Fair Housing

Summary

Fair housing addresses discrimination in the provision of housing as well as discrimination in access to opportunities provided by the location of affordable housing. Recent actions by the United States Department of Housing and Urban Development (HUD) and the United States Supreme Court focus our attention on localized access to opportunity.

These findings are intended to aid the Oklahoma Housing Finance Agency (OHFA) determine the location of new affordable housing in relation to vulnerable populations and explore ways to expand the opportunities available to help communities of existing affordable housing achieve self-sufficiency.

Key Findings:

- 70% of affordable housing units are located in census tracts marked by poverty
- 62% of affordable housing is located in census tracts where a majority of the residents are not white
- 13% of affordable housing units have no access to transit services and 56% have access to limited service, on-demand transit
- 2.6% of affordable housing units have limited access to a hospital
- 7.8% of affordable housing units are located in food deserts

Recommendations:

Continued efforts to improve the quality of life for affordable housing residents and reduce discrimination associated with affordable housing will likely need to include strategies that integrate new affordable housing as well as support existing communities of affordable housing. This will likely include public policies and funding designed to integrate low-income and workforce housing into a more diverse set of communities. Additionally, those living existing affordable housing communities need increased opportunities to stay in place, become self-sufficient, and participate in determining the future of their neighborhood. OHFA may consider partnering with other state, non-profit, and for-profit agencies to explore strategies for helping communities thrive economically, socially, and environmentally.

What is Fair Housing?

Fair housing addresses discrimination in the provision of housing as well as discrimination in access to opportunities provided by the location of affordable housing. On one hand, this protects the ability of individuals to obtain housing regardless of personal characteristics such as race, skin color, national origin, gender, familial status, or disability. It also focuses attention on more subtle forms of discrimination that cluster low-income housing in ways that inhibit the ability of communities to access services and amenities that support self-sufficiency and autonomy.

Recent actions by the United States Department of Housing and Urban Development (HUD) and the United States Supreme Court focus our attention on localized access to opportunity. In 2014, HUD released the Affirmatively Furthering Fair Housing (AFFH) rule for public comment. The draft rule

"directs HUD's program participants to take significant actions to overcome historic patterns of segregation, achieve truly balanced and integrated living patterns, promote fair housing choice, and foster inclusive communities that are free from discrimination" (HUD 2015). In 2015, the United States Supreme Court provided legal support for actions taken to remedy patterns that impede the upward mobility and opportunity of low-income individuals and communities. In the case of Texas Department of Housing and Community Affairs v. The Inclusive Communities Project the court reiterated the need to address disparate impacts in considering the location of affordable housing and reinforced the importance of AFFH (Bostic 2015). Housing discrimination from this perspective is not only felt by individual residents, it can also be the result of actions that work to limit the opportunities to improve the quality of life in local communities.

Approach

In Oklahoma, a combination of federal and state programs work to support the opportunities provided to individuals and families who rest safely and comfortably in an apartment or home. Here we use publicly available data for units that are part of the Low Income Housing Tax Credit (LIHTC) Program, the Rural Rental Housing Loans, or OHFA administered programs such as Oklahoma Affordable Housing Tax Credit (AHTC), the HOME investment partnership program, the Section 8 Housing Choice Voucher Program, and multi-family bonds. Collectively, these programs represent state efforts to assist individuals who are unable to afford housing.

Indicators of disparate impact vary but seem to contingent upon the contextual characteristics of a particular neighborhood. In an effort to help communities investigate and understand community level disparate impacts, HUD created a Fair Housing Assessment Tool (http://www.huduser.gov/portal/affht_pt.html#affh). The assessment tool includes measures on indicators of disparate impacts based on the clustering of potentially vulnerable populations, including:

- Race/Ethnicity of Residents
- National Origin of Residents
- English Proficiency of Residents
- Job Accessibility
- Transit Accessibility
- Level of Poverty
- Environmental Exposure (e.g. pollution, crime, food, health care, etc.)
- Disability

This report uses the Fair Housing Assessment Tool in conjunction with readily available data to initiate a more thorough investigation of the potential for disparate impacts in the state. The findings are intended to aid the Oklahoma Housing Finance Agency regarding future location of new fair housing in relation to vulnerable populations and the future opportunities available to help communities of existing affordable housing achieve self-sufficiency.

