



ATTACHMENT 3



**ANALYSIS OF IMPEDIMENTS  
TO FAIR HOUSING (AI)**

Department of Community Planning, Housing &  
Development

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# Introduction

## What is the AI?

The Analysis of Impediments to Fair Housing (AI) is an assessment of how laws, government policies, real estate practices and local conditions affect the location, availability and accessibility of housing. The analysis of their impact on housing choice can highlight areas where corrective actions might broaden the housing options of persons protected by fair housing laws. It is also required by the U.S. Department of Housing and Urban Development (HUD) to receive federal funding. The last one was done by Arlington County in 2005<sup>1</sup>.

The analysis includes examining *impediments* and *barriers* to fair housing choice:

- An impediment to fair housing choice is any action, omission, or decision which is intended to or has the effect of restricting a person's choice of housing on the basis of race, color, religion, sex, disability, familial status or national origin. Such a limitation to fair housing choice constitutes housing discrimination.
- This AI defines barriers to housing choice as factors that limit a person's choice of housing, such as housing supply and location, physical accessibility of housing, zoning for group homes, source of income, accessibility of prime financing, and limited English proficiency.

## Why an AI?

Housing is a fundamental human need. The ability to find housing which best suits individual or family needs can make a major difference in the ability to pursue personal, educational, employment, and other goals. Because housing choice is critical, Arlington County government is, and long has been, committed to ensuring that all current and prospective residents have full access to the broad range of housing options available in the community.

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

Title VIII of the Civil Rights Act of 1968, as amended, makes it unlawful to discriminate in any aspect related to the sale, rental or financing of dwellings (or in the provision of brokerage services or facilities) in connection with the sale or rental of a dwelling because of race, color, religion, national origin, sex, families with children, and persons with handicaps. State law extends coverage to discrimination on the basis of elderliness. The County's Human Rights Ordinance adds elderliness, marital status and sexual orientation as protected classes.

## Methodology

Housing Division staff of the Department of Community Planning, Housing and Development worked in conjunction with the Human Rights Office to analyze data, documents, plans, current

<sup>1</sup><http://www.arlingtonva.us/departments/CPHD/Documents/1587final%20AI%20pdf.pdf>

programs and practices, identify barriers to fair housing choice, and develop strategies for ameliorating impediments and affirmatively furthering fair housing.

Fair housing complaints, cases and tests are one indicator of the presence of impediments to fair housing choice, indicating the presence or absence of housing discrimination. Staff obtained fair housing complaint data from HUD's Philadelphia Fair Housing and Equal Opportunity (FHEO) office, the Virginia Fair Housing Office and the County's Human Rights Office. The Human Rights Office also provided data from its fair housing testing conducted in the years 2005 to 2008.

There are a number of additional variables that can become barriers to housing choice. Housing choice is the ability to choose from a variety of housing types in locations throughout the County. Staff examined some of these variables by analyzing demographic data, geographic patterns and trends in lending. The demographic data consisted of 2000 Census data and annual population projections developed by the Planning Division. Home Mortgage Disclosure Act (HMDA) data provided information on lending activity specific to the County and to the Washington, D.C. Metropolitan Area.

In addition to analyzing the quantitative data, staff reviewed County planning documents, strategies, policies and ordinances to determine their direct or indirect impact on housing choice. Staff also evaluated County programs that provide housing choice and opportunities to Arlington residents. Some of these programs include the Affordable Housing Investment Fund (AHIF) which loans local dollars to developments with affordable housing, the Housing Choice Voucher Program, Housing Grants, homeownership programs, and supportive housing programs.

County staff also received public input from a number of sources. There was a Consolidated Plan Community Forum in the fall. See Appendix A for specific information and feedback about the AI breakout group at the Forum. A public website was created (<http://conplan.arlingtonapps.com/>) to provide more opportunities for public comment. Information about the Consolidated Plan and the AI was disseminated in the bi-monthly housing newsletter, *Housing Online*. Also, County staff met with various community leaders, interested residents, and relevant commissions to receive input.

## Structure of the Fair Housing Report

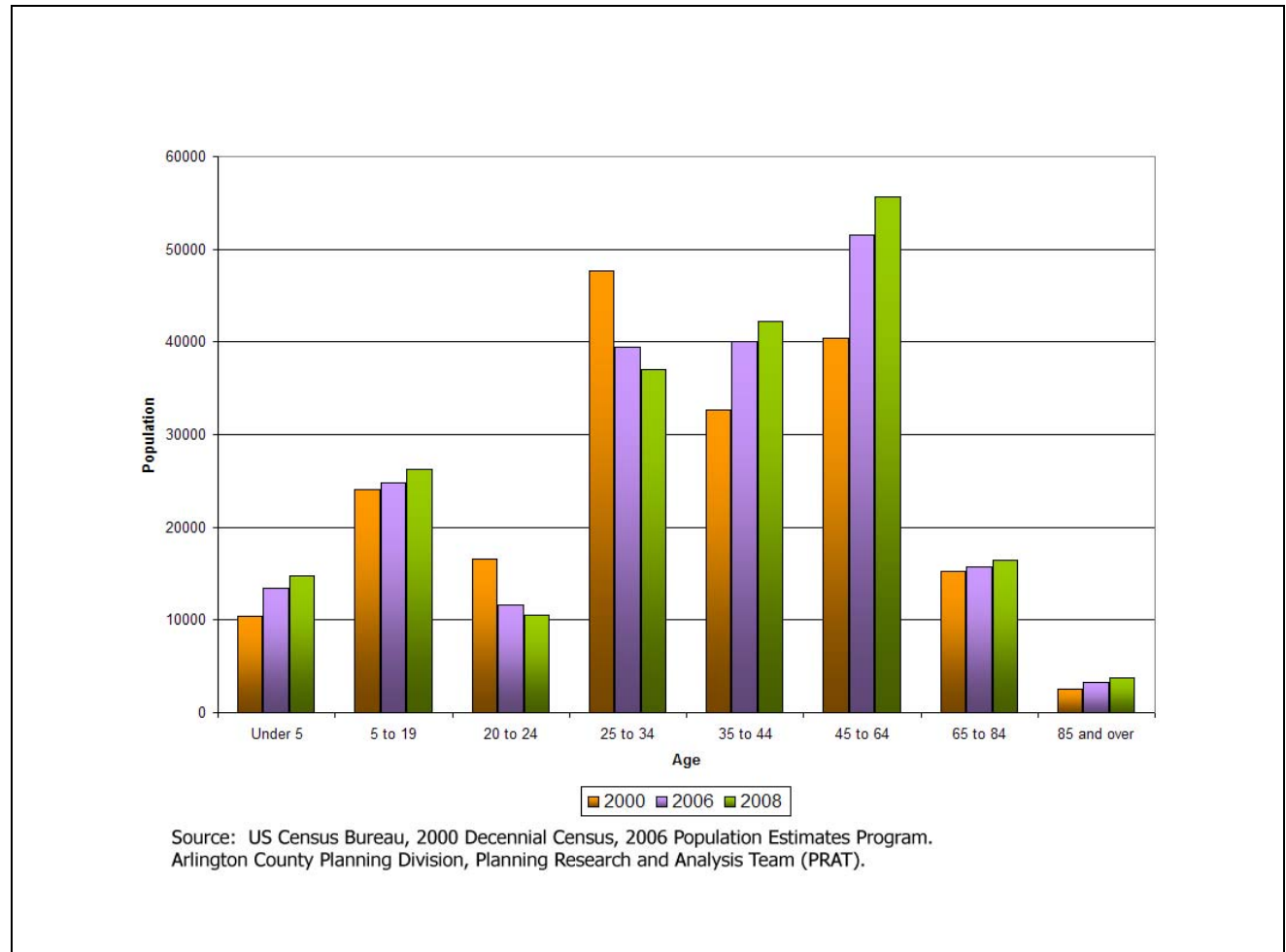
The fair housing report has five main sections. The first section analyzes demographic and housing trends, including issues related to racial segregation and housing for people with disabilities. The second section discusses the Affordable Housing Goals and Targets that are pertinent to fair housing. The next section describes fair housing in Arlington, including testing and complaint data, and the court case in Westchester County, NY. Section four looks at four barriers to housing choice in Arlington: awareness by tenant and owners about rights and responsibilities, physical and language accessibility, insufficient housing subsidies, and poor credit histories, criminal backgrounds, and/or various sources of income. Each barrier is discussed in depth and recommendations are subsequently proposed. The final section included a conclusion and the Fair Housing Plan. See Appendix B for the full Fair Housing Plan.

## Demographic and Housing Profiles

## The Changing Face of Arlington

As of January 1, 2009, Arlington's estimated population was 209,300, reflecting a 10.5% increase since 2000. It is among the most densely populated jurisdictions in the country with 8,112 persons per square mile. Arlington's population is racially, ethnically and culturally diverse. In 2007, approximately 35% of its residents were Hispanic/Latino, African- American, Asian or multi-racial and almost 26% of residents were born outside the United States. The County's public school children speak 95 languages and hail from 128 countries. Arlington residents are among the most highly educated in the nation. In 2007, about 68% of adults age 25 and older held a bachelor's degree or higher and over 38% held a graduate or professional degree<sup>2</sup>.

The graph below shows how the age demographic of Arlington County residents has changed over the last eight years, particularly among 25 to 64 year olds. As Arlington County ages, the demand for age-appropriate housing will grow as the aging population tends to desire smaller and more accessible units.



<sup>2</sup> [Profile 2009](#)



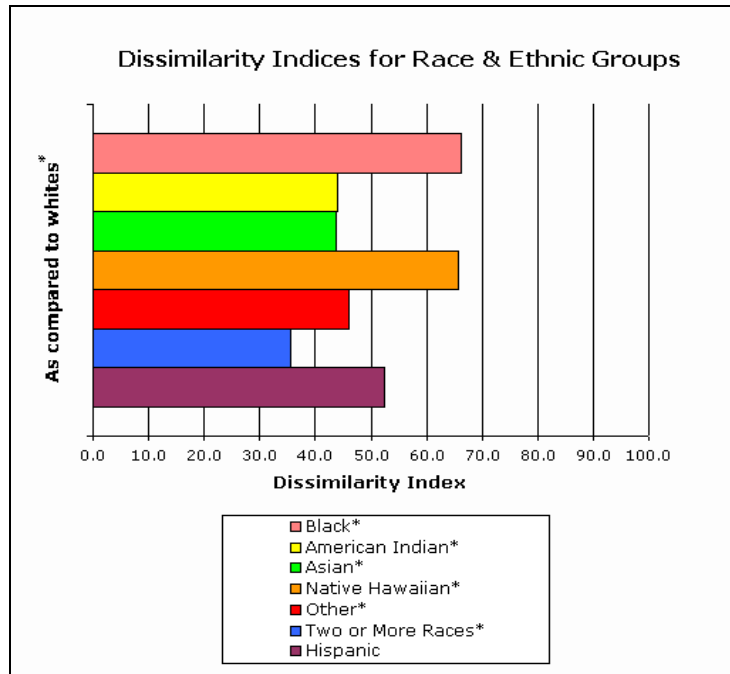
## Segregation: Census 2000 Dissimilarity Indices<sup>3</sup>

Segregation and isolation are indicators of inequality in residential areas. A strong community requires interaction and discourse between individuals of different backgrounds and viewpoints. The dissimilarity index is the most commonly used measure of segregation between two groups, reflecting their relative distributions across neighborhoods within a city or metropolitan area. It can range in value from 0, indicating complete integration, to 100, indicating complete segregation. In most cities and metro areas the values are somewhere between those values.

The dissimilarity index measures the relative separation or integration of groups across all neighborhoods of a city or metropolitan area. If a city's white/black dissimilarity index were 65, that would mean that 65% of white people would need to move to another neighborhood to make whites and blacks evenly distributed across all neighborhoods. Thus, the higher the dissimilarity index, the greater the degree of residential segregation. According to the Lewis Mumford Center, a value of 60 or more indicates a high level of residential segregation, 40 to 50 a moderate level and less than 30, a low level.

The chart shows the dissimilarity index for the *Washington, D.C. Metropolitan Region*. (See Appendix C for the data table). About 50% of the white people around the region would have to move to be evenly distributed with Hispanic people, and about 65% of white people would have to move to be evenly distributed with black people around the region. These data show that regionally black people and white people are slightly more racially segregated than Hispanic people and white people. However, for the purposes of Arlington County, efforts to discourage racial segregation should focus on the integration of all three of these racial categories.

<sup>3</sup> Source: William H. Frey and Dowell Myers' analysis of [Census 2000](#); and the [Social Science Data Analysis Network \(SSDAN\)](#).



\* Non-Hispanic only.

