

Community + Human Development



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Dee Margo

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Cissy Lizarraga

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Tommy Gonzalez

CITY OF EL PASO

FAIR HOUSING TASK FORCE MEETING MINUTES

Tuesday, September 8, 2020

1. A meeting of the Fair Housing Task Force was held virtually on Microsoft Teams +1 915-213-4096 United States, El Paso (Toll) Conference ID: 267 523 995# and was called to order at 6:11 p.m. by Vice Chair, Bill Schlesinger.

Regular Board Member	Present	Absent	Excused	Not Excused
Mauricio Felix		X	✓	
Anibal Olague		X		✓
Jonathan Macias	X			
Miguel Hernandez	X			
Rosa I. Estrada	X			
Kimberly Cook-McDaniel		X		✓
Bill Schlesinger	X			
Marcella Carrillo		X	✓	
Andy Farias	X			
Alternate Board Member				
Christine Gallegos		X		✓
Marc A. Salazar		X		✓
Robert Fernandez	X			
Luis Yañez		X		✓

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City staff present: Nicole Ferrini; Abraham Gutierrez; Mark Weber; Nickole Rodriguez; Sandra Pellegrini; Sarah Ortiz; Nicholas Muñoz; Felipe Garcia; Clarissa Cervantes

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Peter Svarzbein

Public present: List of attendees available upon request.

District 2

Alexsandra Anello

2. Discussion and Action on the Request to Excuse Absent Members

Absent Members: Mauricio Felix, Anibal Olague, Kimberly Cook Mc-Daniel and Marcella Carrillo

District 3

Cassandra Hernandez

Members with prior notification: Mauricio Felix and Marcella Carrillo

District 4

Dr. Sam Morgan

Motion by Vice Chair, Bill Schlesinger to move item to the end of the meeting and seconded by Jonathan Macias.

District 5

Isabel Salcido

Ayes: Miguel Hernandez, Rosa I. Estrada, Andy Farias and Robert Fernandez

District 6

Claudia L. Rodriguez

Objection: None.

District 7

Henry Rivera

3. Approval of Minutes from September 8, 2020 Meeting

Motion by Bill Schlesinger to approve by common consent and seconded by Andy Farias to approve minutes.

District 8

Cissy Lizarraga

Ayes: Jonathan Macias, Miguel Hernandez, Rosa I. Estrada and Robert Fernandez

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Objection: None.

4. Presentation and discussion on the progress of the Assessment of Impediments:

- Follow up on military housing, LGBTQ protections, and younger household homeownership
- Crosswalk of 2016 impediments
- 2020 current impediments to affordable fair housing choice

*Screen shared— *City of El Paso Analysis of Impediments**

Follow-up from previous FHTF// Fort Bliss Military Housing Perspective

“Fort Bliss’ expansion had a lasting impact on El Paso’s housing market, blunting the impact of the Great Recession for years to come.” – Texas A&M University, El Paso Military and Manufacturing’s Influence on Housing (March 2020)

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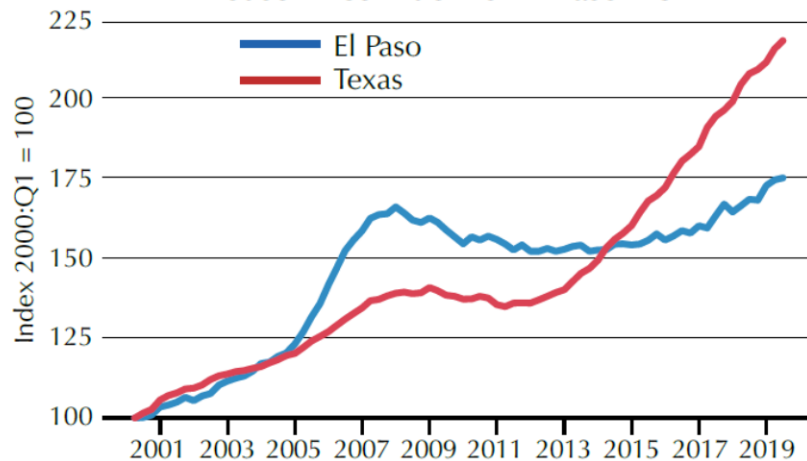
District 8