Data

Data for this report are compiled from a variety of sources including the United States Census, the University of Oklahoma Center for Spatial Analysis, and primary data collected as part of ongoing research efforts at the University of Oklahoma. Data are aggregated into census tracts and reported statewide as well as by county (see Appendix 1).

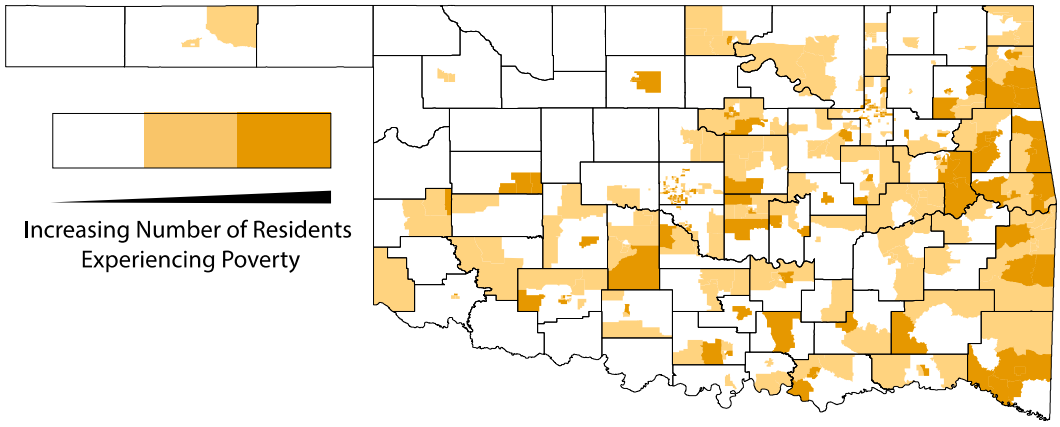
1. Urban/Rural

A majority of the affordable housing in Oklahoma is situated in rural communities. Urban communities including Edmond, Lawton, Norman, Oklahoma City, and Tulsa are home to just over 1/3 of the affordable housing units in the state.

	Total Affordable Housing Units		Situated an Urban Setting		Situated in a Rural Setting
OHFA	35,292		11,699 (33.1%)		23,593 (66.9%)
515	5,384		0		5,384 (100%)
LIHTC	23,537		8,255 (35.1%)		15,282 (64.9%)
Total	64,213		19,954 (31.1%)		44,259 (68.9%)

2. Poverty

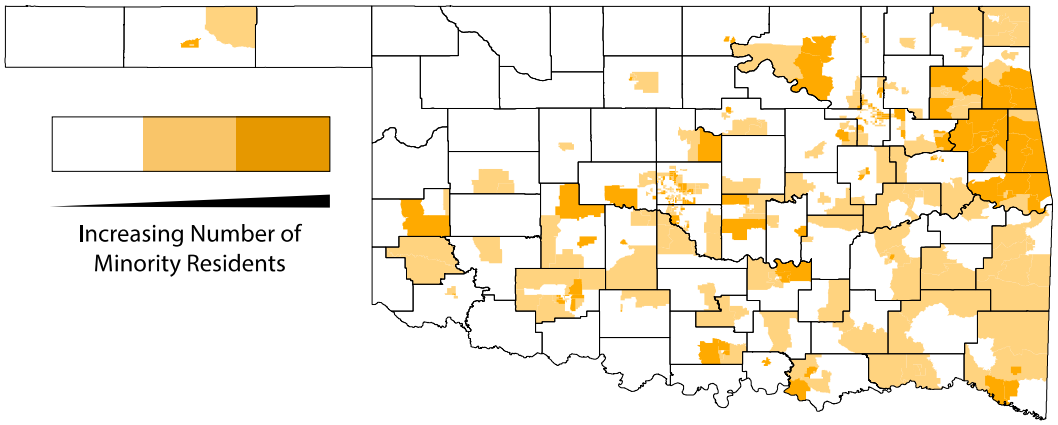
Approximately 70% of affordable housing units in Oklahoma are located in census tracts where the number of residents living in poverty is above the state average. About half of these units are located in areas of extreme poverty, where the number of individuals who are economically vulnerable exceeds 994, more than one standard deviation (411) from the mean (583).