## Housing Trends

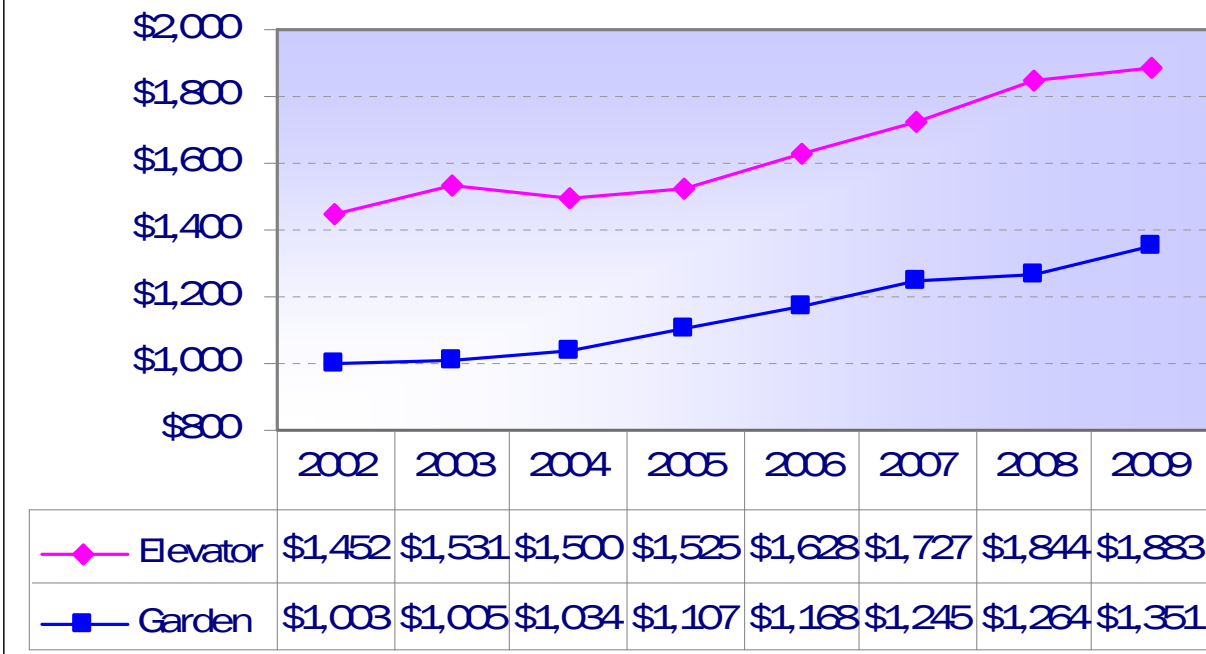
Three of the largest barriers to fair housing choice are the supply, location, and accessibility of affordable housing. This section will examine market trends that effect these barriers and what the County is doing to address these conditions.

Arlington County's highly desirable location due to its proximity to Washington, DC, job opportunities, public transportation, and a high level of services, has created a demand for housing and continues to make Arlington a strong housing market. The overall vacancy rate for apartments decreased slightly to 2.8% in 2008, reflecting a tight rental market.

In recent years, there has been a significant reduction in the number of housing units affordable to families earning less than 60% of area median income (AMI) due to rents rising faster than incomes, redevelopment, and condo conversion. In 2000, a unit at the average rent required an income of 52% of AMI; in 2008 and in 2009, it required 67% of AMI. (The HUD-estimated median family income for a family of four for the Washington Metropolitan Statistical Area (MSA) for 2009 was \$102,700.)

The 2009 County-wide average rent increased by \$63 per month to \$1,711, an increase of 4% over 2008. The average rent for elevator building units increased 2.1%, while the average rent for all garden apartments units increased 6.9%. (Elevator rents may be artificially high since rent concessions of two months were not uncommon marketing tools in the past two years.)

## Rents Continue to Increase



(Source: Arlington County Housing Division, 2008 Targets Report)

The median sales price for the time period of September 2008 – July 2009 was \$670,000 for a single-family home and \$367,000 for a condo, compared to \$715,000 and \$388,000 respectively for the time period from June 2007 to August 2008. (Median home price data is from the Housing Division analysis of data from the County's Real Estate records.)

## Housing for People with Disabilities

The Fair Housing Act requires housing providers to make reasonable accommodations for persons with disabilities. A reasonable accommodation is a change in rules, policies or practices, and physical design, where the need for such a change is related to one's disability. For example, a landlord must accommodate a person who is visually impaired and uses an assistive animal by modifying the "no-pets" policy, unless the landlord can show that such an accommodation is an undue burden or would cause a fundamental alteration in the housing provided. Another example would be accommodating the on-site presence of residential support staff and creation of a small office area within the resident's apartment for use by support staff.

National studies estimate that one in every five people may have a chronic disabling condition. This could translate into over 40,000 people in Arlington, including the elderly, with intellectual and physical disabilities. There is also anecdotal evidence that only about 1/3 of the accessible units in Arlington County are being occupied by people who need them.

Nationally, there is a critical shortage of accessible, adaptable or universally designed housing that meets the needs of the community including those with disabilities and those who may become disabled. A 2005 report by the Technical Assistance Collaborative, Inc. found that

nationally “non-elderly adults with disabilities live in 35% to 40% of the 6 million households with worst case needs.”<sup>4</sup> The Illinois Assisted Housing Action Research Project found that “nearly 30% of persons with disabilities had income levels below poverty in 2005.”<sup>5</sup> Assuming these statistics apply nationwide, consideration must be given to focus on the needs confronted by this group and to develop strategies to overcome their barriers to fair housing. The 2008 Annual Affordable Housing Goals and Targets report identifies the need for more units designated to serve persons with disabilities. Currently, approximately 5% of all CAFs are accessible.

## Olmstead and ADA

The 1999 U.S. Supreme Court ruling in *L.C. & E.W. vs. Olmstead* interpreted the Americans with Disabilities Act (ADA) to mean that states must provide services "in the most integrated setting appropriate to the needs of qualified individuals with disabilities." The Court ruled that two nursing home residents should be allowed to live in the community. The Olmstead decision means that a person with a disability should have the opportunity to live in the community with the least restrictive setting, e.g., if they chose to live in an apartment rather than a group home while matching their service needs and choices they should still have this option. The ruling directs states to make “reasonable modifications” in programs and activities to facilitate broader housing options for persons with disabilities.

In spite of the long successful community integration of group homes providing support for people with disabilities with positive community acceptance, the State of Virginia Community Integration Implementation Team and the Advisory Commission became aware of the continued early opposition to proposed group homes throughout the Commonwealth. On November 20, 2009, the Commission distributed information to all chief local government officials, local human services officials, and local government attorneys about Virginia's laws. The Commission provides educational and awareness information to assist localities in complying with these laws.<sup>6</sup> Group homes in Arlington will be further addressed in a later section of the AI.

The primary goal of Arlington County's Aging and Disability Services agency's programs is to promote the maximum level of independent functioning of persons with physical and sensory disabilities. Services are oriented toward providing the support needed for persons to remain safely in the community and to prevent unnecessary or premature institutional placements. Similarly, Behavioral Healthcare agency programs promote maximum independent living in the community for persons with serious mental illness, thereby preventing unnecessary and restrictive institutional placements. The objective is to help these individuals become productive Arlington residents who are integrated into the community.

<sup>4</sup> <http://www.tacinc.org/Docs/HH/HiddenHousingCrisis.pdf>

<sup>5</sup> [http://www.uic.edu/cuppa/voorheesctr/Publications/IHARPFinalRpt05\\_07.pdf](http://www.uic.edu/cuppa/voorheesctr/Publications/IHARPFinalRpt05_07.pdf)

<sup>6</sup> See <http://www.olmsteadva.com/> for more information.

## Affordable Housing Goals and Targets

## Relationship to Fair Housing

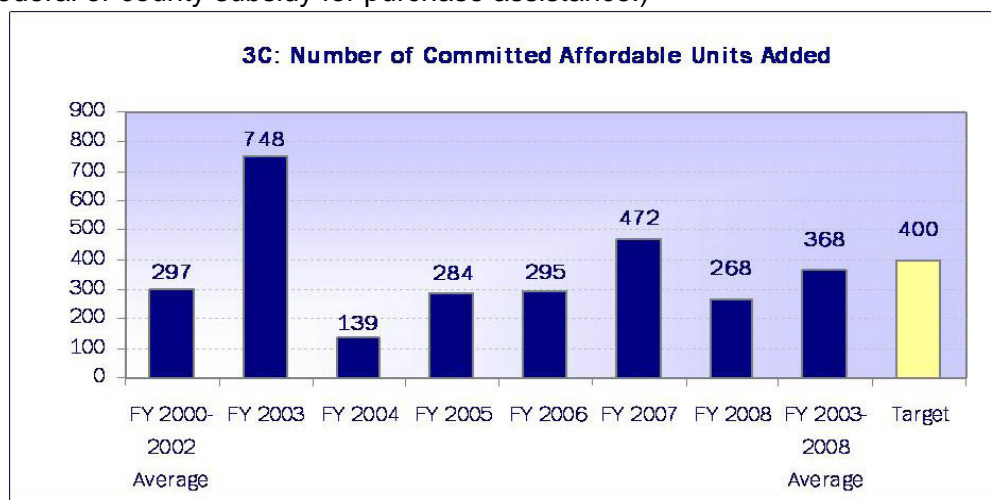
In December 2000, the County Board adopted nine housing goals and continues to actively monitor progress toward these goals. In 2003, it established numerical targets for each of the goals and receives an annual report on performance toward each target. Arlington's Affordable Housing Goals and Targets address a number of issues that further the interests of the community via fair housing, including increasing the committed affordable rental supply, eliminating housing discrimination, increasing assistance to persons with disabilities, providing permanent housing for the homeless, increasing minority homeownership, distributing committed affordable units, and increasing the number of family-sized housing units. Refer to "[Annual Affordable Housing Targets Report for Fiscal Year 2008](#)" for more information. The Targets establish a long term vision of where the County ideally would like to be and provide a quantitative way to measure our progress.

Two Affordable Housing Goals are particularly relevant to fair housing. Goal #3 is to permit no net loss of committed affordable housing, and make every reasonable effort to maintain the supply of affordable market rate housing. Goal #6 is to distribute committed affordable housing within the County, neighborhoods, and projects.

## Committed Affordable Units (CAFs)

Many minority groups that are protected classes (persons who identify themselves as Hispanic/Latino, African- American, Asian or multi-racial) are often also low-income. Based on this, it can be inferred that a barrier to housing may be a simple lack of affordable housing. To address the affordable housing supply as a barrier to fair housing choice, County Target 3C aims to help maintain the supply of affordable housing by assisting an average of 400 net new CAFs per year, especially the preservation of existing affordable housing through partnerships with nonprofit housing providers.

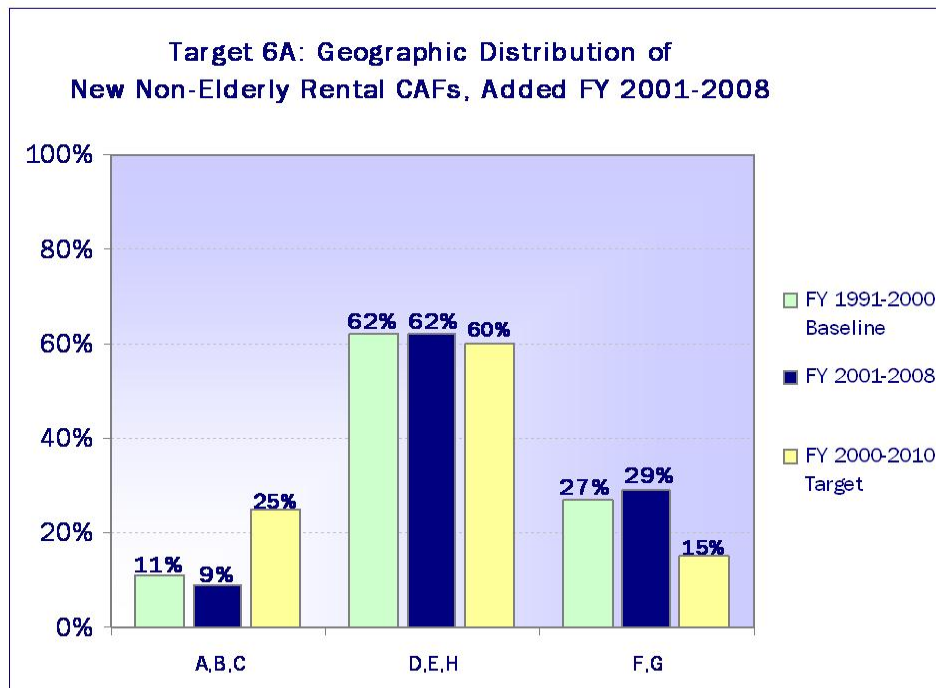
A total of 268 CAFs were added during fiscal year 2008. The average annual number added from the base year of fiscal year 2003 through fiscal year 2008 is 368. The number of new CAFs in any given year relates to opportunities in the market. (Rental CAFs typically serve households with incomes below 60% AMI for 30 years. Owner-occupied CAFs are units that receive federal or county subsidy for purchase assistance.)



(Source: Arlington County Housing Division, 2008 Targets Report)

## Geographic Distribution

Disproportionate geographic distribution of affordable housing is also a barrier to fair housing choice. County Goal #6 is to distribute committed affordable housing within the County, neighborhoods, and complexes, based on eight Neighborhood Service Areas (NSAs). Refer to Appendix D for a map of the NSAs. The chart shows the County's progress towards reaching its goal of a more even geographic distribution of CAFs.



(Source: Arlington County Housing Division, 2008 Targets Report)

Another way to look at the geographic distribution of affordable housing is to look at the north-south distribution of CAFs and MARKS. Even though a majority of the market rate affordable housing (MARKS) in Arlington County is south of Route 50, a majority of the CAFs is located north of Route 50. See Appendix E for a map of Arlington County CAFs.