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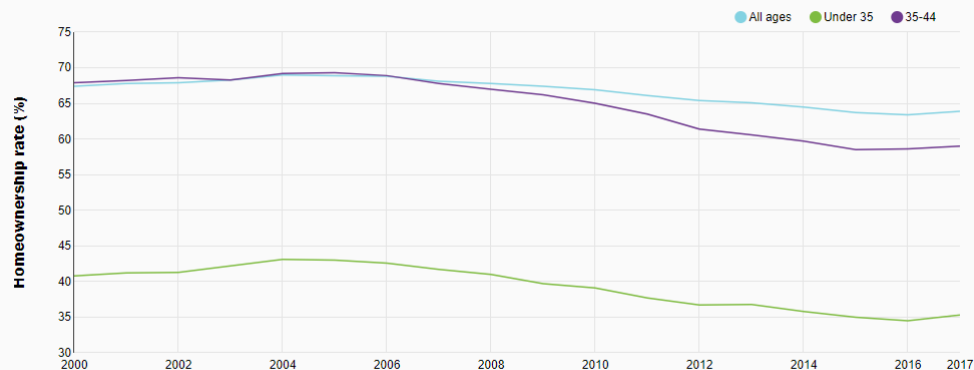
House Price Index for El Paso MSA



Sources: U.S. Federal Housing Finance Agency and Real Estate Center at Texas A&M University

Trends with younger homeowners

Fewer homeowners, especially among younger households



U.S. Census Bureau, Current Population Survey/Housing Vacancy Survey.

BROOKINGS

Student debt levels in El Paso have increased significantly since 2006.

	2006	2018	Percent change 2006 to 2018
Balance per borrower (\$)			
Median	8,375	14,242	70
Average	17,088	26,448	55
Serious delinquency rate (%)	7.8	14	-

Student debt serious delinquency is on the rise in El Paso.

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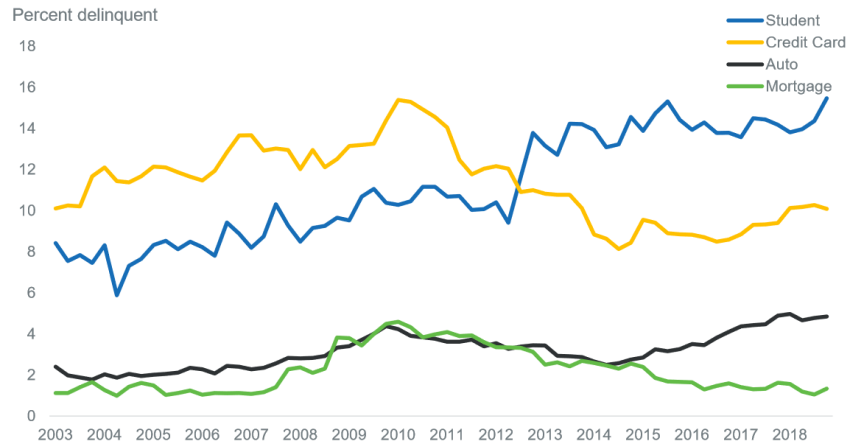
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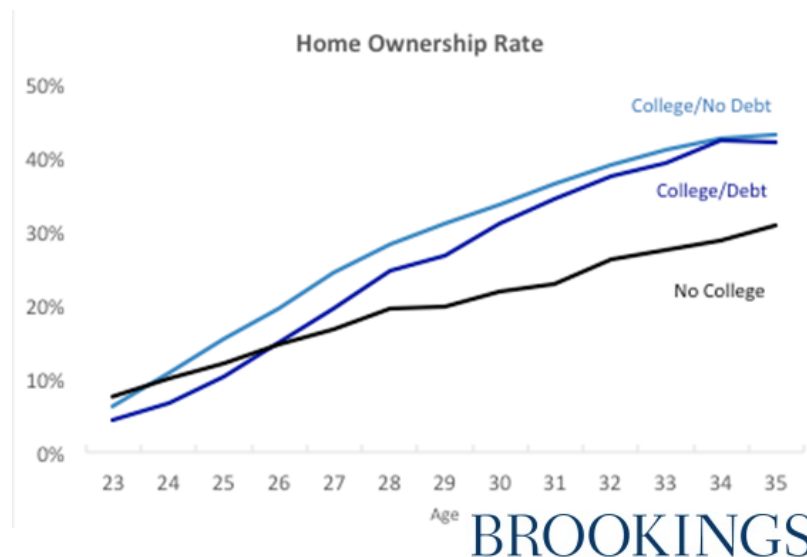
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SOURCE: Federal Reserve Bank of New York Consumer Credit Panel/Equifax.