	Total Affordable Housing Units		Situated in Poverty		Situated in Extreme Poverty
OHFA	35,292		12,295 (34.8%)		12,464 (35.3%)
515	5,384		2,093 (38.9%)		1,839 (34.2%)
LIHTC	23,537		7,483 (31.8%)		8,924 (38.0%)
Total	64,213		21,796 (33.9%)		23,227 (36.2%)

3. Non-white Enclaves

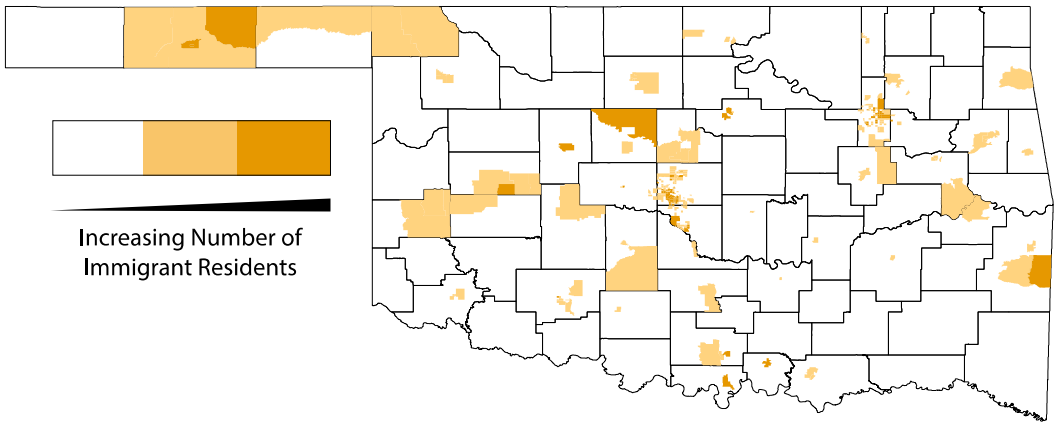
Just over 60% of affordable housing units in Oklahoma are located in census tracts where a majority of the residents are non-white. With just fewer than 24% of the total affordable housing units in census tracts heavily populated with residents who are not white – identified as census tracts where the number of non-white residents is more than 1,595 - one standard deviation (653) greater than the mean (542).



	Total Affordable Housing Units		Situated in Majority Non-White Community		Situated in Heavily Non-White Community
OHFA	35,292		12,814 (36.3%)		7,907 (22.4%)
515	5,384		2,229 (41.4%)		1,288 (23.9%)
LIHTC	23,537		10,285 (43.7%)		5,677 (24.1%)
Total	64,213		25,328 (39.4%)		14,872 (23.2%)

4. Immigrant Enclaves

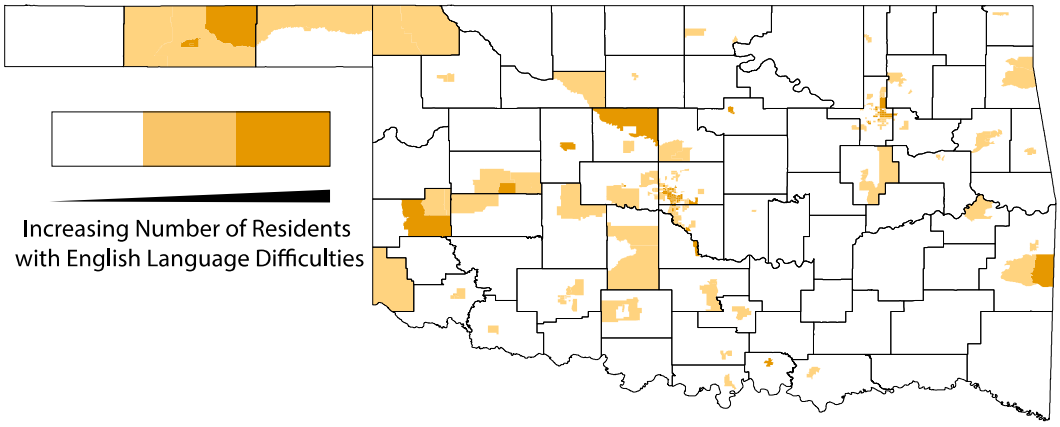
One-third of affordable housing units in Oklahoma are located in census tracts where more than the average number of residents are immigrants. About half of these units are located in areas dense with immigrants, where the number of individuals who are not citizen exceeds 349, more than one standard deviation (219) from the mean (130).