## Fair Housing



## Fair Housing in Arlington

Preparing this AI is the first step to a Fair Housing Plan. The next step is the identification, with broad citizen participation, of a list of actions to eliminate or mitigate the negative impacts of specific impediments. Actions identified to address the barriers to fair housing will be included in the approved AI and will provide the fair housing strategy for the County's FY 2011-2015 Five Year Consolidated Plan, being developed now

### Enforcement (Laws, Agencies)

Federal, state and local laws all prohibit housing discrimination. The Federal Fair Housing Act outlaws discrimination in renting or purchasing a home or financing a home mortgage based on race, color, religion, national origin, sex, familial status, and handicap (disability).

The federal, state and local governments all share a role in the creation and enforcement of fair housing laws. In addition, each level of government enforces its ordinances/laws, conducts activities to affirmatively further fair housing and accepts complaints on housing discrimination.

In addition to the protected classes in the Federal law, the County's Fair Housing Ordinance adds marital status, age and sexual orientation. The County Ordinance provides a range of fair housing enforcement options comparable to the Federal law. Arlington's ordinance, however, is not substantially equivalent to the Federal law. For example, the local Ordinance does not provide a complainant with the option of free legal representation following a reasonable cause determination (i.e., when the investigation shows a preponderance of evidence that discrimination occurred). Complainants have the option to file with all three offices.

### Complaint Data

A person who believes he or she is a victim of housing discrimination can choose to file a fair housing complaint through the U.S. Department of Housing and Urban Development's (HUD) Fair Housing and Equal Opportunity (FHEO) office, the Virginia Fair Housing Office, or Arlington County's Human Rights Office (HRO). Typically, when a complaint is filed with an agency, a case is opened and an investigator begins an investigation into the allegations of housing discrimination on the basis filed.

It may be difficult for housing seekers to discern if discrimination is taking place. The number of complaints filed is limited by one's ability to recognize discrimination and willingness to pursue the complaint process. As a result, information filed by complainants may not be a valid indicator of discrimination in a jurisdiction.

For fiscal year 2008 (July 2007 - June 2008) two housing complaints were filed out of 38 (5%) total human rights complaints. Both complaints were determined to have "no cause" and were disability related. (If, after a thorough investigation, HUD finds no reasonable cause to believe that housing discrimination has occurred or is about to occur, HUD will issue a determination of "no reasonable cause" and close the case). HRO received 49 inquiries (questions about housing which did not end in filing complaints) out of 300 (16%) total inquiries.

From July 2008 - April 2009, HRO received 4 housing complaints out of 65 (6%) and 31 inquiries out of 320 (10%). Three of the four complaints have been determined to have “no cause” and the fourth was withdrawn.

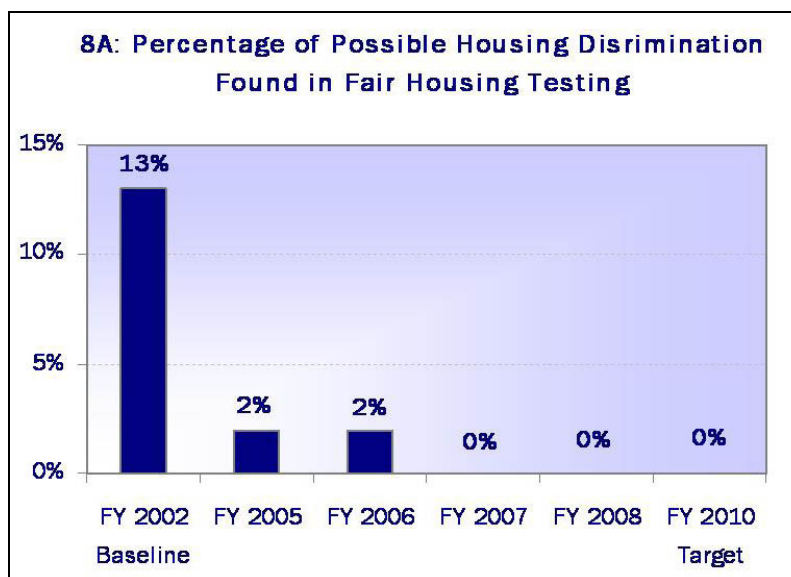
Over the last 10 years, housing complaints typically comprise about 5% of total HRO complaints and 10% of the inquiries. Most housing complaints in the last few years are based on disability, specifically related to parking or other accessibility issues. Others are related to landlord eviction of tenants based on tenant behaviors but perceived by tenants to be based on race or ethnicity.

## Testing Data

Fair housing testing is a method to determine whether or not a home seeker is disparately treated in his or her search for housing. This is done by pairing two testers who are matched equally as possible to each other except for race, national origin, or familial status, or other categories. The characteristics that relate to obtaining housing, such as income, employment background and prior housing history, are matched as closely as possible. Personal characteristics such as marital status and number of children are also matched where appropriate.

The results of fair housing testing are a critical means of judging equal opportunity of housing choice in an area. Testing can help to determine if there is a tendency toward unequal opportunities for the protected classes. In 2000, the County’s Human Rights Office began conducting 100 annual fair housing tests through a contract with Fair Housing Management Consultants (FHMC). Oversight of the testing project is conducted by the staff of the Human Rights Commission.

Goal #8 of Arlington County’s Goals and Targets is to ensure, through all available means, that housing discrimination is eliminated. Target 8 intends to eliminate all incidents of possible housing discrimination by fiscal year 2010, as verified by annual fair housing testing. The County achieved its fiscal year 2010 target of “no findings of possible discrimination” in its fiscal years 2007 and 2008 fair housing testing.



(Source: Arlington County Housing Division, 2008 Targets Report)

Due to budget constraints imposed by County revenue reductions and the fact that fair housing testing has resulted in 0 findings of discrimination for the last two years, fair housing testing will now only occur every three years as opposed to annually. The next fair housing testing will occur in FY2011. If discrimination is found to have increased in 2011, the County may return to testing on an annual basis.

## Westchester County, NY Case

Westchester County, NY entered into a desegregation agreement that would settle a lawsuit by an antidiscrimination group pertaining to its efforts to affirmatively further fair housing. This case is relevant to Arlington County as it highlights the increased awareness about fair housing, particularly as it relates to the geographic distribution of affordable housing units and desegregation. The New York Times reported on August 11, 2009 that a Federal District Court

“concluded that Westchester made little or no effort to find out where low-income housing was being placed, or to finance homes and apartments in communities that opposed affordable housing...the county admitted that it has the authority to challenge zoning rules in villages and towns that in many cases implicitly discourage affordable housing by setting minimum lot sizes, discouraging higher-density developments or appropriating vacant property for other purposes. Westchester agreed to “take legal action to compel compliance if municipalities hinder or impede the county” in complying with the agreement.”

Arlington has and is making strides to geographically distribute committed affordable housing (CAFs) and reduce segregation. Arlington has multifamily zoning in both the northern (Lee Highway, Clarendon-Wilson Boulevards) and southern (Columbia Pike, Shirlington, Route 1) sections of the County. Opportunities for more CAFs have been and are being pursued in all of these areas<sup>7</sup>. Further, Goal #6 of the Affordable Housing Goals and Targets aims to distribute CAFs throughout the County. Specifically, it strives to add more CAFs in the north where there traditionally have been fewer MARKS and reduce the percent of CAFs in the south where traditionally there have been more MARKS. Achieving this goal will further desegregate Arlington County. Also, The County aims to also disperse CAFs within projects. Target 6B calls for 2/3 of new large non-elderly projects to have less than ½ of their units serving households with incomes below 60% of the median income.

The decision highlights that affirmatively furthering fair housing (AFFH) certification is not a formality, rather a substantive requirement that demands an AI be conducted, appropriate actions taken to further fair housing, and the analysis be documented. The Court also found that income cannot be used as a proxy for race. Providing housing for low-income minorities may improve the housing stock, but may not do much to change patterns of discrimination or segregation. Analysis of where the housing was placed would need to be completed as well.

HUD has also begun to reexamine the meaning and requirements of affirmatively further fair housing. The concepts and requirements of AFFH have not always been clear. Some

<sup>7</sup> See Appendix E County-wide CAFs map.

jurisdictions have not taken the requirements of AFFH seriously because of the lack of clarity and because HUD has rarely enforced the requirement. Rarely, if ever have jurisdictions had CDBG funding withheld because of violating AFFH standards. HUD has begun to take public comments about AFFH, and it appears that HUD is moving towards more clearly defining what affirmatively furthering fair housing means, what it requires, and how compliance will be enforced.

Barriers to Housing Choice:  
Awareness by Tenants and Owners about  
Rights and Responsibilities

## Subprime Lending by Income and Race

Access to mortgage credit enables residents to own their homes. Access to refinancing and home improvement loans allows them to keep older houses in good condition. This access provides home ownership opportunities, helps prevent blight, keeps residents vested in their communities and builds wealth through housing assets. Full service local lenders, that do not have predatory lending characteristics, have traditionally served residents and businesses and are one of the main elements that keep neighborhoods stable.

Predatory lending is unfair, deceptive, or fraudulent practices of some lenders during the loan origination process. It can result in various long-term and far-ranging community problems. The immediate consequences of predatory lending are high mortgage costs, unfavorable terms, and elevated foreclosure/delinquency rates. Long term consequences include credit damage, deteriorating/blighted neighborhoods, family instability, and ultimate homelessness.

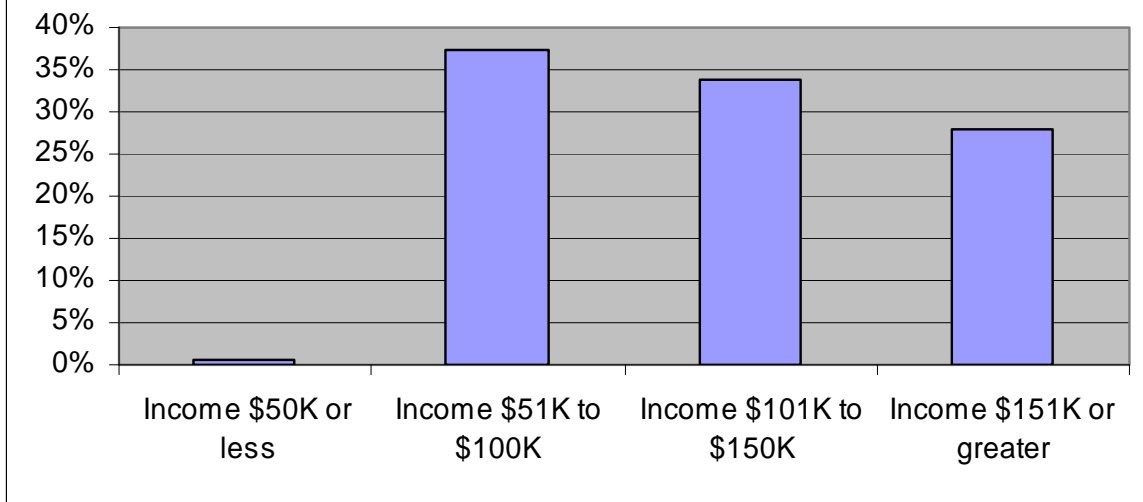
A subprime lender provides products to borrowers whose credit status does not meet the underwriting requirements of traditional government-backed or conventional lenders. Predatory lending occurs primarily in the subprime mortgage market, which grew rapidly during the housing boom. According to a 2007 report by the Center for Responsible Lending, a national nonprofit that works to eliminate abusive financial practices, the subprime share of all mortgage originations between 2003 and 2006 increased from 8% to 28%.<sup>8</sup>

The charts below show the income and race of borrowers of high cost mortgages (first-lien loans<sup>9</sup>) in Arlington. In Arlington, most high cost mortgages loans went to Hispanic borrowers who had an income between \$51,000-\$150,000/year.

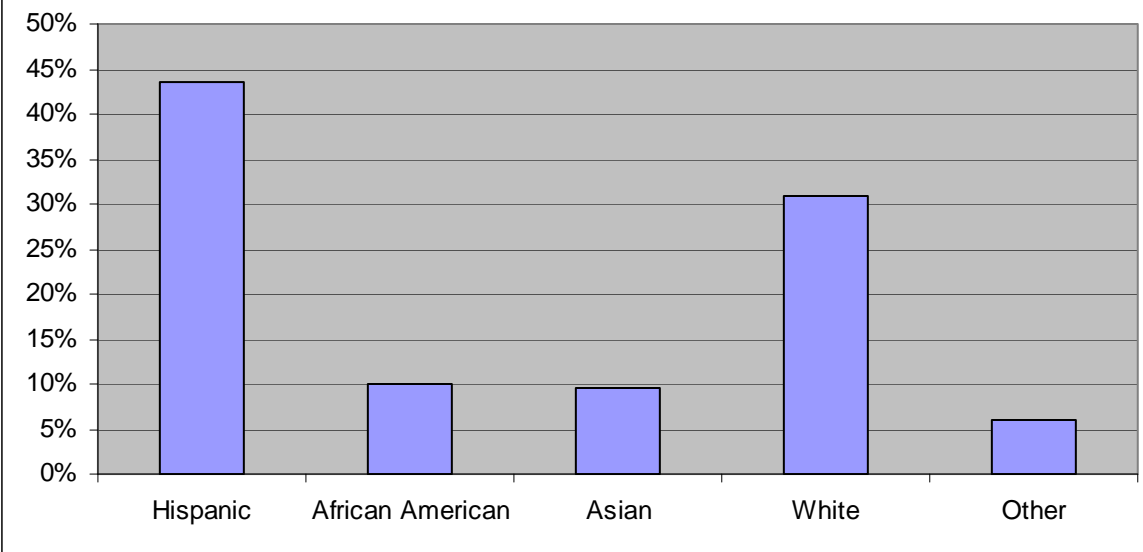
<sup>8</sup> <http://www.responsiblelending.org/mortgage-lending/tools-resources/a-snapshot-of-the-subprime.html>

<sup>9</sup> "A first lien loan is the mortgage placed on the home before any other loans are taken out. It is usually the loan you use to buy the home and may be the largest loan on the home. The lender of a first lien loan has first claim on the home in the case of default.." [http://www.smartrefinance.net/loan\\_sources.html](http://www.smartrefinance.net/loan_sources.html)

### Arlington High Cost Mortgages 2006 (Income)



### Arlington High Cost Mortgages 2006 (Race)



(Source: Arlington County Planning Division, Planning, Research and Analysis Team (PRAT))

## Foreclosures

The foreclosure crisis has serious fair housing implications. Predominantly minority neighborhoods have historically experienced high levels of housing discrimination. After years of both overt and covert discrimination, some portions of the mortgage industry began to target minorities for subprime loans as the demand exploded for securitized mortgages on secondary markets. Minority borrowers received a much higher percentage of subprime loans than did whites. As it turned out, a large percentage of these subprime loans, often with adjustable interest rates, proved toxic for many borrowers causing a high default rate. Therefore, minority

neighborhoods have been hard hit by the foreclosure crisis because of the high number of subprime loans they received. Foreclosures can reinforce traditional patterns of housing segregation.

