half stated that they understood their fair housing rights and only 40% said they knew where to file a housing discrimination complaint. Nearly one in seven survey respondents stated that they had experienced housing discrimination since living in Atlanta or Fulton County. More than half of these (58%) felt that they had been discriminated against by a landlord, while others identified the source of discrimination as a mortgage lender (26%), a real estate agent (19%), or a city/county staff person (16%). Most survey participants who experienced discrimination stated that they did not file a report (93%). The majority (65%) stated that they did not file a report because they “did not know what good it would do.”

Participants in community meetings and the public survey shared their experiences of housing discrimination, particularly based on race, familial status and national origin. Stakeholders speaking on

racial discrimination noted that rental housing and mortgages might not be offered equally to Black applicants due to race. Stakeholders reported steering by real estate agents, who would show black families homes in different areas than white families. Stakeholders also reported that even under generally equal financial circumstances, a white family has a better chance of obtaining a home than a black family.

A focus group of Hispanic participants also identified several instances of direct discrimination, such as being told there were no vacancies in a complex which had available apartments. Members of the focus group also noted that landlords would accuse their children of vandalism, graffiti and other behaviors without proof and threatened to evict the families. They stated that some families might not disclose the true number of members in the household in order to acquire a unit they could afford. Due to limited housing options for low-income families, many families shared that landlords would take advantage of them. Members of the focus group shared that they were sometimes afraid to request repairs in their apartments.

Several focus groups discussed discrimination based on sexual orientation, gender identity and HIV status. Stakeholders noted that landlords would lodge members of the trans community or gay men at the same site, rather than providing housing options. Residents living with HIV/AIDS reported living in housing with bug infestations and other dilapidation. Furthermore, if an individual's HIV status were discovered, they reported experiencing additional discrimination, such as cleaning services that would no longer come to the TBRA unit, or the applicant might be told that an apartment was no longer be available.

#### **Impediment 5: Insufficient Housing for People with Disabilities near Transit and Opportunities**

Housing that is accessible and available for people with disabilities is in short supply, particularly in neighborhoods served by transit and with other amenities such as retail, healthcare services, and walkability. In the survey conducted as part of this analysis, 59% of respondents named housing for people with disabilities as a "high need" and 53% described the lack of housing options for this population as a barrier to fair housing in the region. Searches for accessible rental housing using various internet search tools revealed few properties with accessible units to serve this population and many of the existing accessible units have waiting lists. Compounding this lack of units are provisions of local zoning codes that have the effect of making the siting of new housing for this population more challenging.

In Atlanta, supportive housing for people with disabilities and also residential rehabilitation centers for substance abuse recovery or support for those with mental, psychological, or occupational rehabilitation needs that otherwise meet the zoning code's definition of "family" (i.e. for 6 or fewer unrelated persons) should be permitted equally with other single-family housing. However, in most of the City's residential districts and subareas, these uses require a special use permit or are excluded outright regardless of whether the home houses 6 or fewer unrelated residents. These requirements impose additional burdens on housing for persons with disabilities living together in small, family-like settings that are not imposed on groups of non-disabled residents living together in the same numbers.

Both Atlanta and Fulton County have opportunities to update or clarify language in their respective zoning ordinances related to how families are defined. Rather than specifying the types of allowable relationships (e.g. blood, marriage, adoption) more progressive zoning models define single family in terms of a "functional family" or "single housekeeping unit" sharing common space, meals, and household

responsibilities, and/or leave maximum occupancy per dwelling as a matter of safety regulated by the building code rather than the zoning regulations. Additionally, neither the City nor the County offer a reasonable accommodation provision in their ordinances. Such a provision would outline a simplified administrative process for the granting of a reasonable accommodation rather than the current variance or SUP procedures which subject the applicant to the public hearing process where there is the potential that community opposition based on stereotypical assumptions about people with disabilities may impact the outcome.

### **Impediment 6: Need for Programs and Resources Accessible to People with Limited English Proficiency**

Immigrant and refugee populations with limited English language proficiency (LEP) face many of the same housing challenges as the general population, but the language barrier can add an additional obstacle to accessing housing. For example, there are many programs available to assist low- and moderate-income households with downpayment assistance, homebuyer counseling, code enforcement, eviction prevention, voucher-based rental assistance, and others. When residents compete for these scarce resources, LEP residents often find themselves at a disadvantage, unable to timely or accurately complete application forms, complete interviews, and participate in case management. The City and County should lead the way by enhancing multi-lingual communication in culturally competent ways. A focus group with Spanish-speaking families in Atlanta revealed that Spanish language radio would be a far more effective tool to reach the Hispanic community with information than announcements published in Spanish language newspapers. Other public agencies, grant subrecipients, and project sponsors should also be encouraged to make substantial efforts to minimize language and cultural barriers for LEP residents in need of their services.