	Total Affordable Housing Units		Situated in Immigrant Enclave		Situated in Heavily Immigrant Enclave
OHFA	35,292		8,114 (23.0%)		3,358 (9.5%)
515	5,384		1,017 (18.9%)		159 (3.0%)
LIHTC	23,537		5,457 (23.2%)		3,364 (14.3%)
Total	64,213		14,588 (22.7%)		6,881 (10.7%)

5. Limited English Proficiency

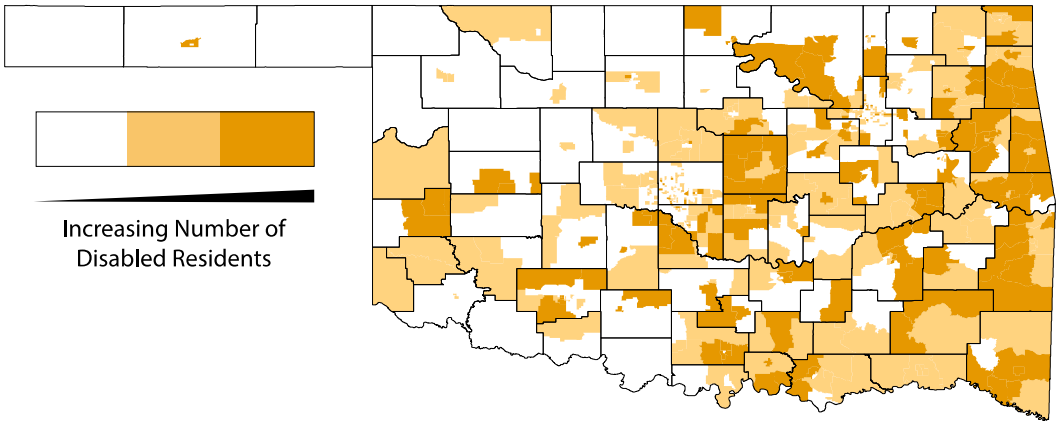
Almost 17,000 existing affordable housing units in Oklahoma are located in census tracts where more residents than average do not speak English very well. A little more than half of these units are located in areas dense with individuals with limited English proficiency, where the number of individuals who speak English less than very well exceeds 380, more than one standard deviation (240) from the mean (140).



	Total Affordable Housing Units		Community with more than average number of Limited English Speakers		Community dense with limited English Speakers
OHFA	35,292		6,250 (17.7%)		3,122 (8.8%)
515	5,384		799 (14.8%)		240 (4.5%)
LIHTC	23,537		4,034 (17.1%)		3,475 (14.8%)
Total	64,213		11,083 (17.3%)		6,837 (10.6%)

6. Disability

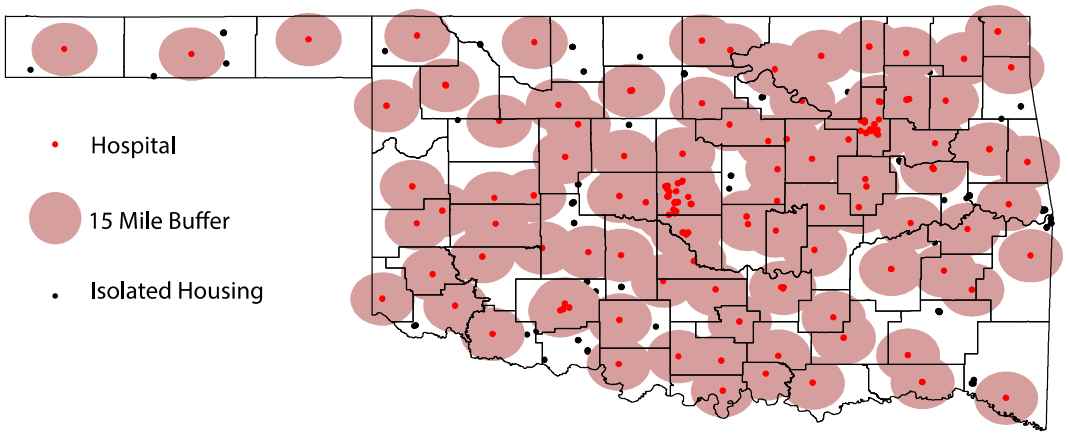
Almost 60% of existing affordable housing units in Oklahoma are located in census tracts where more residents than average have a disability. A little more than half of these units are located in areas dense with individuals with a disability, where the number of individuals who are disabled is greater than 831, more than one standard deviation (289) from the mean (542).