Arlington County has the lowest foreclosure rate in the Washington, DC region. The total number of foreclosures for Arlington County, according to Arlington County Real Estate Assessments, was 28 in 2006, 140 in 2007, 305 in 2008, and 195 through August, 2009. The foreclosures are concentrated in the western and southern parts on the County.

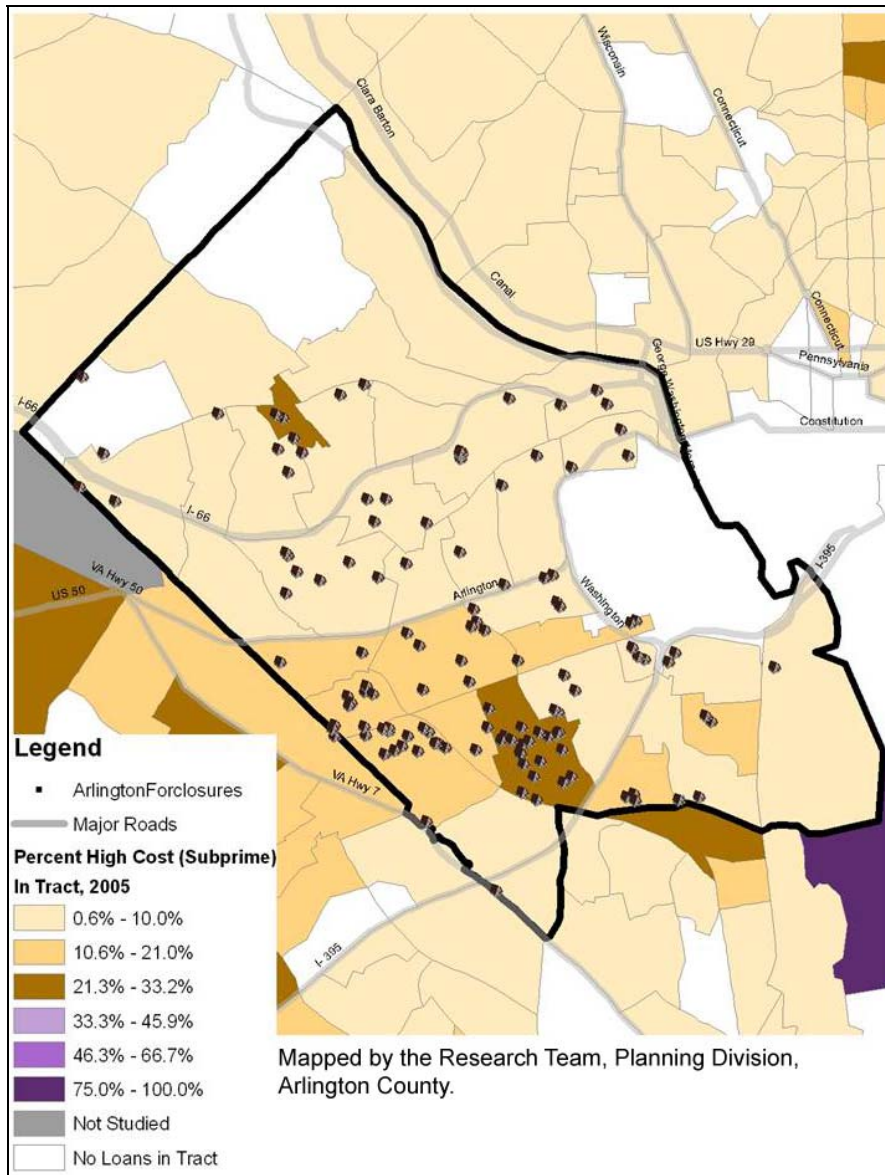
Foreclosure Rates for Arlington and the Region:

<b>Jurisdiction</b>	<b>Foreclosures</b>	<b>Jurisdiction</b>	<b>Foreclosures</b>
Arlington	1/1185 homes	Fairfax City	1/141 homes
Alexandria	1/862 homes	Loudoun	1/118 homes
Fairfax	1/309 homes	Prince William	1/95 homes

(Source: RealtyTrac, December 2008. *Foreclosure listings include Pre-Foreclosure, Auction and Bank Owned Properties*)

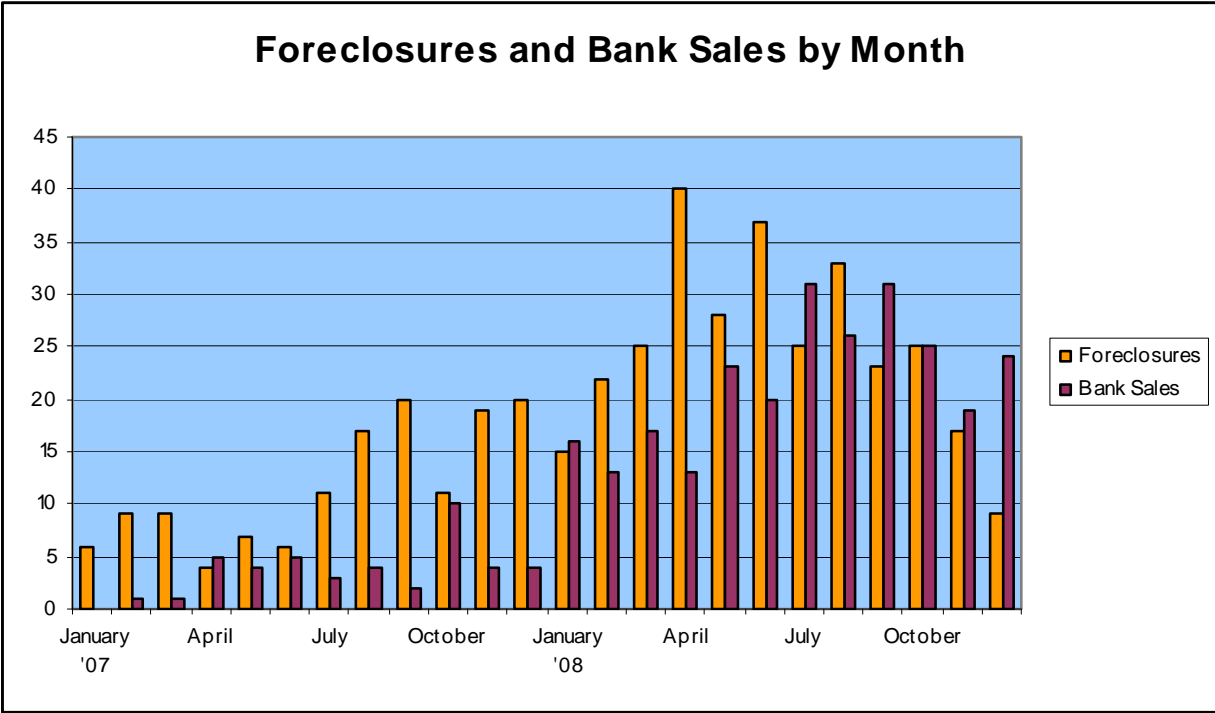
Most recent foreclosures are in areas of Arlington County where subprime lending occurred two or three years ago. On the map below, the dots represent foreclosures and the darker colors indicate higher rates of subprime lending. The foreclosures constitute settlements from 2007 and the subprime loans were issued in 2005.





(Source: Arlington County Planning Division, Planning, Research and Analysis Team (PRAT))

The Arlington real estate market remains strong as these foreclosures are not remaining vacant. Seventy percent of these foreclosures have been rapidly resold into the private market at slightly reduced prices. The chart below shows the foreclosures and subsequent bank sales from 2007 and 2008. Each bank sale represents a previously foreclosed property that has been repurchased in the private market. Bank sales have recently increased because the data often lags two to three months after the actual foreclosure date. Foreclosures peaked in April 2008 with a monthly total of 40.



(Source: Arlington County Real Estate Assessments Division)

## Recommendations

The barrier to housing choice is that some tenants and owners are not fully aware of their rights and responsibilities.

It is recommended that the County increase outreach to and education of tenants and owners about rights and responsibilities

- Expand tenant-landlord program, housing fair, housing coordination, and foreclosure prevention in Housing Services.
- Conduct an education campaign on predatory lending, focusing efforts on County neighborhoods that are vulnerable to predatory lending. Actively distribute HUD's [citizen guides](#) on how to identify and avoid unfair lending practices, and file a complaint.
- Provide housing and credit repair education to households on Section 8 - HCV and Housing Grants waiting lists.
- The Human Rights Office (HRO) and the Department of Community Planning, Housing, and Development (CPDH) develop annual fair housing and AI workshops to educate the community and receive feedback. Hold a Latino specific forum related to fair housing, discrimination, and service access.

Barriers to Housing Choice:  
Physical and Language Accessibility

## Accessible Housing

Two other aspects of fair housing for people with disabilities are whether there are sufficient physically accessible housing units available and their respective levels of accessibility.

The percentage of units in a multifamily building which must be accessible varies according to the type of funding involved. In Arlington, newly constructed apartment complexes of 20 or more units are required by Building Code to have 2% (and a minimum of one unit) "Type A" accessible units. The Arlington County Board often requires more than 2% for site plan projects and many new developments are producing 5%-10%. This increase is partially due to competition for Federal Low Income Housing Tax Credit financing.

The 2006 International Building Code defines three types of units of varying levels of accessibility: "Accessible" (with the most demanding accessibility requirements), "Type A" (units with a high level of accessibility - especially in kitchens and bathrooms), and "Type B," which is accessible to many persons and easy to adapt (i.e. they are already reinforced for grab bars, kitchens are wide enough for wheelchairs, etc.). All new units in elevator buildings must be at least "Type B" accessible, which is accessible for many persons and easily adaptable (i.e. they are already reinforced for grab bars, kitchens are wide enough for wheelchairs, etc.). If federal funding is used via the Community Development Block Grant (CBDG) or HOME programs, a different standard requires that 5% of the units be accessible and 2% be accessible for persons with hearing or visual disabilities. If Federal Low Income Housing Tax Credits are used via the Virginia Housing Development Authority (VHDA), 4%-10% of the units are required to be accessible if the developer is getting accessibility bonus points.

There are also various standards for the type of accessibility. Local funding uses the International Code Council/American National Standards Institute (ICC/ANSI) standards for accessibility, creating the different "Type A" and "Type B" units. Federal funding requires compliance with Section 504 of the 1973 Rehabilitation Act, which is a slightly different standard for accessibility. The VHDA tax credit point scoring criteria for accessible units has two parts: standard Federal 504 requirements and Universal Design<sup>10</sup> concepts including roll-in showers, roll-under sinks, and front control ranges. However, Universal Design does not necessarily incorporate all of the requirements of 504 and it has no required standards of measurement for design and construction. Similarly, the American Association of Retired People's (AARP) Universal Design concept helps people age in place but does not make the unit accessible. Visitability<sup>11</sup> is yet another accessibility concept involving no step entrances, at least half bathrooms on the first floor, and accessible knobs and switches. Refer to Appendix F for more information comparing the accessibility standards for multifamily rental housing. The number of accessible units created and their level of accessibility should be consistent and match the need for those units.

Lack of information is another barrier. Tenants with disabilities are not always connected with the available accessible housing. Despite the availability of such resources as [www.accessva.org](http://www.accessva.org) and the Endependence Center, it is difficult for some tenants to find

<sup>10</sup> [http://en.wikipedia.org/wiki/Universal\\_Design](http://en.wikipedia.org/wiki/Universal_Design)

<sup>11</sup> <http://en.wikipedia.org/wiki/Visitability>

accessible housing and to determine its level of accessibility. Also, public education related to accessibility is lacking. Homeowners making additions would benefit by being informed on how to make their homes accessible, visitable, and adaptable.

## Limited English Proficiency (LEP)

LEP persons, as a result of national origin, do not speak English as their primary language and have a limited ability to speak, read, write, or understand English. In certain situations, failure to ensure that persons who are LEP can effectively participate in, or benefit from, federally assisted programs may violate Title VI of the Civil Rights Act of 1964's prohibition against national origin discrimination.