### **Impediment 7: Limited Access to Homeownership for Minorities**

Many households desire homeownership as a housing option in order to build equity and increase stability. However, homeownership rates and data regarding home mortgage applications indicate that there exist significantly more barriers to purchasing a home for African American, Latino and other race households than for white households in both Atlanta and Fulton County. In the city of Atlanta, about 60% of white households own their homes, while homeownership rates for all other racial and ethnic groups (including Black, Hispanic, Asian, Native American, and other race households) are in the 30% range. In Fulton County outside of Atlanta, 78% of white households are homeowners. While the disparity is not as marked as in Atlanta, gaps persist: about 56% of African Americans own their homes, as do 46% of Latinos.

While many factors such as income, wealth, and credit history impact homeownership, data examined in this report provide evidence that white households are both more likely to apply for mortgages, more likely to complete their mortgage applications, and more likely to see their applications approved than other racial and ethnic groups. Home Mortgage Disclosure Act data shows that African American loan applicants are 2.5 times as likely to be denied a loan. Even among middle and high income applicants, racial disparities exist in loan access.

The City and County can address these disparities using a variety of approaches. The City, County, and their partners (including Invest Atlanta, the Urban Residential Finance Authority, and others) currently



operate a variety of programs to assist first time buyers with the homebuying process and with downpayments, mortgage assistance, as well as programs designed to help existing homeowners remain in their homes. In addition to working with existing and prospective homebuyers, the City and County can conduct outreach to lenders, encourage them to collaborate in achieving the City's and County's goals for affirmatively furthering fair housing, or consider implementing a more formal responsible lending program.

**TABLE 29. FAIR HOUSING GOALS AND ACTIVITIES**

Contributing Factors	Recommended Activities	Responsible Parties and Partners
<b>Impediment #1: Affordable Housing Options are Limited in Areas of Opportunity</b>		
<p>New affordable housing development programs lack a coordinated equity-based approach to siting decisions</p>	<ul style="list-style-type: none"> <li>• Atlanta and Fulton County should each explore the creation of an evaluation tool that could be used to review development and policy decisions to maximize equitable outcomes (e.g. the King County Housing Development Consortium’s Racial Equity Impact Tool). (Q3, 2021)</li> <li>• To help ensure a regionally cohesive approach to furthering housing opportunities in high-opportunity areas, Atlanta and Fulton County should annually review and provide comment on the Annual Action Plans and annual PHA Plans of other jurisdictions within the region (to include one another and also Cherokee, Clayton, Cobb, DeKalb, Gwinnett, and Henry counties, and the cities of Roswell and Sandy Springs. (Ongoing, beginning Q3, 2020)</li> <li>• Fulton County should explore the development of a comprehensive affordable housing plan by partnering with Atlanta and its other incorporated municipalities to account for affordable housing needs and distribution goals across the county, pulling the strategies used in individual municipalities together into a coherent plan. (Q3, 2021)</li> <li>• Atlanta and Fulton County should using CDBG and HOME funds to increase and maintain the availability of high-quality, affordable rental and for-sale housing through construction and/or rehabilitation. By 2024, the City of Atlanta anticipates constructing or rehabbing 550 housing units. Fulton County anticipates investing \$650,000 in HOME funds for development of affordable housing by a local CHDO. (Ongoing, beginning Q3, 2020)</li> <li>• Review the Qualified Allocation Plan issued annually by Georgia Department of Community Affairs under its Low Income Housing Tax Credit (LIHTC) program to identify local government policies or actions that may positively impact the competitiveness of developers’ applications. (Annually, beginning Q1, 2021)</li> <li>• For developers proposing LIHTC projects in areas with access to key community resources/opportunity factors or areas experiencing a loss of affordable rental units, work with them to increase the competitiveness of their applications through letters of support, provision of data and information, gap financing, and other assistance. (Ongoing, beginning Q1 2021)</li> <li>• New affordable housing development, whether with CDBG or HOME funds or private-sector LIHTC developers, should be given additional consideration when it will be located in an area that increases access to opportunity for low-income households. (Ongoing, beginning Q3, 2020)</li> <li>• Taking advantage of the City’s permissive codes relative to ADUs, develop and fund a program that would provide homeowners in high-opportunity areas low-interest loans to finance construction of ADUs on their property in exchange for a commitment to affordability restrictions on the new ADU. (Q4, 2020)</li> </ul>	<ul style="list-style-type: none"> <li>• City of Atlanta Department of Grants &amp; Community Development</li> <li>• Fulton County Department of Community Development</li> </ul>