	Total Affordable Housing Units		Community with more than average number of Disabled Residents		Community dense with Disabled Residents
OHFA	35,292		10,098 (28.6%)		10,722 (30.4%)
515	5,384		1,686 (31.3%)		2,594 (48.8%)
LIHTC	23,537		7,074 (30.1%)		6,289 (26.7%)
Total	64,213		18,858 (29.4%)		19,605 (30.5%)

7. Hospitals

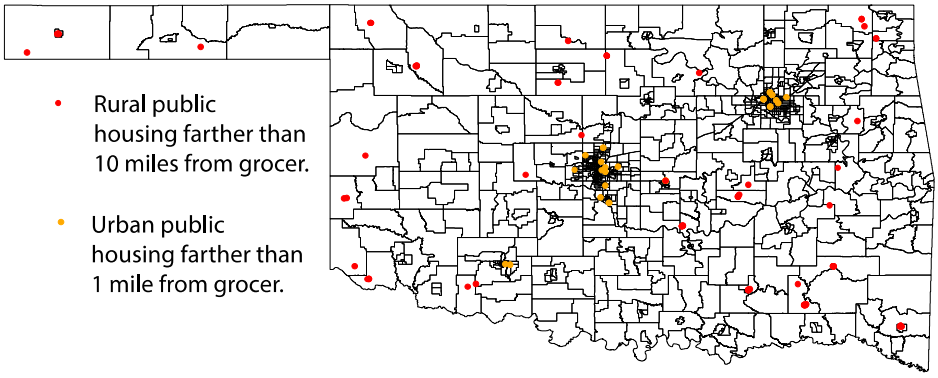
There are no affordable housing units more than 30 miles from a hospital. Approximately 2.6% of affordable housing units are farther than 15 miles from the nearest hospital. As indicated by the larger percentage of Rural Rental Housing Loan units, most of these are located in rural areas.



	Total Affordable Housing Units		More than 15 miles to nearest hospital		More than 30 miles to nearest hospital
OHFA	35,292		628 (1.8%)		0
515	5,384		500 (9.3%)		0
LIHTC	23,537		532 (2.3%)		0
Total	64,213		1,660 (2.6%)		0

8. Grocery Stores

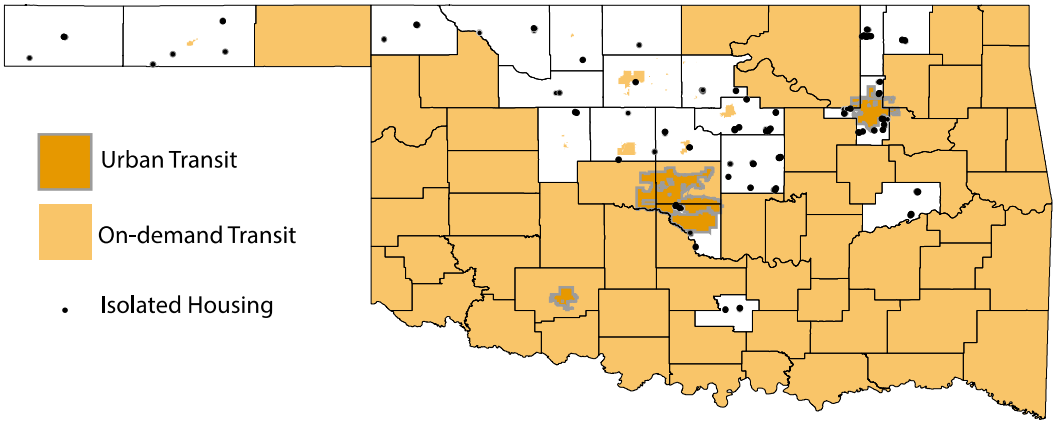
Approximately 7.8% of affordable housing units are in areas that are classified as food deserts. According to the United States Department of Agriculture, food deserts exist in urban environments further than 1 mile from a grocery store and in rural environments further than 10 miles from a grocery store (https://apps.ams.usda.gov/fooddeserts/foodDeserts.aspx).