According to Arlington County's Limited English Proficiency Policy and Guidelines for Implementation, County departments are required to take reasonable steps to ensure that persons with limited English proficiency have access to programs, benefits, services and activities, regardless of federal funds. Some of the policy components are to translate critical documents necessary to access services and/or provide interpreter services, and to hire bilingual staff for positions where the ability to provide the direct service in other languages is essential.

The County has bilingual housing publications for both the Homeless Prevention and Rapid Re-housing Program (HPRP) and the local Housing Grants programs. As of April 1, 2010, staff is currently translating all Section 8, Real Estate Tax Relief, and Homeowner Grants (low-income homeownership stability) programmatic and outreach documentation to have it finalized for public dissemination at the May 8, 2010 housing fair.

According to the 2005-2007 American Community Survey, of all Arlington County residents five years and older, 11.5% (21,810) speak English less than "very well", 69.2% (130,698) speak English only at home, and 16.7% (31,510) speak Spanish at home. Based on demographic data obtained by subrecipients and the County, there is a large percentage of non-native speakers who access federally assisted programs in the County. Some of the services, like affordable housing, and foreclosure and subprime lending prevention, are centered in the southern and western parts of the County where there is a concentration of LEP persons. These services are critical to LEP persons in that they provide economic opportunities and stabilize communities. The cost to federally assisted subrecipients for providing language services can be high. This would include translation services, hiring multi-lingual staff members, and printing program information in multiple languages. Language access is a barrier in Arlington for some of the protected classes.

## Recommendations

The barrier to housing choice is that residents face physical and language barriers when seeking housing services.

It is recommended that the County improve physical and language accessibility.

- Enhance the process to identify available accessible units and marketing them.

- Explore having an Affordable Housing Goal and Target for accessibility. One Target should relate to accessible bathrooms (roll in showers; units on ground floor), and the other should address accessibility compliance.
- Quantify the need for accessible units in the County and strive for commensurate baseline accessibility standards for County supported units.
- Include principles of visitability and universal design in all new construction and rehabilitations. Create a local visitability certificate program possibly modeled after Montgomery County, MD.'s [Design for Life](#) program.
- Develop accessibility public education campaign and expand County staff accessibility training.
- The LEP tool (“check off sheet”) should be used for all programmatic outreach efforts by County staff and partners who administer housing programs. Ensure nonprofit partners provide multilingual versions of the Housing Choice Voucher application form and application forms for CAF rentals.
- Create a public service announcement (PSA) on Arlington TV in Spanish, Vietnamese and the other most prevalent non-English languages on affordable housing programs, the fair housing complaint process, and public services.
- Help create “Arlington Language Access Coalition,” a community group to oversee implementation of the Arlington Language Access Plan.
- Regularly update the County’s [LEP Plan](#). Prominently post each department’s LEP plan on the County website and provide progress reports on efforts to meet LEP goals. Create an LEP brochure to educate the community. Work with the regional language access coordinators group and the multicultural outreach network.
- Ensure that County outreach and program marketing publications pertaining to affordable housing and HUD-funded programs are available to County residents in multiple languages where appropriate to the needs of the consumers.

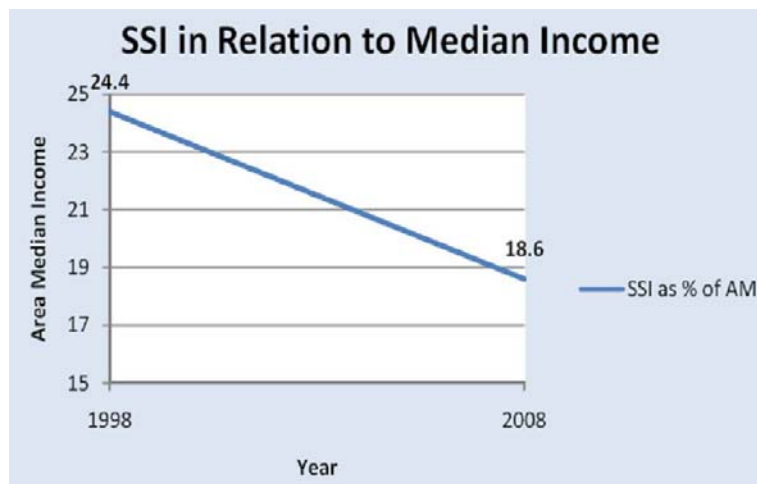
Barriers to Housing Choice:  
Insufficient Housing Subsidies

## Supportive Housing and Vouchers

Supportive housing combines housing with services (e.g. case management, residential support, independent living support) primarily for persons with a mental handicap and/or intellectual disability. Arlington County's Supportive Housing Plan, completed in January 2005, includes a comprehensive assessment of the need for affordable housing linked with support services, a summary of best practices appropriate for and financially feasible in Arlington, and a comprehensive five-year plan for developing a continuum of permanent supportive housing which identifies new financial resources. The five-year initiative aims to produce 425 new supportive housing units by the end of FY 2010. The County already has about 240 of these units committed. As housing development slows in the County with the current economic downturn, this goal may become more difficult to achieve.

Supplemental Security Income (SSI) is the federal income maintenance program that provides a base of support for people with significant and long-term disabilities who have virtually no assets or other sources of income. The pairing of supportive housing units with this income stream is essential to providing housing to people with disabilities.

Nationally, the monthly SSI benefit in relation to median income has decreased over the last ten years while the cost of housing has conversely increased relative to median income. This is illustrated below.



(Source: [Priced Out in 2008](#), by Cooper, Korman, O'Hara, and Zovistoski)



Locally, according to “Priced Out in 2008”, in Washington, Arlington, and Alexandria, SSI payments only equaled 11.1% of median income and it would take 177.6% times the SSI payment standard to afford a 1-bedroom apartment at HUD’s Fair Market Rent.

## Recommendations

It is a barrier to housing choice that Arlington’s lowest income residents lack sufficient resources for housing.

It is recommended that the County increase the number and value of the local Housing Grants.

- Work with the 10-Year Plan to End Homelessness Implementation Task Force to find new funding streams to increase Housing Grants.
- Expand Housing Grants’ eligible categories to include homeless singles.

Barriers to Housing Choice:  
Poor Credit Histories, Criminal Backgrounds,  
and/or Various Sources of Income

## Supportive Group Living (Group Homes)

A group home is a single family detached unit in which persons with a physical handicap, mental handicap, intellectual disability or developmental disability, not related by blood or marriage, reside on a long-term basis, with one or more resident counselors or staff persons. The purpose of such facility is to provide its occupants the benefits of normal residential surroundings to achieve optimal assimilation into the community. As treatment models evolve to serve different clients' needs (e.g. respite homes, crisis care, domestic violence households, post incarceration and re-entry homes, homes serving the elderly and/or physically disabled, et al.), Arlington needs to explore ways to create housing opportunities to serve these individuals.

Consistent with The Code of Virginia, the Arlington County Zoning Ordinance (ACZO) definition of family only permits groups of up to 8 unrelated persons (plus one or more resident counselors) with mental illness, intellectual disabilities, or developmental disabilities, which are licensed by the Virginia Department of Mental Health, Mental Retardation, and Substance Abuse. Such homes are commonly called "Group Homes", although are not defined as such within the ACZO. Group homes for persons with substance abuse are not included in the definition of family.

The ACZO would treat homes where more than eight people reside as an "institutional home" or a "dormitory. Both these uses require legislative approval through the Use Permit process. Common perception of the Use Permit process is that it is difficult and expensive to obtain. This perception makes it hard for programs such as safe havens<sup>12</sup> (low-barrier housing for chronically homeless), and homes for persons released from prison with non-violent offenses to operate in Arlington. Since the Commonwealth requires all land use related legislative processes to be subject to public hearings, an unfortunate by product of these public hearings is that a population of people are subject to a loss of confidentiality and privacy by disclosing their disability, thus creating an unintended barrier.

Consequently, the requirement to obtain a Use Permit could be a barrier to housing choice by limiting groups of 8 persons to those homes licensed by the Commonwealth. Some jurisdictions in Northern Virginia such as Fairfax County, Virginia, allow up to eight handicapped persons (as defined by Federal statute) without a Use Permit. (Refer to Appendix G for Fairfax's Group Residential Facility Zoning Ordinance).

The Federal Fair Housing Law interprets disability more broadly than Arlington County for group homes. A broader interpretation of disability would include people in substance abuse recovery programs (i.e. Oxford Houses, a federally chartered program where people in recovery live in groups to continue peer to peer support). Also, relaxing the "licensed program" language would allow more housing models such as safe havens to efficiently operate as a group home, better serving their clients and reducing expenditures.

<sup>12</sup> Susan's Place Safe Haven, operated by **New Hope Housing, Inc.** ([www.newhopehousing.org](http://www.newhopehousing.org)), is a form of supportive housing that serves hard-to-reach homeless persons with severe mental illness and other debilitating behavioral conditions who are on the street and have been unable or unwilling to participate in housing or supportive services.

## Source of Income

Residents who are seeking housing are sometimes refused because of selection criteria based on credit histories, criminal background checks, and/or sources of income. This section will examine these barriers.

According to Arlington's 2002 Housing Need Survey, persons with disabilities are particularly vulnerable and likely to pay over 40% of their gross income on housing. This situation is often due to underemployment and/or sole reliance on SSI, if they have any source of income. Housing subsidy and rental assistance may be available to them as part of a program such as the Section 8-Housing Choice Voucher (HCV) program, assistance from a service provider, or rental assistance from an Arlington Housing Grant. If a landlord does not accept these subsidies when determining applicant income eligibility, it can be an impediment to their housing choice and options.

Housing Opportunities Made Equal of Virginia (HOME) is a state wide nonprofit housing counseling and advocacy organization. According to its Source of Income Policy Brief<sup>13</sup>,

"Persons with fixed incomes such as social security, disability, and pensions can face additional challenges in their housing search due to income sources. A Virginia multi-regional HOME study found that when landlords were asked whether they would accept a Housing Choice Voucher (formerly "Section 8 Vouchers"), 82% of the landlords refused or discouraged acceptance of the voucher. A voucher holder may have good credit, a steady job, and references; however, as the law is currently written, landlords may reject Housing Choice Voucher holders even though they meet a landlord's selection criteria...

There is a disparate impact on families with children, the elderly, persons with disabilities, and single female headed households when source of income discrimination occurs. The elderly and persons with disabilities are presumed to live on fixed incomes...If a housing provider refuses to acknowledge government assistance such as Temporary Assistance to Needy Families (TANF) as a source of income, families with children are likely to be disproportionately affected. In the case of discrimination against Housing Choice Voucher holders, the same population is affected. According to data from HUD for Virginia, of the more than 50,000 vouchers administered between September 1, 2006 and December 31, 2007, 14% of all recipients were elderly, 57% were families with children, 54% were female headed households, and 28% were people with disabilities."

The challenge is compounded in Arlington because the rental vacancy rate is low (2.8%). There is competition for vacant apartments and since landlords may have an unfavorable opinion of the program, voucher holders can be turned away.

<sup>13</sup> <http://www.phonehome.org/Portals/0/PDFs/source%20of%20income%20policy%20brief.pdf>

The Commonwealth of Virginia is currently working to create a new program called the Communities of Opportunity Tax Credit Program under the Neighborhood Assistance Act to incentivize landlords in “communities of opportunity” (defined as a census tract with less than 10% poverty) with a state income tax credit to accept HCV holders. This proposal has the potential to reduce the geographic concentration of voucher holders as landlords in low-poverty neighborhoods are offered incentives to accept HCV holders. The Communities of Opportunity bill passed the Virginia Senate Finance Committee and the full Senate during the 2009 session. However, neither version of the bill (House or Senate) was heard in the House Finance Committee. The proposed source of funding, the Neighborhood Assistance Program Act, was instead allocated to different programs. Moving forward, the 2010 version of the bill is structured to annually draw the residual funds from the Neighborhood Assistance Program (NAP) as opposed to funding the program through a ‘carve out’ of the NAP.

There are other barriers that can arise during the rental application process. A youth transitioning out of foster care and leasing for the first time may have no credit history and even the smallest debt can render them ineligible for housing. Offenders with criminal backgrounds ranging from minor offenses to felonies are often denied housing and are often ineligible for federally-supported housing and subsidies. Not being able to secure a lease further restricts them from accessing other local programs, such as Permanent Supportive Housing (PSH) and Housing Grants. Also, since offenders are often single men, whom are not disabled nor have minors in the family composition, they usually do not qualify for subsidies despite their incomes. People with disabilities also experience disparate treatment as their rental applications are sometimes ignored or delayed.

Landlords will utilize third party verification to conduct credit and background checks. When a background check is conducted, the third party verifies an applicant’s credit and criminal history and issues a recommendation. The landlord does not receive the information that led to the recommendation. This may result in the inability of the applicant to explain directly to the landlord reasons for poor credit, background issues, or a criminal history.

## Recommendations

It is a barrier to housing choice that individuals with poor credit histories, criminal records, and/or who use housing vouchers have limited housing choices.

It is recommended that the County work to limit housing barriers based on credit histories, criminal background checks, and source of income.

- Identify housing models that are currently excluded from the Arlington County Zoning Ordinance (ACZO) and explore amending ACZO to include these models.
- Develop a “Ready to Rent” program to help applicants avoid leasing barriers, possibly modeled after this [Portland, OR program](#).
- Require all landlords who receive AHIF to waive the minimum income requirement or base the minimum income requirement on the tenant’s portion of the rent, to the extent permissible under fair housing law.
- Work to expand the state fair housing ordinance to include source of income.