**TABLE 29. FAIR HOUSING GOALS AND ACTIVITIES (CONTINUED)**

Contributing Factors	Recommended Activities	Responsible Parties and Partners
<b>Impediment #1 (Continued): Affordable Housing Options are Limited in Areas of Opportunity</b>		
<p>Exclusionary zoning and “not in my backyard” attitudes preclude affordable housing development in some opportunity-rich areas</p>	<ul style="list-style-type: none"> <li>• Atlanta is in the beginning stages of a major re-write of its zoning code. A copy of zoning analysis matrix completed for this report (found in the appendix) should be furnished to the City and consultant staff leading that project for consideration among the City’s other planned code revisions. The proposed changes include the following (Q4, 2020):               <ul style="list-style-type: none"> <li>○ Adopt means to allow more flexibility in density and affordable housing development by providing alternatives to large lot sizes such as cluster developments, density blending, and transfer of development rights.</li> <li>○ Expand the City’s current inclusionary zoning policies to apply citywide and to rental as well as for-sale units.</li> </ul> </li> <li>• Fulton County should consider the following zoning code amendments (Q4, 2020):               <ul style="list-style-type: none"> <li>○ Adopt means to allow more flexibility in density and affordable housing development by providing alternatives to large lot sizes such as cluster developments, density blending, and transfer of development rights.</li> <li>○ Permit or incentivize conversion of large single-family dwellings in high-opportunity areas to 2-family, 3-family, or multifamily dwellings compatible in scale with existing single-family dwellings.</li> <li>○ Reinststitute an inclusionary zoning similar to the one the County had in place from 2007-2009.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• City of Atlanta Department of Grants &amp; Community Development</li> <li>• Fulton County Department of Community Development and Fulton County Department of Public Works</li> </ul>
<p>The utility of Housing Choice Vouchers is constrained by landlords who refuse them and very high housing costs in some communities</p>	<ul style="list-style-type: none"> <li>• Atlanta Housing should continue its ongoing campaign to reach and recruit new landlords into the HCV program; Atlanta, Fulton County and their PHA and CoC partners should coordinate with Atlanta Housing on a complementary campaign targeted to other forms of subsidized private market-based housing programs (such as TBRA, supportive housing, and HOPWA master lease programs). (Ongoing, beginning Q3, 2020)</li> <li>• Atlanta Housing should continue to use sub-market payment standards, in lieu of the Small Area FMR based on ZIP Codes, to increase the affordability of existing rental units in high opportunity areas. (Ongoing, beginning Q3, 2020)</li> </ul>	<ul style="list-style-type: none"> <li>• City of Atlanta Department of Grants &amp; Community Development</li> <li>• Fulton County Department of Community Development Atlanta Housing</li> <li>• Atlanta CoC</li> <li>• Fulton County CoC</li> </ul>