	Total Affordable Housing Units		Urban > 1 Mile from nearest Grocer		Rural > 10 miles to nearest Grocer
OHFA	35,292		1,493 (4.2%)		1,097 (3.1%)
515	5,384		0		466 (8.7%)
LIHTC	23,537		1,175 (5.0%)		769 (3.3%)
Total	64,213		2,668 (4.2%)		2,332 (3.6%)

9. Transit

A little over 69% of affordable housing in Oklahoma is located in a census tract with limited or no access to transit services. This includes 8,367 affordable housing units in areas that lack public transit services all together as well as 36,363 units that are situated in areas that have on-demand transportation services that often have limited operation times and may only serve elderly and disabled populations or those going to a medical appointment.



	Total Affordable Housing Units		No Transit		Urban Transit		On-Demand Transit
OHFA	35,292		4,035 (11.4%)		11,265 (31.9%)		19,992 (56.6%)
515	5,384		767 (14.2%)		0		4,617 (85.8%)
LIHTC	23,537		3,565 (15.1%)		8,217 (34.9%)		11,755 (49.9%)
Total	64,213		8,367 (13.0%)		19,482 (30.3%)		36,363 (56.6%)

What does this mean for Oklahoma?

This report suggests a number of possible ways forward for the Oklahoma Housing Finance Agency as it continues to support quality low-income and workforce housing for residents of the state. Across a number of indicators of opportunity, affordable housing in the state clusters in ways that raise concerns about the opportunities available to affordable housing residents in comparison to other residents.

Continued efforts to improve the quality of life for affordable housing residents and reduce discrimination associated with affordable housing will likely need to include strategies that integrate new affordable housing as well as support existing communities of affordable housing. This will likely include public policies and funding designed to integrate low-income and workforce housing into a more diverse set of communities. Additionally, those living existing affordable housing communities need increased opportunities to stay in place, become self-sufficient, and participate in determining the future of their neighborhood. OHFA may consider partnering with other state, non-profit, and for-profit agencies to explore strategies for helping communities thrive economically, socially, and environmentally.

Moving ahead, Oklahoma should be wary of a narrowly focused vision focused solely on the problems of existing affordable housing and the integration of these residents into other communities. The relocation of residents harkens back to the physical and social destruction brought about by urban renewal. Such an approach pits efforts to enhance existing affordable housing through community development against efforts to build a more integrated and diverse society (Goetz 2015). Rather, Oklahoma has the opportunity to work closely with local municipalities to improve the conditions of current affordable housing communities while simultaneously advancing integration of low-income and workforce housing through the construction in new settings.

For future new development, a number of case studies and emerging scholarship on the importance of neighborhood effects provide guidance on possible ways forward for Oklahoma. For instance, in El Paso, Texas a public private partnership between the Housing Authority of the City of El Paso and private developers led to the development of a mixed income housing development. Eastside Crossings (http://www.hacep.org/about-us/eastside-crossings) provides 74 traditional affordable housing units, 79 affordable housing units, and 45 market rate units in partnership with the Texas Department of Housing and Community Affairs (Housing Authority of El Paso 2015). In Sacramento, partnership between private developers and the Capital Area Redevelopment Authority resulted in the adaptive reuse of a building listed on the National Register of Historic Buildings into affordable Housing (Vellinga 2015). Located in a dense, walkable, transit-oriented community, the Warehouse Artist Lofts (http://www.rstreetwal.com) are home to 116 units, 86 of which are affordable and 13,000 square feet of ground floor retail.