- More widely disseminate fair housing rental testing report and increase resident participation in the Arlington County Human Rights Commission fair housing process.
- Develop a master lease program/policy to reduce barriers in the rental application process.

## Conclusion

Many of the impediments and barriers to fair housing choice in Arlington County that are identified in this analysis were present in 2005 when the last AI was drafted. The strategies identified in the 2005 AI appear to have been effective in reducing the incidence of some types of discrimination. Because of this effectiveness, the 2009 Fair Housing Plan is a continuation of the many successful fair housing activities conducted since 2005. However, the analysis notes that since the 2005 AI, Arlington County has experienced demographic changes, adjustments in the housing market, and an economic downturn. These changes impacted fair housing by altering the nature of some impediments and creating new ones, as well as putting additional pressure on fair housing enforcement and education and outreach efforts. Fair housing program staff has had to reassess activities and make adjustments to keep pace with the changing times.

The impediments and barriers identified in the AI are classified in four general categories.

- Some tenants and owners are not fully aware of their rights and responsibilities.
- Residents face physical and language barriers when seeking housing services.
- Arlington's lowest income residents lack sufficient resources for housing.
- Individuals with derogatory credit histories or criminal records, or who use housing vouchers have limited housing choices.

The Fair Housing Plan, made up of the recommendations from this report, identifies specific strategies and actions to address these impediments and barriers. See Appendix B for the complete Fair Housing Plan.



# Appendices

## Appendix A

### Consolidated Plan Community Forum questions, comments

#### Discussion Groups and specific questions

1. Affordable housing, foreclosures, subprime lending, and language access
  - a. What can be done to produce more affordable housing?
  - b. What can be done to improve the geographic distribution of affordable housing in Arlington?
  - c. What can be done to spread the use of prime financing practices, especially among Hispanics?
  - d. What else can be done to decrease the number of foreclosures?
  - e. What more can the County do to improve language access?
  - f. What are specific activities related to service provision that would be improved with increased language access?
2. Vouchers, barriers based on source of income, criminal background checks, credit histories, housing for people with disabilities (accessible housing)
  - a. How can the value and number of vouchers (local and federal) be increased?
  - b. What more can be done to aid potential tenants who use housing vouchers, have a criminal record, or have bad credit?
  - c. What is the demand for accessible units? Are more accessible units needed? At what level of accessibility?
  - d. How can tenants that need accessible units be more quickly/easily connected to those units when they become available?

#### General questions

1. Which barriers are the most significant?
2. Were all barriers identified?

#### Fair Housing Plan (FHP) – Current Efforts, questions

1. How can the County's "Current Efforts" be improved?
2. What other strategies are needed for the FHP?
3. Of the current and proposed strategies, which are the highest priorities for the next five-year period?

#### Summary of comments

##### Consolidated Plan Forum

##### Group 1

*Topics: Affordable housing, foreclosures, subprime lending, language access*

- The implementation of the accessory dwelling (AD) ordinance should be improved. There are still too many barriers, e.g. cost, that limit widespread adoption.
- Free land, e.g. churches, schools, community centers, should be used more efficiently to create affordable housing.
- Show more support for the National Housing Trust Fund (NHTF).
- In negotiations with developers, units should be asked for more than money in lieu.
- Real estate tax relief should be increased for owners and developers of affordable housing.
- A higher proportion of state tax credits should go to Northern Virginia.
- Developer fees should be unrestricted for developers of affordable housing.

- New ideas are needed, possibly the creation of a public housing authority. Relocation plans should be stronger.
- There is a need for better inspections and code enforcement.
- To improve foreclosure prevention, flyers should be distributed with the names of non-legitimate and legitimate financing and counseling organizations. They could be put in Laundromats. Partner with civic associations.
- Offer more English as a Second Language (ESL) classes.
- The language access policy is good, but implementation needs to be improved, e.g. the Spanish language flyer came out a few weeks after the English version.

*Topics: Vouchers, barriers based on source of income, criminal background checks, credit histories, housing for people with disabilities (accessible housing)*

- Increase availability of housing vouchers.
- Sometimes more accessible features are requested and landlords resist and delay repairs.
- The value of vouchers in relation to rents has declined.
- The U.S. Department of Housing and Urban Development (HUD) has a lengthy inspection process to issue vouchers.
- Persons with disabilities need value of vouchers increased to 120% Fair Market Rent.
- If person with disabilities has personal assistant or equipment, they need to be accommodated with a 2-bedroom unit.
- Promote more accessible housing for residents in nursing homes. To move people out of nursing homes, more accessible homes and apartments are needed. This is dictated by the Olmstead case. Maybe there should be a voucher preference for moving people out of nursing homes.
- Rental offices must be compliant with the Americans with Disabilities Act (ADA).
- Information for renters should be provided in accessible formats, including for those with low vision.
- Arlington should “test” for accessibility and Fair Housing accessibility requirements.

## Group 2

*Topics: All*

- There should be more sharing of the housing supply. Use churches, caretakers.
- To improve the geographic distribution of affordable housing, public land and facilities should be used. The Cherrydale and Alexandria firehouses both incorporated affordable housing. Potential also exists during the development of Westover library, Kenmore, Lubber Run. “School campus” concept should be explored for the schools as a way to build teacher housing on school sites.
- Arlington’s foreclosure prevention resources should be distributed more widely. Use Housing Online and Laundromats.
- Developers and owners of affordable housing should have access to more incentives, e.g. density, tax breaks, a fast approval process, reduced real estate taxes, payment in lieu of taxes (PILOT) agreements. These could be used to preserve market rate affordable housing (MARKS), especially along Columbia Pike and in conjunction with code enforcement activities.
- Use tax breaks on a small scale to preserve affordable housing. One community member said they own a second property in Arlington and they keep the rents affordable. This behavior should be incentivized.

- Regional efforts at creating accessible housing should be increased, e.g. the Giant in Wilston. Accessible units should be in this redevelopment.
- Affordable housing developers are often forced to pair supportive housing units with the ADA units. This is not always necessary from the consumers and developers point of view.

*Topics: Affordable Housing*

- Housing discrimination against those with vouchers occurs. People are disqualified or put on waiting lists when an apartment is available. Source of income is the basis. Laws from the state of Virginia are needed to protect against this practice.
- There is a gap between the County's commitment to affordable housing and what occurs in rental offices, where discrimination occurs.
- There needs to be a list of available properties where vouchers are accepted and this list needs more transparency. There should be categories with available properties and who is on the waiting lists. This should also be done for Committed Affordable Units (CAF).
- When renters are under a month to month lease, they have difficulty demonstrating proof of good tenancy to the next landlord.
- Tenants should be better educated on their obligations.

*Topics: Housing for people with disabilities (accessible housing)*

- Need requirement for roll-in showers to promote accessible housing, similar to the "barrier-free" program. Bath tubs should be removed from new units. This practice promotes aging in place and complies with the Olmstead case if nursing home residents can return to the community to live. This is a less expensive option.

General comments

- Supportive housing for the mentally ill is needed. Such housing should include some type of psychiatric rehabilitation services.
- Community Land Trusts (CLT) were suggested as a vehicle for creating and maintaining affordable housing. Arlington should investigate cities that have used this tool.
- Some apartment complexes should be remodeled for persons with disabilities.
- Improve Section 8 administration, especially when transferring from another state.

## Appendix B

### Fair Housing Plan: Current Efforts

The first section of the Fair Housing Plan outlines approved plans, policies, and strategies the County implements to address the barriers identified in the Analysis of Impediments to Fair Housing. The current efforts are grouped into seven categories. The second section will identify new strategies for the next five years.

#### Affordable Housing

- [Goals and Targets](#) - Arlington has nine Affordable Housing Goals, each with up to four numerical Targets. The Goals and Targets establish a long term vision for the County and provide a quantitative measure of the progress.
- [Supportive Housing Plan](#) – The Supportive Housing Plan<sup>14</sup> is a detailed plan that provides for expansion of affordable, accessible, community-based supportive housing opportunities.
- [Elder Readiness Plan](#) - The Elder Readiness Plan is a blueprint for an inclusive, livable community that will be ready to meet the increased needs of the elder population expected over the next 25 years.
- [The Housing Grants Program](#) - Arlington County offers a local tax supported program which provides a housing subsidy to eligible needy persons.
- [10-Year Plan to End Homelessness](#) - Arlington's 10 Year Plan to End Homelessness is based on the "best practice" strategy of "housing first," which focuses on preventing homelessness, moving people who do become homeless into housing rapidly, and providing the wrap-around services necessary for them to maintain their housing. It will also establish an early warning system with landlords and social service providers that will have a coordinated assessment process for identifying those at risk of homelessness and single point of entry for access to services which can prevent and respond to homelessness. The 10 Year Plan also supports the Housing Locator position which assists residents in obtaining and keeping housing, and acts as a liaison to property managers and owners.
- [Affirmative Marketing Plans](#) - The County ensures that an affirmative marketing plan, such as required by HUD for the Federal HOME program is included in all contracts with developers. It ensures that outreach is made to households who may otherwise not be informed of the availability of new or preserved affordable housing units. The County also

<sup>14</sup> Arlington has made considerable progress in developing permanent supportive housing (PSH) units. As of December 2009, over 100 persons with disabilities and homeless persons were living in their own apartments, receiving rental assistance and needed/desired support services. The PSH program has good outcomes: 96% of all residents retain housing for at least 1 year; 86% retain housing for at least two years.

monitors the affirmative marketing activities by developers of Committed Affordable Units. Refer to Appendix H.

- [Accessory Dwelling \(AD\) Ordinance](#) - An accessory dwelling is a second dwelling with kitchen, bathroom, and separate entrance on a single family lot. In Arlington, ADs are only permitted inside single-family detached houses, e.g. in a basement, on the second floor, or in an addition to the home. This addresses the geographic distribution of affordable housing in that this policy may create smaller housing units that are inherently more affordable.
- [Fair Housing Testing](#) - The County will continue analyzing Fair Housing Testing and Complaint data. However, due to budget constraints and the fact that fair housing testing has resulted in 0 findings of discrimination for the last two years, fair housing testing will now only occur every three years. The next fair housing testing will occur in 2011. If discrimination is found to have increased in 2011, the County may return to testing on an annual basis.

### Foreclosure Prevention Programs

- [Foreclosure Prevention and Counseling](#) - The County Homeownership Program and housing nonprofit partners are addressing the foreclosure issue by offering homeownership and financial literacy classes; conducting outreach at community events; providing direct loss mitigation counseling; and screening individuals facing foreclosure and referring them to foreclosure prevention counselors. Outreach is targeted to neighborhoods that had higher incidences of sub-prime lending and foreclosures.

### Home Ownership Education Program

- [Affordable Housing Target 7B](#) - The County's Affordable Housing Target 7B aims to provide home ownership education to 700 households with incomes below 80% of median and annually assist 50 households with incomes below 80% of median to become homeowners.

### Environmental Assessment Procedures

- [Site and Neighborhood Standards Checklist](#) - Arlington County uses a "Site and Neighborhood Standards Checklist" to further review whether potential projects are in compliance with fair housing regulations.

### Language Accessibility Policy

- [Limited English Proficiency \(LEP\) policy](#) - Arlington County's Limited English Proficiency (LEP) policy and guidelines direct departments to ensure that all programs are accessible to limited English proficiency persons.

### ESL Programs

- [ESL classes and programs](#) - The County sponsors a variety of ESL classes and programs in many locations.

- Bi-lingual services - Arlington County has bi-lingual employees and an employee language bank that consists of over 250 employees who receive premium pay to assist in translation. The County also has a contract with call-in translation services (AT &T language line) and a contract with interpreters in 99 languages to assist when required.

### Physical Accessibility

- Barrier Free program – The AHC Barrier Free grant program helps low- and moderate-income individuals with special needs to continue living safely and independently in their own homes. This program improves accessibility for physically challenged homeowners or renters, by installing handrails, stair lifts and ramps.
- Project Civic Access – Project Civic Access is a federal initiative designed to ensure that localities around the nation provide access to persons with disabilities consistent with the ADA, in all their facilities, services, and programs. Jurisdictions across the country participate in this program. Arlington completed its three year agreement in 2009. Refer to Appendix I for details about Arlington's participation.

## Fair Housing Plan: New Strategies

This section describes strategies that the County could undertake to address the barriers identified in the Analysis of Impediments to Fair Housing.

Based on the major barriers and impediments identified in the AI, four general fair housing strategies are highlighted. Below each fair housing strategy are potential actions that could be taken. This is a realistic framework on which the County can focus.

Increase outreach to and education of tenants and owners about rights and responsibilities

- Expand tenant-landlord program, housing fair, housing coordination, and foreclosure prevention in Housing Services.
- Conduct an education campaign on predatory lending, focusing efforts on County neighborhoods that are vulnerable to predatory lending. Actively distribute HUD's [citizen guides](#) on how to identify and avoid unfair lending practices, and file a complaint.
- Provide housing and credit repair education to households on Section 8-Housing Choice Vouchers (HCV) and Housing Grants waiting lists.
- The Human Rights Office (HRO) and the Department of Community Planning, Housing, and Development (CPDH) develop annual fair housing and AI workshops to educate the community and receive feedback. Hold a Latino specific forum related to fair housing, discrimination, and service access.