**TABLE 29. FAIR HOUSING GOALS AND ACTIVITIES (CONTINUED)**

Contributing Factors	Recommended Activities	Responsible Parties and Partners
<b>Impediment #2: Loss of Affordable Housing, Lack of Increase in Affordable Housing Supply, and Displacement of Residents</b>		
<p>There is a lack of increase in supply of affordable housing. New multifamily development is primarily luxury and higher cost.</p>	<ul style="list-style-type: none"> <li>• The City of Atlanta should implement strategies contained in the ONE Atlanta Housing Affordability Action Plan focused on increasing supply of affordable housing with a goal of constructing 45 affordable rental and/or for-sale housing units by 2024. (Ongoing, beginning Q3, 2020)</li> <li>• The City of Atlanta should implement citywide mandatory inclusionary zoning policy in the City of Atlanta. (Ongoing, beginning Q4, 2020)</li> <li>• The City of Atlanta should expand inclusionary zoning to cover for-sale housing. (Ongoing, beginning Q4, 2020)</li> <li>• The City of Atlanta should expand the Housing Opportunity Bond program. (Ongoing, beginning Q1, 2021)</li> <li>• The City of Atlanta should utilize the Funder’s Collective to increase private and philanthropic investment in affordable housing. (Ongoing, beginning Q3, 2020)</li> <li>• Fulton County and the City of Atlanta should examine city and county zoning codes and other policies for opportunities to further incentivize and support the development of ‘missing middle’ housing and accessory dwelling units. (Ongoing, beginning Q3, 2020)</li> <li>• Fulton County and the City of Atlanta should develop policies or increase code enforcement efforts focused on maintaining standards in deteriorating properties and discouraging investors from buying and holding vacant or abandoned properties. The City of Atlanta should increase its bilingual staff and further train staff on working with foreign-born residents, residents with limited English proficiency, and the use of a language access line. (Ongoing, beginning Q4, 2020)</li> <li>• Fulton County and the City of Atlanta should incentivize development of affordable housing near transit. (Ongoing, beginning Q3, 2020)</li> <li>• Fulton County and the City of Atlanta should evaluate use of CDBG and HOME funds to support production and preservation of affordable housing. (Ongoing, beginning Q4, 2020)</li> <li>• Fulton County should work with individual cities to review zoning codes to support the development of ‘missing middle’ housing and accessory dwelling units. (Ongoing, beginning Q4, 2020)</li> </ul>	<ul style="list-style-type: none"> <li>• City of Atlanta Department of Grants &amp; Community Development</li> <li>• Fulton County Department of Community Development</li> </ul>

**TABLE 29. FAIR HOUSING GOALS AND ACTIVITIES (CONTINUED)**

Contributing Factors	Recommended Activities	Responsible Parties and Partners
<b>Impediment #2 (Continued): Loss of Affordable Housing, Lack of Increase in Affordable Housing Supply, and Displacement of Residents</b>		
<p>The City and County have experienced a loss of affordable housing units.</p>	<ul style="list-style-type: none"> <li>• The City of Atlanta should implement strategies contained in the ONE Atlanta Housing Affordability Action Plan focused on preservation of affordable housing units by rehabilitating 500 housing units by 2024. (Ongoing, beginning Q3, 2020)</li> <li>• Fulton County and the City of Atlanta should consider ways to prevent the sale and upscaling or conversion of naturally-occurring affordable rental housing, such as tax abatements, water bill abatement, or other incentives. (Ongoing, beginning Q2, 2021)</li> <li>• Fulton County and the City of Atlanta should coordinate with the Atlanta Land Trust and the Fulton County/City of Atlanta Land Bank Authority to encourage increased development of permanently affordable housing. (Ongoing, beginning Q3, 2020)</li> </ul>	<ul style="list-style-type: none"> <li>• City of Atlanta Department of Grants &amp; Community Development</li> <li>• Fulton County Department of Community Development</li> </ul>
<p>Residents who cannot afford increases in housing costs are increasingly being displaced from their neighborhoods. Residents may also be unable to move into previously affordable neighborhoods due to high housing costs (exclusionary displacement).</p> <p>Investors target long-time residents, and seniors in particular, with below-market offers.</p>	<ul style="list-style-type: none"> <li>• The City of Atlanta should implement strategies contained in the ONE Atlanta Housing Affordability Action Plan focused on minimizing displacement of residents. The City should also focus on maintaining rental housing standards through code enforcement to prevent displacement of residents due to deteriorating conditions. (Ongoing, beginning Q3, 2020)</li> <li>• The City of Atlanta should expand the Anti-Displacement Tax Fund to other neighborhoods at risk of or experiencing gentrification, or create similar fund to reduce risk of displacement from property tax increases. (Ongoing, beginning Q4, 2020)</li> <li>• The City of Atlanta should require community retention plans for neighborhoods at risk of gentrification in neighborhood plans and in plans for major capital projects. (Ongoing, beginning Q4, 2020)</li> <li>• Fulton County and the City of Atlanta should implement a program to reduce property taxes on properties that provide affordable rents. (Ongoing, beginning Q4, 2020)</li> <li>• Fulton County and the City of Atlanta should implement a program to allow eligible homeowners to defer property taxes until a home is sold. (Ongoing, beginning Q4, 2020)</li> <li>• Fulton County and the City of Atlanta should market anti-displacement programs to residents to increase awareness of available resources. Through PY2024, the City of Atlanta anticipates assisting about 1,500 individuals or families remain in their homes through homelessness prevention and Fulton County anticipates assisting about 5,000. (Ongoing, beginning Q3, 2020)</li> <li>• Fulton County and the City of Atlanta should continue downpayment assistance programs to support affordable homeownership. Through PY2024, the City and County each anticipate assisting approximately 150 first time homebuyers with downpayment assistance. (Ongoing, beginning Q3, 2020)</li> </ul>	<ul style="list-style-type: none"> <li>• City of Atlanta Department of Grants &amp; Community Development</li> <li>• Fulton County Department of Community Development</li> </ul>