For existing affordable housing, strategies exist to help enhance localized opportunities and build a culture of community participation around housing. Across the nation, there is a need to refocus the discussion away from the deficits found in many communities to look for closely at opportunities (Lens 2015) and to think about the consequences of physical, social, and economic isolation (Clarke, Morenoff, Debbink, Golberstein, Elliott, & Lantz, 2014.).

The Oklahoma Housing Finance Agency may need to collaborate more closely with other governmental agencies to develop comprehensive strategies that not only improve existing housing but also work toward enhancing access to food, recreation, amenities, jobs, and quality schools. By doing so, OHFA could help build the social and physical resiliency of these communities so that residents would be empowered to choose for themselves whether or not they want to stay and be part of their existing community or move elsewhere in search of a better quality of life. A set of tools for doing some of this work is available through Policy Link (http://www.policylink.org/equity-tools/equitable-development-toolkit/about-toolkit). For those who are relocated due to circumstances that make staying in place impossible, intensive case management may be required to ensure that these residents avoid pitfalls and thrive in a new environment (Theodos, Popkin, Guernsey, & Getsinger, 2010). But evidence continues to suggest that stability, particularly in the lives of children, is an essential part of ensuring that everyone has the opportunity to succeed and thrive (HUD 2014).

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Data Sources

2014 American Community Survey Estimates

- Poverty: ACS_13_5YR_S1701 > HC02_EST_VC01 > Below poverty level; Estimate; Population for whom poverty status is determined
- Non-white enclaves: ACS_13_5YR_BO2001 > HD01_VD02 > [Total Population] - Estimate; Total: - White alone
- Immigrant enclaves: ACS_13_5YR_BO5001 > HD01_VD06 > Estimate; Total: - Not a U.S. citizen
- Limited English Proficiency: ACS_13_5YR_S1601 > HC03_EST_VC01 > Percent of specified language speakers - Speak English less than "very well"; Estimate; Population 5 years and over
- Disability: ACS_13_5YR_S1810 > HC02_EST_VC01 > with a disability; estimate; total civilian noninstitutionalized population

University of Oklahoma Center for Spatial Analysis: Data Warehouse

- Hospital locations as of 2008 derived from Oklahoma State Department of Health, Health Care Information Division.

University of Oklahoma Division of Regional and City Planning

- Grocery store locations retrieved from Internet search conducted by faculty and student research assistants at the University of Oklahoma.
- Transit locations retrieved from Oklahoma Department of Transportation (http://www.okladot.state.ok.us/transit/pubtrans.htm) and geocoded by faculty and student research assistants at the University of Oklahoma.

Appendix 1: County affordable housing Summaries

County	Total Units	Units at Risk for Poverty	Units in mostly Non-white Enclaves	Units in Community of Immigrants	Units in Limited English Neighborhood	Units nearer Elevated Number of Disabled	Units farther than 15 miles to Hospital	Units located in a Food Desert	Units that lack readily available Transit
Adair	676	676	676	0	0	177	0	0	0
Alfalfa	93	0	0	0	0	0	93	0	23
Atoka	145	121	0	0	0	0	24	145	24
Beaver	0	0	0	0	0	0	0	0	0
Beckham	343	87	228	0	228	315	0	28	0
Blaine	169	0	0	127	127	0	24	0	42
Bryan	1,005	538	501	0	0	501	0	0	0
Caddo	658	292	387	0	0	292	95	0	0
Canadian	1,655	0	248	0	0	0	48	24	0
Carter	1,040	373	938	189	0	972	24	24	24
Cherokee	1,359	986	412	0	0	436	0	13	0
Choctaw	433	312	0	0	0	0	0	0	0
Cimarron	69	0	0	0	0	0	8	69	69
Cleveland	2,389	1,080	194	758	648	601	0	214	718
Coal	71	0	0	0	0	71	0	0	0
Comanche	1,214	200	182	0	0	225	123	151	24
Cotton	114	0	0	0	0	0	114	0	0
Craig	290	0	0	0	0	157	0	72	0
Creek	1,359	163	163	0	0	670	0	0	0
Custer	255	78	0	0	0	172	0	0	0
Delaware	712	695	285	0	0	712	28	0	0
Dewey	75	0	0	0	0	0	16	0	0
Ellis	39	0	0	0	0	0	0	0	0
Garfield	824	683	127	0	0	0	0	52	50