Improve physical and language accessibility

- Enhance the process to identify available accessible units and marketing them.
- Explore having an Affordable Housing Goal and Target for accessibility. One Target should relate to accessible bathrooms (roll in showers; units on ground floor), and the other should address accessibility compliance.
- Quantify the need for accessible units in the County and strive for commensurate baseline accessibility standards for County supported units.
- Include principles of visitability and universal design in all new construction and rehabilitations. Create a local visitability certificate program possibly modeled after Montgomery County, MD.'s [Design for Life](#) program.
- Develop accessibility public education campaign and expand County staff accessibility training.
- The LEP tool ("check off sheet") should be used for all programmatic outreach efforts by County staff and partners who administer housing programs. Ensure nonprofit partners provide multilingual versions of the Housing Choice Voucher application form and application forms for CAF rentals.
- Create a public service announcement (PSA) on Arlington TV in Spanish, Vietnamese and the other most prevalent non-English languages on affordable housing programs, the fair housing complaint process, and public services.



- Help create “Arlington Language Access Coalition,” a community group to oversee implementation of the Arlington Language Access Plan.
- Regularly update the County’s [LEP Plan](#). Prominently post each department’s LEP plan on the County website and provide progress reports on efforts to meet LEP goals. Create an LEP brochure to educate the community. Work with the regional language access coordinators group and the multicultural outreach network.
- Ensure that County outreach and program marketing publications pertaining to affordable housing and HUD-funded programs are available to County residents in multiple languages where appropriate to the needs of the consumers.

#### Increase the number and value of the local Housing Grants

- Work with the 10-Year Plan to End Homelessness Implementation Task Force to find new funding streams to increase Housing Grants.
- Expand Housing Grants’ eligible categories to include homeless singles.

#### Limit housing barriers based on credit histories, criminal background checks, and source of income.

- Identify housing models that are currently excluded from the Arlington County Zoning Ordinance (ACZO) and explore amending ACZO to include these models.
- Develop a “Ready to Rent” program to help applicants avoid leasing barriers, possibly modeled after this [Portland, OR program](#).
- Require all landlords who receive AHIF to waive the minimum income requirement or base the minimum income requirement on the tenant’s portion of the rent, to the extent permissible under fair housing law.
- Work to expand the state fair housing ordinance to include source of income.
- More widely disseminate fair housing rental testing report and increase resident participation in the Arlington County Human Rights Commission fair housing process.
- Develop a master lease program/policy to reduce barriers in the rental application process.

## Appendix C

### Washington, D.C. Metropolitan Region Dissimilarity Indices Census 2000

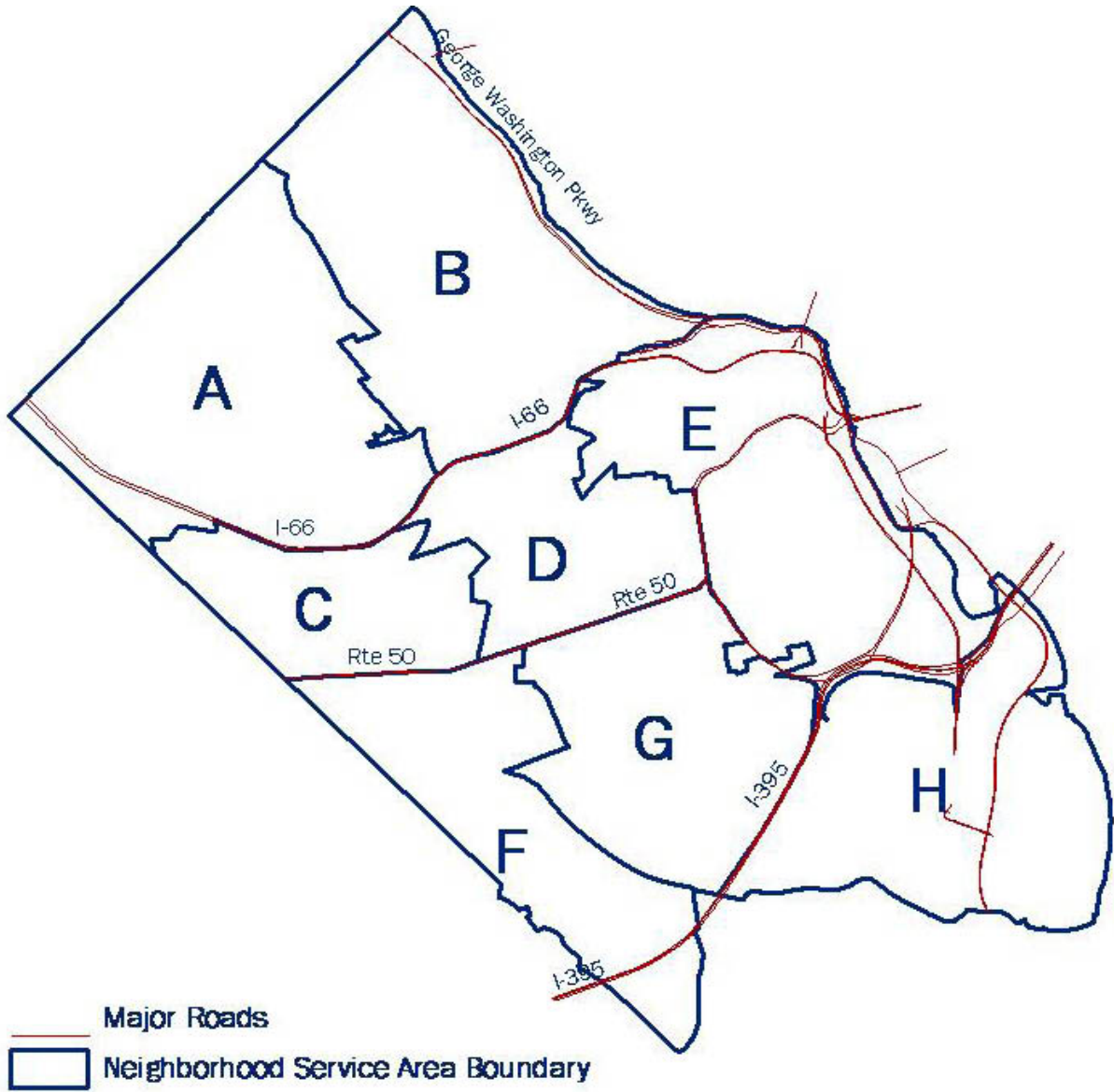
The dissimilarity index is the most commonly used measure of segregation between two groups, reflecting their relative distributions across neighborhoods within a city or metropolitan area. It can range in value from 0, indicating complete integration, to 100, indicating complete segregation. In most cities and metro areas, however, the values are somewhere between those extremes.

Although it is possible to average the data and to identify some regional trends, it is important to note that there is no single way that residential segregation functions in America. One can find instances of both high and low levels of segregation for every combination of racial groups.

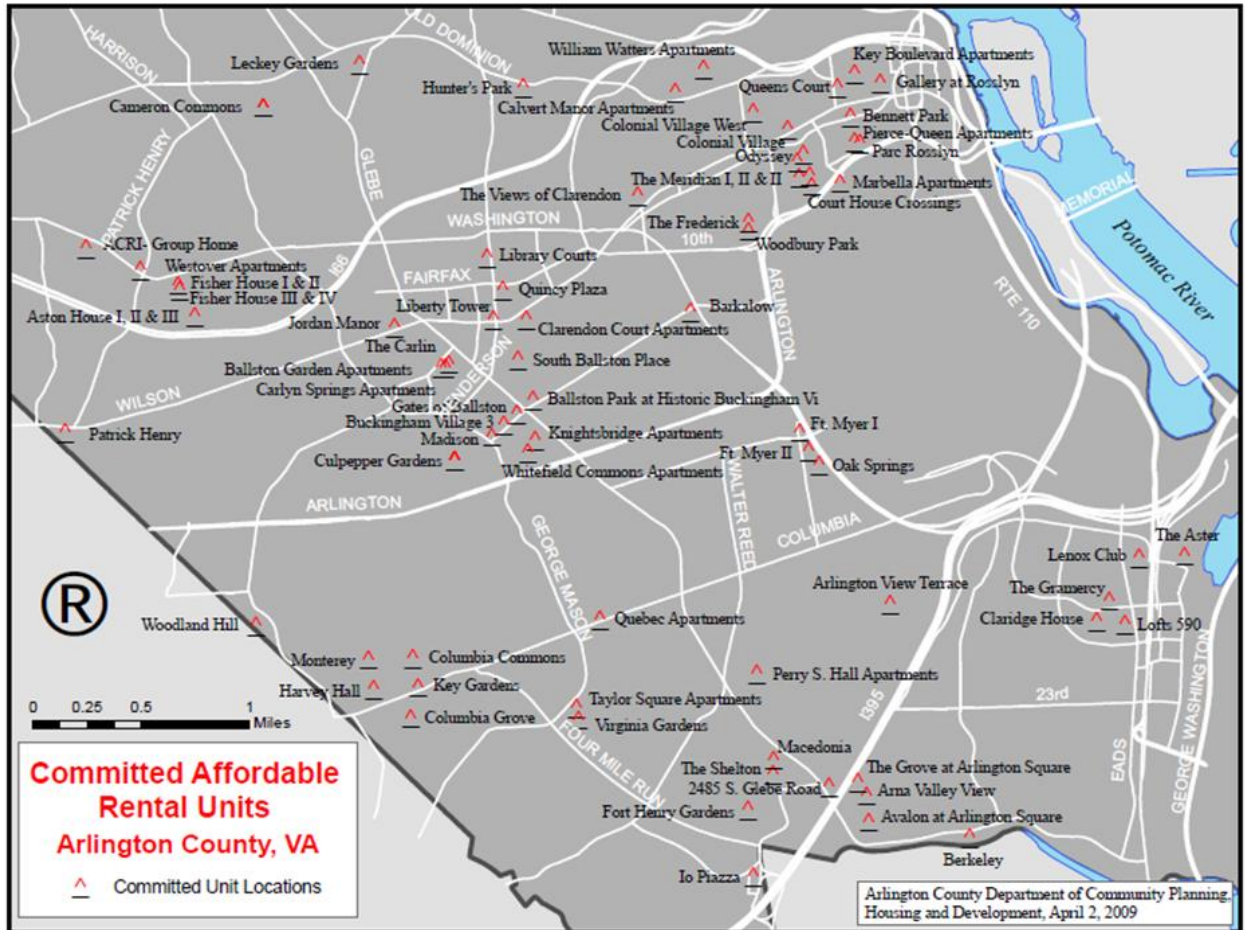
#### Dissimilarity Indices

	Dissimilarity Index		Percent of Total Population
	With Whites*	Population**	
White*	--	2,762,241	56.11%
Black*	66.2	1,266,672	25.73%
American Indian*	44.0	12,052	0.24%
Asian*	43.8	328,209	6.67%
Native Hawaiian*	65.8	2,604	0.05%
Other*	46.2	12,100	0.25%
Two or More Races*	35.6	107,272	2.18%
White/Black*	41.7	18,056	0.37%
White/American Indian*	39.4	8,720	0.18%
White/Asian*	34.8	25,488	0.52%
White/Other*	52.2	16,252	0.33%
Other Combinations*	--	38,756	0.79%
Hispanic	52.5	432,003	8.77%
Total Population	--	4,923,153	100.00%

Appendix D  
NSA map



# Appendix E Map of CAFs



## Appendix F

### Accessibility Standards

This appendix is a comparison of accessibility standards for multifamily rental housing. It addresses:

- The number of apartments in multifamily rental housing which must be accessible, based on the type of funding used to build or renovate the housing; and
- The specifications of various accessibility standards; especially the requirements of multifamily rental properties funded with Low-Income Housing Tax Credits vs. those funded through the Department of Housing and Urban Development (HUD)

#### Summary

The construction or alteration of multifamily rental housing in Arlington will fall into one of three categories:

**New construction which does not utilize HUD funding, or which utilizes Low-Income Housing Tax Credits without any points awarded for an accessibility bonus**, is governed by the International Code Council/American National Standards Institute A117.1 [ICC/ANSI A117.1]. New apartment complexes of 20 or more units must have 2% of units built out to be accessible (the ICC/ANSI A117.1's definitions of "accessibility" are detailed in the chart below). Alterations may also require that accessible units be added.

**New construction which utilizes HUD funds** is governed by Section 504/UFAS (definitions follow); such apartment complexes must have 5% of units accessible to persons with mobility disabilities and an additional 2% of units accessible to persons with sensory (auditory or visual) disabilities. Alteration of existing properties may also require the addition of accessible units.

**Construction which utilizes Low-Income Housing Tax Credits with points awarded for an accessibility bonus** is governed by UFAS; such apartment complexes must have either 10% or 4% of units accessible, depending on the number of bonus points awarded.

Multifamily rental properties funded with Low-Income Housing Tax Credits without points awarded for an accessibility bonus, and in some cases even with points awarded for an accessibility bonus, do not need to have as many units accessible as properties with HUD funding (that is, do not need 5% / 2% units accessible as mentioned above).