**TABLE 29. FAIR HOUSING GOALS AND ACTIVITIES (CONTINUED)**

Contributing Factors	Recommended Activities	Responsible Parties and Partners
<b>Impediment #2 (Continued): Loss of Affordable Housing, Lack of Increase in Affordable Housing Supply, and Displacement of Residents</b>		
	<ul style="list-style-type: none"> <li>Fulton County and the City of Atlanta should continue to fund owner-occupied rehab programs, prioritizing gentrifying neighborhoods. Through PY2024, the City of Atlanta anticipates assisting about 450 homeowners with housing rehab and Fulton County anticipates assisting 15. (Ongoing, beginning Q3, 2020)</li> <li>Fulton County and the City of Atlanta should continue providing financial support to a partner organization to educate Fulton County and City of Atlanta homeowners regarding home purchase scams and to assist homeowners facing housing scams. (Ongoing, beginning Q3, 2020)</li> </ul>	
<b>Impediment #3: Continued Need for Investments in Neighborhoods and Human Capital</b>		
<p>High concentrations of poverty and racially/ ethnically concentrated areas of poverty (RECAPs) have persisted; residents in these areas have reduced economic mobility relative to other city and county residents</p>	<ul style="list-style-type: none"> <li>Fulton County and the City of Atlanta should target investment of CDBG funds in RECAPs, which are clustered in south and west Atlanta and south Fulton County. (Ongoing, beginning Q3, 2020)</li> <li>Fulton County and the City of Atlanta should use CDBG funds to support workforce development services and facilities, and related services such as employment and services navigation, transportation, and childcare, in RECAPs. Through PY2024, Fulton County anticipates investing about \$1.4 million in CDBG funding in public services, including employment and youth services, to assist low- and moderate-income residents. The City of Atlanta anticipates investing about \$775,000 in non-homeless public services to assist about 775 low- and moderate-income residents. (Ongoing, beginning Q3, 2020)</li> <li>Fulton County and the City of Atlanta should continue to fund projects that expand or improve sidewalks, parks, trails, and other public facilities in low- and moderate-income census tracts. Through PY2024, Fulton County anticipates investing about \$4.4 million in CDBG funding in public facility and infrastructure improvements in low- and moderate-income areas, including RECAPs. The City of Atlanta anticipates investing about \$11.5 million in CDBG funding in street, parks, and facility improvements, including in RECAPs. (Ongoing, beginning Q3, 2020)</li> </ul>	<ul style="list-style-type: none"> <li>City of Atlanta Department of Grants &amp; Community Development</li> <li>Fulton County Department of Community Development</li> </ul>

**TABLE 29. FAIR HOUSING GOALS AND ACTIVITIES (CONTINUED)**

Contributing Factors	Recommended Activities	Responsible Parties and Partners
<b>Impediment #3: Continued Need for Investments in Neighborhoods and Human Capital (continued)</b>		
<p>Areas of the city and county have lower access to opportunity with regard to school proficiency, labor market engagement, and food security</p>	<ul style="list-style-type: none"> <li>• Fulton County and the City of Atlanta should continue City and County promotion of Low and Moderate Income (LMI) Tracts as Opportunity Zones for the purpose of attracting businesses. (Ongoing, beginning Q3, 2020)</li> <li>• The City of Atlanta should continue to provide economic development support such as infrastructure assistance for new small businesses that fill market niches and create jobs. Through PY2024, the City of Atlanta will invest about \$5.6 million in economic development and blight reduction/neighborhood cleanup in its Community Development Impact Area, including many of the City’s RECAPs. Through this funding, an estimated 470 jobs will be created or retained and 112 dilapidated buildings demolished. (Ongoing, beginning Q3, 2020)</li> <li>• Fulton County and the City of Atlanta should use CDBG and other funds to improve food security in RECAPs and areas with low food security in south Atlanta and south Fulton County. (Ongoing, beginning Q3, 2020)</li> <li>• Fulton County and the City of Atlanta should use CDBG and other funds to support early childhood education and high-quality childcare services, particularly in RECAPs. (Ongoing)</li> <li>• Fulton County and the City of Atlanta should use CDBG and other funds to support youth development services, including employment and internship opportunities, with a focus on RECAPs. (Ongoing, beginning Q3, 2020)</li> <li>• Fulton County and the City of Atlanta, in partnership with Atlanta Public Schools and Fulton County Schools, should develop strategies to improve access to quality schools across City and County neighborhoods. (Ongoing, beginning Q4, 2020)</li> </ul>	<ul style="list-style-type: none"> <li>• City of Atlanta Department of Grants &amp; Community Development</li> <li>• Fulton County Department of Community Development</li> <li>• Atlanta Public Schools</li> <li>• Fulton County Schools</li> </ul>