Student debt has little impact on homeownership rates long-term. Rather, having a college education, whether with or without debt, leads to higher rates of homeownership.



Fair Housing Act

Prohibits housing discrimination on the basis of race, color, national origin, religion, sex, familial status, and disability. A person who identifies as LGBTQ who has experienced (or is about to experience) discrimination under any of these bases may file a complaint with HUD. HUD is committed to investigating violations of the Fair Housing Act against all individuals regardless of their sexual orientation or gender identity.

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Examples:

A transgender woman is asked by the owner of her apartment building not to dress in women's clothing in the common areas of the property. This may violate the Fair Housing Act's prohibition against sex discrimination, which includes discrimination based on non-conformity with gender stereotypes.

A gay man is evicted because his landlord believes he will infect other tenants with HIV/AIDS. This may violate the Fair Housing Act's prohibition against disability discrimination, which includes discrimination against people who have or are perceived to have HIV/AIDS.

LGBT Equal Access to HUD Programs

The U.S. Department of Housing and Urban Development enforces regulations that ensures its programs are open to all eligible individuals regardless of actual or perceived sexual orientation or gender identity.

HUD Equal Access Rule

HUD's Equal Access Rule requires equal access to HUD programs without regard to a person's actual or perceived sexual orientation, gender identity, or marital status. Housing providers that receive HUD funding or have HUD-insured loans are subject to the Rules. A person who identifies as LGBTQ who has experienced (or is about to experience) discrimination by a HUD-funded or FHA-insured housing provider or lender may report it to HUD by either [filing a complaint](#) or by [contacting a local FHEO office](#).

Examples:

An underwriter for an FHA-insured lender is reviewing a loan application by two males; both incomes are being used as the basis for the applicants' credit worthiness. The underwriter assumes the applicants are a gay couple and, as a result, denies the application despite the fact that the applicants meet all requirements for the loan. This may violate HUD's Equal Access Rule, which prohibits FHA-insured lenders from taking actual or perceived sexual orientation into consideration in determining adequacy of an applicant's income.

Motion by Jonathan Macias and seconded by Miguel Hernandez to consider public comment at this time.

Ayes: Rosa I. Estrada, Andy Farias and Robert Fernandez

Objection: None.

Lorena Soto: ask a couple of questions and comment on the approach to get the information out. When you say that it effects these rules, only equitable to HUD Housing correct? When people are applying to accept federal funding to rent out their homes, my assumption that they are going through some kind of training as to what the rules are regarding that? Curious on how much time is spent on the LGBTQ community and what is expected of them when they are renting?

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Danilee Villegas: The new ordinance in hopes to get community involvement for and bring before Council, is the idea to address and protect only those federal backed housing or all housing in El Paso?

Brenda Rich: Willing to help promote and spread the word about these policies. We can incorporate this information in all of our general public outreach. Question: If this is a national and citywide initiative, why is the City not paying for that?

Motion by Jonathan Macias and seconded by Miguel Hernandez to resume and continue Item 4 on the agenda.

Ayes: Rosa I. Estrada, Andy Farias and Robert Fernandez

Objection: None.

2016 Impediments Crosswalk

Review of 2016 Impediments

1. Illegal housing discrimination
2. Decrease residential patterns of protected class concentrations based on race, national origin and disability
3. Create a plan to effectively integrate the AI with the City's consolidated plan
4. Decrease disparities in home mortgage lending and high-cost loans
5. Disparities in home mortgage lending
6. Improve current reporting process of Fair Housing complaints
7. Amend the Fair Housing ordinance for the City of El Paso

Illegal Housing Discrimination

- 26 total complaints.
- In the past 4 years, a total of 8 complaints
- A vast majority of discrimination complaints involved disabilities (89% since 2016)
- Marketing and outreach should target fair housing rights for those with disabilities.