County	Total Units	Units at Risk for Poverty	Units in mostly Non-white Enclaves	Units in Immigrant Enclaves	Units in Limited English Neighborhood	Units nearer Elevated Number of Disabled	Units farther than 15 miles to Hospital	Units located in a Food Desert	Units that lack readily available Transit
Garvin	557	0	0	0	0	265	0	0	0
Grady	758	71	0	0	0	621	71	0	0
Grant	8	0	0	0	0	0	8	8	8
Greer	100	0	0	0	0	0	0	0	0
Harmon	62	0	0	0	0	0	0	2	0
Harper	50	0	0	0	0	0	14	36	50
Haskell	63	0	0	0	0	0	0	0	0
Hughes	341	0	0	0	0	0	0	76	0
Jackson	322	18	18	0	18	0	30	30	0
Jefferson	36	0	0	0	0	0	0	0	0
Johnston	517	493	0	0	0	493	0	0	0
Kay	1,001	196	168	0	0	344	0	0	0
Kingfisher	153	0	0	8	8	0	8	8	40
Kiowa	143	0	0	0	0	0	0	0	0
Latimer	220	0	0	0	0	220	0	0	0
Le Flore	1,050	204	0	0	0	573	166	0	0
Lincoln	705	143	0	0	0	705	42	0	705
Logan	629	0	0	0	0	300	0	0	158
Love	62	0	0	62	0	0	0	0	0
Major	76	0	0	0	0	0	0	0	76
Marshall	134	0	109	109	109	109	0	0	0
Mayes	546	382	218	0	0	382	0	0	0
McClain	346	55	0	0	47	299	0	0	0
McCurtain	767	767	746	0	0	767	57	315	0
McIntosh	488	0	0	0	0	169	0	0	488

County	Total Units	Units at Risk for Poverty	Units in mostly Non-white Enclaves	Units in Community of Immigrants	Units in Limited English Neighborhood	Units nearer Elevated Number of Disabled	Units farther than 15 miles to Hospital	Units located in a Food Desert	Units that lack readily available Transit
Murray	224	95	0	0	0	224	0	0	224
Muskogee	1,572	642	59	0	0	44	48	0	0
Noble	387	0	0	0	0	0	42	30	345
Nowata	229	0	0	0	0	185	0	0	229
Okfuskee	214	169	0	0	0	213	0	1	0
Oklahoma	11,497	3,920	3,518	2,445	2,641	456	0	1,202	25
Okmulgee	663	303	227	0	0	127	0	0	0
Osage	1,544	538	700	0	0	1,391	42	0	0
Ottawa	409	0	0	0	0	96	0	84	0
Pawnee	65	0	0	0	0	0	37	20	0
Payne	1,797	1,209	0	120	120	648	0	0	971
Pittsburg	1,268	0	50	0	0	284	16	16	0
Pontotoc	810	311	286	0	0	336	0	0	0
Pottawatomi	1,715	1,009	587	0	0	954	0	284	0
Pushmataha	381	234	0	0	0	381	147	381	0
Roger Mills	14	0	0	0	0	0	0	14	0
Rogers	973	0	0	0	0	0	36	0	0
Seminole	426	76	75	0	0	75	0	123	0
Sequoyah	1,449	922	922	0	0	726	243	0	0
Stephens	841	0	0	0	0	310	12	0	0
Texas	816	0	372	782	782	372	60	6	75
Tillman	114	0	0	0	0	0	0	0	0
Tulsa	9,868	4,750	1,807	2,281	2,109	1,419	0	1,441	2,220
Wagoner	1,094	691	461	0	0	701	0	0	0
Washington	1,262	0	108	0	0	108	0	0	1,262
Washita	189	0	0	0	0	0	0	0	0

County	Total Units	Units at Risk for Poverty	Units in mostly Non-white Enclaves	Units in Community of Immigrants	Units in Limited English Neighborhood	Units nearer Elevated Number of Disabled	Units farther than 15 miles to Hospital	Units located in a Food Desert	Units that lack readily available Transit
Woods	65	0	0	0	0	0	2	0	65
Woodward	161	0	0	0	0	0	0	60	0