**TABLE 29. FAIR HOUSING GOALS AND ACTIVITIES (CONTINUED)**

Contributing Factors	Recommended Activities	Responsible Parties and Partners
<b>Impediment #4: Fair Housing Education and Enforcement</b>		
<p>Data on housing discrimination complaint filings indicates that more fair housing education is needed for landlords and lenders</p>	<ul style="list-style-type: none"> <li>• Fair housing education for lenders and landlords should be developed and delivered.                             <ul style="list-style-type: none"> <li>○ Review current contracts with providers of fair housing services for opportunities to clarify or reprioritize the scope of work and enhance accountability measures. Updated contracts should include targeted fair housing education regarding persons living with HIV/AIDS. (Annually, beginning Q1, 2021)</li> <li>○ If needed, issue an RFP to local organizations for funding supporting education for lenders and landlords. (Annually, beginning Q1, 2021)</li> <li>○ In all fair and affordable housing education and training, acknowledge barriers to safe and affordable housing for non-citizens. (Annually, beginning Q1, 2021)</li> </ul> </li> <li>• Conduct region-wide fair housing testing specifically in the area of lending.                             <ul style="list-style-type: none"> <li>○ Issue an RFP to local organizations for funding supporting testing of the local lending market with particular attention to racial discrimination. (Q3, 2021)</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• City of Atlanta Department of Grants &amp; Community Development</li> <li>• Fulton County Department of Community Development</li> </ul>
<p>Data on housing discrimination complaint filings indicates that more fair housing education is needed for members of the general public</p>	<ul style="list-style-type: none"> <li>• Conduct a city-wide/county-wide fair housing education program, repeated annually. Fulton County anticipates spending about \$230,000 on fair housing education and enforcement efforts through PY2024.                             <ul style="list-style-type: none"> <li>○ Either using in-house staff or through a contracted provider, the city/county should annually design and/or update and coordinate delivery of a regional fair housing education program that reaches the public with information about fair housing rights and responsibilities, how to recognize discrimination, and how and where to file a complaint. (Ongoing, beginning Q1, 2021)</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• City of Atlanta Department of Grants &amp; Community Development</li> <li>• Fulton County Department of Community Development</li> </ul>
<p>Immigrants, refugees, and people with limited English proficiency are at heightened risk of housing discrimination</p>	<ul style="list-style-type: none"> <li>• Provide fair housing enforcement and education in culturally-appropriate ways, particularly to non-English speaking communities.                             <ul style="list-style-type: none"> <li>○ Conduct outreach to local agencies serving immigrants, refugees, and other populations with limited English proficiency to collaborate on approaches to provide fair housing education and enforcement to these populations (Ongoing, beginning Q3, 2020)</li> <li>○ If needed, issue an RFP to local organizations for funding supporting fair housing education in culturally-appropriate ways, particularly to non-English speaking communities. (Annually, beginning Q1, 2021)</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• City of Atlanta Department of Grants &amp; Community Development</li> <li>• Fulton County Department of Community Development</li> </ul>