Type of funding/program	Percentage of units to be accessible	Applicable construction regulations	May units house persons without disabilities?
<p>New construction in Arlington (see Note 1 regarding alterations)</p>	<p>Generally, in apartment complexes of 20 or more units, 2% (and a minimum of one unit) must be "Type A" units. [Source 1]</p> <p>ICC/ANSI A117.1 defines three types of units of varying levels of accessibility: "Accessible" (with the most demanding accessibility requirements), "Type A" (units with a high level of accessibility, especially in kitchens and bathrooms), and "Type B" (units with a basic degree of accessibility). [Source 2]</p> <p>(See Note 2 for an example of distinctions between Accessible, Type A, and Type B units; "Accessible" units are necessary in some sorts of housing such as nursing homes, assisted care, etc. [Source 3])</p>	<p>2006 International Building Code, and ICC/ANSI A117.1.</p> <p>[Source 4]</p>	<p>Yes</p>
<p>VHDA – LIHTC without accessibility bonus points</p>	<p>Same as any other construction, above [Source 5] (See also Note 3)</p>	<p>Same as above</p>	<p>Same as above</p>
<p>VHDA – LIHTC; 50-, 30-, or 15-point accessibility bonus</p>	<p>5 units or 10% of units, whichever greater, to earn 30 or 50 points; 4% of units, to earn 15 points [Source 6]</p>	<p>Conforming to Section 504 of the 1973 Rehabilitation Act [per source 6]; see space immediately below for details of Section 504</p>	<p>No [Source 6]</p>
<p>HUD [Source 7], including HOME [Source 8] and CDBG [Source 9] (See Note 4 regarding alterations)</p>	<p>5% of the dwelling units, or at least one unit, whichever is greater, to meet UFAS (see box to right), or a standard that is equivalent or stricter, for persons with mobility disabilities. An additional 2% of the dwelling units, or at least one unit, whichever is greater, must be accessible for persons with hearing or visual disabilities. [Source 7, "Physical Accessibility," question 2] [also source 10]</p>	<p>Accessible dwelling unit must be in compliance with the appropriate technical criteria in the Uniform Federal Accessibility Standards (UFAS) or a standard that is equivalent to or stricter than the UFAS. [Source 7, "Physical Accessibility," question 1]</p> <p>(Also see Note 5)</p>	<p>Yes [Source 7, "Program Accessibility, question 3]</p>

### **Notes (as cited in parentheses above)**

1. Alterations in Arlington also may require addition of Accessible/Type A/Type B units; per 2006 IBC 3409.3, 3409.6 and 3409.7. Some provisions of ICC/ANSI A117.1 may not apply if they are “technically infeasible.”

2. As an example of the difference between Accessible units and Type A/Type B: Accessible units must have open space beneath bathroom sinks [ICC/ANSI A117.1, 1002.11], but Type A and Type B need only have removable cabinetry. [Type A, ICC/ANSI A117.1, 1003.11.5; Type B, ICC/ANSI 1004.11.3.2.1.1, Exception 2]

3. It is also relevant that VHDA offers a 15-point bonus for projects in which 4% of units are accessible under Section 504 guidelines (as mentioned in the VHDA 2009 Tax Credit Manual [source 6], top of page 40). If all LIHTC-based funding was subject to Section 504 rules, a minimum of 5% / 2% of units would need to be accessible, so there would be no point in offering such a bonus.

4. For alterations of housing facilities of 15 units or more which cost 75 percent or more of the replacement cost of the facility, the accessibility requirements are the same as those for new construction. If alterations are made to dwelling units in facilities which have fewer than 14 units, or in which the costs are not 75% or more of the replacement cost, the first 5 percent of dwelling units altered must be made accessible to persons with mobility impairments. [24 CFR 8.23]

5. The Uniform Federal Accessibility Standards are nearly identical to ICC/ANSI A117.1; HUD and the other Federal agencies which compiled UFAS “determined that the uniform standards adopted by them would, as much as possible . . . be consistent with the standards published by the American National Standards Institute (ANSI) for general use.” [From the Introduction to UFAS;

<http://www.access-board.gov/ufas/ufas-html/ufas.htm#4.3> ]

In both UFAS and ICC/ANSI A117.1, ramps may be at an incline of 1:12, and may rise no more than 30 inches, although both allow for exceptions in existing properties due to space limitations. Both require that doors in accessible units require no more than 5 lbs. of force to open. Both require that accessible routes be 36” wide, with exceptions for short lengths of the passageways near doors [UFAS 4.3.3; ICC/ANSI A117.1 403.5]. Both set the minimum width of doorways, for accessible units (per Section 504 UFAS) and for Accessible and Type A units (per ICC/ANSI), at 32 inches. (ANSI Type B units may be only 31 ¾ “ wide [1004.5.2.1].)

Also held in common is the clear space requirement of 30 x 48 inches next to appliances. 4.34.6.2 in UFAS; in ICC/ANSI A117.1:

-1002.12 for Accessible units, which refers to Section 804; 804.6.1 refers to Section 305; 305.3 has the 30 x 48 rule

-1003.12.2 for Type A units; refers to “Section 305”

-1004.12.2 for Type B units; refers to “Section 305.3”

### **Sources [as cited in brackets above]**

[1] 2006 International Building Code (IBC), Chapter 11, 1107.6.2.1.1. The IBC is incorporated into the Virginia Uniform Statewide Building Code, which is adopted by Arlington County. While a 2009 IBC has been published, the Virginia Uniform Statewide Building Code still references the 2006 IBC.

[2] ICC/ANSI A117.1, 1001.1

[3] IBC, 1107.5.1.1

[4] IBC, 1102 ("Definitions")

[5] Page 1 of VHDA Minimum Design and Construction Requirements:  
[http://www.vhda.com/vhda\\_com/apps/DocumentLibrary/document\\_load.asp?docid=3305](http://www.vhda.com/vhda_com/apps/DocumentLibrary/document_load.asp?docid=3305)

[6] VHDA 2009 Tax Credit Manual, page 39:  
[http://www.vhda.com/vhda\\_com/apps/DocumentLibrary/document\\_load.asp?docid=2918](http://www.vhda.com/vhda_com/apps/DocumentLibrary/document_load.asp?docid=2918)

[7] HUD site, "People with Disabilities," Section 504 Frequently Asked Questions  
<http://www.hud.gov/offices/fheo/disabilities/sect504faq.cfm#anchor272118>

[8] Page 10-3 of Building HOME;  
<http://www.hud.gov/offices/cpd/affordablehousing/training/materials/building/ch10.pdf>

[9] 24 CFR 570.602

[10] 24 CFR 8.22

Other notes:

Funding from Low-Income Housing Tax Credits and/or HUD does not relax any of the requirements of the Virginia Statewide Uniform Building Code/IBC.

The Fair Housing Act, the Americans with Disabilities Act (ADA), and the Architectural Barriers Act (ABA) are other Federal laws which affect federally-funded projects and/or projects of public entities, but they do not change the percentages of accessible housing units mentioned above nor the specifics of accessible features. [Source 7, final section ("Other Disability Civil Rights Laws Affecting Federally Assisted Housing Providers").]

Department of Community Planning, Housing and Development – Eric Timar, Housing Division



## Appendix G

### Fairfax County Group Residential Facility zoning ordinance

**GROUP RESIDENTIAL FACILITY:** A group home or other residential facility, with one or more resident counselors or other staff persons, in which no more than: (a) eight (8) mentally ill, mentally retarded or persons with developmental disabilities reside and such home is licensed by the Virginia Department of Mental Health, Mental Retardation and Substance Abuse Services; or (b) eight (8) mentally retarded persons reside and such home is licensed by the Virginia Department of Social Services; or (c) eight (8) handicapped persons reside, with handicapped defined in accordance with the Federal Fair Housing Amendments Act of 1988. The terms handicapped, mental illness and developmental disability shall not include current illegal use or addiction to a controlled substance as defined in Sect. 54.1-3401 of the Code of Virginia or as defined in Sect. 102 of the Controlled Substance Act (21 U.S.C. 802).

For the purpose of this Ordinance, a group residential facility shall not be deemed a group housekeeping unit, or ASSISTED LIVING FACILITY and a dwelling unit or facility for more than four (4) persons who do not meet the criteria set forth above or for more than eight (8) handicapped, mentally ill, mentally retarded or persons with developmental disabilities shall be deemed a CONGREGATE LIVING FACILITY.

Source: <http://www.fairfaxcounty.gov/dpz/zoningordinance/articles/art20.pdf>

## Appendix H Model Affirmative Marketing Plan

In accordance with Section XXX of the Committed Affordable Housing Program Agreement (the "CAF Agreement") dated XXX between XXX and The County Board of Arlington County, Virginia, the following is the Affirmative Marketing Plan (the "AMP"):

The current schedule for first occupancy of the first Committed Affordable (CAF) Unit is (date). As such the pre-occupancy marketing program will commence on or about XXX as required in the Agreement [typically 45 days notice]. The marketing program shall be designed to target tenants who would qualify for occupancy of the CAFs per Section XXX of the Agreement.

We expect to place appropriate advertisements in the Washington Post, El Tiempo Latino, etc. and other publications that are intended to reach the target market. Once it is determined which publications and/or other media produce the best results, the breadth of publications may be narrowed.

The advertisements shall include:

- The rental price range of the CAFs;
- The income ranges needed to qualify for the CAFs;
- A note that Section 8 Housing Choice Vouchers and Housing Grants are accepted;
- A note that there is an accessible unit for persons with physical disabilities available under the CAF program; and
- The Equal Housing Opportunity logo. (Equal Housing Opportunity logo available here: <http://www.hud.gov/library/bookshelf11/ Hudgraphics/fheologo.cfm>)

The property will have a [#] -bedroom CAF [or more] which is/are a Type A accessible unit in compliance with the International Construction Code (ICC) 1107.6.2 and American National Standards Institute A117.1 for persons with physical disabilities. This accessible unit must be advertised on [www.AccessVa.org](http://www.AccessVa.org). Upon initial lease-up, this/these unit[s] shall be the last [size] CAF [s] held vacant if [it / they] [is / are] not leased to a person with disabilities, and no household without a person with disabilities may lease the unit until it has been advertised for 60 days. Upon subsequent vacancy of this/these unit[s], the accessible unit[s] shall be marketed for 30 days before being released to a non-disabled household.

(Management) shall also conduct outreach to social service and disabled advocacy agencies and targeted marketing efforts to local police, fire and school employees. (Management) will look to the Arlington County Housing Division for assistance with this outreach program. The Housing Division has provided management with a "Resources for Advertising" document which lists relevant government and nonprofit offices, web sites, and media outlets. Accessible units must be advertised on [www.AccessVa.org](http://www.AccessVa.org).

The marketing period shall commence as noted above, cease once all units are leased, and be re-initiated upon a notice of vacation of any of the CAFs unless a wait list has been established.

Notwithstanding the above, the AMP shall generally conform with the Agreement and with Exhibit \_\_ [often Exhibit D] attached hereto.

(Equal Housing Opportunity logo available here:

<http://www.hud.gov/library/bookshelf11/hudgraphics/fheologo.cfm>)

## Appendix I

### Project Civic Access

In 2006, Arlington accepted the Department of Justice's invitation to participate in "Project Civic Access" and worked diligently with DOJ over the next three years to ensure that all of Arlington County's programs, buildings and facilities are in compliance with the Americans with Disabilities Act (ADA). This initiative is designed to ensure that localities around the nation provide access to persons with disabilities consistent with the ADA, in all their facilities, services, and programs. Jurisdictions across the country participate in this program. Arlington completed its three year agreement in 2009. See below for more details

#### *Accessibility Progress in Arlington*

During the audit of the County's facilities, DOJ found areas for improvement. At the same time, DOJ has recognized that Arlington County has taken many steps to comply with the ADA; among them:

1. The designation of an ADA Coordinator and the creation of the Disability Advisory Commission.
2. The issuance of a public notice which states that Arlington County Government is committed to the true spirit of the ADA and ensures that all persons with disabilities can access its services, participate in its programs and benefit from all its community resources. Arlington County provides sign language interpreters, audio amplification systems, documents in alternate formats, and other accommodations upon request. TTY telephone numbers are communicated to the public via our website, in correspondence, e-mail and publications for answering questions upon request.
3. The establishment of a grievance procedure to resolve issues and complaints filed by concerned customers.
4. The County developed a self-evaluation and a transition plan in 1992, as originally required by the ADA.
5. Arlington has contracts with a sign language interpreter agency, provides Computer Aided Real Time Transcription Services, through a local reporting agency, and produces documents in alternate formats, including Braille, upon request.
6. Arlington's state-of- the-art computerized 9-1-1 center answers TTY calls in the same way all other calls are handled.
7. Arlington provides same day balloting for voters with disabilities through curbside voting. In addition the County has voting machines with audio ballot features as well as large typeface capabilities for voters with vision impairments.
8. The County has a policy for receiving requests from residents with disabilities regarding the installation of curb cuts and the County completes installation of curb cuts within 30 days.
9. Arlington's police station has a TTY number for incoming or outgoing telephone calls.
10. The County is actively making all its facilities accessible for people with disabilities.

#### *Additional Initiatives*

County Manager Carlee announced additional initiatives taken by the County for the benefit of persons with disabilities, which go beyond the scope of the agreement with DOJ. Among them, the County Manager mentioned:

- The acquisition of new computer software to monitor the County's web site for compliance with the ADA. .
- The soon to be initiated captioning of County Board Meetings and the TV magazine "Update Arlington", which are both transmitted by the County's cable station, AVN74.
- A process for the adoption of a comprehensive action plan to address issues affecting persons with disabilities. The process includes participation from the County's Disability Advisory Commission and local disability advocacy groups.