Status of complaints reported to HUD's Office of Ethics and Appeals Law Division

- 16 Successful Conciliation
- 7 No Cause Determination
- 3 Compliant withdrawn

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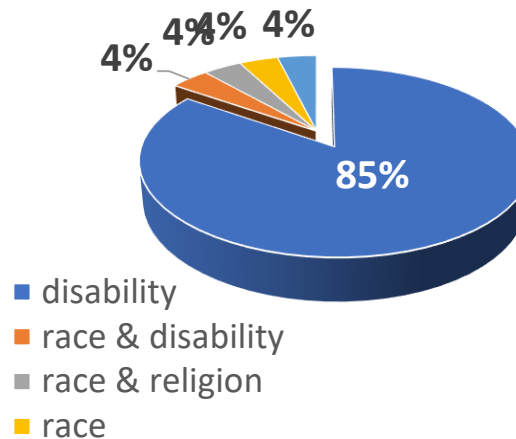
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% of complaints 2016-2020



Illegal Housing Discrimination

1. Revise City complaints process and procedures.

- DCHD reorganized fair housing staff
- Renewed executive emphasis on Fair Housing Task Force
- Stronger departmental understanding of the complaints that are being reported
- Improvements to City webpage are needed (ex. Fair Housing Dashboard)
- Quarterly update to FHTF regarding status of fair housing complaints

2. Educate the public, agencies and housing providers.

- Expanded support of fair housing outreach sub recipient
- City is restructuring Fair Housing Education funding to directly contract with a marketing firm to increase visibility of Fair Housing.

Decrease residential patterns of protected class concentrations based on race, national origin and disability.

1. Increase the planning and implementation of programs that encourage the development of affordable housing in non-minority concentration areas

- Uptown and MCA prioritized for affordable housing development.

2. Continue focus of Fair Housing and Affirmative Marketing activities on identified minority areas

- The marketing strategy will target additional outreach efforts to areas of high racial or ethnic concentration.

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Create a plan to effectively integrate the AI with the City's consolidated plan

1. Ensure that new housing projects are reviewed, evaluated and monitored in consistency with the AI plan of action.

- The 2020-2025 Con Plan and 2020 AI outreach conducted simultaneously.
- El Paso Regional Housing Plan primary purpose to increase affordable housing choice in targeted areas.
- Fair and affordable housing now embed into the City of El Paso Strategic Plan through the El Paso Regional Housing Plan.
- Now we follow through with plan implementation.

Decrease disparities in home mortgage lending and high-cost loans.

1. Distribute information to the public on predatory lending practices.

- Project Vida Fair Housing Outreach Program

2. Provide information to both consumers and providers.

- Project Vida Fair Housing Outreach Program

Increase public awareness on Fair Housing issues and available resources

1. Make Analysis of Impediments available to the public.

<https://www.elpasotexas.gov/~media/files/coep/community%20and%20human%20development/reports/analysis%20of%20impediments.ashx?la=en>

2. Distribute Fair Housing literature

3. Continue to collaborate with the education and outreach contractor

4. Issue Fair Housing proclamation every year and promote Fair Housing Month activities (April)

Not In My Back Yard

1. Educate area residents of the benefits of diverse communities

2. Address residents' concerns

- Marketing strategy needs to include benefits of having affordable housing in and around a neighborhood.

Amend the Fair Housing Ordinance for the City of El Paso

1. Update the current ordinance to address Fair Housing issues and to enable the Fair Housing Officer to effectively address Fair Housing issues

- The Fair Housing Ordinance was updated May 2018 to reflect recommendations made by the Fair Housing Task Force.

Results:

- Established roles and responsibilities of the FHTF and the City
- Increased term of appointment from 2 years to 3 years

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- Added alternate appointments

Implement local policies to protect rights of LGBTQ persons

- Local equality policy needed

Affordability for homeowners and renters

- El Paso Regional Housing Plan

Access to credit

- Financial Empowerment Blueprint

Decline in homeownership among younger households

- Financial Empowerment Blueprint

Revisiting Item #2 on agenda: Discussion and Action on the Request to Excuse Absent Members

Andy Farias moves to have absent members with prior notification excused and seconded by Jonathan Macias.

Ayes: Miguel Hernandez, Rosa I. Estrada and Robert Fernandez

Objection: None.

5. Public Comment

Public Comment Item was moved up in the meeting.

6. Adjourn

Meeting was adjourned at 7:43 p.m.

Prepared by: Clarissa Cervantes

<https://livestream.com/cityofelpaso1/events/8582189>

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