**TABLE 29. FAIR HOUSING GOALS AND ACTIVITIES (CONTINUED)**

Contributing Factors	Recommended Activities	Responsible Parties and Partners
<b>Impediment #5: Insufficient Housing for People with Disabilities near Transit and Opportunities</b>		
<p>Insufficient accessible housing exists to serve the needs of people with disabilities</p>	<ul style="list-style-type: none"> <li>• Consider opportunities to encourage or incentivize the construction of new accessible housing units for people with disabilities.                             <ul style="list-style-type: none"> <li>○ Any public subsidies for new housing development for people with disabilities should be given priority consideration when the housing will be located in an area that increases access to transit and opportunities. (Ongoing, beginning Q3, 2020)</li> <li>○ When new accessible housing is proposed by a developer, organization, or agency, express support (through letters of support and/or certifications of consistency with the Consolidated Plan) wherever possible. (Ongoing, beginning Q3, 2020)</li> <li>○ Review local funding mechanisms and federal grant sources for opportunities to incentivize development of new accessible housing units. (Q2, 2021)</li> <li>○ Meet with local providers of accessible housing and permanent supportive housing to discuss resources available and potential for collaboration on future proposed housing developments. (Q4, 2021)</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• City of Atlanta Department of Grants &amp; Community Development</li> <li>• Fulton County Department of Community Development</li> </ul>
<p>Ambiguous or inconsistent zoning code provisions raise questions about allowable siting and occupancy for housing for people with disabilities</p>	<ul style="list-style-type: none"> <li>• Atlanta is in the beginning stages of a major re-write of its zoning code. A copy of zoning analysis matrix completed for this report (found in the appendix) should be furnished to the City and consultant staff leading that project for consideration among the City’s other planned code revisions. The proposed changes include the following (Q4, 2020):                             <ul style="list-style-type: none"> <li>○ Revise the family definition to mean a “functional family” or remove the definition in favor of maximum occupancy being regulated instead by the building code.</li> <li>○ Align definitions and siting standards for group care homes, foster homes, and similar uses to be consistent with the code’s family definition.</li> <li>○ Reconsider the use of spacing requirements imposed on group homes and codify a justification for the spacing if warranted.</li> </ul> </li> <li>• Fulton County should consider the following zoning code amendments (Q4, 2020):                             <ul style="list-style-type: none"> <li>○ Revise the family definition to mean a “functional family” or remove the definition in favor of maximum occupancy being regulated instead by the building code.</li> <li>○ Align definitions and siting standards for personal care homes and group residences to be consistent with the code’s family definition.</li> <li>○ Reconsider the use of spacing requirements imposed on group homes and codify a justification for the spacing if warranted.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• City of Atlanta Department of Grants &amp; Community Development</li> <li>• Fulton County Department of Public Works</li> </ul>

**TABLE 29. FAIR HOUSING GOALS AND ACTIVITIES (CONTINUED)**

Contributing Factors	Recommended Activities	Responsible Parties and Partners
<b>Impediment #5: Insufficient Housing for People with Disabilities near Transit and Opportunities (continued)</b>		
<p>Atlanta and Fulton County do not have clear and objective processes by which persons with disabilities may request a reasonable accommodation</p>	<ul style="list-style-type: none"> <li>• Consider, draft, and adopt local code amendments that would provide an administrative variance for people requesting accommodation or modification related to a disability.               <ul style="list-style-type: none"> <li>○ Review the City and County zoning codes with planning staff members and consult with community partners as needed to draft potential revisions. (Q1, 2021)</li> <li>○ Amend ordinances and policies as necessary to expand housing choice for people with disabilities. (Q3, 2021)</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• City of Atlanta Department of Grants &amp; Community Development</li> <li>• Fulton County Department of Public Works</li> </ul>
<b>Impediment #6: Need for Programs and Resources Accessible to People with Limited English Proficiency</b>		
<p>Immigrants, refugees, and people with limited English proficiency are at heightened risk of housing discrimination</p>	<ul style="list-style-type: none"> <li>• Provide fair housing enforcement and education in culturally-appropriate ways, particularly to non-English speaking communities.               <ul style="list-style-type: none"> <li>○ Conduct outreach to local agencies serving immigrants, refugees, and other populations with limited English proficiency to collaborate on approaches to provide fair housing education and enforcement, particularly for renters, to these populations. (Ongoing, beginning Q3, 2020)</li> <li>○ Leverage internal (Welcoming Atlanta) and external (local organizations) to support fair housing education in culturally-appropriate ways, particularly to non-English speaking communities. (Annually, beginning Q3, 2020)</li> <li>○ Ensure that City of Atlanta bilingual code enforcement officers are assigned to zones where they can use their language skills to serve LEP residents. (Annually, beginning Q3, 2020)</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• City of Atlanta Department of Grants &amp; Community Development</li> <li>• Fulton County Department of Community Development</li> </ul>
<p>Publicly funded housing programs and services are difficult to access for people with limited English proficiency</p> <p>Noncitizens may be ineligible for publicly-funded housing programs and services</p>	<ul style="list-style-type: none"> <li>• The City and County, working through established liaisons where available (e.g. Atlanta’s Office of Immigrant Affairs) should seek to build relationships of trust with people and organizations within immigrant and refugee communities. (Ongoing, beginning Q3, 2020)</li> <li>• Prepare and/or develop Language Access Plans as appropriate. (Q3, 2021)</li> <li>• At a minimum of one annual training event for subrecipients and/or project sponsors, facilitate a discussion of the importance of language access and culturally-competent communication, providing information and resources to assist local organizations in improving their ability to serve LEP populations. (Annually, beginning Q1, 2021)</li> <li>• The City of Atlanta should prepare community retention plans specifically tailored for neighborhoods with high shares of foreign-born and/or limited English proficiency residents at risk of gentrification. (Ongoing, beginning Q1, 2021)</li> </ul>	<ul style="list-style-type: none"> <li>• City of Atlanta Department of Grants &amp; Community Development</li> <li>• Fulton County Department of Community Development and Fulton County Department of Diversity and Civil Rights Compliance</li> </ul>

**TABLE 29. FAIR HOUSING GOALS AND ACTIVITIES (CONTINUED)**

Contributing Factors	Recommended Activities	Responsible Parties and Partners
<b>Impediment #7: Limited Access to Homeownership for Minorities</b>		
<p>Lower shares of African American and Latino households apply for home mortgage loans than do white households</p> <p>African American and Latino applicants are more likely to withdraw or not complete mortgage loan applications</p>	<ul style="list-style-type: none"> <li>• Either in-house or through a partner agency, continue to fund homebuyer and/or financial counseling and downpayment assistance programs. Ensure that these programs are affirmatively marketed in creative ways to reach households who may be interested in participating, including people with limited English proficiency. Through PY2024, the City and County each anticipate assisting approximately 150 first time homebuyers with downpayment assistance. (Ongoing, beginning Q4, 2020)</li> <li>• Review downpayment assistance programs to ensure that program parameters are meeting the needs of low- and moderate-income households as the housing market continues to evolve and average home prices continue to rise. (Ongoing, beginning Q4, 2020)</li> <li>• Work with the Fulton County/City of Atlanta Land Bank to make previously blighted parcels or vacant homes available for affordable homeownership. (Ongoing, beginning Q4, 2021)</li> </ul>	<ul style="list-style-type: none"> <li>• City of Atlanta Department of Grants &amp; Community Development</li> <li>• Fulton County Department of Community Development</li> </ul>
<p>Low- and moderate-income homeowners and seniors are more likely to face foreclosures or be targeted for home purchase scams</p>	<ul style="list-style-type: none"> <li>• Working with a legal services agency, fund foreclosure prevention assistance and other programs assisting low- and moderate-income homeowners and seniors at risk of losing their homes to foreclosure or home purchase scams. Review Affirmative Marketing strategies to ensure these programs are marketed to minority households. (Ongoing, beginning Q3, 2019)</li> </ul>	<ul style="list-style-type: none"> <li>• City of Atlanta Department of Grants &amp; Community Development</li> <li>• Fulton County Department of Community Development</li> </ul>
<p>African Americans, Latinos, and other minority applicants have higher denial rates for mortgage loans than white applicants</p>	<ul style="list-style-type: none"> <li>• In possible collaboration between the City of Atlanta, Fulton County, and DeKalb County, conduct region-wide fair housing testing specifically in the area of lending.               <ul style="list-style-type: none"> <li>○ Issue an RFP to local organizations for funding supporting testing of the local lending market. (Q1, 2021)</li> </ul> </li> <li>• Evaluate need for and approaches to a responsible banking program in Atlanta and Fulton County (with possible collaboration from DeKalb County).               <ul style="list-style-type: none"> <li>○ Working with a research organization, conduct an analysis of Home Mortgage Disclosure Act Data by lending institution to assess access to mortgage lending. (Q1, 2022)</li> <li>○ Based on this study, evaluate options for a responsible banking program in Atlanta and Fulton County. Consider using distribution of government financial relationships (within banking regulations) to incentivize fair lending by financial institutions by passing a Responsible Banking Ordinance. See Cleveland and other responsible banking ordinances as examples. (Q1, 2023)</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• City of Atlanta Department of Grants &amp; Community Development</li> <li>• Fulton County Department of Community Development</li> </ul>

**TABLE 29. FAIR HOUSING GOALS AND ACTIVITIES (CONTINUED)**

Contributing Factors	Recommended Activities	Responsible Parties and Partners
<b>Impediment #7 (Continued): Limited Access to Homeownership for Minorities</b>		
	<ul style="list-style-type: none"> <li>• Hold lenders and other stakeholders to the City and County’s goals for furthering fair housing as it relates to homeownership as a prerequisite for participation in down payment assistance and other homeownership development programs. Work with stakeholders to develop and implement a responsible banking program or ordinances. (Q1, 2023)</li> </ul>	